

Open Session Minutes

California State Lands Commission
Virtual Meeting of February 23, 2021

COMMISSIONERS AND STAFF PRESENT:

COMMISSIONERS:

Eleni Kounalakis, Lieutenant Governor

Betty T. Yee, State Controller

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, Supervising 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 Eleni Kounalakis called the meeting of the California State Lands Commission to order at 1:01 P.M. via Zoom webcast; also present were Commissioner Betty Yee and Commissioner Alternate Gayle Miller.

Confirmation of the Minutes of the December 17, 2020 meeting was approved as presented by a vote of 3-0 (Kounalakis–Yes; Yee–Yes; Miller–Yes).

EXECUTIVE OFFICER'S REPORT:

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

- **Rincon Well Abandonment Project:** The Commission has reached some significant milestones in the Rincon Well Abandonment Project in Ventura County. Our well abandonment contractor, DrilTek, completed the abandonment of the last of the 50 wells on Rincon Island and onshore, 24 of the 25 state wells have been abandoned. The one remaining onshore well is an injection well used to inject water recovered from island tank, sump, and cellar cleaning operations on the island. It will be plugged and abandoned after these operations are finished. Removal of the onshore storage tanks and other production-related equipment is in progress.

The decommissioning work is divided into three phases. The primary component of phase one, which was the plugging and abandoning of 74 wells, is now complete. The remaining phase one work, consisting of site clearance activities is underway and anticipated to be completed later this year.

Phase two is to develop a feasibility study and complete an analysis under the California Environmental Quality Act, which will inform a decommissioning plan for Rincon Island, the onshore facility, and the causeway that connects the artificial island to the mainland. This work, which will include extensive public outreach and engagement, will begin soon and is anticipated to be complete in 2022. Towards that end, we will be hosting a town hall event in April to update the community. The Commission will continue to perform necessary maintenance work and provide security onshore at the causeway, and on Rincon Island during phase two and until a decommissioning plan is executed. Phase three includes executing a decommissioning plan and will start when phase two is complete.

This operation is one of a handful of remaining offshore oil facilities in state waters and on state lands. Decommissioning these facilities is a significant part

of California's transition from fossil fuel production and toward a clean energy future.

- **Platform Holly Abandonment Project:** The Platform Holly Decommissioning Project remains suspended due to COVID restrictions and space limitations on the Platform that limit physical distancing practices. Staff continues to maintain and monitor the Platform and onshore facilities to ensure public health and safety.

ExxonMobil and Commission staff, in conjunction with the City of Goleta, are currently developing the project description to decommission and remove the oil piers as part of the lease PRC 421 and staff expects to begin the CEQA process within the next couple of months. The Commission will be the CEQA Lead agency and applicant for the project which will include robust stakeholder input. The CEQA process is anticipated to take 12 months to compete.

The access across private property to the State's Ellwood Pier ceased on December 1st due to the expiration of an existing access agreement with the surface landowner and ExxonMobil. Both Exxon and Commission operations have currently relocated to other operating piers in the Santa Barbara Channel while negotiations to regain access to the Ellwood Pier continue. However, the Pier is still available to transport and evacuate personnel and supplies to or from Platform Holly in the event of an emergency.

Staff is also in coordination with the City of Goleta to host a virtual town hall on March 10th prior to release of the Notice of Preparation for the removal of the oil piers on Haskell's Beach. The purpose is to update the community on the status of these various projects associated with the overall decommissioning project and to present a high-level overview of the pier removal process.

- **Chevron Richmond Recovered Oil Line Leak:** On February 9th, the Chevron Richmond Refinery reported a leak from a pipeline at the Richmond Long Wharf in the Bay Area. According to the California Department of Fish and Wildlife, Office of Spill Prevention and Response (OSPR), laboratory analysis and technical review indicate that approximately 500 to 750 gallons of diesel and flush water mix were released. The response is being managed by the Unified Command comprised of representatives of the United States Coast Guard (USCG), OSPR, Contra Costa County Health Services Department, and Chevron.

Marine Spill Response Corporation, or MSRC, conducted sensitive site protection as well as containment and recovery efforts. Protective booming of two environmentally sensitive sites were deployed and after no sheen was observed outside of the immediate cleanup area, the boom was removed on February

13th. An additional 600 feet of boom remains deployed around the Long Wharf as a protective measure. The California Office of Environmental Health Hazard Assessment determined that no fisheries closures were warranted in response to this incident and there have been no reports of wildlife impacts to date.

OSPR, the Coast Guard, and Contra Costa Health Services are conducting investigations into the cause of the leak. The Chevron Long Wharf facility is located on lands managed by the Commission and subject to a 30-year lease authorized by the Commission in 2006. Commission staff is working with OSPR and the other agencies to provide information as part of the investigatory process.

- **Personnel**

- Executive Officer Lucchesi announced the passing of a long-time colleague and friend of the Commission, Alan Hager. Mr. Hager passed away in December 2020. Mr. Hager spent his career, over four decades, with the California Department of Justice, representing various state agencies, including the Commission.
- Executive Officer Lucchesi also announced the passing of State Lands Commission employee, Noel Saito. Mr. Saito spent over 18 years of his career with the State Lands Commission.
- Executive Officer Lucchesi announced the retirement of Lori Pett. After 40 years of service to the State. Ms. Pett will retire at the end of December.

