

~ MINUTES ~
CALIFORNIA STATE LANDS COMMISSION
MEETING OF JUNE 1, 2009

CITY OF SANTA MONICA
CITY HALL COUNCIL CHAMBERS
ROOM 213, SECOND FLOOR
1685 MAIN STREET
SANTA MONICA, CALIFORNIA 90401

APPEARANCES

COMMISSIONERS PRESENT

John Garamendi, Lt. Governor, Chair
John Chiang, Controller (Cindy Aronberg, Alternate for Controller, sat in for part of Item 69)
Tom Sheehy, Chief Deputy Director for Policy, Department of Finance, represented Michael C. Genest, Director, Department of Finance

STAFF MEMBERS IN ATTENDANCE

Paul Thayer, Executive Officer
Curtis Fossum, Chief Counsel

REPRESENTING THE OFFICE OF THE ATTORNEY GENERAL

Joseph Rusconi, 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 or regular item number.*

**RECORD OF ACTION TAKEN BY THE
CALIFORNIA STATE LANDS COMMISSION
MEETING OF JUNE 1, 2009**

Lieutenant Governor John Garamendi, Chair, called the meeting of the California State Lands Commission to order at 10:01 A.M. at the City of Santa Monica City Hall Council Chambers, 1685 Main Street, Santa Monica, CA 90401. Also present were Commissioner John Chiang and Commissioner Alternate Tom Sheehy.

The Minutes of the April 9, 2009 meeting were approved as presented by a vote of 3-0

CONSENT CALENDAR:

Consent items C1-C64 were approved as presented by a vote of 3-0.

REGULAR CALENDAR:

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

ITEM 65: A staff presentation was made and public testimony was given to the Commission regarding certification of an EIR and the adoption of the mitigation monitoring program associated with EIR for a lease renewal for Venoco, Inc. for the operation, use and maintenance of the Venoco Ellwood Marine Terminal. The item, broken down into three issues: 1) certification of the EIR, mitigation monitoring program and statement of overriding considerations, 2) the significant lands inventory finding and 3) authorization renewal of the lease with the terms and conditions set forth in the staff report, was approved by a 3-0 vote on each of the three issues.

ITEM 70: A presentation was made and public testimony was given to the Commission regarding a resolution in response to the recommendation in the proposed May Revision to the state budget involving proposed special legislation that would circumvent the Commission's January 29, 2009 decision involving a proposed oil and gas lease involving the Tranquillon Ridge formation in Santa Barbara County and authorize a process that could overturn that decision. During the discussion of Item 70 Commissioner Sheehy had to leave the meeting due to a personal emergency. The resolution was approved by a 2-0 vote.

ITEM 66: A staff presentation was made and public testimony was given to the Commission regarding the staff report alternative recommendations (A) to find Carone Petroleum, Inc., in default of its lease and authorize a notice of default and opportunity to cure and (B) to find that Carone Petroleum had met all three conditions imposed by the Commission at the previous meeting. After briefing by staff on the progress made by Carone and the status of review being conducted by the United States Department of the Interior, Mineral Management Service, the item was postponed to a future

Commission meeting. The Executive Officer will give an update on progress at the next Commission meeting.

ITEM 69: Staff made a presentation and the Commission heard public testimony regarding a resolution proposed by the Controller supporting legislation that would impose a fee on single-use plastic carryout shopping bags. The item was approved by a 2-0 vote.

ITEM 68: Following presentation of the staff report and testimony by the applicants' attorney, regarding an unauthorized pier, which included a sundeck with railing and stairs, and unauthorized boatlift and buoys on sovereign lands in Lake Tahoe, the Commission took no action regarding its prior action on Minute Item #39 from the April 9, 2009 Commission meeting.

ITEM 67: The Commission was presented the staff report which recommended a determination of trespass, involving the Blue Whale Sailing School and John Asuncion, and authority for the staff of the Commission and Office of the Attorney General to take all steps necessary, including litigation, to remove the unauthorized docking facilities located on state-owned lands in Simonds Canal and Alviso Slough. The Commission approved the item as presented by a 2-0 vote.

PRESENTATION BY EXECUTIVE OFFICER: Following Item 67, the Executive Officer and Commissioners acknowledged the 20+ years of extraordinary service, wealth of information and great integrity Dave Mercier provided to the Commission.

The Commission meeting public session was adjourned at 1:29 P.M.

**PUBLIC ADDRESSING THE FOLLOWING CALENDAR ITEMS
CALIFORNIA STATE LANDS COMMISSION MEETING**

JUNE 1, 2009

(The items below appear in the order of the printed agenda not in the order that they were heard and voted on.)

REGULAR ITEM 65 – VENOCO, INC.

Judy Brown, Land Management Division, CSLC
Eric Gillies, Staff Environmental Scientist, Division of Environmental Planning
and Management, CSLC

- Steve Greig, Government Relations and Regulatory Manager, Venoco
- Chris Henson, Chief of Staff, Office of Santa Barbara County Supervisor Doreen Farr
- Linda Krop, Chief Counsel, Environmental Defense Center
- Abe Powell, President, Get Oil Out!
- Steve Radis, Vice President, Marine Research Specialists (MRS)

REGULAR ITEM 66

Greg Scott, Chief, Mineral Resources Management Division

- Linda Krop, Chief Counsel, Environmental Defense Center and Get Oil Out!
- Abe Powell, President, Get Oil Out!

REGULAR ITEM 67 – BLUE WHALE SAILING SCHOOL LEASE

Mary Hays, Land Management Division, CSLC

REGULAR ITEM 68 – RICHMOND/NAESS APPLICATION

Barbara Dugal, Chief, Land Management Division, CSLC

- Richard Sipos, representing Richmond & Naess families

REGULAR ITEM 69 – PLASTIC BAG RESOLUTION

- Angelina Howe, Litigation Manager, Surfrider Foundation
- Sarah Abrahamson Sikich, Coastal Resources Director, Heal the Bay

REGULAR ITEM 70 – MAY BUDGET REVISION RESOLUTION

- Keely Brosnan, representing self
- Jack Eidt, Director, Wild Heritage Planners
- Penny Elia, Task Force Chair, Sierra Club
- Joe Geever, California Policy Coordinator, Surfrider Foundation
- Amber Jackson, representing self
- Amy Jackson, representing self
- Susan Jordan, Director, California Coastal Protection Network
- Linda Krop, Chief Counsel, Environmental Defense Center
- Brandy Lengning, representing self
- Louise Rishoff, District Director, Office of Assemblymember Julie Brownley
- Scott Thomas, Conservation Director, Sea and Sage Audubon
- Rudy Vietmeier, Sierra Club

PUBLIC COMMENT PERIOD

No speakers