

~ MINUTES ~
CALIFORNIA STATE LANDS COMMISSION
MEETING OF AUGUST 9, 2016

**THE PORT OF LOS ANGELES
BOARD HEARING ROOM
HARBOR ADMINISTRATION BUILDING
425 S. PALOS VERDES STREET
SAN PEDRO, CALIFORNIA 90731**

APPEARANCES

COMMISSIONERS PRESENT

- Betty T. Yee, State Controller
- Rhys Williams, Chief of Staff and Alternate for Lieutenant Governor Gavin Newsom
- 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.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 AUGUST 9, 2016**

Chair Betty Yee called the meeting of the California State Lands Commission to order at 11:00 A.M. at the Port of Los Angeles, Board Hearing Room, Harbor Administration Building, 425 S. Palos Verdes Street, San Pedro, California 90731; also present were Commissioner Alternate Rhys Williams and Commissioner Alternate Eraina Ortega.

The Minutes of the June 28, 2016 meeting were approved by a vote of 3-0 (Yee-Yes; Williams-Yes; Ortega-Yes).

EXECUTIVE OFFICER'S REPORT

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

- On August 5, 2016, Commission staff approved the vessel registered as Invictus to discharge untreated ballast water in the ports of Marina del Rey and Newport Beach for the purposes of maintaining stability. This approval was granted pursuant to the Commission's regulations. This approval by Commission staff expires on November 15, 2016, at which time the vessel must resume complying with the Commission's ballast water management standards.
- On August 8, 2016, Commission staff sent a letter to the State Water Resources Control Board expressing the Commission's support and encouraging full compliance of the state's once-through cooling policy and associated resolution by PG&E for the Diablo Canyon Power Plant offshore infrastructure for the interim time between now and license expiration.
- Commission staff and San Diego Unified Port District staff continue to make significant progress on the pilot marine planning framework effort. Commission staff anticipates bringing the draft MOA to the Commission for consideration at the October meeting.
- Commission staff is still in discussions with the Coastal Commission and other stakeholders on a new concept for an acquisition of access rights for the public to get down to the Martins Beach area.
- Venoco has requested an amendment to their oil and gas lease to adjust the easterly boundary of the lease premises to include approximately 3,400 acres in exchange for Venoco's quitclaim and release of approximately 3,800 acres into the coastal sanctuary. Commission staff is currently developing the Draft EIR for this project, and anticipate that it will be circulated for public comment towards the end of the third quarter, beginning of the fourth quarter of this year. Commission staff anticipates that the project will come before the Commission in the first quarter of 2017.

RECORD OF ACTION CONTINUED

- The Bolsa Chica wetlands restoration project will be celebrating the 10th Anniversary of the wetland restoration and the historic opening of the ocean inlet. The event will take place August 24th.
- The Prevention First Symposium, hosted by the State Lands Commission, will take place September 27th and 28th in Long Beach at the Westin. This year marks the 12th biennial Prevention First Symposium since its inception in 1994. The Commission has created a Twitter account and will be tweeting live updates for all the presentations going on at Prevention First.

CONSENT CALENDAR

- Consent Items C16 and C33 were removed from consideration.
- Consent Item C34 was moved to the Regular Calendar.
- Consent Items C01-C15, C17-C32, and C35-C54 were approved as presented by a vote of 3-0 (Yee-Yes; Williams-Yes; Ortega-Yes).

INFORMATIONAL CALENDAR

- Item 55 – was informational – no vote required.

REGULAR CALENDAR

(Items appear in the order heard)

ITEM 56: A staff presentation was made to the Commission to consider an application for a General Lease – Beach Replenishment and Protective Structure Use of sovereign land located in the Pacific Ocean at Broad Beach, in the city of Malibu, Los Angeles County.

Item 56 – was approved as presented by a vote of 3-0 (Yee-Yes; Williams-Yes; Ortega-Yes)

ITEM 57 – was removed from consideration

ITEM 58: A staff presentation was made to the Commission to consider adoption of a resolution commemorating the Amigos de Bolsa Chica for 40 years of advocacy to restore and preserve the Bolsa Chica Wetlands, in the city of Huntington Beach, Orange County.

