

The California Oil Veto

The Lobbyist Behind
Governor Jerry Brown's
Concessions to Big Oil



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I. Introduction

Despite his reputation as a progressive leader on climate change, California Governor Jerry Brown has been criticized for his ties to the oil and gas industry and for his lax approach to oil and gas regulation.

This report reveals, for the first time, a key intermediary between Brown and the oil and gas industry: a top California oil lobbyist, Lucie Gikovich, who has been uniquely well-positioned to act as a go-between for the governor and the industry – trusted deeply by the governor, on one side, and paid handsomely by oil and gas clients on the other side. Her extremely close relationship to Brown goes back decades to his first stint as governor, when she was one of his top aides, and has continued throughout his current administration – she has been one of his informal advisors, his host when he travels to Washington, DC, and a member of his trade delegations. Her extensive lobbying of Brown on behalf of oil and gas interests has gone entirely unreported.

Throughout the Brown administration, Gikovich has been retained by oil and gas companies to lobby the governor around issues where he has repeatedly granted them major, controversial concessions: for Halliburton around fracking oversight legislation (the bill Brown eventually signed was heavily amended and watered down at the behest of the oil industry), for Phillips 66 around issues like cap and trade (which contained allowances worth billions for refiners like Phillips 66), and for SoCalGas around the Aliso Canyon disaster (Brown vetoed a bill that would have granted more litigation rights to victims of the massive methane leak).

Each time the oil and gas industry got its way with Brown, Gikovich was on the scene, perfectly positioned to help cut deals between the two sides.

Gikovich's lobbying appears to have a powerful effect on the governor. In three separate cases identified in this report, her lobbying efforts around specific pieces of legislation culminated in controversial Brown vetoes favorable to her corporate clients. One bill vetoed by Brown, and lobbied against by Gikovich, would have stopped a proposed dump near sacred tribal land near San Diego; another would have allowed for more democratic influence over land use decisions in San Diego; and another was the Aliso Canyon bill noted above.

As Brown prepares to leave office, and as California reels from climate change-induced fires, this report raises new and important questions about the governor's relationship with the oil and gas industry, and the mechanisms of influence at work when California's climate governor decided, again and again, to take the side of Big Oil.

Once inaugurated, Gavin Newsom should reverse the vetoes discussed in this report that Brown issued while Gikovich was lobbying him. Newsom should sever the state's ties to Gikovich and support an independent investigation into her lobbying efforts in California under Jerry Brown.

Key Findings

- **Lucie Gikovich has extremely close, longstanding ties to Brown – as a staffer, advisor, friend, and host.**

During his current tenure as governor, Gikovich's close relationship with Brown has been reported on with some frequency – even as her lobbying for the oil and gas industry has flown under the radar. Press reports have noted that Gikovich is one of the key outside advisors that Brown relies on for advice, and that he has stayed at her home in Washington, DC on multiple occasions as governor, a possible violation of ethics rules. Brown included her on two official trade delegations, to China and Mexico. She contributed \$51,800 to his 2010 gubernatorial campaign, flew to Oakland for election day, and was interviewed at Brown's gubernatorial campaign headquarters, identified as one of his “oldest friends and advisors.”

Gikovich also developed a line of influence into the Brown administration through Jamie Callahan, a former employee of Gikovich's lobbying firm, the Crane Group, who was hired by his administration in 2011 and became his director of external affairs in 2015.

Gikovich's close ties to Brown first developed during his first two terms as California governor (1975-1983), when she was his executive assistant and close confidant. Since then, she has frequently been identified in the press as one of Brown's closest friends. As Oakland mayor, Brown hired her as the city's federal lobbyist, paying her \$780,000 from 2001 to 2007.

- **Gikovich leveraged her relationship with Brown to become a top oil and gas lobbyist in California, frequently lobbying the governor around issues where he controversially granted major concessions to the industry.**

Gikovich's oil and gas lobbying has never been reported on, though Brown's industry-friendly handling of oil and gas issues and his ties to the industry have come under increasing scrutiny. Gikovich is a lobbyist with the Crane Group, which is based in Washington, DC. While registered at the federal level, most of her lobbying activity has been in California during Brown's governorship.

Phillips 66: Gikovich has been Phillips 66's top California lobbyist since late 2012. Gikovich and her lobbying firm have been paid \$937,500 in fees and retainers since late 2012 to lobby for Phillips 66. This is more than Phillips 66 has paid any other lobbyist or firm in California during this time. Throughout 2016 and 2017, Gikovich lobbied Brown's office on cap and trade policy, which included major, much-criticized concessions to oil refiners like Phillips 66.

SoCalGas & Aliso Canyon: In 2016, SoCalGas hired Gikovich to lobby against a bill that would have given victims of the Aliso Canyon gas leak more options to litigate against SoCalGas. Gikovich reported lobbying the governor's office on behalf of SoCalGas during the third quarter of 2016 and Brown vetoed the bill at the end of that quarter.

Halliburton and fracking: Gikovich was first hired as an oil and gas lobbyist in California in 2012, by Halliburton, to lobby the governor's office against a bill that would have regulated fracking and required disclosure of chemicals used during the process. In 2013, she also reported lobbying the governor on behalf of Halliburton around proposed fracking regulations and Senate Bill 4, the fracking oversight bill which eventually passed – and which contained major concessions to the oil industry and was widely opposed by environmental groups.

- **Gikovich’s lobbying appears to have special influence with Brown. In at least three separate cases, Gikovich was hired to lobby the governor against specific legislation, and Brown vetoed the bills shortly thereafter.**

The Aliso Canyon bill (AB 2748), Gikovich’s lobbying, and Brown’s subsequent veto are noted above. There are two other significant examples:

Gregory Canyon: Gikovich’s first lobbying activity in California during the Brown administration was in 2011 on behalf of a Boston-based firm, ArcLight Capital Partners, an investor in the Gregory Canyon landfill project near San Diego. The proposed dump was near sacred land near the Pala Indian Reservation, and was opposed by the Pala tribe and a coalition of environmental groups. Gikovich was hired to lobby the governor against a bill that would have stopped the landfill, and which passed the Senate and Assembly with broad bipartisan support. Brown vetoed the legislation at the last minute in a move that was decried by the Pala tribe and described as “inexplicable” by the Natural Resources Defense Council. ArcLight paid Gikovich \$45,000.

