

Open Session Minutes

California State Lands Commission
Virtual Meeting of December 8, 2021

COMMISSIONERS AND STAFF PRESENT:

COMMISSIONERS:

Eleni Kounalakis, Lieutenant Governor (Matt Dumlao, Chief of Staff and Alternate, participated for Items 76, 72, and adjournment of the meeting)

Betty T. Yee, State Controller (Kristina Kunkel, Deputy State Controller and Alternate, participated for Item 02, Consent Calendar, and Items 75, 76, 72, and adjournment of the meeting)

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 10:00 A.M. via Zoom webcast; also present were Commissioner Betty Yee and Commissioner Alternate Gayle Miller.

Confirmation of the Minutes of the October 21, 2021, 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:

- **Platform Holly/Piers 421 Decommissioning (South Ellwood) Project**

Well plug and abandonment operations at Platform Holly resumed in October—after a 528-day hiatus owing to the Covid-19 pandemic. We just completed the fourth well, so as of today, four of the thirty wells have been permanently sealed. Staff estimates that the remaining work will be complete in 12-18 months.

Commission staff, in partnership with the City of Goleta, is hosting a virtual town hall tonight at 6 p.m. to update the community and stakeholders about the well plug and abandonment work on Platform Holly and the eventual decommissioning.

The Commission is the lead agency for the PRC 421 Decommissioning Project. This is a project to decommission and remove the two caissons, pier structures, and associated facilities on Haskell's Beach in the City of Goleta. Staff established a Joint Review Panel, comprised of the City of Goleta and the California Coastal Commission, to collaborate on the preparation of the Environmental Impact Report. Staff anticipates releasing the Draft Environmental Impact Report early next year.

- **SB 44 Legacy Well Remediation Program**

The Commission just completed the re-abandonment of the Duquesne Well at Summerland Beach. Similar to the Olsson Well re-abandoned this past July, there was no offshore component to this well re-abandonment. The project site was accessible from shore and all equipment remained on the beach above the waterline. This re-abandonment work is an essential part of the Commission's efforts to permanently stop oil from leaking from legacy wells into surrounding waters and onto Summerland Beach. Funding for the Duquesne Well remediation came from SB 44, which provides the Commission with up to \$2

million a year for seven years to plug abandoned oil wells in California. Staff will continue to monitor and investigate remaining legacy wells off Summerland Beach and plan for additional re-abandonments in the coming years.

- **RETIREMENTS**

Renee Wurster has served the people of California for over 13 years. She joined state service February 2008 as an Accountant Trainee with the Employment Development Department. One year later she transferred to the Department of Corrections and Rehabilitation, and a mere six months later, on July 31, 2009, Renee put down roots as a member of the State Lands Family working initially as an Accountant Trainee in our Accounting Unit. Renee's value was immediately apparent and in less than 6 months she promoted to Accountant I (Specialist). Nine months later, the Commission needed assistance in our Business Services Unit and Renee volunteered to step into that role as a Business Services Assistant. Between September of 2011 and June of 2015, Renee ascended the ranks through the Staff Services Analyst and Associate Governmental Program Analyst classifications and contributed to the Commission in our Business Services and Budgeting programs. In June of 2015, the Commission's needs changed yet again and Renee was once again willing to switch gears to contribute her talents to the Accounting Unit, where she returned as the Commission's Accounting Manager. She has held this position, in a couple of increasingly responsible classifications for 6 years and will be retiring as an Accounting Administrator. She, along with our former Administrative Services Chief, orchestrated the Commission's transition into the FI\$Cal system and has been a critical player in our implementation efforts throughout the last 3 years. Renee's consummate professionalism, technical prowess and resilience have made her a valuable and respected member of the Commission's management team. Her dedication and commitment to her work and to public service are greatly admired and her good-natured positivity will be greatly missed.

Pam Griggs has provided the State of California over 21 years of dedicated and distinguished public service. Pam, after receiving her Bachelor of Arts degree in History in 1979 from Oberlin College in Oberlin, Ohio, continued her post-graduate History education through publications in the *Journal of History*, and ultimately earning her *Juris Doctor* from the University of California, Davis, School of Law in 2000. Before joining the Commission, Pam worked as a historian, editor, and cultural resource specialist for the Bureau of Reclamation and the National Park Service. Pam joined the Commission in 2000 as a Graduate Legal Assistant and began representing the Commission as an attorney thereafter. In her time with the Commission, Pam used her prior work experience to provide expert technical and legal analysis and

recommendations on a broad spectrum of items. Pam ascended through the ranks and became the Commission's Assistant Chief Counsel in 2014.

Pam, through her compassionate leadership has helped guide the Legal Division through several difficult issues, including the successful defense of numerous CEQA lawsuits, and the development and mentoring of amazing attorneys. Pam took on the stewardship of the Commission's shipwreck database, worked closely with team members on the Abandoned Mine Remediation Partnership, participated on the Bolsa Chica interagency management team where she received a Conservation Achievement Award, worked as the Commission's lead attorney on the Owens Lake and Lower Owens River Management team, worked as the Commission lead attorney on the defense of the Commission's EIR addressing sandmining leases in San Francisco Bay, and generally has been regarded by her peers, and employees, as one of the best CEQA attorneys the Commission has ever had.

