MINUTE ITEM
This Calendar Item No. C9
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CALENDAR ITEM
C09

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PRC 3136
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TERMINATION OF LIFE OF STRUCTURE PERMIT
PRC 3136, AND ISSUANCE OF GENERAL PERMIT - PUBLIC AGENCY

APPLICANT: California Department of Fish and Game
245 West Broadway, Suite 350
Long Beach, California 90802

AREA, TYPE LAND AND LOCATION:
Two parcels of submerged land totaling 488.3± acres in the Pacific Ocean, near the City of Oceanside, San Die unty.

LAND USE: Construct and maintain two artificial fishing reefs:

TERMS OF PROPOSED PERMIT:
Initial period: 25 years beginning September 1, 1986.

CONSIDERATION: The public use and benefit; with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:
N/A

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. The California Department of Fish and Game proposes to develop two new artificial fishing reefs near the City of Oceanside. One site (Parcel 1 in Exhibit "A" herein) contains 69.7± acres and will replace an existing 4.3± acre artificial reef; this existing reef is covered by PRC 3136 - a Life of Structure permit that is proposed for termination herein. The second site (Parcel 2 in Exhibit "A" herein) contains 418.6± acres.

2. In 1985, Assembly Bill 706 was enacted authorizing the California Department of Fish and Game to construct a series of experimental artificial reefs along the California coast for the purpose of developing optimum reef design, and management of fisheries enhancement programs. These two proposed reefs are part of that series. The fishing reefs will draw sportsmen from throughout Southern California, whereas existing natural reefs are too remote along the southern coastline to benefit most small-boat fishermen.

3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands.

4. As to the termination of the Life of Structure Permit, pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that

this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

5. As to the issuance of the General Permit, pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 4, Minor Alteration to Land, 14 Cal. Adm. Code 15304(d).

Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15300.

APPROVALS OBTAINED:
Coastal Commission, Regional Water Quality Control Board, and United States Army Corps of Engineers.

EXHIBITS:
A. Land Description.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AS TO THE TERMINATION OF THE LIFE OF STRUCTURE PERMIT, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.

2. AS TO THE ISSUANCE OF THE GENERAL PERMIT, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND, 14 CAL. ADM. CODE 15304(d).

3. FIND THAT THIS ACTIVITY WILL INVOLVE LANDS IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES PURSUANT TO P.R.C. 6370, ET SEQ., BUT THAT SUCH ACTIVITY WILL HAVE NO DIRECT OR INDIRECT EFFECT ON SUCH LANDS.

CALENDAR ITEM NO. C09 (CONT'D)

4. APPROVE THE TERMINATION OF LIFE OF STRUCTURE PERMIT PRC 3136, AND AUTHORIZE ISSUANCE TO CALIFORNIA DEPARTMENT OF FISH AND GAME OF A 25-YEAR GENERAL PERMIT - PUBLIC AGENCY USE BEGINNING SEPTEMBER 1, 1986; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR CONSTRUCTION AND MAINTENANCE OF TWO ARTIFICIAL FISHING REEFS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

Two parcels of submerged land in the Pacific Ocean near Oceanside, San Diego County, California, said parcels being more particularly described as follows:

PARCEL 1

BEGINNING at a point having California Coordinate System, Zone 6, coordinates of N=373397.72 and E=1644852.74; thence S 42° 46' 24" E, 1113.00 feet; thence S 56° 26' 29" W, 2877.15 feet; thence N 32° 32' 44" W, 1086.89 feet; thence N 56° 11' 12" E, 2679.73 feet to the point of beginning.

PARCEL 2

BEGINNING at a point having California Coordinate System, Zone 6, coordinates of N=382439.77 and E=1640705.07; thence S 33° 16' 42" E, 3044.96 feet; thence S 55° 17' 32" W, 5938.62 feet; thence N 32°14' 23" W, 3129.44 feet; thence N 56° 05' 46" E, 5880.40 feet to the point of beginning.

This description is based on the California Coordinate System, Zone 6.