San Diego land use: In September 2015, the *Sacramento Bee* reported that San Diego business interests hired Gikovich to get Brown to veto a bill that would create more public oversight over land use decisions in downtown San Diego. About a week after the Downtown San Diego Partnership hired Gikovich, Brown vetoed the bill. Gikovich was paid \$30,000 the subsequent quarter.

The report’s conclusion raises some key questions for Brown, as he prepares to leave office, and as Gavin Newsom prepares to take his place. Full transparency regarding Brown and Gikovich’s relationship – and a full accounting of all of the industry’s mechanisms of influence – will be needed if California is to develop oil and gas policy that prioritizes the public interest over the interests of the industry.

II. Lucie Gikovich and her ties to Jerry Brown

Lucie Gikovich is currently a principal with the Crane Group, a small lobbying firm based in Washington, DC, where she lives. She is registered to lobby at both the federal level and in California, though currently her California lobbying activity far outstrips her federal lobbying activity in terms of clients and income. Her California clients have included Phillips 66, Halliburton, SoCalGas, Kaiser, Lyft, the California Pharmacists Association, the Port of San Diego, the San Diego Regional Chamber of Commerce and others. More detail on her lobbying for Crane Group is included in the following two sections.

Gikovich first registered as a lobbyist for the Crane Group in 2007.¹ Prior to that, she was a lobbyist at Platinum Advisors. Gikovich lobbied with Platinum throughout the 2000s in DC; her last lobbyist filing with Platinum came in 2009.² She had over a dozen clients during her time with Platinum, including the City of Oakland while Jerry Brown was mayor. Her other clients included Fluor, Foundation Coal Corporation, AT&T, Clear Channel, and others.

Gikovich appears to owe her lucrative lobbying career in California to her close relationship with Jerry Brown, and the political experience and relationships she developed as his close friend, staffer, and advisor since the 1970s.

Gikovich appears to owe her lucrative lobbying career in California to her close relationship with Jerry Brown

Key aide and close friend of Brown since the 1970s

Gikovich first started working for Brown during his 1974 gubernatorial run. While he was in office, from 1975-1983, she served as his executive assistant and spokesperson for his 1982 US Senate run.³ She was much more than a low-level aide; various profiles describe her as the person who was “keeping it all together” for Brown, in terms of managing his schedule and relationships, and also someone who frequently socialized with him outside of work.⁴

Gikovich was frequently quoted during Brown’s 1992 presidential run and 1998 Oakland mayoral run as a close friend of the governor. In a 1992 CNN interview, Gikovich said that during his governorship,

“...I was there about 95 percent of the time with Jerry Brown. I traveled in 1982 with him from Sacramento to Los Angeles. It was my home. Also, I would come home to Los Angeles and I would spend about 95 percent of the time with Jerry at his house.”⁵

1 <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=5AFABDE2-34B3-43E1-8C3B-10E65E2BD00E&filingTypeID=1>

2 <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=174FA581-536E-43DE-A486-2E174E66F28A&filingTypeID=71>

3 In 1982, Brown ran a failed candidacy for a US senate seat from California (he was defeated by Pete Wilson, a Republican). In August 1982, the *New York Times* identified Gikovich as a “spokesman for Governor Brown’s campaign” and referred to her as “Miss Gikovich, of the Brown campaign office.” Several other press reports in 1982 referred to her as Brown’s “spokeswoman.” See <https://www.nytimes.com/1982/08/28/us/wilson-s-use-of-free-housing-becomes-issue-in-coast-race.html>

4 “Keeping it all together” – Bill Press, who was a member of the Brown administration in the 1970s and a former chair of the California Democratic Party, wrote about the centrality of Gikovich’s role in “Jerry’s office” in his 2018 memoir: “Keeping it all together was executive assistant Lucie Gikovich, all of twenty-four years old, who deftly managed the impossible job of keeping Jerry’s schedule and placing his phone calls while juggling cabinet secretaries, staffers, members of the legislature, hangers-on, and the countless media celebrities who paraded through Sacramento.” *Capitol Weekly* reported in September 2010 that Gikovich and Brown often socialized during his first governorship: “You may not know that during Governorship One, about nine or ten o’clock at night, he would leave the corner office surrounded by three or four of his minions that always included his administrative assistant Lucie Gikovich and go across the street to David’s Brass Rail, a salty little bar run by the now-deceased David Chou.” See <http://capitolweekly.net/big-daddy-56/>

5 Jerry Brown and Drugs - Who’s Telling the Truth?, CNN Larry King Live, April 22, 1992 (LexisNexis)

The segment also said Brown maintained a circle of advisors that included “several longtime associates outside of the administration,” of which Gikovich was one.

After Brown became Oakland mayor in 1999, he hired Gikovich to represent the city as a federal lobbyist in Washington.⁶ She was registered to lobby for most of Brown’s two terms. During this time the city paid her a total of \$780,000, according to her federal lobbying filings. Her role as an outside lobbyist for the city was significant enough that the *San Diego Beat* later referred to her as a staff member during Brown’s mayorship,⁷ and she was copied on some official correspondence.⁸

Gikovich flew from Washington, DC to California for election day in 2010. William Bradley noted in the *Huffington Post* in 2010: “When I spoke with Tom Quinn and Lucie Gikovich, two of Brown’s oldest friends and advisors, the day after the election at Brown’s converted warehouse headquarters in Oakland, they were in a contemplative mood... Gikovich was Brown’s confidential secretary during his first terms governor and flew out from Washington for his election to an historic third term.”⁹

From March 2005 to October 2010, Gikovich, the Crane Group, and Daniel Crane (her partner at the Crane Group) gave a total of \$114,500 to Jerry Brown, with most of it going towards his 2010 gubernatorial run. Gikovich and Crane each gave \$51,800 to his campaign for governor. Gikovich was interviewed on election night in 2010 at Brown’s campaign headquarters, identified as one of Brown’s “oldest friends and advisors.

This close relationship has continued throughout Brown’s current stint as governor, even as Gikovich has regularly reported lobbying the governor’s office.

