STATE OF CALIFORNIA
CALIFORNIA STATE LANDS COMMISSION MEETING
OPEN SESSION MINUTES
PORT OF SAN DIEGO
BOARD ROOM - 1st FLOOR
3165 PACIFIC HIGHWAY
SAN DIEGO, CALIFORNIA 92101

10:00 AM

October 30, 2007

APPEARANCES

COMMISSIONERS PRESENT

John Garamendi, Lt. Governor, Chair (The Lt. Governor left towards the end of Item 48, at which point Brian Bugsch sat in his place.)
John Chiang, Controller
Anne Sheehan, Alternate for Department of Finance

COMMISSIONERS' STAFF PRESENT

Brian Bugsch, Alternate for Lt. Governor
Cindy Aronberg, Alternate for Controller

STAFF MEMBERS IN ATTENDANCE

Paul D. Thayer, Executive Officer
Jack Rump, Chief Counsel

REPRESENTING THE OFFICE OF THE ATTORNEY GENERAL

J. Matthew Rodriquez, Senior Assistant Attorney General

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RECORD OF ACTION TAKEN BY THE CALIFORNIA STATE LANDS COMMISSION MEETING OF OCTOBER 30, 2007

Lt. Governor John Garamendi, Chair, called the regular meeting of the California State Lands Commission to order at 10:06 a.m. at the Port of San Diego, Board Room, 1st Floor, San Diego, California 92101.

The minutes of the September 13, 2007 meeting were approved by a vote of 2-0 (Garamendi and Chiang).

Regular Item 45 was pulled from the agenda.

The recommendation of staff, relative to Calendar Items C01-C44 were approved by unanimous vote of Commission Chair John Garamendi and John Chiang.

(The items appear in the order that they were heard and voted on.)

Calendar Item 46: Staff made a presentation to the Commission asking to amend the lease to adjust royalties for Hanson Marine Operations, Inc. application. The Commission voted to approve the item as presented by a 2-0 vote (Garamendi and Chiang).

Calendar Item 49: A presentation was made to the Commission asking for their consideration of a resolution supporting S.1870 and H.R. 2421, which would uphold federal protection for waters of the United States, including tributaries, wetlands, headwaters and streams. The item was approved as presented by a 2-0 vote (Garamendi and Chiang)

Calendar Item 48: The Commissioners listened to staff presentations and took testimony from the public pertaining to the application by Poseidon Resources Channelside LLC and Cabrillo Power 1 for use of sovereign lands to construct a desalination facility. The Commission decided to postpone the vote until the next meeting.

Calendar Item 47: The Commission was asked to send a letter to the San Diego Unified Port District in regards to the Port of San Diego's involvement in the San Diego Regional Water Quality Control Board cleanup and abatement order for the shipyard sediment side. The item was approved with an amendment to the letter by a vote of 2-0 (Chiang and Bugsch).

The meeting was adjourned by Controller John Chiang at 4:26 p.m.

PUBLIC ADDRESSING THE FOLLOWING CALENDAR ITEMS
CALIFORNIA STATE LANDS COMMISSION MEETING

OCTOBER 30, 2007

REGULAR ITEM 46 – HANSON

- Barbara Dugal, Chief, Land Management Division, CSLC

REGULAR ITEM 47 – SAN DIEGO BAY SHIPYARD SEDIMENT SITE

- Brigette Browning, President, UNITE HERE Local 30
- Christine Kehoe, California State Senator
- Frank Melbourn, Civil Engineer, California Regional Water Quality Control Board
- Bruce Reznik, Executive Director, San Diego Coastkeeper
- Sylvia Rios, Chair, Board of Port Commissioners, Port of San Diego
- Shawn Veen, Field Representative, Office of Assembly Member Saldona
- Dan Wilkens, Executive Vice President, Port of San Diego

REGULAR ITEM 48 – POSEIDON

- Judy Brown, Public Land Management Specialist IV, CSLC
- Chris Garrett, Attorney with Latham & Watkins
- Marco Gonzalez, Attorney with Coast Law Group, on behalf of Surfrider Foundation and San Diego Coastkeeper
- Peter M. MacLaggan, Senior Vice President, Poseidon Resources
- Paul Singarella, Attorney, Poseidon Resources
- Walter J. Winrow, President & Chief Operating Officer, Poseidon Resources
- Alan Zelenka, Kennedy/Jenks Consultants

