

~ MINUTES ~
CALIFORNIA STATE LANDS COMMISSION
MEETING OF DECEMBER 6, 2016

CAPITOL EVENT CENTER
1020 11TH STREET – 2ND FLOOR
SACRAMENTO, CALIFORNIA 95814

APPEARANCES

COMMISSIONERS PRESENT

- Betty T. Yee, State Controller
- Gavin Newsom, Lieutenant Governor
- 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 DECEMBER 6, 2016**

Chair Betty Yee called the meeting of the California State Lands Commission to order at 10:03 a.m. at the Capitol Event Center, 1020 11th Street, 2nd Floor, Sacramento, California 95814; also present were Commissioner Gavin Newsom and Commissioner Alternate Eraina Ortega.

The Minutes of the October 13, 2016 meeting were approved by a vote of 3-0 (Yee-Yes; Newsom-Yes; Ortega-Yes).

EXECUTIVE OFFICER'S REPORT

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

- No report for this meeting.

CONSENT CALENDAR

- Consent Items C07, C28, C29, C60, and C62 were removed from consideration.
- Consent Items C01-C06, C08-C27, C30-C59, C61, and C63 were approved as presented by a vote of 3-0 (Yee-Yes; Newsom-Yes; Ortega-Yes).

INFORMATIONAL CALENDAR

- Item 64 – was informational – no vote required.

REGULAR CALENDAR

(Items appear in the order heard)

ITEM 67: A staff presentation was made to the Commission requesting adoption of a proposed resolution supporting the federal government's recent ban on new offshore oil and gas development in the Outer Continental Shelf offshore California, and any attempts to modify that ban, and directing staff to take appropriate actions on behalf of the Commission to ensure the ban remains in place.

Item 67 – was approved as presented by a vote of 3-0 (Yee-Yes; Newsom-Yes; Ortega-Yes).

ITEM 65: An informational presentation was made to the Commission on the status of negotiations to acquire a public access easement to and along Martins Beach near the city of Half Moon Bay, San Mateo County, pursuant to Chapter 922, Statutes of 2014. The Commission heard testimony from state officials, private organizations and the public.

RECORD OF ACTION CONTINUED

(The State Lands Commission adjourned into closed session from 11:36 A.M. to 12:16 P.M., then resumed open session at 12:19 P.M.)

CLOSED SESSION: The Commission, in closed session, directed staff to report back to the Commission on the specific steps for formally initiating eminent domain proceedings relating to public access to and along Martins Beach in San Mateo County. Staff was directed to report back on the specific process elements associated with condemnation, options, timeliness, resources needed, and implications relevant to the 3 pending lawsuits. It is important to note that the Commission has not voted whether to initiate condemnation in this particular circumstance, and that this is not a predetermination to condemn. The Commission has asked for additional information on what the specific process elements are. The Commission also authorized and directed staff to post on its website, the appraisal that was conducted by staff for the purposes of negotiating the acquisition of the access easement consistent with state law.

Item 65 – was informational – no vote required.

ITEM 66: A staff presentation requesting the Commission to consider a Memorandum of Intent to memorialize the State Lands Commission and the Port of Los Angeles commitment to expeditiously pursue establishing a mechanism whereby the Port of Los Angeles contributes \$250,000 per year for ten years for enhancement and continued adaptive management of the Bolsa Chica Lowlands Restoration Project, and pursue the formation of a mitigation bank or other method that allows the sale of eelgrass mitigation credits, in exchange for potential future mitigation credits associated with the creation of eelgrass habitat at the Bolsa Chica Lowlands.

Item 66 – was approved as presented by a vote of 3-0 (Yee-Yes; Newsom-Yes; Ortega-Yes).

ITEM 68: A staff presentation requesting the Commission direct staff to implement a framework of oversight to facilitate communication and progress on issues relating to air quality at the ports of Los Angeles and Long Beach.

Item 68 – was approved as presented by a vote of 3-0 (Yee-Yes; Newsom-Yes; Ortega-Yes).

ITEM 69: An informational staff presentation was made updating the Commission on the implementation of the Commission's 2016-2020 Strategic Plan.

Item 69 – was informational – no vote required.

RECORD OF ACTION CONTINUED

ITEM 70: An informational presentation was made updating the Commission on the Humboldt Bay Harbor, Recreation and Conservation District legislative trust grant.

Item 70 – was informational – no vote required.

ITEM 71: An informational staff presentation was made updating the Commission on the status of the inventory off offshore legacy wells at Summerland, Ellwood and Rincon areas, in Santa Barbara and Ventura Counties.

Item 71 – was informational – no vote required.

ITEM 72: An informational staff presentation was made describing a work plan framework for the State Lands Commission and the San Diego Unified Port District pilot planning effort for state-owned tidelands and submerged lands located in the Pacific Ocean offshore San Diego County.

Item 72 – was informational – no vote required.

The Commission meeting public session was adjourned at 1:58 P.M.

**STAFF AND PUBLIC ADDRESSING
THE FOLLOWING CALENDAR ITEMS
DECEMBER 6, 2016**

ITEM 65

- Christopher Adams
- Jonathan Bremer, Engineer and Coastal Advocate
- Rob Caughlin, Surfrider
- Steve Cruz, State Legislative Advocate, San Mateo County
- Jenn Eckerle, Ocean Policy Consultant, Environment California
- Jeffrey Essner, Attorney, Hopkins Carley
- Julie Graves
- Kirk Hawkins, President, Hawkins Insurance Services, LLC
- Senator Jerry Hill, 13th District
- Angela T. Howe, Esq., Legal Director, Surfrider Foundation
- Edmundo Larenas, Chair, Surfrider Foundation, San Mateo Chapter
- Dr. Mary Larenas
- Congressman Pete McCloskey, former Congressman
- James Moore
- Kathryn Phillips, Director, Sierra Club California
- Robert Pierce, Emeritus Professor of History
- Lennie Roberts, Legislative Advocate, Committee for Green Foothills
- Victoria Rome, Legislative Director, Natural Resources Defense Council
- Judy Romines
- Ron Romines
- Jennifer Savage, California Policy Director, Surfrider Foundation
- Roy Sturgen
- Michael Warburton, Executive Director, Public Trust Alliance

ITEM 68

- Bill Magavern, Policy Director, Coalition for Clean Air

ITEM 69

Colin Connor, Assistant Executive Officer, CSLC

- Francis Coats

STAFF AND PUBLIC ADDRESSING CONTINUED

ITEM 70

Reid Boggiano, Public Land Management Specialist, CSLC

- Mark Hennelly, Vice President, California Waterfowl Association
- Patrick Higgins, Chairman, Humboldt Bay Harbor, Recreation and Conservation District
- Desiree Loggins, Audubon California
- Jeffrey Volberg, Director of Water Policy, California Waterfowl Association
- Anna Weinstein, Marine Program Director, Audubon California

ITEM 72

Maren Farnum, California Sea Grant State Fellow, CSLC

Patrick Mulcahy, California Sea Grant State Fellow, CSLC

- Jenn Eckerle, Ocean Policy Consultant, Environment California
- Jason Giffen, Assistant Vice President, Port of San Diego
- Job Nelson, Assistant Vice President, External Relations, Port of San Diego

PUBLIC COMMENT

- No speakers