

# Open Session Minutes

California State Lands Commission  
Virtual Meeting of December 17, 2020

## **COMMISSIONERS AND STAFF PRESENT:**

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### **COMMISSIONERS:**

Betty T. Yee, State Controller

Eleni Kounalakis, Lieutenant Governor

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](http://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:

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Chair Betty Yee called the meeting of the California State Lands Commission to order at 10:02 A.M. via Zoom webcast; also present were Commissioner Eleni Kounalakis and Commissioner Alternate Gayle Miller.

Confirmation of the Minutes of the October 22, 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:

- **Rincon Well Abandonment Project:** The Commission continues to make progress in abandoning the wells at the former Rincon leases. On the island, 46 of the 50 wells have been plugged, and onshore, 24 of the 25 wells have been abandoned. Altogether 93 percent of the well abandonments are complete, and project completion is expected by June 2021. Total project costs are estimated at \$38.6 million, which is \$4.4 million, or 10.2 percent, below initial estimates.

In September of this year, the Commission released a solicitation for an environmental consultant to conduct a feasibility study and prepare California Environmental Quality Act (CEQA) documentation to evaluate decommissioning alternatives for the disposition of the island, the onshore facility, and the causeway. Eight highly qualified firms submitted responses and staff have interviewed four of the most qualified candidates and selected a contractor. This work will begin in the first quarter of 2021 and is anticipated to be completed in 2022. This process will include extensive public outreach and stakeholder engagement.

- **Platform Holly Abandonment Project:** Platform Holly plug and abandonment work remains suspended due to COVID-19 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 developing a project description to decommission the oil piers associated with Lease Number PRC 421 to begin the CEQA process. The Commission will be the CEQA lead agency and applicant for the project. The CEQA process will include robust stakeholder engagement and is anticipated to take 12 months to complete.

Staff and its contractors continue to take unused processing equipment out of service at the Ellwood Processing facility in order to reduce costs.

Permission to cross private property to access the State's Ellwood Pier ceased on December 1st when an access agreement with the surface landowner and ExxonMobil expired. The Pier is used to transport personnel and supplies to the Platform and to evacuate personnel if there is an emergency at the Platform. Both ExxonMobil and Commission operations have relocated to other operating piers in the Santa Barbara Channel while negotiations on a new access agreement for Ellwood Pier continue.

- **Legacy Wells and Coastal Hazards Program:** The SB 44 Legacy Wells and Coastal Hazards program provides up to \$2 million per year to address legacy wells and coastal hazards. The Commission successfully plugged and abandoned two wells offshore Summerland Beach this past November. Post-abandonment monitoring has shown a visible improvement in beach conditions. Summerland residents and other members of the public have expressed their gratitude to the Commission for our continuing efforts to remediate this decades-old environmental problem. Staff plans to abandon two more wells next year and look forward to continued work with our partner agencies and the community. Also, in November, the Commission and its contractor removed hazards on behalf of the City of Goleta, including 15 pipeline segments that were exposed along the beach because of eroding bluffs.
- **Cemex Sand Mining Operation:** The Cemex coastal sand mining facility in Marina has stopped its mining operations. The Cemex facility had operated since the early 1960s and was responsible for some of the highest levels of beach erosion anywhere in California. The mining diminished public trust resources and values, such as beach recreation, conservation, and public access. After a coalition of scientists, environmental groups and residents raised significant concerns, the State Lands Commission and the Coastal Commission investigated the operation and reached a settlement, in partnership with the city of Marina, with Cemex in 2017 to cease active sand mining by December 31<sup>st</sup> of this year. The Commission is pleased that Cemex honored the agreement and ceased operations earlier than expected. Under the settlement the next steps include processing stockpiled sand, initiation of a mine reclamation plan, and conveyance of the property to a nonprofit or governmental entity that commits to managing the property primarily for conservation and access purposes.
- **Offshore Renewable Energy Applications:** Staff continues to process two offshore wind applications for the use of tide and submerged lands in the Pacific Ocean, off the coast of Vandenberg Air Force Base. Staff is performing a combination of an early public consultation and scoping approach with some project analysis substance of an Initial Study. This approach will provide preliminary insight on affected resources to help guide early public input on the Notice of Preparation scoping process for preparation of an Environmental Impact Report.

Staff hosted its first stakeholder outreach webinar on December 8. Over 170 individuals attended, representing elected officials, state and federal agencies, tribal representatives, environmental groups, academia, building industry and workforce, fisheries, and ports. A panel of Commission staff provided an overview and background on the Commission's lease application process, differences between federal and state offshore wind projects, and technical details on the two proposed projects. The panel then facilitated an interactive question and answer session with participants. Staff will continue to respond to questions raised during the webinar that were unanswered due to time limitations. The webinar was recorded and will be posted on the Commission's website along with staff's PowerPoint presentation. Staff will conduct additional smaller and more focused outreach sessions in January and through April of next year.