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Host in Washington, DC and possible violation of ethics rules

Brown has regularly stayed at Gikovich’s home when making official visits to Washington, DC, even as Gikovich was lobbying his office on behalf of corporate clients. In 2015, the *Sacramento Bee* noted that “[t]he governor usually stays at her home when in Washington.”¹⁰ In February 2013, Brown explained his decision to stay with Gikovich during a trip there for the National Governors Association conference by saying “It’s just, I like to be with friends” (less than two months later, Gikovich would join him on an official trade delegation to China, as noted below).¹¹

It is worth noting that Gikovich was actively lobbying Brown’s office during this same period: a filing from the first quarter of 2013 shows that Gikovich was being paid tens of thousands of dollars to lobby the Governor’s office on behalf of Phillips 66, Halliburton, and other clients.¹²

6 <http://advocacy.calchamber.com/wp-content/uploads/international/trademissions/2014-Mexico-Briefing-Book.pdf>

7 <http://sdcitybeat.com/news-and-opinion/news/bill-regulate-civic-san-diego-faces-11th-hour-opposition/>

8 <http://www.waterfrontaction.org/about/archive/LeeFedApprop03-04.pdf>

9 https://www.huffingtonpost.com/william-bradley/2010-a-jerry-brown-odysse_b_799347.html

10 <https://www.sacbee.com/news/politics-government/capitol-alert/article37118766.html>

11 “Capitol Alert: Jerry Brown rooms with friends, likes ‘refrigerator in the middle of the night,’ *Sacramento Bee* (California), February 22, 2013

12 <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=1784109&amendid=0>

Brown's stays with Gikovich, even as she was actively lobbying the governor's office on critical public policy issues, raise serious ethical questions and beyond that may have been in violation of California state ethics laws. According to the California Fair Political Practices Commission, state elected officials may not receive gifts from registered lobbyists totaling more than \$10 in any calendar month.¹³ However, there are exceptions for gifts from longtime friends, for home hospitality, and for reciprocal exchanges – as long as the exchange did not involve any official business.

So, for instance, if Gikovich and Brown discussed oil and gas regulation or other interests of her clients during his stays with her, it could constitute a violation of California ethics rules. Since she was actively lobbying his office during this period, it is hard to imagine that they did not discuss such matters.

Outside advisor

Press reports have identified Gikovich as a key member of the informal network of outside advisors that Brown relies on for advice. An August 2014 *Sacramento Bee* article entitled “How Jerry Brown ‘free ranges’ for advice” said:

“This is how the third-term governor of the nation’s most populous state makes up his mind. In the most eclectic administration in California’s modern era, the decision-making apparatus is less a Cabinet than a cerebral orbit around Brown...As Brown seeks another four-year term in office, associates estimate he maintains contact with at least 50 – and likely more than 100 – subject area-specific advisers whose degree of significance fluctuates depending on his interests at any given time....This information-foraging is in addition to Brown’s consultations with a small group of senior officials inside government – chief among them his wife and special counsel, Anne Gust Brown – and several longtime associates outside of the administration, including Tom Quinn, a political adviser, and Lucie Gikovich, a former aide knowledgeable about Washington.”¹⁴

Gikovich lobbied Brown’s office for Phillips 66 during the second and third quarter of 2014 (this press report was published during the third quarter), and Gikovich went on Brown’s trade mission to Mexico in late July 2014, shortly before this article was published.

Member of official trade delegations

Gikovich’s close relationship with Brown continued into his second governorship of California. She went on at least two of Brown’s official trade delegations abroad as a representative of the Crane Group. Brown also brought a Crane Group aide into a top position in his administration.

Brown went on a gubernatorial trade mission to China in 2013, from April 8th to April 15th, 2013. Brown included both Gikovich and

Brown has not reported his lodging with Gikovich as a gift on his statements of economic interests

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¹³ <http://www.fppc.ca.gov/content/dam/fppc/NS-Documents/TAD/Public%20Officials%20and%20Employees/StateGiftFactSheet.pdf>

¹⁴ “How Jerry Brown ‘free ranges’ for advice,” *Sacramento Bee*, August 24, 2014 (LexisNexis)

Daniel M. Crane, her fellow Crane Group principal, as part of the delegation.¹⁵ The *Los Angeles Times* remarked that business leaders in the delegation were hoping to “open doors” in the visit to China.¹⁶ In 2014, Brown went on another trade mission to Mexico, from July 27th to July 30th (Sempra Energy was one of five sponsors of the trip).¹⁷ Again, the delegation included Gikovich and Crane.

Former Gikovich assistant is top Brown staffer

The Mexico delegation also included Jamie Callahan, a current top Brown staffer who formerly worked for the Crane Group.¹⁸ At the time of the trade mission, Callahan was a Special Advisor to the Executive Secretary of Brown’s Office, the late Nancy McFadden, and she worked as an aide on Brown’s 2010 gubernatorial campaign. According to the delegation brochure, prior to joining the Brown campaign in 2010, Callahan “served as a legislative assistant at The Crane Group” in Washington, DC.¹⁹ Callahan worked at the Crane Group from 2007 to 2010,²⁰ the same period that Gikovich began working at the firm.

Today, Callahan is Brown’s Director of External Affairs; Brown appointed her to the position in June 2015.²¹ She spoke on behalf of Brown’s office at the recent Global Climate Action Summit on the topic of “How Business Can Take Climate Ambition to the Next Level.”²² This August, Brown appointed Callahan to the California Science Center Board of Directors.²³ Callahan and Brown appear to have a good relationship. A 2015 *Sacramento Bee* article on Brown’s declassified emails showed that Callahan addressed Brown simply as “Gov” and wrote that emails like this suggest that Brown had “a measure of familiarity” with staffer like her.²⁴

15 https://www.gov.ca.gov/wp-content/uploads/2017/09/List_of_delegates.pdf

16 <http://articles.latimes.com/2013/apr/08/local/la-me-pc-state-delegates-hope-jerry-brown-can-help-them-cash-in-on-chinese-economic-boom-20130408>

17 <http://advocacy.calchamber.com/wp-content/uploads/international/trademissions/2014-Mexico-Briefing-Book.pdf>

18 <http://advocacy.calchamber.com/wp-content/uploads/international/trademissions/2014-Mexico-Briefing-Book.pdf>

