



State Lands Commission February Meeting Highlights

The Commission held its first meeting of the year in Oakland with a satellite location in the city of Rancho Palos Verdes. The Commission began the meeting with an update on implementation of its 2016-2020 strategic plan, including significant accomplishments in 2017 and initiatives that staff hopes to complete or make progress on in 2018.

Palos Verdes Marine Artificial Reef Project

The Commission adopted a Negative Declaration and authorized a lease for sovereign land offshore the Palos Verdes Peninsula for the construction, restoration, and enhancement of the Palos Verdes Marine Artificial Reef. The authorization included additional monitoring conditions. The project is funded by the Montrose Settlements Restoration Program and was developed to compensate for biological resource losses caused by contaminated sediments from the Palos Verdes Shelf Superfund Site. The project will benefit the Public Trust by expanding existing rocky-reef habitat, which in turn is expected to improve aquatic resources and functions by providing suitable habitat substrate and shelter for fish and other marine organisms such as kelp, bass, and California sheephead.

Lake Tahoe Benchmark Rental Rates

The Commission also considered approving benchmark rental rates for sovereign land in El Dorado, Placer, and Nevada counties—the 2018 Category 1 Lake Tahoe Berths, Category 1 Lake Tahoe Buoys, and Category 2 Lake Tahoe Non-Water-Dependent Use Lake Tahoe Benchmarks. The Commission, acknowledging the calculation complexities and staffs extensive outreach and hard work, decided to defer action to revise the benchmarks and directed staff to explore funding options for a consultant to determine the most appropriate methodology.

Desert Renewable Energy Conservation Plan

The Commission adopted a [resolution](#) that opposes the U.S. Department of Interior's recent announcement to reopen the Desert Renewable Energy Conservation Plan to allow development in areas designated for conservation. The Commission registered its resolute opposition to opening the plan, noting that it would make it more difficult for California to achieve its ambitious renewable energy goals.

Oil and Gas Decommissioning Projects/ Sea-Level Rise GIS tool

There was a presentation on the status of three momentous oil and gas decommissioning projects the Commission is leading—Platform Holly, Rincon Island, and the Becker Onshore well. And the Commission delegated authority to its Executive Officer to negotiate and enter into agreements to access private uplands where necessary to facilitate decommissioning Rincon Island. There was also a staff presentation on the Commission's landmark sea-level rise GIS-based analytical tool, an interactive visualization tool to help the Commission make more informed, data-driven decisions. This tool, used for lease application review, is intended to provide a better understanding of sea-level rise, support staff in analyzing sea-level rise vulnerability, and facilitate interagency collaborations, among other things.

City of Burlingame Waterfront

After months of considering various proposals for an approximately 8.8-acre parcel owned by the Commission along the City of Burlingame's waterfront, the Commission directed staff to conduct a public trust needs assessment and authorized a temporary moratorium on lease applications for this property. The public trust needs assessment, a positive, proactive approach to determine the best use of the property, will be anchored on comprehensive and collaborative outreach to community stakeholders and will be integral to informing the Commission's future decisions about how to use these public trust lands.

Closed Session

The Commission reported out from closed session that it approved a [settlement agreement](#) in the litigation concerning the management of the state's public trust lands and San Francisco's Proposition B (California State Lands Commission v. City & County of San Francisco, Case No. CGC-14-540531). The Commission also waived its attorney-client privilege

concerning [legal advice](#) from the Attorney General’s Office about the butane and propane storage tank facility that Rancho LPG operates near the Port of Los Angeles, and a nearby rail spur located on property that the port owns. The Commission’s waiver of the attorney-client privilege applies solely to this advice letter. The Commission did not waive the attorney-client privilege, or confidentiality, for any other communications it has had with, or advice it has received from, the Attorney General’s office.

OTHER MEETING HIGHLIGHTS

- **Item 65– Morro Bay Power Plant**

The Commission adopted a Mitigated Negative Declaration and approved a lease to authorize Dynergy Morro Bay LLC to decommission pipelines associated with an offshore marine terminal in San Luis Obispo County.

- **Item 75 – Marine Oil Terminals**

The Commission authorized its Executive Officer to execute an agreement with the California Polytechnic State University Affiliated Cal Poly Corporation to review and revise seismic design provisions in its Marine Oil Terminal Engineering and Maintenance Standards.

- **Item 77 – City of Sacramento**

The Commission approved a boundary line agreement between the Commission and the City of Sacramento to establish a common boundary line between State-owned sovereign land and City-owned land at Miller Park in Sacramento County.

- **Item 86 – Federal Conveyances; SB 50 (Allen, Chapter 535, Statutes of 2017)**

The Commission, in its first instance considering federal property conveyance pursuant to SB 50, exercised its right of first refusal to consider acquiring about 78 acres of federal public lands in the City of Dublin. The Commission waived its right of first refusal because the land does not possess a high value for environmental or natural resource conservation, preservation, tourism, scientific study or recreation, and because most of the larger project area is in an urban setting and has been developed under previous exchange agreements.

- **Item 95 – Environmental Justice**

The staff presented an update about the Commission’s efforts to usher in a stronger Environmental Justice Policy and about staff’s participation in the Government Alliance on Race and Equity, a year-long initiative to help state governments take a systemic approach to advancing racial equity. In the months ahead, the Commission will continue its outreach and continue to receive input from a focus group of environmental justice and social justice equity organizations.