

~ MINUTES ~
CALIFORNIA STATE LANDS COMMISSION
MEETING OF DECEMBER 3, 2018

**WYNDHAM SAN DIEGO BAYSIDE
1355 NORTH HARBOR DRIVE
SAN DIEGO, CALIFORNIA 92101**

APPEARANCES

COMMISSIONERS PRESENT

- Betty T. Yee, State Controller
- Sloane Viola, Staff Scientist and Alternate for Lt. Governor Gavin Newsom
- Jacqueline Wong-Hernandez, Chief Deputy Director and Alternate for Director of the Department of Finance Keely Bosler

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: 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. 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 3, 2018**

Chair Betty Yee called the meeting of the California State Lands Commission to order at 1:02 P.M. at the Wyndham San Diego Bayside, 1355 North Harbor Drive, San Diego, California 92101; also present were Commissioner Alternate Sloane Viola and Commissioner Alternate Jacqueline Wong-Hernandez.

Confirmation of the Minutes of the October 18, 2018 meeting were approved as presented by a vote of 3-0 (Yee–Yes; Viola–Yes; Wong-Hernandez–Yes).

EXECUTIVE OFFICER’S REPORT

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

- On November 16th, the Commission started a 45-day public comment period for regulations to permit geophysical surveys occurring on Commission managed lands, primarily offshore. These regulations include operational requirements for motorboats and other vessels to minimize the potential for significant environmental impact caused by survey activity. These regulations are consistent with authority granted by AB 1274 passed in 2015.
- Commission staff continues its operation and management of Platform Holly and the Ellwood Onshore Facility. Commission staff and its contractors are conducting lot of preparation work to get ready for the plugging and abandonment project that staff hopes to start in April of next year.
- Commission staff continues to make significant progress on the onshore decommission work on Rincon Island. Staff is completing the surface abandonment of the ninth well. The abandonment of the 50 offshore wells at Rincon Island is expected to begin in mid-January 2019.
- This afternoon Commission surveyors started the mean high tide line survey at Hollister Ranch. It is anticipated to take a couple weeks to complete, and will likely be completed in January, with the caveat that Commission surveyors are at the mercy of tides and the weather over the next couple months.
- The State Lands Commission has requested to join in on the State’s litigation to halt the flow of toxic waste and sewage from the Tijuana River to the Pacific Ocean. The court will consider this request on December 10th. The almost continuous flow of toxic waste and sewage into the Tijuana River and Pacific Ocean is a significant threat to public health, to State Parks, and a wildlife refuge, and the health and vitality of the impacted communities. There have been 376 sewage spills to date. And that does not account for the last couple weeks.
- For the first meeting in 2019, the Commission will be considering an environmental impact report for the San Onofre Nuclear Generating Station Decommissioning Units 2 and 3, as well as our annual Strategic Plan update.

RECORD OF ACTION CONTINUED

- The Executive Officer recognized the retirement of Rosemary Mulligan, Chief of the Information Services Division. Ms. Mulligan started her career with the State of California in 1980, and has been with the State Lands Commission since 2012.

CONSENT CALENDAR

- Consent Items C29, C32, C33, and C52 were removed from consideration
- C54 was moved to the Regular Calendar
- Consent Items C01-C28, C30, C31, C34-C51, C53, and C55-C74 were approved as presented by a vote of 3-0 (Yee–Yes; Viola–Yes; Wong-Hernandez–Yes)

REGULAR CALENDAR

ITEM 74: An informational presentation was provided to the Commission by Mr. David Revell, Principal and Chief Coastal Scientist for Revell Coastal, LLC, on the collaboration with the City of Imperial Beach to develop an approach to sea level rise planning for the City and describe results of the coastal hazard vulnerabilities and economic impact assessment.

Item 74 – was informational – no vote required

ITEM 75: A staff presentation was made to the Commission to consider approval of a new Environmental Justice Policy and Implementation Blueprint.

Item 75 – was approved as presented by a vote of 3-0 (Yee–Yes; Viola–Yes; Wong-Hernandez–Yes)

ITEM 76: A staff presentation was made to the Commission to consider approval of the final Preliminary Assessment Report for the San Diego Ocean Planning Partnership, a pilot project of the State Lands Commission and the Port of San Diego. The Commission directed staff to engage collaboratively with the Commission’s other sister coastal regulatory agencies, particularly with the Ocean Protection Council on developing an early engagement framework.