Concern/Opposition

- Marge Allen, Member, R4D4
- Steve Blouent, Controller, R4RD
- Cecelia Brown, Technical Writer, R4RD
- Eric Christen, VP Government Affairs, Associated Builders and Contractors
- Milt Dardis
- Conner Everts, Desal Response Group
- Patricia Goodman, R4RD

REGULAR ITEM 48 – POSEIDON CONTINUED

Concern/Opposition

- David Hamilton, R4RD
- Irwin Haydock, R4RD
- Marinka Horack, Huntington Beach resident
- Merle Moshiri, President, Resident for Responsible Desalination
- Eileen Murphy, Board Member, R4RD
- John O'Drabinak, R4RD
- Larry Porter, R4RD
- Bruce Reznik, Executive Director, San Diego Coastkeeper
- Jean Roberts, Huntington Beach resident
- Julian Vochelli, Member, R4RD
- Bob Winchell, Resident for Responsible Development

Support

- Steve Aceti, Executive Director, California Coastal Coalition
- Steve Arakawa, Manager, Water Resources, Metropolitan Water District of Southern California
- Gary Arant, General Manager, Valley Center Municipal Water District
- Chuck Badger, Badger & Son Orchard Management
- Jim Bell, Ocean Beach resident
- Jerry Butkiewicz, Secretary-Treasurer, San Diego Labor Council
- Kurt Burkhart, Executive Director, Carlsbad Convention & Visitors Bureau
- Don Christiansen, Carlsbad resident
- Daniel Coffey, Attorney and resident of San Diego
- Andrew Davis, President, Carlsbad Aguafarm LLC
- Vincent Diaz, Vice President, FILANC Construction
- Larry Duca, Carlsbad resident
- Mitch Guillon, General Manager, Rincon del Diablo Municipal Water District
- Matt Hall, Council Member, City of Carlsbad
- Frank Hutchins, Vice President, Corp. Lender, California B&T
- Marie Joyce, Sr. Field Representative, Assemblyman Martin Garrick's Office
- Christine Kehoe, California State Senator
- Jerome Kern, Council Member, City of Oceanside
- Ann Kulchin, May Pro Tem, City of Carlsbad
- Eric Larson, Executive Director, San Diego County Farm Bureau
- Tom Lemmon, Business Manager, San Diego Building and Construction Trades Council
- Bud Lewis, Mayor, City of Carlsbad

REGULAR ITEM 48 – POSEIDON CONTINUED

Support

- David Lloyd, Secretary, Cabrillo Power
- Carlton Lund, Carlsbad resident
- Lani Lutar, President/CEO, San Diego County Taxpayers Association
- Douglas Metz, San Diego Regional Chamber of Commerce
- Joni Miringoff, Marketing, The Flower Fields
- Eric Munoz, President, Agua Hedionda Lagoon Foundation
- Ben Navy, BIOCOM
- Don Neu, Planning Director, City of Carlsbad
- Julie Nygaard, Council Member, City of Carlsbad
- Ted Owen, President & CEO, Carlsbad Chamber of Commerce
- Bud Pocklingston, Director, Sweetwater Authority & San Diego Desal Partners
- William Rucker, General Manager, Vallecitos Water District
- Jerry Sanders, Mayor, City of San Diego
- Jim Schmidt, Retired Banker
- Kevin A. Sharrar, Carlsbad resident
- Andy Shea, USA Development Director, Acciona Agua Corporation
- Robert Simmons, Attorney
- Rachel Solorzano, Field Representative, Assemblywoman Mary Salas, 79th District
- Fern Steiner, Chair, San Diego County Water Authority
- Lou Storrow, Carlsbad resident
- Paul Thompson, Chairman, Carlsbad Chamber of Commerce
- Angelika Villagrana, Director, Public Policy, San Diego Regional Chamber of Commerce
- Julie Walker, Owner, Obraverde Growers
- Paul Webster, District Director for State Senator Mark Wyland, 38th District
- Simon Wong, President, Simon Wong Engineering
- Bob Yamata, Water Resources Manager, San Diego County Water Authority

REGULAR ITEM 49 – WATER PROTECTION RESOLUTION

- Mario De Bernardo, Legislative Liaison, CLSC

PUBLIC COMMENT

- Brigette Browning, President, UNITE HERE Local 30