

Open Session Minutes

California State Lands Commission
Hybrid Meeting of April 26-27, 2022
City of Goleta Council Chambers
130 Cremona Drive
Goleta, California 931172

COMMISSIONERS AND STAFF PRESENT:

COMMISSIONERS:

Betty T. Yee, State Controller

Matt Dumlao, Chief of Staff and Alternate for Lieutenant Governor Eleni Kounalakis

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 Betty Yee called the meeting of the California State Lands Commission to order at 11:00 A.M. at the Pier 421 Decommissioning Project Site in the City of Goleta. A quorum of Commissioners was present for a site tour of the Decommissioning project site. Chair Yee was joined by Commissioner Alternate Dr. Matt Dumlao and Commissioner Alternate Gayle Miller. While a quorum of Commissioners and their staff are present to attend an informational tour, no official action was taken at this part of the meeting. Under California State Law, when a quorum of Commissioners is present for purposes related to the Commission's jurisdiction and authority it constitutes an official meeting and it must be properly noticed and open to the public.

The tour of the Pier 421 Decommissioning Project Site concluded at 12 noon. Having concluded this tour, and with no official actions to report, Chair Yee recessed the meeting until 1:00 P.M. Chair Yee resumed the meeting at 1:02 P.M. at the City of Goleta Council Chambers, located at 130 Cremona Drive, Goleta, California, via in person and Zoom webcast; also present were Commissioner Alternate Dr. Matt Dumlao and Commissioner Alternate Gayle Miller.

Confirmation of the Minutes of the February 25, 2022, meeting was approved as presented by a vote of 3-0 (Yee–Yes; Dumlao–Yes; Miller–Yes).

EXECUTIVE OFFICER'S REPORT:

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

- Pipeline 0919/Platform Eva to Shore Pipeline

On December 22nd of last year, DCOR, a Commission lessee and operator of multiple offshore oil and gas operations reported a sheen off the coast of Orange County. An investigation found that pipeline 0919, which transports oil from state Platform Eva to shore, was the source of the discharge. Commission staff has been working closely with OSPR, the Fire Marshal, DCOR, and other State and federal regulators to assess the situation and continue to investigate the pipeline to pursue repairs. Platform Eva and the pipeline continue to remain shut-in. Additional pipeline internal and external corrosion surveys are being conducted and analyzed. DCOR is exploring options to repair and replace the pipeline in consultation with Commission staff and the State Fire Marshal and subject to regulatory review and approval.

- **Rincon Phase II Decommissioning Project**

Commission staff completed the plug and abandonment of all 75 wells associated with those leases last year. Staff has moved on to Phase II, which is the feasibility study for the future disposition of the island, the causeway, and the onshore facilities.

On March 17, staff released a draft Feasibility Study for a 60-day public review and comment period. On May 4, staff will host a virtual public meeting to discuss the draft Feasibility Study and receive public comments. Staff notified the community, interested parties, and tribal governments about the meeting and posted information about it on our website. After the comment period closes, staff will revise the draft Feasibility Study to incorporate the comments received, finalize it, and then present it to the Commission for its consideration at a public meeting later this year. CEQA analysis will begin after the Commission acts on the Feasibility Study and a proposed project and alternatives are identified for further analysis.

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

Staff continues to maintain Platform Holly and the onshore facilities to ensure public health and safety. Staff, Exxon, and their subcontractors have continued to plug and abandon the wells on Platform Holly, with nine of the 30 wells sealed and installed with surface plugs. Operations are now proceeding in a phased approach. Six of the remaining 21 wells require a more involved abandonment procedure. Those wells have been prepared for final abandonment operations. Staff anticipates that all 30 wells will be plugged and abandoned by the end of the year.

Staff plans later this year or early next year to request authorization to hire a consultant to then conduct a feasibility study on the ultimate disposition of Platform Holly and pursue the CEQA analysis necessary. Staff will move forward with that decommissioning analysis as soon as the plugging and abandonment operations are complete.

