

# Open Session Minutes

California State Lands Commission  
Virtual Meeting of April 7, 2023

## **COMMISSIONERS AND STAFF PRESENT:**

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### **COMMISSIONERS:**

Eleni Kounalakis, Lieutenant Governor (Dr. Matt Dumlao, Chief of Staff and Alternate, sat in for a portion of Item 71)

Malia M. Cohen, State Controller (Kristina Kunkel, Deputy Controller and Alternate, participated for Items 63 and 71, 2<sup>nd</sup> Public Comment period, Closed Session, and adjournment of the meeting)

Gayle Miller, Chief Deputy Director and Alternate for Director of the Department of Finance  
Joe Stephenshaw

### **STAFF MEMBERS:**

Jennifer Lucchesi, Executive Officer

Warren Crunk, Assistant 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](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 Eleni Kounalakis called the meeting of the California State Lands Commission to order at 1:30 p.m., via the Zoom webcast; also present were Commissioner Malia Cohen and Commissioner Alternate Gayle Miller.

Confirmation of the Minutes of the February 28, 2023 and March 24, 2023 meetings were approved as presented by a vote of 3-0 (Kounalakis–Yes; Cohen–Yes, Miller–Yes).

## EXECUTIVE OFFICER'S REPORT:

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

- No Executive Officer's Report for this meeting.

## CONSENT CALENDAR

- Consent Items 06, 14, 18, 33, and 55 were removed from consideration.
- Consent Items 49 and 63 were moved to the Regular Calendar.
- Consent Items 01-05, 07-13, 15-17, 19-32, 34-48, 50-54, 56-62, 64, and 65 were approved as presented by a vote of 3-0 (Kounalakis–Yes; Cohen–Yes; Miller–Yes).

## INFORMATIONAL CALENDAR

**Item 66:** was informational – no vote required.

## REGULAR CALENDAR

*(Items appear in order heard)*

**Item 67:** A staff presentation was made to the Commission for discussion and possible action on state legislation relevant to the California State Lands Commission.

Item 67 – was informational; no vote required.

**Item 68:** A staff presentation was made to the Commission to consider supporting H.R. 1452 introduced in the 118th Congress by Representative Garamendi, legislation that would require the United States Coast Guard to release ballast water treatment system type approval data to any State, the District of Columbia, or United States territory upon request.

Item 68 – was approved as presented by a vote of 3-0 (Kounalakis–Yes; Cohen–Yes; Miller–Yes).

**Item 69:** A staff presentation was made to the Commission to consider supporting AB 655 (Petrie-Norris), which would prohibit a person from selling, possessing, importing, transporting, transferring, releasing alive in the state, or giving away without consideration, all salt water algae of the genus *Caulerpa*, except possession for bona fide scientific research.

Item 69 – was approved as presented by a vote of 2-0 (Kounalakis–Yes; Cohen–Yes; Miller–Abstained).

**Item 70:** A staff presentation was made to the Commission to consider authorizing the Executive Officer or her designee to enter into cooperative agreements with cities, counties, and other state or local governments, departments, or entities to address situations and concerns related to the unhoused on State-owned sovereign or school lands.

Item 70 – was approved as presented by a vote of 3-0 (Kounalakis–Yes; Cohen–Yes; Miller–Yes).

**Item 71:** A staff presentation was made to the Commission to consider acceptance of the Long Beach Unit Program Plan (July 1, 2023, through June 30, 2028), and the Annual Plan (July 1, 2023, through June 30, 2024), Long Beach Unit, Wilmington Oil Field, Los Angeles County.

Amendment: Approve staff's recommendation with the addition of the following elements: 1) consideration of the social cost and impacts of oil extraction; 2) consideration of the public health impacts of oil production on local communities, including minority and historically excluded communities (such analysis to reflect collaboration between the City and its local health department); and 3) consideration of the anticipated abandonment and decommissioning costs for the Long Beach Unit and the balance of the oil liability trust fund.

Item 71 – was approved as amended by a vote of 3-0 (Kounalakis–Yes; Cohen–Yes; Miller–Yes).

**Consent Item 49:** Consider an application for a General Lease – Public Agency Use, of sovereign land located in the Pacific Ocean, near the City of San Buenaventura, adjacent to Marina Park, Ventura County; for the construction, operation, and maintenance of one 20-inch-diameter outfall pipeline and diffuser with a protective rock revetment cover and concrete ballast weights.

Item 49 – was removed from consideration.

**Consent Item 63:** A staff presentation was made to the Commission to consider approval of subsidence monitoring costs for vertical measurements and studies for the 2023-2024 Fiscal Year, City of Long Beach, Los Angeles County.

Item 63 – was approved as presented by a vote of 3-0 (Kounalakis–Yes; Kunkel–Yes; Miller–Yes).

**Closed Session Instructions:** Government Code section 11126, subdivision (c)(7), allows a state body to discuss real property negotiations in closed session, provided that, before the closed session, the state body in open session identifies the real property concerned, and the person or persons with whom the negotiator may negotiate. In accordance with this requirement, the Commission will conference in closed session with its real property negotiators regarding a lease amendment or other agreement for the extended use of the infrastructure on State lands related to the continued operation of the Diablo Canyon Power Plant, San Luis Obispo County. The negotiations will be conducted with Pacific Gas and Electric Company.

*(The State Lands Commission adjourned into closed session from 3:19 p.m. to 3:52 p.m., then resumed open session at 3:54 p.m.)*

### **CLOSED SESSION**

Pursuant to Government Code section 11126, subdivision (c)(7), the Commission met in closed session with its real property negotiators regarding a lease amendment or other agreement for the extended use of the infrastructure on State lands related to the continued operation of the Diablo Canyon Power Plant in San Luis Obispo County.

The Commission meeting public session was adjourned at 3:55 p.m.

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

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### **PUBLIC COMMENT**

- Dawny'all Heydari, Climate Campaigner for Clean Ports Southern California, Pacific Environment

### **ITEM 63**

Jennifer Lucchesi, Executive Officer, CSLC

- Ann Cantrell
- Anna Christensen

### **ITEM 71**

Micaela Wiemer, Staff Attorney, Legal Division, CSLC

- Jan Victor Andasan
- Cynthia Arreguin Alvarez, Chief of Staff, Senator Lena Gonzalez
- Brady Bradshaw, Center for Biological Diversity
- Ann Cantrell
- Anna Christensen
- Sona Coffee
- Bob Dowell, Director-Energy Resources, City of Long Beach
- Morgan Goodwin
- Indira
- Nicole Levin
- David Marrett
- Pete Marsh
- Paulo Pawaligan
- Jeannine Pearce, Long Beach Councilwoman Emerita
- Catherine Ronan
- Victoria Bogdan Tejeda