

# Open Session Minutes

California State Lands Commission  
Hybrid Meeting of December 5, 2023  
Holiday Inn Sacramento Downtown - Arena  
300 J Street  
Sacramento, California 95814

## **COMMISSIONERS AND STAFF PRESENT:**

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### **COMMISSIONERS:**

Eleni Kounalakis, Lieutenant Governor

Malia M. Cohen, State Controller (Kristina Kunkel, Deputy State Controller and Alternate for State Controller Malia M. Cohen, participated for meeting introduction and Minutes)

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

### **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](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 10:00 a.m. at the Holiday Inn Downtown Sacramento - Arena, 300 J Street, Sacramento, California 95814, via in person and Zoom webcast; also present were Commissioner Malia M. Cohen and Commissioner Alternate Gayle Miller.

### **EXECUTIVE OFFICER'S REPORT:**

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

- 2023 marks the State Lands Commission's 85<sup>th</sup> anniversary. The Commission is one of the oldest natural resource agencies in the state.
- **2023 Accomplishments**

Chair Kounalakis announced the Commission's accomplishments in 2023:

- The Commission generated over \$173 million to the general fund, over seven and a half million to CalSTRS to benefit retired teachers and over two million to the Lake Tahoe Access Fund to help protect Lake Tahoe.
- The Commission issued 269 new leases and 32 lease amendments.
- The Commission was very active in cleaning up and protecting the State's waterways: removed the Chevron Point Orient Industrial Wharf in Richmond, 443 pilings from Eckley Pier in the Carquinez Strait, and negotiated an agreement with the Salt River Construction Company to remove more than 25 derelict commercial vessels from Broad Slough.
- As part of the Coastal Hazard and Legacy Well Remediation Program, the Commission successfully abandoned another two legacy oil and gas wells offshore Summerland Beach.
- The Marine Invasive Species Program continued to make an impact around the world. Commission staff authored or co-authored four peer-reviewed papers in scientific journals and represented the International Maritime Organization to provide invasive species prevention training to the shipping industry and government agencies in Brazil, Mexico, and Ecuador.

- Commission staff helped launch the Coastal Justice Lab, a joint program led by Azul, the Center for Land, Environment, and Natural Resources at UC Irvine Law, and UCI Newkirk Center for Science and Society.
- Commission staff and the City of Vallejo negotiated an amendment to the Mare Island settlement agreement to successfully transfer the neglected Mare Island Cemetery to the U.S. Department of Veterans Affairs for its care and management for the benefit of our veterans.
- Over 23 million barrels of renewable fuels were transferred through our marine terminals, a 49 percent increase from last year.
- Through our leasing and regulatory programs, the Commission has approved the conversion of two marine oil terminals to marine renewable fuels terminals with a third one well on its way.
- In February, the Commission approved a lease to Windhub Solar for a 112-acre solar energy facility on school lands near Mojave in Kern County. It is the second approved solar facility on lands managed by the Commission.
- In June, the Commission extended its lease to PG&E for the intake and outfall structures to allow the Diablo Canyon Power Plant to continue to provide critical and reliable energy to the state.
- The Commission completed three critical reports related to port and workforce needs associated with offshore wind in California. These reports lay the foundation for the state's strategic plan for the development of offshore wind pursuant to Assembly Bill 525.
- Secured legislation designating the State Lands Commission as the CEQA lead agency for offshore wind energy projects.
- The Commission authorized the Phase 2 agreement with ExxonMobil committing ExxonMobil to decommissioning Platform Holly.
- The Commission commemorated the removal of two enormous oil piers in Haskell's Beach and the City of Goleta. These were the last remaining shorezone oil production piers.

## **CONFIRMATION OF MINUTES**

Confirmation of the Minutes of the October 19, 2023 and November 20, 2023 meetings were approved as presented by a vote of 2-0 (Kounalakis–Yes; Kunkel–Yes, Miller–Not Present).

## **CONSENT CALENDAR**

- Consent Items 34 and 42 were moved to the Regular Calendar
- Consent Items 01-33, 35-41, and 43-54 were approved as presented by a vote of 3-0 (Kounalakis–Yes; Cohen–Yes; Miller–Yes)

## **INFORMATIONAL CALENDAR**

No items for this section.

## **REGULAR CALENDAR**

*(Items appear in order heard)*

**Items 55 and 56 (please note that Items 55 and 56 will be considered by the Commission together as part of one presentation and, similarly, Items 57 and 58 will be considered by the Commission together as part of one presentation)**

**Item 55:** A staff presentation was made to the Commission to consider an amendment and endorsement of a sublease under Lease Number PRC 6414, a General Lease – Public Agency Use, of filled sovereign land located within the Candlestick Point State Recreation Area in San Francisco, City and County of San Francisco to authorize the temporary use of an existing paved parking lot and public utilities for the Bayview Vehicle Triage Center.

**Item 56:** A staff presentation was made to consider an application for a General Lease – Public Agency Use, of filled sovereign land located adjacent to the Candlestick Point State Recreation Area in San Francisco, City and County of San Francisco; for improvements appurtenant to the Bayview Vehicle Triage Center.

Items 55 and 56 – were approved as presented by a vote of 3-0 (Kounalakis–Yes; Cohen–Yes; Miller–Yes)

**Item 57:** A staff presentation was made to the Commission to consider an amendment of Lease Number PRC 4977, a General Lease – Right-of-Way Use, for an existing gas pipeline serving platforms Hondo, Harmony, and Heritage (Santa Ynez Unit), of sovereign land located in the Pacific Ocean, near El Capitan State Beach, Santa Barbara County; to amend the terms of the lease.