- **Retirements**

- Executive Officer Lucchesi announced several retirements from other agencies that Commission staff work closely with and who we feel are extended members of our own State Lands family, including Steve Hampton at Fish and Wildlife's OSPR, Pat Abel at CalGem, and Susan Hansch and Jeff Staben at the Coastal Commission.
- Executive Officer Lucchesi also announced the retirements of four State Lands Commission employees:

**Marina Voskanian** – Chief of the Mineral Resources Management Division since 2012. Ms. Voskanian has provided the people of California nearly 34 years of dedicated and distinguished public service.

**Denise Cook** – Chief of the Administrative Services Division since 2018. Ms. Cook has served the Commission since 2001 and the State of California since 1989.

**Greg Pelka** – Senior Mineral Resources Engineer. Mr. Pelka initially hired on with the Commission in 1982 and has served the Commission for over 38 years.

**Barry Schuffels** – Field Inspector. Mr. Schuffels has served the Commission since 2006.

## **CONSENT CALENDAR**

- Consent Items 16, 23, and 50 were removed from consideration
- Consent Items 01-15, 17-22, 24-49, and 51-59 were approved as presented by a vote of 3-0 (Yee–Yes; Kounalakis–Yes; Miller–Yes)

## **INFORMATIONAL CALENDAR**

See Regular Calendar

## **REGULAR CALENDAR**

**Item 60:** 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 60 – was informational – no vote required

**Item 61:** A staff presentation was made to the Commission to consider approval of the legislative report titled "2021 Biennial Report on the California Marine Invasive Species Program."

Item 61 – was approved as presented by a vote of 2-0 (Yee–Yes; Kounalakis–Yes; Miller–Abstained)

**Item 62:** A staff presentation was made to the Commission on the progress on the Commission’s second year implementing its new Environmental Justice Policy.

Item 62 – was informational – no vote required

**Item 63:** An informational staff presentation was made to the Commission on aquaculture in State and federal waters, including the establishment of Aquaculture Opportunity Areas in federal waters.

Item 63 – was informational – no vote required

**Item 64:** An Informational staff presentation was made to the Commission to update them on AB 691 (Muratsuchi) Chapter 592, statutes of 2013; Public Resources Code section 6311.5 relating to legislatively granted Public Trust lands and sea-level rise planning.

Item 64 – was informational – no vote required

(The State Lands Commission adjourned into closed session from 1:18 P.M. to 1:39 P.M., then resumed open session at 1:40 P.M.)

## **CLOSED SESSION**

Nothing to report from Closed Session

The Commission meeting public session was adjourned at 1:41 P.M.

## **STAFF AND PUBLIC ADDRESSING THE FOLLOWING STAFF REPORTS:**

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### **PUBLIC COMMENT**

- Susanne Cumming, Member of the Sierra Club and Defend Ballona Wetlands
- Ryan Davis
- Marcia Hanscom, Ballona Wetlands Institute
- Lisa Karlan
- Christina Ku
- Lisa Levinson, In Defense of Animals
- Patricia Miller
- Heidi Petty, Watershed Program Manager, Contra Costa Resource Conservation District
- Laurie Smith, Vice President, Los Cerritos Wetlands Land Trust
- Mary Beth Trautwein
- Robert van de Hoek
- Jane Velez-Mitchell, JaneUnChained Non-Profit environmental organization

### **EXECUTIVE OFFICER'S REPORT AND CONSENT CALENDAR**

- Patricia McPherson, President, Grassroots Coalition

### **ITEM 60**

Katie Robinson-Filipp, Environmental Scientist, CSLC

Lisa Beutler, Senior Principal-Water, Stantec

- Jeff Boehm, Chief Executive Officer, The Marine Mammal Center
- Casey Cruikshank, Northcoast Environmental Center
- Jason Giffen, Vice President, Port of San Diego
- Patricia McPherson, President, Grassroots Coalition
- Ken Owen, Executive Director, Channel Islands Restoration
- Tom Rudolph, The Pew Charitable Trusts
- Jennifer Savage, Surfrider Foundation
- Dr. Andrew Thurber, Assistant Professor of Oceanography, Oregon State University
- Andrea Treece, Earthjustice
- Mona Tucker, Tribal Chair, Yak Tityu Tityu Yak Tilhini, Northern Chumash Tribe

- Courtney Vail, Campaign Director, Oceanic Preservation Society

**ITEM 61**

Lina Ceballos Osuna, Senior Environmental Scientist, Marine Environmental Protection Division, CSLC

**ITEM 62**

Yessica Ramirez, Staff Services Manager, Executive Office, CSLC

**ITEM 63**

Mark Danielson, Sea Grant Fellow, CSLC

**ITEM 64**

Kristina Kunkel, Sea Grant Fellow, CSLC

- Leslie Purcell
- Lily Tsukayama, Associate Planner, Port of San Diego
- Robert van de Hoek