

Open Session Minutes

Virtual Meeting

COMMISSIONERS AND STAFF PRESENT:

COMMISSIONERS:

Betty T. Yee, State Controller

Eleni Kounalakis, Lieutenant Governor, (Matt Dumlao, Environmental Policy Advisor and Alternate, participated for Items 01, 55, 59, 60, 61, and 62)

Gayle Miller, Chief Deputy Director and Alternate for Director of the Department of Finance Keely Bosler

STAFF MEMBERS:

Jennifer Lucchesi, Executive Officer

Seth Blackmon, Chief Counsel

REPRESENTING THE OFFICE OF THE ATTORNEY GENERAL:

Andrew Vogel, Deputy Attorney General

NOTE:

The final approved Minutes also include the Agenda and corresponding staff reports (incorporated into the draft Minutes by reference) approved as presented unless otherwise indicated in the Record of Action. A list of individuals making statements before the Commission and the entities they represent, along with the Executive Officer's Report, are included in a complete transcript of the proceedings, which is on file in the Sacramento offices of the Commission and posted on the Commission's website at www.slc.ca.gov. Also included on the website is the voting record of the meeting with the staff report for each agenda item linked to the respective consent, regular or informational item number. A link to a recorded Cal-span.org webcast of the meeting is also available on the Commission's website. All of these items may be found under Previous Meetings, by date of the meeting.

RECORD OF ACTION TAKEN BY THE CALIFORNIA STATE LANDS COMMISSION:

Chair Betty Yee called the meeting of the California State Lands Commission to order at 1:02 P.M. via Zoom webcast; also present were Commissioner Eleni Kounalakis and Commissioner Alternate Gayle Miller.

Confirmation of the Minutes of the June 23, 2020 meeting was approved as presented by a vote of 3-0 (Yee–Yes; Kounalakis–Yes; Miller–Yes)

EXECUTIVE OFFICER'S REPORT:

Executive Officer Jennifer Lucchesi updated the Commission on the following items:

- **Dive Boat MV Conception:** On September 2, 2019, the dive boat MV Conception tragically caught fire and sank, resulting in the loss of thirty-four human lives. On today's consent agenda is an item to accept a bronze plaque attached to a granite rock that will be placed on the ocean bottom at the site of this tragedy offshore of Santa Cruz Island near Platt's Harbor in Santa Barbara County. The plaque will include the names of the victims and will honor the lives lost and serve as a memorial for the victims' families, friends, and those in the diving community to visit and reflect.
- **Crockett Waterfront Fire:**
 - At midnight on August 3, staff learned that structures located along the Town of Crockett waterfront were on fire. The Crockett Carquinez Fire Department responded swiftly, and the Nantucket restaurant and the neighboring Bass Club pier sustained only minor damage. Staff was part of a coordinated emergency cleanup response team that included the Crockett Carquinez Fire Department, the California Department of Oil Spill Prevention and Response, Union Pacific Railroad, Contra Costa County HazMat team, the County's building inspector, and the Commission's lessee, the Dixon's.
 - Staff contracted with experts to conduct the emergency demolition and hazardous material cleanup at the site, including removal of the boathouse fire debris, the pier, rock and concrete pilings along the shoreline. Nine 55-gallon barrels of hazardous waste were transported offsite and disposed. The Commission has spent roughly \$80,000 on debris removal and site cleanup.
 - Staff are now working with the San Francisco Bay Conservation and Development Commission, US Army Corps of Engineers, and the Regional Water Quality Control Board to obtain permits to remove other in-water facilities.