- **SB 44 Legacy Well Remediation Program**

In February and March, staff performed two diver surveys in Summerland Beach and around Rincon well 102. The findings indicate that two wells along the Treadwell pier are leaking—Treadwell #1 and Treadwell #5. Staff continues to monitor and investigate remaining legacy wells and seepage reports off Summerland Beach. Staff and its contractor, InterAct, are preparing cost estimates and engineering plans to re-abandon those two Treadwell wells later this year.

- **In Honor of James Trout**

The Executive Officer paid a special honor in memoriam of James Trout. Jim Trout was the State Lands Commission's former Assistant Executive Officer for many years, and he also moved over to the Department of Fish and Wildlife under Governor Gray Davis, and then Executive Director Bob Hight.

He returned to the State Lands Commission and continued to serve the Commission and our work at the Bolsa Chica for many years as a retired annuitant. He was an incredible mentor, extremely patient and thoughtful.

CONSENT CALENDAR

- Consent Items 32, 37, and 42 were removed from consideration
- Consent Items 26, 44, and 56 were moved to the Regular Calendar
- Consent Items 01-25, 27-31, 33-36, 38-41, 43, 45-55, and 57 were approved as presented by a vote of 3-0 (Yee–Yes; Dumlao–Yes; Miller–Yes)

INFORMATIONAL CALENDAR

Item 58 – was informational – no vote required.

REGULAR CALENDAR

(Items appear in order heard)

Item 59: A staff presentation was made to the Commission to consider certification of a Final Environmental Impact Report (State Clearinghouse No. 2021060145), adoption of a Mitigation Monitoring Program and Statement of Findings, and authorization to proceed with Component 1 of the PRC 421 Decommissioning Project.

Item 59 – was approved as presented by a vote of 3-0 (Yee–Yes; Dumlao–Yes; Miller–Yes)

Item 60: A staff presentation was made to the Commission to consider the second distribution of port stimulus funding to mitigate negative economic impacts from the COVID-19 pandemic pursuant to the 2021-2022 Budget Act.

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 update the Commission on the status of the existing offshore oil and gas production and pipeline leases managed by the Commission.

Item 61 – was informational – no vote required

Consent Item 26: A staff presentation was made to the Commission to consider termination of a Public Agency Permit and Right-of-Way Map and approval of a Public Agency Permit and Right-of-Way Map, pursuant to Section 101.5 of the Streets and Highway Code and Section 6210.3 of the Public Resources Code, of sovereign land in the American River, for the American River Bridge Deck Replacement Project, including approval of two Temporary Construction Areas, near Cal Expo, Sacramento, Sacramento County.

Consent Item 26 – was approved as presented by a vote of 3-0 (Yee–Yes; Dumlao–Yes; Miller–Yes)

Consent Item 44: A staff presentation was made to the Commission to consider an application for a General Lease – Right-of-Way Use, of sovereign land located in the Pacific Ocean, San Onofre, San Diego County; for two existing non-operational offshore concrete pipelines associated with San Onofre Nuclear Generating Station (SONGS) Unit 1.

Consent Item 44 – was approved as presented by a vote of 3-0 (Yee–Yes; Dumlao–Yes; Miller–Yes)

Consent Item 56: A staff presentation was made to the Commission to review a proposed tideland oil revenue expenditure in an amount not to exceed \$5,400,000 by the City of Long Beach for seven capital improvement projects on and adjacent to legislatively granted sovereign land in the City of Long Beach, Los Angeles County.

Consent Item 56 – 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 for discussion and possible action on state legislation relevant to the California State Lands Commission.

Item 62 – was informational – no vote required

Item 63: A staff presentation was made to the Commission to consider supporting AB 1832 (Rivas), which would ban hard mineral seabed mining in state waters subject to tidal influence, except as provided.

