

~ MINUTES ~
CALIFORNIA STATE LANDS COMMISSION
MEETING OF MAY 24, 2012

SECRETARY OF STATE
AUDITORIUM
1500 11th STREET
SACRAMENTO, CALIFORNIA 95814

APPEARANCES

COMMISSIONERS PRESENT

- Alan Gordon, Deputy Controller and Alternate for Controller John Chiang
- Chris Garland, Chief of Staff and Alternate for Lieutenant Governor Gavin Newsom
- Pedro Reyes, Chief Deputy Director, Alternate for Director of the Department of Finance, Ana Matosantos

STAFF MEMBERS IN ATTENDANCE

- Curtis Fossum, Executive Officer
- Jennifer Lucchesi, 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.sl.c.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 MAY 24, 2012**

Chair Alternate Alan Gordon called the meeting of the California State Lands Commission to order at 10:06 A.M. at the Secretary of State's Auditorium, 1500 11th Street, Sacramento, California 95814; also present were Commissioner Alternate Chris Garland and Commissioner Alternate Pedro Reyes.

The Minutes of the May 14, 2012 meeting were approved by a vote of 2-0 (Garland and Reyes voting).

EXECUTIVE OFFICER'S REPORT

Executive Officer Curtis Fossum updated the Commission on the following items:

- Commission staff held a public meeting in April at the Huntington Beach Public Library addressing the Commission's jurisdiction and leasing practices within Huntington Harbour.
- At the March Commission meeting, the Commission approved Consent Item 109, authorizing entering into a Memorandum of Agreement with the Bureau of Land Management to help effectuate land exchanges in the California desert to facilitate renewable energy projects. On Monday, May 21st James Kenna, California Director of Bureau of Land Management and the Commission's Executive Officer signed the Agreement. This Agreement fulfills the first stage of Assembly Member Skinner's AB 982 enacted last year.
- The staff of the Commission is working towards implementing AB 32 (Pavley) greenhouse gas emissions and SB X2, (Simitian) to reach 33% renewable energy by 2020. A presentation on staff's efforts is to be presented at this meeting.
- Commission staff will be meeting with representatives of the Dubai Maritime Authority including their Executive Director in June to provide them information on the Commission's Ballast Water Management Program.

CONSENT CALENDAR

Consent Items C13, C30, C43, C48, C54 and C68 were removed from the agenda, to be heard at a later date. Consent Items C01-C12, C14-C29, C31-C42, C44-C47, C49-C53, C55-C66, C69-C72, C74 and C75 were approved as presented by a vote of 2-0 (Garland and Reyes voting). Consent Items C67 and C73 were moved to the Regular Calendar.

RECORD OF ACTION CONTINUED

INFORMATIONAL

ITEM 76: Notice of closed session conference with real property negotiators regarding the terms of an agreement for enhanced oil recovery at the West Wilmington Oil Field in Los Angeles County. The item was informational - no vote required.

ITEM 77: Staff report on alternative energy development-related activities including the status of lease applications, school land consolidation efforts and participation in desert conservation planning. The item was informational – no vote required.

REGULAR CALENDAR

(The Items below appear in the order presented.)

ITEM 78: A staff presentation was made updating the Commission on the monitoring program at the Bolsa Chica Lowlands Restoration Project in Huntington Beach. After the presentation Executive Officer Fossum amended staff's recommendation to include authorization to name the full tidal basin at Bolsa Chica the "Jim Trout Full Tidal Basin" in recognition of Jim Trout's many dedicated years of leadership and guidance.

Item 78 was approved as amended by a vote of 2-0 (Garland and Reyes voting).

ITEM 79: A staff presentation was made recommending that the Commission adopt a resolution supporting maritime operations and activities at California's Ports.

Item 79 was approved as presented by a vote of 2-0 (Garland and Reyes voting).

ITEM 80: No staff presentation was made. The item was removed from consideration.

ITEM 81: No staff presentation was made. The item was removed from consideration.