- **New Staff Report Template:** Staff is debuting an updated, modernized staff report template at this meeting. Readers will note a change in the way the information is laid out and we are using a new font for optimal readability and website accessibility for persons with disabilities. The updated template is a major step in website accessibility because staff reports are the most detailed source of information about the Commission's decisions. The new template is part of a broader staff effort, prompted by [AB 434](#) and related website accessibility laws, to make Commission information more accessible to persons with disabilities.
- **Rincon Well Abandonment:**
 - Staff is making steady progress in abandoning the wells at the former Rincon leases in Ventura County. On the island, 42 of the 50 offshore wells have now been plugged. Onshore, 24 of the 25 have been abandoned, the removal of the wellheads and concrete well cellars is complete, and the surface area has been graded.
 - Total project costs are estimated at \$33.7 million, which is \$4.4 million, or 11.5 percent, below plan. Altogether, 66 of 75, or 88 percent, of the State well abandonments are complete and project completion is expected by June of next year.
- **Platform Holly Abandonment Project:**
 - Due to the COVID-19 pandemic, the Commission and ExxonMobil have determined that further plugging and abandonment work of the wells on Platform Holly is untenable, given the physical distancing requirements and continued personnel and idle equipment costs.
 - On July 26, the preservation, cold stack, and demobilization of the Platform Holly rig equipment was completed to prevent degradation from the marine environment, and ExxonMobil personnel have left the platform. The Commission, through its contractor Beacon West, will continue to secure the platform and monitor and staff the on and offshore operations in compliance with State regulations. The Commission and ExxonMobil will have quarterly meetings to assess the potential for restarting work based on the evolution of the pandemic and State guidance.
 - The Commission and ExxonMobil are proceeding with decommissioning the shorezone PRC 421 Piers. A soil removal test was postponed to next month because of bird nesting on the access road and at the piers. Once the test is complete, staff will draft a comprehensive project description and, in collaboration with interested agencies, will begin preparing the environmental document to finally remove the infrastructure in the surf zone and on the beach.

- On August 27, the Commission will host a virtual Town Hall from 6:00 to 8:00 p.m. to update the public about the status of the Platform Holly/Piers 421 decommissioning projects, including the upcoming CEQA process associated with removing the 421 piers. The Town Hall will be recorded and aired live on Channel 19 and rebroadcast throughout the week. The public can watch it live online or view a recording after the meeting on the Commission and City websites.
- **SB 44 Legacy Wells and Coastal Hazards Program**
 - The Commission's Legacy Wells and Coastal Hazards Program was codified in 2017 through SB 44 (Hanna-Beth Jackson) and provides up to \$2 million per year to properly remediate legacy wells and coastal hazards. In June, following a competitive selection process, staff selected Interact to plug and abandon up to eight legacy wells, depending on costs and available SB 44 funding, located offshore Summerland Beach in Santa Barbara County. Permitting is underway, including with the Santa Barbara County Planning and Parks departments, the California Coastal Commission, the US Army Corps of Engineers, the Air Pollution Control District, US Coast Guard, and the Office of Oil Spill Prevention and Response. Plug and abandonment work is anticipated to begin in the fourth quarter of this year.
- **California Fires:**
 - The Executive Officer concluded her report by expressing staff's thoughts and prayers for those evacuating their homes right now and expressed how grateful we all are for the State, local, and federal firefighters and first responders on the frontline. Fires continue to ravage throughout the state. There are currently, based on information received yesterday, 367 fires burning, 23 of which are major.
 - Encouraged everyone participating in today's Commission meeting to take a moment to visit the CalFire "Ready for Wildfire" website <https://www.readyforwildfire.org/>. This website provides resources to help individuals plan for wildfire, as well as prepare their response in the event of a wildfire. This includes learning about defensible space, hardening your home, and building an emergency supply kit.
 - Over the past several days, California has experienced a historic lightning siege that resulted in over 10,000 lightning strikes across the state causing more than 367 new fires. And over 6,900 fire personnel from State, local, and federal agencies remain assigned to these incidents. The size and complexity at which these incidents are burning is challenging all aspects of emergency response and it is

absolutely critical that individuals and communities heed the warnings of law enforcement and remain prepared to evacuate at a moment's notice.

CONSENT CALENDAR

Consent Item 25 was removed from consideration

Consent Items 01 and 55 were moved to the Regular Calendar

Consent Items 02-24, 26-54, 56, and 57 were approved as presented by a vote of 3-0 (Yee-Yes; Kounalakis-Yes; Miller-Yes)

INFORMATIONAL CALENDAR

Item 58 – was informational – no vote required

REGULAR CALENDAR

Consent Item 01: A presentation was made to the Commission to consider delegating authority to the Executive Officer to accept a lease quitclaim deed for Lease No. PRC 8271, a General Lease – Recreational Use; delegating authority to the Executive Officer to accept a lease quitclaim deed for Lease No. PRC 8976, a General Lease Recreational Use; and application for a General Lease – Recreational Use, of sovereign land located in Lake Tahoe, adjacent to 8778, 8780, 8782, and 8796 Brockway Vista Avenue, Kings Beach, Placer County, for three existing mooring buoys previously authorized by the Commission; construction, use, and maintenance of a joint-use pier with four boat lifts; and removal of three existing mooring buoys and one double personal watercraft lift.