19 <http://advocacy.calchamber.com/wp-content/uploads/international/trademissions/2014-Mexico-Briefing-Book.pdf>

20 <https://californianewswire.com/calif-gov-brown-announces-appointments-for-aug-17-21-2018-including-advisory-commission-on-special-education/>

21 https://www.orasystems.net/wp-content/uploads/2016/04/APSEA-NL-Program_4_12.pdf

22 <https://www.bsr.org/en/events/view/global-climate-action-summit-business-take-climate-ambition-to-next-level>

23 <https://californianewswire.com/calif-gov-brown-announces-appointments-for-aug-17-21-2018-including-advisory-commission-on-special-education/>

24 <https://www.sacbee.com/news/politics-government/capitol-alert/article17275973.html>

III. Oil and gas lobbying on behalf of Phillips 66, Halliburton, and SoCalGas

Lucie Gikovich has been Phillips 66’s highest paid California lobbyist since late 2012, and has also lobbied on behalf of Halliburton and SoCalGas. In these roles, she has consistently focused her lobbying activity on the executive branch, and specifically the governor’s office. And in each case, Brown has adopted controversial positions on oil and gas regulation that are favorable to Gikovich’s clients.

Halliburton and fracking

Gikovich’s first lobbying around oil and gas issues in California came on behalf of Halliburton, the oilfield services company, in 2012. She was hired to lobby against AB 591, a bill that would have brought transparency around the chemicals used in fracking fluid - which oil and gas companies are very secretive about - that is injected into the ground during hydraulic fracturing operations.²⁵ The bill would have required owners and operators of fracking wells to make public the chemicals they used and for well sites to keep track of the amount and source of water they use and the chemicals they combine with the water, among other transparency measures.

As the bill was introduced and considered in 2011-2012, fracking was coming under increasing scrutiny around the country, and Jerry Brown himself was coming under mounting pressure to regulate oil and gas drilling. The oil and gas industry naturally opposed this bill, and Gikovich was part of a broader industry push against it. It is notable that she was hired to lobby on behalf of Halliburton – the company is the namesake of the infamous “Halliburton loophole,” a notorious federal loophole in the 2005 energy bill which exempted fracking from key provisions of the Safe Drinking Water Act, and which was inserted at the urging of Vice President and former Halliburton CEO Dick Cheney.

Gikovich's first lobbying around oil and gas issues in California came on behalf of Halliburton

Gikovich registered to lobby for Halliburton in April 2012 as a subcontracted lobbyist.²⁶ She identified the lobbying firm that she was being subcontracted by as “California,” which, based on later filings, was California Strategies & Advocacy LLC. Gikovich’s filings from the third and fourth quarters of 2012 reveal that she was paid \$12,500 to lobby Brown’s office on AB 591 both quarters.²⁷

AB 591 passed the Assembly but stalled in the State Senate until late 2012 - perhaps not coincidentally, right when Gikovich was lobbying around it.²⁸ The bill was never voted on.

Gikovich also lobbied Brown’s office throughout 2013 on behalf of Halliburton on proposed new fracking regulations. Leading up to 2013, the Department of Oil, Gas and Geothermal Resources (DOGGR) regulations had exempted

25 http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AB591

26 <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=1696013&amendid=0>

27 Third quarter: <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=1709399&amendid=0> and fourth quarter: <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=1740430&amendid=0>. It should be noted that, as part of her arrangement with California Strategies & Advocacy, Gikovich was also subcontracted to lobby for the L.A Turf Club. Her payments for her lobbying activity for both clients came in single quarterly sums.

28 http://leginfo.legislature.ca.gov/faces/billHistoryClient.xhtml?bill_id=201120120AB591

“enhanced oil recovery methods” like fracking, and pressure mounted for Brown to more adequately regulate fracking - or even ban it.²⁹ (DOGGR, which oversees oil and gas drilling in the state, has been criticized for “rubber-stamping” permits.)³⁰ As a result, Senate Bill 4 was introduced to study the effects of fracking in California and provide recommendations for regulations.³¹

Gikovich lobbied Brown’s office on the “proposed DOGGR regulations - on fracking” and SB 4 during 2013. On September 20, 2013, Brown signed SB 4 into law. As a result of a series of amendments won by the oil industry, the bill allowed fracking operations to continue with lax oversight.³² Gikovich’s lobbying of Brown’s office on SB 4 closely correlates with Brown’s negotiating and approving of what many environmentalists argue was an industry-friendly bill.

Gikovich was paid an additional \$16,000 during 2013 for these lobbying efforts (her payment of \$4,000 for the first quarter was for services rendered in the last quarter of 2012).³³

Phillips 66 and cap and trade

From late 2012 to the present, Gikovich has been Phillips 66’s highest paid lobbyist in California, raking in \$937,500 in fees and retainers over that period to lobby the governor’s office and several other state entities around a range of issues, most notably cap and trade policy.³⁴

Phillips 66 is a massive, multinational oil and gas company with a major focus on refining. It operates twelve US refineries, two of which are in California: its San Francisco Refinery (with two facilities in Santa Maria and Rodeo linked by a 200-mile pipeline) and its Los Angeles Refinery (with two linked facilities in Carson and Wilmington).³⁵ It is also a powerful force in California politics: from 2011 to 2017, it gave \$4,675,855³⁶ to politicians, PACs, and political causes in California, and it spent \$852,491 on California lobbying in 2017, sixth among oil companies.³⁷ It is also represented in California by the Western States Petroleum Association (WSPA), one of the state’s most powerful lobbying groups.³⁸

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Gikovich emerged as a key player in the company’s California lobbying strategy during the Brown administration. The information reported in state lobbying filings is relatively limited (see table below), though it is clear that her lobbying activity is exclusively

29 <https://www.morganlewis.com/~media/files/docs/archive/calif-s-road-to-fracking-regulation-will-be-bumpy.ashx>

30 <https://www.newsweek.com/will-californias-dirty-oil-business-soil-governor-jerry-browns-climate-legacy-1084258>

31 https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB4

32 https://www.biologidiversity.org/campaigns/california_fracking/pdfs/fracking-and-drilling-in-california.pdf

33 In addition to Halliburton, Gikovich was also registered to lobby for the LA Turf Club through California Strategies & Advocacy, though she only filed lobbying activity for Halliburton in 2013. See Q1: <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=1766382&amendid=1>; Q2: <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=1784109&amendid=0>; Q3: <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=1801676&amendid=0>; Q4: <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=1819506&amendid=0>

34 Phillips 66’s next highest paid firm, Alcantar & Kahl, with a team of lobbyists, received \$745,962.57 in fees and retainers during this same time.

