

~ MINUTES ~
CALIFORNIA STATE LANDS COMMISSION
MEETING OF JUNE 28, 2016

**HOLIDAY INN CAPITOL PLAZA
300 J STREET
SACRAMENTO, CALIFORNIA 95814**

**ADDITIONAL SITE TO OBSERVE AND TESTIFY
MORRO BAY COMMUNITY CENTER AUDITORIUM
1001 KENNEDY WAY
MORRO BAY, CALIFORNIA 93442**

APPEARANCES

COMMISSIONERS PRESENT

- Betty T. Yee, State Controller
- Gavin Newsom, Lieutenant Governor (Rhys Williams, Chief of Staff and Alternate, participated for Public Comment)
- Eraina Ortega, Chief Deputy Director and Alternate for Director of the Department of Finance Michael Cohen

STAFF MEMBERS IN ATTENDANCE

- Jennifer Lucchesi, Executive Officer
- Mark Meier, Chief Counsel

REPRESENTING THE OFFICE OF THE ATTORNEY GENERAL

- Andrew Vogel, Deputy Attorney General

NOTE: 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
MEETING OF JUNE 28, 2016**

Chair Betty Yee called the meeting of the California State Lands Commission to order at 10:07 A.M. at the Holiday Inn Capitol Plaza, California Room, 300 J Street, Sacramento, California 95814; also present were Commissioner Gavin Newsom (arrived at 10:10 A.M.) and Commissioner Alternate Eraina Ortega.

The Minutes of the April 5, 2016 meeting were approved by a vote of 2-0 (Yee-Yes; Newsom-Not Present; Ortega-Yes).

EXECUTIVE OFFICER'S REPORT

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

- In May, the National Oceanic and Atmospheric Administration declared that El Niño was officially over. Back in 2015, Commission staff sent preparedness assessment letters to all lessees, including all offshore oil and gas leases, to ensure that associated facilities were inspected and that emergency response plans were reviewed and updated prior to the onset of storms.
- In 2015 the Tahoe Regional Planning Agency (TRPA), along with critical stakeholder partners, launched a shoreline plan initiative to develop ordinances for the appropriate uses along the shore of Lake Tahoe. The overarching goal of the shoreline plan is to enhance the recreational experience along Lake Tahoe's shores, while protecting the environment and responsibly planning for the future. This shoreline planning initiative will update TRPA's shorezone element goals and policies in their regional plan, and in the shorezone chapters in TRPA's Code of Ordinances. The Commission is participating in this effort as a member of the Steering Committee and the Joint Fact Finding Committee.
- The Governor signed the 2016-17 State budget. This budget includes 1,240,000 additional general fund dollars for the Commission which will enable the Commission to begin transitioning to a spatially indexed record system, complete an environmental review of the Becker onshore oil well, fund the State's portion of the technical studies to remediate Yosemite Slough in San Francisco Bay, fund the State's obligation to pay a proportional share of the hazardous waste remediation cost at the Selby site in the Carquinez Strait, and remove Dennett Dam. The budget also includes \$610,000 from the Marine Invasive Species Control Fund to implement an automated public facing web-based data entry portal for the Marine Invasive Species Program, and to fund an additional environmental scientist position in this program.

RECORD OF ACTION CONTINUED

- On June 3rd and 8th of this year, Commission staff approved two Chevron vessels to discharge ballast water to the Chevron El Segundo Refinery. The water was used to flush the subsea hoses at the El Segundo Marine Oil Terminal. As the ballast water was mixed with residual oil in the hoses, the water was transferred to the refinery for processing. No ballast water was discharged into the environment.
- Commission staff continues its effort to develop a marine planning framework in partnership with the San Diego Unified Port District. The purpose is to engage in a comprehensive, ecosystem-based, stakeholder driven planning process for State waters offshore San Diego County. Commission and Port staffs have met several times to continue to discuss the process, and develop and share components of a draft Memoranda of Agreement, which is on target for Commission consideration at the October meeting.
- State Lands Commission staff continues discussions with Martins Beach, LLC representatives for the acquisition of a public access easement or right-of-way.
- Mr. Colin Connor was recently appointed as the Commission's new Assistant Executive Officer.

CONSENT CALENDAR

- Consent Items C09 and C14 were removed from consideration.
- Consent Item C33 was moved to the Regular Calendar.
- Consent Items C01-C08, C10-C13, C15-C32, and C34-C90 were approved as presented by a vote of 3-0 (Yee-Yes; Newsom-Yes; Ortega-Yes).