Item 01 – was approved as presented by a vote of 3-0 (Yee-Yes; Dumlao-Yes; Miller-Yes)

Consent Item 55: A presentation was made to the Commission to consider approval of proposed amendment to section 2298.5 of the California Code of Regulations, title 2, division 3, chapter 1, article 4.8 Marine Invasive Species Program Annual Vessel Reporting Form. CEQA Consideration: not a project.

Item 55 – was approved as presented by a vote of 3-0 (Yee-Yes; Dumlao-Yes; Miller-Yes)

Item 59: An informational presentation was made to the Commission on the status of efforts to develop the Commission's 2021-2025 Strategic Plan and to solicit comments and suggestions from stakeholders.

Item 59 – was informational – no vote required

Item 60: A staff presentation was made to the Commission to consider an application for a General Lease – Industrial Use, of State school land in a portion of Section 34, Township 10 North, Range 14 West, SBM, west of Mojave, Kern County; for the construction, use, maintenance, and decommissioning of a new solar energy facility.

Item 60 – was approved as presented by a vote of 3-0 (Yee–Yes; Dumlao–Yes; Miller–Yes)

Item 61: A staff presentation was made to the Commission to consider adopting a resolution recognizing October 7, 2020, as California Clean Air Day, a Coalition for Clean Air project.

Item 61 – was approved as presented by a vote of 3-0 (Yee–Yes; Dumlao–Yes; Miller–Yes)

Item 62: A staff presentation was made to the Commission to consider adopting a support position on certain provisions of H.R. 7608 by Representative Lowey, a fiscal year 2021 appropriations bill introduced in the 116th Congress, that would ban new offshore drilling leases and seismic testing.

Item 62 – was approved as presented by a vote of 3-0 (Yee–Yes; Dumlao–Yes; Miller–Yes)

(The State Lands Commission adjourned into closed session from 3:48 P.M. to 3:54 P.M., then resumed open session at 3:56 P.M.)

CLOSED SESSION

Nothing to report from Closed Session

The Commission meeting public session was adjourned at 3:56 P.M.

STAFF AND PUBLIC ADDRESSING THE FOLLOWING STAFF REPORTS:

PUBLIC COMMENT

- Anna Christensen, Los Cerritos Wetlands Task Force, Sierra Club
- Francis Coats
- Gerald Hasson, represents self and an interested real estate developer
- Patricia Miller
- Jennifer Savage, Surfrider Foundation

ITEM 01

Brian Bugsch, Chief, Land Management Division, CSLC

- Ruth Bley
- Abigail Edwards, Principal Planner, Kaufman Edwards Planning and Consulting
- Mark Gilmartin
- Eric Ronning

ITEM 55

Nicole Dobroski, Assistant Chief, Marine Environmental Protection Division and
Manager of the Marine Invasive Species Program, CSLC

- John Berg, Pacific Merchant Shipping Association
- Lee Kindberg, Maersk

ITEM 59

Katie Robinson-Filipp, California Sea Grant Fellow, CSLC

Lisa Beutler, Senior Principal-Water, Stantec

- Anna Christensen, Los Cerritos Wetlands Task Force, Sierra Club
- Casey Cruikshank, Northcoast Environmental Center
- Larry Hanson, California River Watch
- Katherine O'Dea, Executive Director, Save Our Shores
- Ken Owen, Channel Islands Restoration
- Tom Rudolph, The Pew Charitable Trusts
- Jennifer Savage, Surfrider Foundation
- Mark Welther, President and CEO, Redwood Forest Foundation, Inc.

ITEM 60

Brian Bugsch, Chief, Land Management Division, CSLC
Scott Kuhlke, EDF Renewables

- Garry George, Director, Clean Energy Initiative
- Brian Holt, Assistant Business Manager, IBEW Local 428