END OF DESCRIPTION

REVISED AUGUST 21, 1986, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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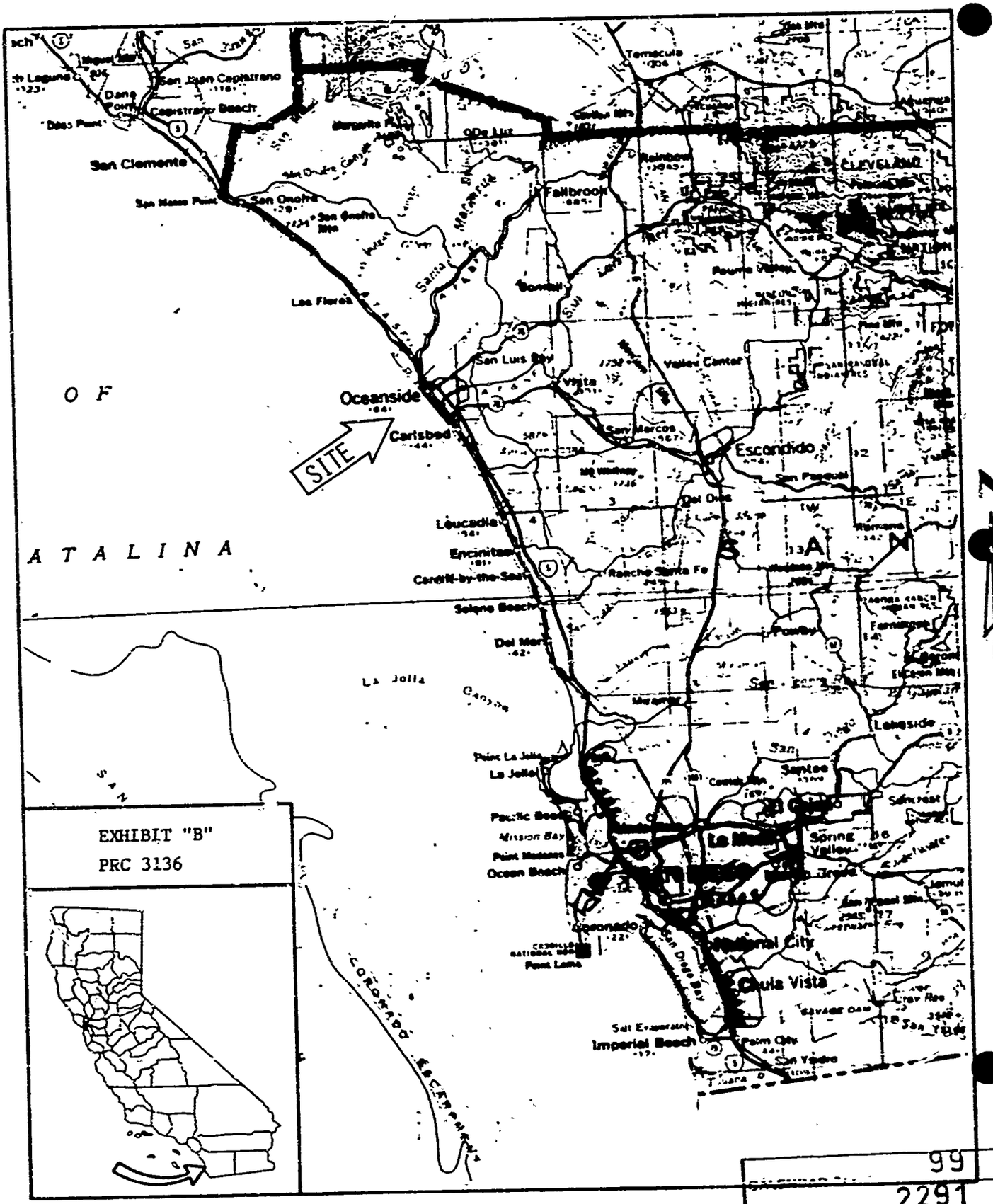
SITE
N
San Clemente
San Onofre
Oceanside
Carlsbad
Encinitas
Cardiff-by-the-Sea
Solana Beach
Del Mar
Escondido
Fallbrook
Temecula
Rancho Santa Fe
La Jolla
Point La Jolla
Pacific Beach
Mission Bay
Ocean Beach
Coronado
Point Loma
Chula Vista
Imperial Beach
National City
Santee
Lakeside
Poway
Rainbow
Valley Center
San Luis Rey
Vista
San Marcos
Del Dios
Pauma Valley
Bonsall
Leucadia
Mira Mesa
Miramar
Spring Valley
Jamul
Palm City
San Ysidro
Tijuana
Salt Evaporator
Colorado Desert
San Diego Bay
Santa Margarita
Mt Onofre Canyon
Dana Point
Capistrano Beach
San Juan Capistrano
Laguna
Dias Point
San Mateo Point
Las Flores
Margarita Peak
Ola Luz
Cleveland
Northern
Fairmount
Ramona
Escondido
San Pasqual
Mt Whitney
Point Mateos
Point Loma
Coronado National Park
Salt Evaporator
Palm City
San Ysidro
Tijuana
Otay Res
Savage Dam
Jamul
Spring Valley
Lakeside
Santee
Poway
Rancho Santa Fe
Mira Mesa
Miramar
Del Mar
Solana Beach
Encinitas
Leucadia
Carlsbad
Oceanside
Vista
San Luis Rey
Valley Center
Rainbow
Fallbrook
Bonsall
Pauma Valley
Temecula
Cleveland
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Ramona
Escondido
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San Juan Capistrano
Laguna
Dias Point
San Mateo Point
Las Flores
Margarita Peak
Ola Luz
Santa Margarita
Santa Ana
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A T A L I N A
EXHIBIT "B"
PRC 3136