Item 63 – was approved as presented by a vote of 2-0 (Yee–Yes; Dumlao–Yes; Miller–Abstained)

Item 64: A staff presentation was made to the Commission to consider supporting AB 2109 (Bennett and Bloom), which would make it unlawful to use any bait, lure, or chum to attract any white shark or to place any bait, lure, or chum into the water when a white shark is either visible or known to be present except if the activity is authorized by

a permit issued by the Department of Fish and Wildlife for scientific, educational, or propagation purposes.

Item 64 – was approved as presented by a vote of 2-0 (Yee–Yes; Dumlao–Yes; Miller–Abstained)

Item 65: A presentation was made to the Commission by the Ocean Protection Council on the State Agency Sea-Level Rise Action Plan for California, a roadmap for planning and implementing coastal resilience created by the Sea-Level Rise Leadership Team.

Item 65 – was informational – no vote required

CLOSED SESSION

There was no Closed Session for this meeting.

The Commission meeting public session was recessed at 4:44 P.M. and resumed at 11:00 A.M. the next day on April 27, at Rincon Island, located at Mussel Shoals, Ventura County. The purpose was a tour and inspection of the active worksite at Rincon Island. Chair Yee resumed the meeting at 11:00 A.M. Chair Yee was joined by Commissioner Dr. Matt Dumlao, Alternate for the Lieutenant Governor. The tour of Rincon Island concluded at 12:35 P.M. and Chair Yee adjourned the April 26-27 meeting of the State Lands Commission at 12:35 P.M. with no official actions to report.

STAFF AND PUBLIC ADDRESSING THE FOLLOWING STAFF REPORTS:

OPENING REMARKS

- Paula Perotte, Mayor, City of Goleta

PUBLIC COMMENT

- Susanne Cumming, Member of Sierra Club and Defend Ballona Wetlands
- Marcia Hanscom, Protect Ballona Wetlands
- Christina Ku
- Dan Stegink
- Robert "Roy" van de Hoek
- Jane Velez-Mitchell, President, UnchainedTV
- Jeanette Vosburg

ITEM 26

Brian Bugsch, Chief, Land Management Division, CSLC

- John Deeter, Environmental Council of Sacramento
- Don Mooney, Attorney, Environmental Council of Sacramento
- Clark Peri, Office Chief, Program Management, Department of Transportation
- Ralph Propper, Immediate Past President, Environmental Council of Sacramento

ITEM 44

Brian Bugsch, Chief, Land Management Division, CSLC

- John Geesman, Attorney, Alliance for Nuclear Responsibility
- Robert Pontelle, Attorney, Southern California Edison
- Laura Walsh, California Policy Manager, Surfrider Foundation
- Jill Zamek, San Luis Obispo Mothers for Peace

ITEM 56

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

- Elizabeth Lambe, Executive Director, Los Cerritos Wetlands Land Trust

ITEM 59

Joseph Fabel, Senior Attorney, CSLC

- Carla Frisk, Get Oil Out!

- Peter Imhof, Director, Planning and Environmental Review Department, City of Goleta

ITEM 60

Reid Boggiano, Public Land Management Specialist

- Job Nelson, Vice President, Strategy and Policy, Port of San Diego
- Boris Delepine, City and County of San Francisco

ITEM 61

Nate Dozier, Associate Governmental Program Analyst, Mineral Resources Management Division, CSLC

- No speakers for this item

ITEM 62

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

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

- Laura Walsh, California Policy Manager, Surfrider Foundation
- Amy Wolfrum, California Ocean Policy Senior Manager, Monterey Bay Aquarium

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

- Michelle Sevilla, Field Representative, Office of Assemblymember Steve Bennett
- Laura Walsh, California Policy Manager, Surfrider Foundation
- Amy Wolfrum, California Ocean Policy Senior Manager, Monterey Bay Aquarium

ITEM 65

Ella McDougal, Climate Change Program Manager, Ocean Protection Council

- No speakers for this item