Item 76 – was approved as amended by a vote of 3-0 (Yee–Yes; Viola–Yes; Wong-Hernandez–Yes)

ITEM 77: A presentation was made to the Commission to consider approval of the legislative report titled “2018 Assessment of the Efficacy, Availability, and Environmental Impacts of Ballast Water Treatment Technologies for Use in California Waters.”

Item 77 – was approved as presented by a vote of 3-0 (Yee–Yes; Viola–Yes; Wong-Hernandez–Yes)

RECORD OF ACTION CONTINUED

ITEM 78: Item was removed from consideration.

ITEM C54: A staff presentation was made to the Commission to consider an application by the County of Santa Barbara for a General Lease – Public Agency Use, of sovereign land located in the Pacific Ocean, southwest of Sand Point Road, near Carpinteria, Santa Barbara County for repair, operation and maintenance of an existing rock revetment not previously authorized by the Commission. The Commission authorized the lease consistent with staff’s recommendation, except for the term of the lease. The Commission authorization amended staff’s recommendation by reducing the lease term from 49 years to 10 years.

Item C54 – was approved as amended by a vote of 3-0 (Yee–Yes; Viola–Yes; Wong-Hernandez–Yes)

(The State Lands Commission adjourned into closed session from 4:44 P.M. to 5:14 P.M., then resumed open session at 5:16 P.M.)

The Commission meeting public session was adjourned at 5:16 P.M.

**STAFF AND PUBLIC ADDRESSING
THE FOLLOWING STAFF REPORTS
DECEMBER 3, 2018**

Welcoming Speakers:

Chairwoman Erica Pinto, Jamul Indian Village
Rafael Castellanos, Chairman, Port of San Diego

ITEM C54

- Marc Chytilo, Counsel, Raemar Crest LLC
- Morgan Jones, Santa Barbara County
- Matt O'Malley, Executive Director, San Diego Coastkeeper
- Mandy Sackett, California Policy Coordinator, Surfrider Foundation

ITEM 74

David Revell, Principal, Revell Coastal, LLC

- Serge Dedina, Mayor, City of Imperial Beach
- Mandy Sackett, California Policy Coordinator, Surfrider Foundation

ITEM 75

Sheri Pemberton, Chief of External Affairs and Legislative Liaison, CSLC

- Paloma Aguirre, Coastal and Marine Director, WILD COAST
- Bahram Fazeli, Policy Director, Communities for a Better Environment
- Jason Giffen, Assistant Vice President, Port of San Diego
- Mari Rose Taruc, Environmental Justice Working Group
- Mady Sakett, Coastal Policy Coordinator, Surfrider Foundation

ITEM 76

Maren Farnum, Staff Scientist, Executive Officer, CSLC
Jennifer Mattox, Environmental Program Manager, Executive Office, CSLC
Lesley Nishihira, Director of Planning, Port of San Diego

- Mike Conroy, Commercial and Recreational Fishing
- Peter Halmay, President, San Diego Fishermen's Working Group
- Wayne Kotow, Executive Director, Coastal Conservation Association California
- John Law, Member, San Diego Fishermen's Working Group
- Matt O'Malley, Executive Director, San Diego Coastkeeper

STAFF AND PUBLIC ADDRESSING (CONT'D)

ITEM 77

Nicole Dobroski, Assistant Chief, Marine Environmental Protection Division and
Manager of the Marine Invasive Species Program, CSLC
Jonathan Thompson, Senior Environmental Scientist, Marine Invasive Species
Program, Marine Environmental Protection Division, CSLC

- Sienna Courter, Field Investigator, San Francisco Baykeeper

PUBLIC COMMENT

- Mina Babiarz, Board Member, Public Watchdogs
- Mark Chytilo, Counsel, Gaviota Coast Conservancy
- Pam Heatherington, Board Member, Environmental Center of San Diego
- Charles Langley, Executive Director, Public Watchdogs, representing Nuclear Waste San Onofre