INFORMATIONAL CALENDAR

- Item 91 – was informational – no vote required.
- Item 92 – was informational – no vote required.

REGULAR CALENDAR

(Items appear in the order heard)

ITEM C33: A staff presentation was made to the Commission to set aside the October 19, 2012 lease approval for General Leases – Mineral Extraction, related to the San Francisco Bay and Delta Sand Mining Project, and consider reapproval of the leases located on sovereign lands in central San Francisco Bay, Marin and San Francisco Counties.

Item C33 – was approved as presented by a vote of 3-0 (Yee-Yes; Newsom-Yes; Ortega-Yes)

RECORD OF ACTION CONTINUED

ITEM 93 – was removed from consideration

ITEM 94 – was removed from consideration

ITEM 95: A staff presentation was made to the Commission to consider an amendment to a General Lease - Public Agency Use, of sovereign land located in the dry lake bed, Owens Lake, Inyo County; to transition 1.82 square miles of existing dust control.

Item 95 – was approved as presented by a vote of 3-0 (Yee-Yes; Newsom-Yes; Ortega-Yes).

ITEM 96: A staff presentation was made to the Commission to consider termination of two existing leases, PRC 4307.1 and 4449.1, and the issuance of a new limited-term lease for continued use and maintenance of water intake structures, breakwaters, cooling water discharge channels, and other structures associated with the Diablo Canyon Power Plant located near Avila Beach in San Luis Obispo County. After hearing testimony from the applicant and the public, the Commission approved the item as presented. The Commission further directed staff to send a letter to the State Water Resources Control Board supporting the Board's efforts to ensure full compliance by PG&E with the State's Once-Through Cooling Policy.

Item 96 – was approved as presented by a vote of 3-0 (Yee-Yes; Newsom-Yes; Ortega-Yes).

(The State Lands Commission adjourned into closed session from 5:17 P.M. to 5:36 P.M., then resumed open session at 5:38 P.M.)

The Commission meeting public session was adjourned at 5:39 P.M.

**STAFF AND PUBLIC ADDRESSING
THE FOLLOWING CALENDAR ITEMS
JUNE 28, 2016**

ITEM C33

Cy Oggins, Chief, Division of Environmental Planning and Management, CSLC

- Marcelo Barajas, Vice President/General Manager, Lehigh Hanson, Inc.
- Erica Maharg, Staff Attorney, San Francisco Baykeeper
- Christian Marsh, Legal Counsel, Hanson Marine
- Ian Wren, Staff Scientist, San Francisco Baykeeper

ITEM 95

Drew Simpkin, Public Land Management Specialist, Division of Land Management, CSLC

- Richard Harasick, Director of Water Operations, Los Angeles Department of Water and Power

ITEM 96

Sacramento

- Rochelle Becker, Executive Director, Alliance for Nuclear Responsibility
- Laurence Chaset, Attorney at Law, World Business Academy
- Tom Daizell, Business Manager, IBEW 1245
- Ben Davis, Jr., representing self
- Gretchen Dumas, Immaculate Heart Community
- Peter Galbraith, representing self
- William Garris, representing self
- John Geesman, Attorney, Alliance for Nuclear Responsibility
- David Grace, representing self
- Dan Hirsch, representing self
- Ace Hoffman, representing self
- Sam Irvine, Environmental Entrepreneur
- Marcy Israel, Mothers for Peace
- Marc Joseph, Attorney, Coalition of California Utility Employees
- Paul Kangas, Solar Workers Union #1
- Derick Lennox, San Luis Coastal Unified School District
- Nathan Macher, March for Environmental Hope
- Michael Marinak, representing self
- Heather Matteson, Vice President, Mothers for Nuclear
- Gordon McDowell, March for Environmental Hope