35 See <https://www.phillips66.com/refining/san-francisco-refinery> and <https://www.phillips66.com/refining/los-angeles-refinery>

36 <https://www.nbcbayarea.com/investigations/Oil-Gas-Money-Green-California-Politics-494820061.html>

37 <https://www.lung.org/local-content/california/documents/ca-oil-lobby-spending-2017-2018.pdf>

38 It was even uncovered in August 2016 that a submitted request by Democratic Assemblyman Adam Gray to audit the California Air Resources Board, which oversees the revenue generated from cap and trade, was authored by the lead lobbyist for the WSPA. See <http://www.latimes.com/politics/essential/la-pol-sac-essential-politics-updates-an-oil-industry-lobbyist-wrote-the-1471390494-htlmstory.html>

focused on executive branch offices, and particularly the governor's office, and that she lobbied extensively around Brown's cap and trade extension, which eventually included major concessions to oil refiners.³⁹

Throughout 2016 and 2017, Gikovich lobbied Brown's office and the Air Resources Board around cap and trade, and specifically around AB 617 and AB 398, the two pieces of legislation that made up Brown's extension of cap and trade. At the time, it was widely reported that the oil and gas industry pushed hard for major concessions in the cap and trade bill.

The concessions included in the deal, which have been widely criticized, include:

- *Continued maximum free allowances for oil refineries.* The extension continued the original cap and trade program's maximum free allowances to oil refineries through 2030, a subsidy estimated to be worth \$10 to \$30 billion.⁴⁰ Oil refineries were supposed to receive less free allowances after 2017, but the oil lobby successfully prevented this (the decision for continued maximum free allowances was made by the state Air Board, which is controlled by the Governor).
- *Prohibited local measures to further curb emissions.* The policy prevents regional air districts from imposing further regulations to cut emissions on refineries in their jurisdiction. Phillips 66's Rodeo facility was one of the top emitters of toxic chemicals in California in 2013 and 2014.⁴¹

Los Angeles Times opinion writer Jacques Leslie - who wrote that "refineries are crucially absent from California's climate change strategy" and that the state has "backed off from challenging refineries, the centerpieces of California's oil supply infrastructure" - argues that California should "remove the oil industry's exemptions and impose cuts of 5% a year on refinery emissions immediately."⁴²

Gikovich also lobbied the Air Resources Board in late 2012 on "auction allocation of cap and trade allowances." This came as California's cap and trade program was being implemented. A July 2017 report put out by environmental justice group Communities for a Better Environment estimated that "[c]ap-and-trade allocated approximately 86 million tonnes of free allowances to refineries during the three year period from 2013–2015" with "excess emissions" tied to oil refining "giveaway[s]" totalling about "208 million tonnes (Mt) of CO₂ from 2013–2015."⁴³

Gikovich also lobbied on the low carbon fuel standard (LCFS) in at least 7 quarters. During 2013, 2014, and 2016, Gikovich lobbied Brown's office and the state Air Board on the LCFS, which the oil lobby has opposed.⁴⁴ The LCFS was passed to reduce the carbon intensity of transportation fuel by at least 10% by 2020 and began being implemented while Brown was in office in 2011.⁴⁵

39 At least 11 of Gikovich's 24 filings showed that she lobbied Brown's office. This is second only to the Air Board, which she reported lobbying six times. It's possible that she lobbied his office more, but failed to report it, since some of her filings indicate that she lobbied around issues but fail to identify who she lobbied.

40 <https://www.mercurynews.com/2017/07/11/debate-rages-over-california-cap-and-trade-deal-concessions-to-big-oil/>

41 See <https://www.sfgate.com/science/article/2-Bay-Area-plants-top-toxic-releasers-4200917.php> and <https://www.dailyrepublic.com/all-dr-news/solano-news/solano-business/refinery-has-countys-highest-toxic-releases/>

42 <http://www.latimes.com/opinion/op-ed/la-oe-leslie-refineries-california-climate-summit-20180911-story.html>

43 <http://www.cbecal.org/wp-content/uploads/2017/07/California27s-Gift-to-Big-Oil%E2%80%94CBE-rpt-Jul17.pdf>

44 <https://blog.ucsusa.org/jason-barbose/californias-cap-and-trade-program-and-low-carbon-fuel-standard-go-together-like-peanut-butter-and-jelly>

45 <https://www.arb.ca.gov/fuels/lcfs/lcfs.htm>

Brown's cap and trade deal contained major concessions to the oil and gas industry

Currently, against growing opposition, Phillips 66 is seeking approval to double the number of oil tankers and barrels of oil that its San Francisco Refinery can accept.⁴⁶ Most of this would come from the Canadian Tar Sands; Phillips 66 is the largest importer of Canadian crude oil.⁴⁷