**Item 58:** A staff presentation was made to consider amendment of Lease Number PRC 7163, a General Lease – Right-of-Way Use, for an existing water pipeline, an oil emulsion pipeline, and three power cables serving platforms Hondo, Harmony, and

Heritage (Santa Ynez Unit), of sovereign land located in the Pacific Ocean, near El Capitan State Beach, Santa Barbara County; to amend the terms of the lease.

Items 57 and 58 – were approved as presented by a vote of 3-0 (Kounalakis–Yes; Cohen–Yes; Miller–Yes)

**Item 59:** Staff presentations were made to the Commission to consider granting authority to the Executive Officer to solicit a Request for Qualifications for consultant services, negotiate a fair and reasonable price, award and execute agreements for the preparation of an Analysis of Public Trust Resources and Values (APTR) to assess the long-term risks and impacts to Public Trust resources of all 12 leases for existing offshore oil and gas pipelines under the Commission's leasing jurisdiction; and consider authorizing a temporary moratorium on the acceptance and consideration of new lease applications involving these offshore oil and gas pipelines, as well as the issuance of new oil and gas pipeline leases, until the APTR is complete and considered by the Commission.

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

**Item 60:** Staff presentations were made to the Commission to consider adoption of the 2023 Shoreline Adaptation and the Public Trust Report, developed to guide analysis and inform decision-making for leasing ungranted state tidelands for shoreline protection and adaptation structures.

Item 60 – was approved as presented by a vote of 3-0 (Kounalakis–Yes; Cohen–Yes; Miller–Yes)

**Item 61:** A staff presentation was made to the Commission updating them on the Commission's progress in implementing AB 2257 (Boerner Horvath, Chapter 692, Statutes of 2022), which requires the Commission to develop a cost study that evaluates the fiscal impact of a voluntary relinquishment of any lease interests in active offshore oil and gas production leases in state waters and provide a status update to the Governor and the Legislature by December 31, 2023.

Item 61 – was informational – no vote required

**Consent Item 34:** A staff presentation was made to the Commission to consider an application for a General Lease – Recreational Use, of sovereign land located in the Main Channel of Huntington Harbor, adjacent to 16592 Somerset Lane, Huntington

Beach, Orange County; for an existing boat dock, access ramp, and cantilevered deck.

Consent Item 34 – was approved as presented by a vote of 3-0 (Kounalakis–Yes; Cohen–Yes; Miller–Yes)

**Consent Item 42:** A staff presentation was made to the Commission to consider an application for a General Lease – Public Agency Use, of sovereign land located in the Goleta Slough watershed and the Pacific Ocean adjacent to Goleta Beach County Park, Goleta, Santa Barbara County; for periodic dredging and beach nourishment.

Consent Item 42 – was approved as presented by a vote of 3-0 (Kounalakis–Yes; Cohen–Yes; Miller–Yes)

### **CLOSED SESSION**

There was no closed session held for this meeting.

The Commission meeting public session was adjourned at 1:34 p.m.

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

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### **PUBLIC COMMENT**

- Andrea Lueker, Responsible Energy Adaptation for California's Transition (REACT)

### **ITEMS 55 AND 56**

Grace Kato, Assistant Chief, Land Management Division, CSLC

- Emily Cohen, Deputy Director, San Francisco Department of Homelessness and Supportive Housing
- Jacob Janzen, Attorney, representing Candlestick Heights Community Alliance
- Russel Morine
- Barb Tassa, Bayview Resident

### **ITEMS 57 AND 58**

Drew Simpkin, Public Land Manager, Land Management Division, CSLC

- Brady Bradshaw, Center for Biological Diversity
- Tina Calderon, Sacred Places Institute for Indigenous People
- Anna Christensen, Sierra Club Los Cerritos Wetlands Task Force
- Katie Davis, Sierra Club, Santa Barbara-Ventura Chapter
- Linda Krop, Environmental Defense Center
- Tyler Gerlach, Asian Pacific Chamber of Commerce, African American Chamber of Commerce, Hispanic Chamber of Commerce
- Jonathan Ullman, Sierra Club Santa Barbara-Ventura Chapter

### **ITEM 59**

Jason Ramos, Staff Scientist, Division of Environmental Science, Planning, and Management, CSLC

- Brady Bradshaw, Center for Biological Diversity
- Anna Christensen, Sierra Club Los Cerritos Wetlands Task Force
- Linda Krop, Environmental Defense Center
- Mariza Sullivan, Coastal Band of the Chumash Nation
- Jonathan Ullman, Sierra Club Santa Barbara-Ventura Chapter

**ITEM 60**

Maren Farnum, Staff Scientist, Division of Environmental Science, Planning, and Management, CSLC

Michael Wells, Staff Scientist, Division of Environmental Science, Planning, and Management, CSLC

- Crystal Barajas, Heal the Bay
- Carey Batha, California Coastal Commission
- Anna Christensen, Sierra Club Los Cerritos Wetlands Task Force
- Sarah Donald
- Mandy Sackett, Surfrider Foundation
- Lily Tsukayama, Port of San Diego
- Jonathan Ullman, Sierra Club Santa Barbara-Ventura Chapter

**ITEM 61**

Ehsan Tajer, Mineral Resources Management Division, CSLC

- Brady Bradshaw, Center for Biological Diversity
- Anna Christensen, Los Cerritos Wetlands Task Force, Sierra Club
- Linda Krop, Environmental Defense Center

**CONSENT ITEM 34**

Jeffrey Plovnick, Land Management Specialist, Land Management Division, CSLC

- Robert Del Junco

**CONSENT ITEM 42**

Jennifer Lucchesi, Executive Officer, CSLC

- Mia Astbury, student