STAFF AND PUBLIC ADDRESSING CONTINUED

- Josue Mendoza, representing self
- Eric Meyer, Organizer, March for Environmental Hope
- Peter Miller, Senior Scientist, Natural Resources Defense Council
- Matthew Mosgofian, son of Diablo Canyon Power Plant employee
- Ian Parkinson, Sheriff, County of San Luis Obispo
- Cesar Penafiel, Director of Analytics, Environmental Progress
- Erich Pica, President, Friends of the Earth
- Dr. Eric Prater, Superintendent, San Luis Coastal Unified School District
- Matt Regan, Senior Vice President Policy, Bay Area Council
- Matt Renner, Executive Director, World Business Academy
- Bob Rowen, former Nuclear Control Technician
- Jennifer Savage, California Policy Manager, Surfrider Foundation
- Ellen Sheffer, Trustee, San Luis Coastal Unified School District
- Sandy Silver, representing self
- Sarah Spathner, Mothers for Nuclear
- William Toman, Principal, Pacific Marine Renewables
- Dr. Gerald Weber, representing self
- David Weisman, Outreach Coordinator, Alliance for Nuclear Responsibility
- Virgil John White, Executive Director, Center for Energy Efficiency and Renewable Technologies
- Geisha Willaims, Electric President, Pacific Gas and Electric Company
- Kristin Zaitz, President, Mothers for Nuclear

Morro Bay

- Dennis Allen, Board Chairman, Allen Construction
- Ron Alsop, Emergency Services Manager, County of San Luis Obispo
- Sybil Ashley, representing self and Mothers for Peace
- Debbie Belardino, SGI-USA Buddhist Organization
- Vickie Bookless, representing self
- Mary Beth Brangan, Co-Director, Ecological Options Network
- Dr. Jerry Brown, Head, Safe Energy Program, World Business Academy
- Marty Brown, Mothers for Peace
- Michael Brown, Government Affairs Director, Coalition of Labor, Agriculture and Business (COLAB)
- Elizabeth Browsse, representing self
- Rinaldo Brutoco, President, World Business Academy
- Joan Carter, Mothers for Peace
- Lee Andrea Caulfield, representing self
- Jesse Chellar, representing self
- Andrew Christie, Chapter Director, Sierra Club
- Carl Dundley, representing self
- Patrick Ellsworth, representing self

STAFF AND PUBLIC ADDRESSING CONTINUED

- John Ewan, representing self
- Michele Flom, representing self
- Melinda Forbes, representing self
- Fred Frank, representing self
- Orman Gaspar, representing self
- William Gloege, President, Californians for Green Nuclear Energy
- Eric Greening, representing self
- Glenn Griffith, Mothers for Peace
- Henriette Groot, Ph.D., representing self
- Lynne Harkins, representing self
- Adam Hill, Supervisor District Three, County of San Luis Obispo
- Erik Howell, Pismo Beach City Councilmember
- Joseph Ivora, Retired Engineer
- Michael Jencks, Biodiversity First!
- Ermina Karim, CEO, San Luis Obispo Chamber of Commerce
- Rick London, CEO, United Way of San Luis Obispo County
- Simone Malboeuf, representing self
- Michael Manchar, President & CEO, Economic Vitality Corporation
- Coralie McMillan, Ranchers of Gillis Canyon
- Liz Moody, Marketing Directory, Cannon
- Rory Moore, representing self
- Linda Mulvey, representing self
- Larry Murray, President, Pipefitters Local 403, San Luis Obispo
- David Nelson, representing self
- Dr. Gene A. Nelson, Government Liaison, Californians for Green Nuclear Power
- Bob Ornstein, representing self
- Larry Parker, Engineer, representing self
- Bob Perry, Director of Research, World Business Academy
- Jeff Pienack, representing Surfrider and self
- Emma Redfoot, student, representing self
- Sharon Rippner, representing self
- Ty Safreno, CEO/CTO, Trust Automation Inc.
- Klaus Schumann, representing self
- Daniel See, representing self
- Linda Seeley, Spokesperson, Mothers for Peace
- Brad Snook, Chair, Surfrider Foundation San Luis Obispo
- Doug Stevens, Member, Californians for Green Nuclear Power
- Brian Sturtevant, City Councilman, City of Atascadero
- Ken Thompson, representing self
- Rebecca Townsend, representing self
- Charles Varni, representing self
- Crystal Waldorf, representing self and Mothers for Peace

STAFF AND PUBLIC ADDRESSING CONTINUED

- Laura Lee Waldorf, Mothers for Peace
- Mary Webb, representing self
- Dr. Mike Weissman, representing self
- Carl Wurtz, Government Liaison, Californians for Green Nuclear Power

PUBLIC COMMENT

Sacramento

- Mary Bernier, representing self
- Lee Callister, Activist, Docketown Marina
- Emelio Diaz, Docketown resident
- James Jonas, representing self
- Jennifer Savage, California Policy Manager, Surfrider Foundation
- Tania Solé, Docketown
- Jim Vaughn, Environmental Progress