| Lucie Gikovich's Phillips 66 Lobbying Activity, 2012-2018 (as reported in filings)⁴⁸ | | |
|--|-----------------------------|--|
| Dates | Fees & Retainers | Lobbying Activity |
| 07/01/2018-09/30/2018 | \$45,000 | Department of Industrial Relations re: employee rest break interruptions (link) |
| 04/01/2018 - 06/30/2018 | \$45,000 | Department of Industrial Relations re: employee rest break interruptions (link) |
| 01/01/2018 - 03/31/2018 | \$30,000 | None (link) |
| 10/01/2017 - 12/31/2017 | \$30,000 | Governor's Office re: AB 398 (link) |
| 07/01/2017 - 09/30/2017 | \$30,000 | AB 398 (link) |
| 04/01/2017 - 06/30/2017 | \$45,000 | AB 617, AB 398 (link) |
| 01/01/2017 - 03/31/2017 | \$30,000 | None (link) |
| 10/01/2016 - 12/31/2016 | \$45,000 | None (link) |
| 07/01/2016 - 09/30/2016 | \$30,000 | Governor's Office SB 32,SB 1190,SB 1387 (link) |
| 04/01/2016 - 06/30/2016 | \$30,000 | Governor's Office and CARB re: Cap and Trade,Low Carbon Fuel Standard (link) |
| 01/01/2016 - 03/31/2016 | \$45,000 | Governor's Office re: 2016-2017 budget on energy,climate change,low carbon fuel standard,renewable energy mandates,pipeline safety and emergency response procedures. (link) |
| 10/01/2015 - 12/31/2015 | \$45,000 | None (link) |
| 07/01/2015 - 09/30/2015 | \$45,000 | None (link) |
| 04/01/2015 - 06/30/2015 | \$45,000 | Office of Emergency Services regarding hazmat fees,Governor's office regarding State Budget (link) |
| 01/01/2015 - 03/31/2015 | \$30,000 | Office of Emergency Services regarding proposed fee on hazardous materials shipped by rail (link) |
| 10/01/2014 - 12/31/2014 | \$60,000 | None (link) |
| 07/01/2014 - 09/30/2014 | \$45,000 | AB 2678 - Oil Spill Prevention Fund Administrative fee - Governor's Office and Executive Office of Natural Resources (link) |
| 04/01/2014 - 06/30/2014 | \$45,000 | Governor's Office re AB 1466, Oil Spill Prevention Fund and Air Resources Board re. Proposed Benchmark for Refineries (link) |
| 01/01/2014 - 03/31/2014 | \$30,000 | CA Air Resources Board regarding low carbon fuel standards (link) |
| 10/01/2013 - 12/31/2013 | \$60,000 | Governor's Office; CA Air Resources Board; Department of Labor - low carbon fuel standard SB 54 (link) |
| 07/01/2013 - 09/30/2013 | \$45,000 | Governor's Office; CA Air Resources Board; Dept. of Labor: low carbon fuel standard SB 54 (link) |
| 04/01/2013 - 06/30/2013 | \$52,500 | Governor's Office CA Air Resources Board: low carbon fuel standard (link) |
| 01/01/2013 - 03/31/2013 | 0 | Governor's Office CA Air Resources Board: low carbon fuel standard (link) |
| 10/01/2012 - 12/31/2012 | \$30,000 | ARB - auction allocation of cap and trade allowances (link) |
| TOTAL | \$937,500 | |

46 <https://www.sfgate.com/news/bayarea/article/Environmentalists-Protest-Refinery-Permit-Air-12766102.php>

47 https://s22.q4cdn.com/128149789/files/doc_presentations/2018/08/Investor-Update_August-2018_vF-08.10.18.pdf

48 <http://cal-access.sos.ca.gov/Lobbying/>. We arrived at our total of \$937,500 by adding the fees and retainers payments that Gikovich filed each quarter since Q4 2012. We did not include reimbursements in our total. Depending on which filings you look at - e.g., Crane Group's reported cumulative totals - the numbers come out slightly differently. We used the quarterly filings because they give the most granular accounting of how much Gikovich was paid to lobby and on which particular issues.

It should also be noted that Phillips 66 made an unusually large \$250,000 contribution to the California Democratic Party in August 2012, shortly before the company hired Gikovich.⁴⁹ This may have been part of the oil industry’s surprisingly heavy spending in 2012 in support of the governor’s Proposition 30 tax increase referendum (the Democratic Party committee that Phillips 66 contributed to spent over \$5 million in support of Prop 30), or it could have been part of an effort to secure some other favor. There has been speculation that oil companies supported Prop 30 – rather than fighting it, as would be expected – as part of a deal with Brown to avoid more stringent regulation of oil and gas drilling.⁵⁰ Consumer Watchdog has argued that the timing of oil industry donations to the Democratic Party “suggests that the Brown Administration used the Democratic Party as a pass-through to Brown committees as reward for legislative or regulatory action on behalf of these companies.”⁵¹

SoCalGas and Aliso Canyon

In 2016, Gikovich was hired by SoCalGas, the southern California gas utility, to lobby against a bill that would have granted additional litigation rights to victims of the Aliso Canyon methane leak disaster. Brown vetoed the bill following Gikovich’s lobbying effort.

From October 2015 to February 2016, over the course of 118 days, Aliso Canyon experienced a historic methane leak that released around 90,000 metric tons of methane and forced the evacuation of over 8,000 families, many whom experienced headaches and nosebleeds.⁵² It was the biggest methane leak in U.S. history.⁵³ In January 2016, Jerry Brown declared the methane leak an official state of emergency.⁵⁴ The disaster ran up over \$1 billion in costs.

Jerry Brown was widely criticized for his delayed response to the leak and his subsequent handling of it. The state’s July 2017 approval to reopen the gas field was criticized by Los Angeles County officials, who sued state regulators and SoCalGas for not conducting required safety and environmental studies.⁵⁵ Many environmentalists and Aliso Canyon residents have called for the storage facility to be fully shut down. Brown’s ties to the company may explain why this has not happened: his sister holds a lucrative position on the board of Sempra Energy (SoCalGas’s parent company), earning well over \$1 million in that role since 2013,⁵⁶ and he and the Democratic Party had taken in \$1,379,600 from Sempra as of 2016, according to Consumer Watchdog.⁵⁷

But beyond that, SoCalGas further deepened its influence with the governor in 2016, with its hiring of Gikovich to help it fight AB 2748. The bill was introduced specifically in response to the Aliso Canyon leak as well as battery

SoCalGas hired Gikovich to lobby against a bill that would have granted additional litigation rights to victims of the Aliso Canyon disaster

49 The contribution of \$250,000 was made on August 2, 2012 to the Democratic State Central Committee of California. See <http://power-search.sos.ca.gov/quick-search.php>

50 <https://www.thenation.com/article/big-oils-grip-on-california/>

51 <https://www.consumerwatchdog.org/resources/BrownsDirtyHands.pdf>

52 <http://www.latimes.com/opinion/editorials/la-ed-aliso-canyon-20161023-snap-story.html>

53 <http://www.latimes.com/local/lanow/la-me-aliso-canyon-settlement-20180808-story.html>