Item 58 – was approved as presented by a vote of 3-0 (Yee-Yes; Williams-Yes; Ortega-Yes)

RECORD OF ACTION CONTINUED

ITEM 59: A staff presentation was made to the Commission on the Port of Los Angeles' management of its granted public trust lands and resources. The Commission heard from the Port of Los Angeles staff, the Coalition for Clean Air representatives, community members and other stakeholders. While this was an informational item, Controller Yee asked staff to assist the Controller in convening a working group including staff from the Controller's Office, representatives from the Ports of Los Angeles and Long Beach, the Coalition for Clean Air, and other stakeholders to work on further policy guidance addressing public trust resources, particularly air quality and other port issues.

Item 59 – was informational – no vote required

ITEM 60: A staff presentation was made to the Commission on the Port of Long Beach's community impact study and potential mitigation measures to address direct impacts of port-related operations on neighboring communities.

Item 60 – was informational – no vote required

ITEM 61: A staff presentation was made to the Commission consider adoption of a Commission Tribal Consultation Policy.

Item 61 – was approved as presented by a vote of 3-0 (Yee-Yes; Williams-Yes; Ortega-Yes)

ITEM C34: A staff presentation was made to the Commission to consider a General Lease – Other Use, of sovereign land located in Huntington Harbour, Huntington Beach, Orange County. After hearing testimony from the applicant the Commission deferred action on the item.

Item C34 - was deferred, to be considered at a future meeting by a vote of 3-0 (Yee-Yes; Williams-Yes; Ortega-Yes)

(The State Lands Commission adjourned into closed session from 4:13 P.M. to 4:30 P.M., then resumed open session at 4:31 P.M.)

The Commission meeting public session was adjourned at 4:31 P.M.

**STAFF AND PUBLIC ADDRESSING
THE FOLLOWING CALENDAR ITEMS
AUGUST 9, 2016**

INTRODUCTIONS

- Dave Arian, Vice President, Port of Los Angeles Board of Harbor Commissioners
- Ambassador Vilma Martinez, President, Port of Los Angeles Board of Harbor Commissioners
- Congressman Alan Lowenthal, Representing 47th District

ITEM C34

Brian Bugsch, Chief, Land Management Division, CSLC

- Margaret Ann Hohly, Applicant

ITEM 56

Seth Blackmon, Staff Attorney, Legal Division, CSLC

- June Ailin, Attorney, City of Fillmore
- Alberto Boada, Ventura County Counsel, Ventura County
- Ken Ehrlich, Counsel, Broad Beach Geologic Hazard Abatement District
- Amanda Winchell, Policy Coordinator, Surfrider Foundation

ITEM 58

Wendy Hall, Public Land Management Specialist, Land Management Division, CSLC

- Shirley Dettloff, Board Member, Amigos de Bolsa Chica
- Charles Falzon, Vice President, Amigos de Bolsa Chica
- Victor Leipzig, Amigos de Bolsa Chica
- Mel Nutter, Board Member, Amigos de Bolsa Chica

ITEM 59

Kathryn Colson, Staff Attorney, Legal Division, CSLC
Gene Seroka, Executive Director, Port of Los Angeles
Dr. Joseph Lyou, President and CEO, Coalition for Clean Air

- James Allen, Publisher, Random Lengths News
- Todd Campbell, Vice President, Policy and Regulatory Affairs, Clean Energy
- Ron Conrow, District Manager, Rancho LPG
- Congresswoman Janice Hahn, Representing Congressional District 44
- Richard Havenick, representing self

STAFF AND PUBLIC ADDRESSING CONTINUED

ITEM 59 CONTINUED

- Jerilyn López Mendoza, Environmental Program Manager, Southern California Gas Company
- Nidia Erceg, Deputy Policy Director, Coalition for Clean Air
- Ben Schirmer, Executive Director, Harbor Community Benefit Foundation
- Peter Warren, representing self
- Kathleen Woodfield, Vice President, San Pedro Peninsula Homeowners Coalition

ITEM 60

Kathryn Colson, Staff Attorney, Legal Division, CSLC

Richard Cameron, Managing Director, Planning & Environmental Affairs, Port of Long Beach

- Yair Crane, Co-Chair, Young Professionals in Energy, Los Angeles
- Nidia Erceg, Deputy Policy Director, Coalition for Clean Air
- Jesse N. Marquez, Executive Director, Coalition for a Safe Environment

PUBLIC COMMENT

- Jesse N. Marquez, Executive Director, Coalition for a Safe Environment
- Amanda Winchell, Policy Coordinator, Surfrider Foundation