As a result of her conscientious commitment, dedication, and integrity, Pam has succeeded in compiling an impressive record of career achievements, earning her the admiration and respect of her peers, those who have had the privilege of working with her, and also of those representing opposing interests.

We commend Pam and thank her for her distinguished record of professional public service for over 21 years serving the California State Lands Commission.

We extend our heartfelt wishes to Pam and her husband Dave, for a rewarding and gratifying retirement, and the very best in the years to come.

REGULAR CALENDAR (ITEMS 01 AND 02)

- **ITEM 01** – A staff presentation was made to the Commission to consider distributing funds from the American Rescue Plan Act to California ports to mitigate negative economic impacts resulting from the COVID-19 pandemic and allow them to sustain the essential services and critical infrastructure our state need to protect jobs and recover economically.

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

- **ITEM 02** – A staff presentation was made to the Commission to consider approval of the 2021 Category 1 Lake Tahoe Berths, 2021 Category 1 Lake Tahoe Buoys, and 2021 Category 2 Lake Tahoe Non-Water Dependent Uses benchmark rental rates for sovereign land in El Dorado, Placer, and Nevada Counties.

Item 02 – was approved as presented by a vote 3-0 (Kounalakis–Yes; Kunkel–Yes; Miller–Yes)

CONSENT CALENDAR

- Consent Items 28 and 45 were removed from consideration
- Consent Item 72 was moved to the Regular Calendar
- Consent Items 01-27, 29-44, 46-71, and 73 were approved as presented by a vote of 3-0 (Kounalakis–Yes; Kunkel–Yes; Miller–Yes)

INFORMATIONAL CALENDAR

Item 74 – was informational – no vote required

REGULAR CALENDAR (ITEMS 75, 76, & 72)

(Items appear in order heard)

Item 75: A staff presentation was made to the Commission on the progress report on the Commission’s third year implementing its Environmental Justice Policy.

Item 75 – was informational – no vote required

Item 76: A staff presentation was made to the Commission to consider a resolution in support of the San Francisco Bay Conservation and Development Commission’s Bay Adapt: Regional Strategy for a Rising Bay, advancing resilient and equitable adaptation to sea level rise through the San Francisco Bay area.

Item 76 – was approved as presented by a vote of 2-0 (Dumlao–Yes; Kunkel–Abstained; Miller–Yes)

Consent Item 72: A staff presentation was made to the Commission to consider a proposed tideland oil revenue expenditure in an amount not to exceed \$5,000,000 by the City of Long Beach for one capital improvement project located on legislatively granted sovereign land in the City of Long Beach, Los Angeles County.

Consent Item 72 – was approved as presented by a vote of 2-0 (Dumlao–Abstained; Kunkel–Yes; Miller–Yes)

CLOSED SESSION

There was no closed session for this meeting.

The Commission meeting public session was adjourned at 1:01 P.M.

STAFF AND PUBLIC ADDRESSING THE FOLLOWING STAFF REPORTS:

PUBLIC COMMENT

- Francis Coats
- Susanne L. Cumming, Esq., Member, Sierra Club and Defend Ballona Wetlands
- Penny Elia, Sierra Club Orange County Conservation Committee
- Marcia Hanscom, Sierra Club
- Susan Jordan, Executive Director, California Coastal Protection Network
- Christina Ku, Democrats for the Protection of Animals
- Andrea León-Grossmann, Azul
- Lisa Levinson, In Defense of Animals
- Lydia Poncé, Society of Native Nations
- Bill Powers, P.E., Powers Engineering
- Alejandro Sobrera, Orange County Sunrise Movement
- Alejandra Sotelo-Solis, Mayor, City of National City
- Jane Velez-Mitchel
- Laura Walsh, Surfrider Foundation

ITEM 01

Reid Boggiano, Public Land Management Specialist, External Affairs Division, CSLC

- Elaine Forbes, Executive Director, Port of San Francisco
- Martha Miller, State Director, California Association of Port Authorities (CAPA)
- Job Nelson, Port of San Diego
- Alejandra Sotelo-Solis, Mayor, City of National City
- Danny Wan, Executive Director, Port of Oakland

ITEM 02

Brian Bugsch, Chief, Land Management Division, CSLC

- Jan Brisco, Executive Director, Tahoe Lakefront Owners' Association
- Bill Magrath, Secretary, Meeks Bay Vista Property Owners Association

ITEM 75

Yessica Ramirez, Staff Services Manager, Executive Office, CSLC

- No speakers for this item

ITEM 76

Jennifer Lucchesi, Executive Officer, CSLC

- Larry Goldzband, Executive Director, San Francisco Bay Conservation & Development Commission (BCDC)

CONSENT ITEM 72

Jennifer Lucchesi, Executive Officer, CSLC

- Jessica Alvarenga, Pacific Merchant Shipping Association
- Eric Lopez, Director, City of Long Beach