ITEM 67: A staff presentation was made to the Commission for consideration of an Agreement for Implementation of an Optimized Waterflood Program for the West Wilmington Oil Field in the City of Long Beach.

Item 67 was considered and voted on as presented (Garland and Reyes-Aye; Gordon-No). The vote was void pursuant to Government Code Section 7.6(f) and opinion of the Attorney General's Office. The item will be considered at a future meeting.

RECORD OF ACTION CONTINUED

ITEM 73: The Commission considered proposed regulations to establish assessment protocols for the discharge of ballast water for vessels operating in California. After hearing testimony from interested individuals and discussion by the Commissioners, the Commission deferred voting on the item so that it could be considered at a future meeting. The Commission directed staff to peer review the proposed protocols and revise the proposed regulations to include a two-year non-enforcement element and then bring staff recommended regulations back to the Commission for re-consideration.

ITEM 82: A staff presentation was made to the Commission regarding the methodology used for assessing rent for recreational piers and buoys in Lake Tahoe. After hearing testimony from local homeowners and discussion by the Commissioners, the Commission approved the item as presented.

Item 82 was approved as presented by a vote of 2-0 (Garland and Reyes voting).

The Commission meeting public session was adjourned at 2:28 P.M.

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

MAY 24, 2012

ITEM C67 – WEST WILMINGTON OPTIMIZED WATERFLOOD PROGRAM AGREEMENT

Marina Voskanian, Acting Division Chief, Mineral Resources and Management Division, CSLC

ITEM C73 – BALLAST WATER REGULATIONS

Dr. Amanda Newsom, Sea Grant Post-doctoral with the Marine Invasive Species Program, Marine Facilities Division, CLSC

Chris Scianni, Staff Environmental Scientist, Marine Facilities Division, CSLC

Mark Meier, Assistant Chief Counsel, CSLC

- John Berge, Pacific Merchant Shipping Association
- Abigail Blodgett, Legal Fellow representing San Francisco Baykeeper and California Coastkeeper Alliance
- Karen McDowell, Environmental Planner, San Francisco Estuary Partnership

ITEM 77 – ALTERNATIVE ENERGY UPDATE

Jennifer DeLeon, Environmental Program Manager, Division of Environmental Planning and Management, CSLC

ITEM 78 – BOLSA CHICA MONITORING PROGRAM

James Trout, Retired Annuitant, CSLC

ITEM 79 – CALIFORNIA PORTS RESOLUTION

Sheri Pemberton, Chief of External Affairs, CSLC

- Susie Baumann, President, Shelter Island, Inc.
- John Berge, Pacific Merchant Shipping Association
- Sharon Cloward, President, San Diego Port Tenants Association
- Wayne Darbeau, President/CEO, Port of San Deigo
- Shane Gusman, representing California Teamsters Public Affairs Council

STAFF AND PUBLIC ADDRESSING CONTINUED

- Ray Leyba, President of the International Longshoreman and Warehousemen's Union of San Diego, Local 29
- Ed Plant, President/Owner, Harborside Refrigeration
- Tim Schott, Executive Director, California Association of Port Authorities
- Lou Smith, Chairman of the Board of Port Commissioners, Port of San Diego
- John Valenzuela, Director, Port of San Diego Maritime

ITEM 82 – LAKE TAHOE RENT METHODOLOGY

Colin Connor, Assistant Chief, Land Management Division, CSLC

- Kevin Agan, Agan Consulting
- Jan Brisco, Executive Director, Tahoe Lakefront Owners' Association
- Bob Duffield, General Manager, Chinquapin Homeowners' Association
- David Hansen, Community Association Manager, various Lake Tahoe Community Associations
- Marc Hayman, Chambers Landing homeowner
- Richard Kern, homeowner, Tahoe Tavern Properties
- Gregg Lien, Attorney at Law, Tahoe City
- Howard Seligman, homeowner, Tahoe Tavern

PUBLIC COMMENT

No Speakers