54 <https://www.npr.org/sections/thetwo-way/2016/01/07/462259945/california-declares-state-of-emergency-over-monthslong-gas-leak>

55 <http://www.latimes.com/local/lanow/la-me-in-aliso-canyon-suit-20170721-story.html>

56 <https://news.littlesis.org/2017/08/02/governor-jerry-browns-million-dollar-conflict-of-interest-at-aliso-canyon/>

57 <https://www.consumerwatchdog.org/resources/BrownsDirtyHands.pdf>

lead-acid contamination surrounding Exide Technologies' former Vernon plant. It would have helped victims of those disasters by allowing them to litigate over harms inflicted by the disasters that were unknown at the time of previous settlements, extending the statute of limitations to three years, and forcing defendants to pay plaintiffs' legal fees. As one law review study put it, AB 2748 would allow "more time for litigation to commence and more claims to be filed."⁵⁸

The bill passed the Assembly and the Senate in August 2016, despite significant corporate opposition. That quarter, SoCalGas hired Gikovich. According to her lobbying filing, Gikovich's client was technically Mercury Public Affairs, but she was in fact subcontracted to lobby for SoCalGas.⁵⁹ Her lobbying activity for Mercury in that filing states: "For So Cal Gas - Governor's Office re: AB 2748." Gikovich was not paid by Mercury for her SoCalGas lobbying during that quarter, but her filing from two quarters later showed a \$50,000 payment "From a prior quarter."⁶⁰

On September 26, 2016, Jerry Brown vetoed AB 2748. This came just a few days before the end of the lobbying quarter in which Gikovich lobbied his office on the bill.

In August 2018, SoCalGas reached a \$119.5 million settlement with city, county and state officials and prosecutors. The *L.A. Times* reports that the deal will "fund a long-sought health study and numerous environmental measures intended to offset the damage caused by the leak" but that it "leaves unresolved questions about the root cause of the leak, the fate of the storage facility outside Los Angeles' Porter Ranch neighborhood, the state's reliance on planet-warming natural gas and residents' medical claims against the company."⁶¹ Some criticized the deal for doing "too little to reduce dependence on the facility," sending settlements funds to outside projects, and not giving enough local oversight over the health study.

SoCalGas may not have been Gikovich's only paying client for lobbying related to the disasters that AB 2748 attempted to address. As noted above, the bill also would have granted litigation rights to victims of lead contamination near Exide Technologies' Vernon plant. Battery Council International, a battery industry group, hired Gikovich the year after the veto and she has been a registered lobbyist for BCI ever since.⁶² Curiously, she has not yet registered any lobbying activity for BCI, though they have paid her \$50,000, and it is unclear what she was paid for.⁶³ BCI is a trade association for makers of lead batteries, and Exide is a major player in the industry and represented on the group's board. BCI has monitored the Exide scandal and clean up, and in 2016 promised to work closely with California on the clean up.⁶⁴

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in which Gikovich
lobbied his office**

58 <https://scholarlycommons.pacific.edu/cgi/viewcontent.cgi?article=1043&context=uoplawreview>

59 <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=2100204&amendid=1>

60 <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=2156834&amendid=0>. The same Q3 2016 that Gikovich lobbied Brown's office for SoCalGas on AB 2748, she was also paid \$20,000 to lobby "On behalf of Charter Communications," though no lobbying activity was reported. During Q4 2016, Gikovich was registered to lobby for Mercury on behalf of SoCalGas and Charter Communications, but she reported no lobbying activity (see <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=2128899&amendid=0>). Gikovich was also paid \$10,000 by Mercury in the Q3 2015, when it appears she began lobbying for them (see <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=1995731&amendid=0>). That same filing also shows that Gikovich hired Mercury as a subcontractor to lobby for WCA, though there was no payment that quarter - there was a \$35,000 payment to Mercury the following quarter and another \$10,000 the quarter after that and \$5,000 the quarter after that (see <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=2011413&amendid=0>, <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=2037151&amendid=0> and <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=2060843&amendid=0>). All told, Gikovich was a registered lobbyist for Mercury from Q3 2015 to Q1 2017.

61 <http://www.latimes.com/local/lanow/la-me-aliso-canyon-settlement-20180808-story.html>

62 <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=2171758&amendid=0>

63 <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=2240242&amendid=0>

64 <https://batteryCouncil.org/blogpost/1190989/239805/Battery-Council-International-Response-to-Proposal-to-Cleanup-Former-Exide-Battery-Recycling-Facility>

IV. Gikovich's lobbying for corporate clients gets results through two other Brown vetoes

In addition to the close correlation between her lobbying for SoCalGas and Brown's veto of AB 2748, Gikovich's lobbying efforts of Brown also appear closely correlated to two other vetoes that benefited her corporate clients. In 2011, a private equity firm hired Gikovich to lobby Brown against a bill that would have prohibited the firm from building a landfill near a Native American reservation. In 2015, San Diego business interests hired her to lobby Brown against a bill that would have provided more public oversight over corporate land-use decision in downtown San Diego. In both cases, Brown vetoed the bills after Gikovich lobbied him, against the wishes of progressive advocates and to the benefit for Gikovich's clients.

In 2011, Brown vetoed a bill to prohibit a landfill near Native American land after Gikovich lobbied him on behalf of private equity firm that owned the landfill

Gikovich's first lobbying assignment in California under Jerry Brown came in late 2011, when ArcLight Capital, a private equity firm focused on oil and gas infrastructure, hired her to lobby Brown's office on SB 833.⁶⁵ The bill would have prohibited ArcLight from constructing the Gregory Canyon waste landfill near the Pala Reservation, near San Diego. The landfill had been strongly opposed by environmental groups and the Pala Band of Mission Indians since the 1990s, when it was first proposed, and SB 833 drew endorsements from over two dozen tribes and environmental, religious, and planning organizations.⁶⁶

ArcLight, which initially invested in the Gregory Canyon landfill in 2005, hired Gikovich to lobby Brown's office on SB 833.⁶⁷ Gikovich's filings show that she was paid \$45,000 by ArcLight during the third and fourth quarters of 2011.⁶⁸ On October 9, 2011, Brown vetoed SB 833 despite its broad bipartisan support and over the protests of its environmentalist and Native American backers.⁶⁹ The veto came during the same period that Gikovich was lobbying his office on behalf of ArcLight.