CONSENT CALENDAR

- Consent Item 03 was removed from consideration
- Consent Item 10 was moved to the Regular Calendar
- Consent Items 01, 02, 04-09, and 11-40 were approved as presented by a vote of 3-0 (Kounalakis–Yes; Yee–Yes; Miller–Yes)

INFORMATIONAL CALENDAR

See the Regular Calendar

REGULAR CALENDAR

(Items appear in order heard)

Item 41: A presentation was made to the Commission on the status on the final year of the Commission's 2016-2020 Strategic Plan and recommended adoption of the Commission's 2021-2025 Strategic Plan.

Item 41 – was approved as presented by a vote of 3-0 (Kounalakis–Yes; Yee–Yes; Miller–Yes)

Item 42: Presentations were made to the Commission by the Ports of San Francisco, Oakland, Los Angeles, Long Beach, and San Diego on their COVID-19 Pandemic response.

Item 42 – was informational – no vote required

Item 43: A staff presentation was made to the Commission to consider sponsoring legislation in the 2020-21 legislative session that would repeal obsolete school land statutes and recast or modernize other school land statutes.

Item 43 – was approved as presented by a vote of 3-0 (Kounalakis–Yes; Yee–Yes; Miller–Abstained)

Item 44: A staff presentation was made to the Commission to discuss and possibly act on legislation relevant to the California State Lands Commission.

Item 44 – the Commission did not act on any proposed legislation; therefore the item was informational – no vote required

Consent Item 10: A staff presentation was made to consider adoption of the Mitigated Negative Declaration, State Clearinghouse No. 2020120205, and adoption of a Mitigation Monitoring Program, and consider application for a General Lease – Right-of-Way Use of sovereign land in the Pacific Ocean, near Samoa, Humboldt County, for the RTI Infrastructure Inc. Eureka Subsea Fiber Optic Cables Project.

Consent Item 10 – was approved as presented by a vote of 3-0 (Kounalakis–Yes; Yee–Yes; Miller–Yes)

(The State Lands Commission adjourned into closed session from 4:54 P.M. to 5:08 P.M., then resumed open session at 5:10 P.M.)

CLOSED SESSION

Nothing to report from Closed Session.

The Commission meeting public session was adjourned at 5:10 P.M.

STAFF AND PUBLIC ADDRESSING THE FOLLOWING STAFF REPORTS:

(Items appear in order heard)

PUBLIC COMMENT

- Sabrina Brennan, Founder, Surf Equity & Sport Equity and Co-Founder, Committee for Equity in Women's Surfing
- Susanne Cumming, Member of the Sierra Club and Defend Ballona Wetlands
- Ryan Davis
- Marcia Hanscom, Ballona Wetlands Institute
- Christina Ku
- Alison Madden
- Scott Maloni, Vice President, Poseidon Water
- Patricia Miller
- Jennifer Savage, Surfrider Foundation
- Dan Slanker
- Robert van de Hoek

ITEM 41

Katie Robinson-Filipp, Environmental Scientist, CSLC

Lisa Beutler, Senior Principal-Water, Stantec

- Sabrina Brennan, Founder, Surf Equity & Sport Equity and Co-Founder, Committee for Equity in Women's Surfing
- Tom Rudolph, The Pew Charitable Trusts
- Jennifer Savage, Surfrider Foundation

ITEM 42

Danny Wan, Executive Director, Port of Oakland

Pam Kershaw, Director of Commercial Real Estate, Port of Oakland

Joe Stuyvesant, President, Port of San Diego

Jason Giffen, Vice President, Planning, Environment and Government Relations, Port of San Diego

David Libatique, Deputy Executive Director, Port of Los Angeles

Avin Sharma, Director of Labor Relations and Workforce Development, Port of Los Angeles

Noel Hacegaba, Deputy Executive Director, Administration and Operations, Port of Long Beach

Randy Quezada, Communications Director, Port of San Francisco

ITEM 43

Sheri Pemberton, Chief of External Affairs and Legislative Liaison, CSLC

CONSENT ITEM 10

Al Franzoia, Public Lands Management Specialist, Land Management Division,
CSLC

Afifi Awan, Senior Environmental Scientist, Division of Environmental Planning and
Management, CSLC

Chris Brungardt, Senior Vice President for RTI Infrastructure Inc. (applicant)

- Ken Bates, Humboldt Fishermen's Marketing Association
- Peter Bogdan, Fisherman, Point Arena
- George Bradshaw, Crescent City Commercial Fisherman's Association (CCCFA)
- Tony Cannia
- Mike Conroy, Executive Director, The Pacific Coast Federation of Fishermen's Associations (PCFFA)
- Craig Goucher, representing Trinidad Bay Fishermen's Marketing Association
- David Helliwell, Representing Humboldt Fishermen's Marketing Association (HFMA)
- Peter Leipzig, North Coast Fishermen's Cable Committee
- Jake Mitchell, President of Shelter Cove Fishing Preservation Incorporated