Gikovich's lobbying against the bill has never been reported before.

In his veto, Brown lamented the "unspeakable injustices the native peoples have endured" and acknowledged "the profound importance of their spirituality and connection to the land," but said he didn't think the Legislature should overturn a "hard-fought local land-use decision."⁷⁰ Supporters of the bill expressed their disappointment with Brown's veto - in the words of

Brown vetoed SB 833 over the protests of its Native American backers around the time Gikovich was lobbying his office against the bill

65 http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201120120SB833

66 <http://www.sandiegouniontribune.com/sdut-region-governor-vetoes-bill-to-stop-gregory-2011oct10-story.html>

67 <http://www.arclightcapital.com/portfolio/active.pl>

68 See <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=1624346&amendid=0> and <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=1628877&amendid=0>

69 <http://www.sandiegouniontribune.com/sdut-region-governor-vetoes-bill-to-stop-gregory-2011oct10-story.html>

70 https://www.gov.ca.gov/wp-content/uploads/2017/09/SB_833_Veto_message.pdf

one person, he was “auctioning off our sacred lands to wealthy developers who want to build trash heaps next to sites essential to California’s history.”⁷¹

Ultimately, the Gregory Canyon landfill never materialized and was scrapped in 2016.⁷²

Brown's vetoes progressive-backed bill in 2015 that Gikovich lobbied him to stop on behalf of San Diego corporate coalition

On February 23, 2015, California assembly member Lorena Gonzalez, who represents San Diego, introduced AB 504.⁷³ The bill would have changed state law to require the San Diego City Council to approve land use decisions made by Civic San Diego, a non-profit funded by the city that makes decisions over land use.⁷⁴ The bill was strongly opposed by San Diego corporate interests - in effect, it would have given the San Diego City Council and the public that it represents more oversight power over the land use decisions of the business interests of Civic San Diego. After several amendments, AB 504 passed the senate on September 9 and assembly on September 10 of 2015.

The *Sacramento Bee* reported on September 30, 2015 that the Downtown San Diego Partnership, an “influential business group” in San Diego, hired Gikovich to try to get Brown to veto AB 504.⁷⁵ Gikovich’s third quarter (July 1 to September 30) lobbying filing from 2015 shows that she lobbied Brown’s office on AB 504 on behalf of both the Downtown San Diego Partnership and San Diego Regional Chamber of Commerce.⁷⁶ While she didn’t report any payments that quarter, the Downtown San Diego Partnership paid her \$30,000 the subsequent quarter.⁷⁷

Even though labor and progressive forces backed AB 504, Brown vetoed the bill on Thursday, October 8, 2015 - about a week after Gikovich was brought on as a lobbyist opposing it.⁷⁸ Brown’s veto pleased Gikovich’s corporate clients.⁷⁹

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71 <https://www.sandiegouniontribune.com/communities/north-county/sd-no-gregory-canyon-20161117-story.html>

72 <http://www.sandiegouniontribune.com/sdut-region-governor-vetoes-bill-to-stop-gregory-2011oct10-story.html>

73 https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB504

74 <http://sdcitybeat.com/news-and-opinion/news/civic-san-diego-showdown/>

75 <https://www.sacbee.com/news/politics-government/capitol-alert/article37118766.html>

76 <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=1995731&amendid=0>

77 <http://cal-access.sos.ca.gov/PDFGen/pdfgen.prg?filingid=2011413&amendid=0>

78 <https://timesofsandiego.com/politics/2015/10/08/governor-vetoes-bill-restricting-civic-san-diego-development/>

79 <https://sdchamber.org/2015/10/policy-win-governor-brown-announces-ab-504-veto/>

V. Conclusion

While Lucie Gikovich's lobbying activity has gone almost entirely unreported, there is much evidence that points towards her special access to and high standing with Jerry Brown. It is clear that, on numerous occasions, Gikovich's lobbying efforts of Brown's office on behalf of powerful clients, particularly from the fossil fuel industry, closely correlated with decisions made by Brown that benefited those clients. Moreover, Gikovich has lobbied Brown on issues, such as cap and trade and the Aliso Canyon disaster, that are of significant public concern. Given their unusually close relationship and their long history together, the public deserves a fuller account from Jerry Brown of the nature of Gikovich's lobbying efforts of his office.

As he enters his last weeks in office, Brown needs be fully transparent about his relationship with Gikovich as it pertains to his official duties and regarding the kinds of questions raised by the findings in this report:

- What did Gikovich and Brown discuss or arrange during the six years she served as Phillips 66's top lobbyist? What did Gikovich discuss with Brown concerning his cap and trade legislation?
- Were Gikovich's lobbying efforts connected to Brown's vetoes of AB 2748 (bill attempting to expand litigation rights of Aliso Canyon and Exide disaster victims), AB 504 (bill attempting to expand public oversight of San Diego land use policy), or SB 833 (bill attempting to shut down Gregory Canyon landfill)? How does he explain this pattern of vetoing bills with wide support among his progressive base, but that Gikovich lobbied against?
- To what extent have Gikovich and Brown communicated directly about important policy decisions more generally, such as his regulation of the oil and gas industry? The governor should release records of all communications, including phone calls and meeting notes.
- Has Gikovich ever played a role in striking a deal between Brown and the corporate interests she represents that Brown or the Democrats benefited from in any way?
- How does Brown account for staying at Gikovich's home in DC even as she was lobbying his office on behalf of Phillips 66 and other clients?

In the likely event that Brown is not fully transparent about these questions, incoming Governor Gavin Newsom should support an independent investigation into Gikovich's lobbying efforts in California under Brown. A full accounting of the relationship between Gikovich and Brown is especially important as Brown prepares to leave office and Newsom considers how to move forward with respect to oil and gas regulatory policy. Newsom should reverse the vetoes discussed in this report that Brown issued while Gikovich was lobbying him, and he should sever the state's ties to Gikovich. The mechanisms of the industry's influence over the executive branch need to be brought into the light of day if the state is going to put the public interest over the industry's interests.

Given their unusually close relationship, the public deserves a fuller account from Brown of the nature of Gikovich's lobbying efforts of his office