

MINUTE ITEM

This Calendar Item No. C55
was approved as Minute Item
No. C55 by the State Lands
Commission by a vote of 3
to 0 at its 8-22-90
meeting.

CALENDAR ITEM

C 5 5

A)
) Statewide
S)

PRC 7439

08/22/90
W 6005.24
Nitsche

APPROVE A THREE-YEAR NON-EXCLUSIVE GEOPHYSICAL SURVEY PERMIT
TO CONDUCT GEOPHYSICAL SURVEYS USING LOW ENERGY
EQUIPMENT ON TIDE AND SUBMERGED LANDS UNDER THE
JURISDICTION OF THE STATE LANDS COMMISSION

APPLICANT: Pelagos Corporation
Attn: Randy J. Ashley
9173 Chesapeake Drive
San Diego, California 92123

TERMS: The term of the Non-Exclusive Geophysical
Survey Permit is from October 1, 1990 through
September 30, 1993.

PREREQUISITE ITEMS:

Required statutory filing fee, expense deposit,
and performance bond have been received.

STATUTORY REFERENCE:

- A. P.R.C. Section 6826.
- B. P.R.C. Section 21080(c).
- C. P.R.C. Section 6870.
- D. Cal. Code Regs., Title 2, Article 2.9
Section 2100.
- E. Cal. Code Regs., Title 2,
Section 2905(e)(3).
- F. Cal Code Regs., Title 14, Section 15074.

AB 884: 02/16/91.

OTHER PERTINENT INFORMATION:

1. On May 24, 1984, the Commission, pursuant
to the provisions of the CEQA, considered
and adopted a Proposed Negative Declaration

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(ND 358, State Clearinghouse 84020113), for the program under which issuance of this permit is proposed. The Commission found, based on its record, that there was no substantial evidence that the program, as revised and approved, would have a significant effect on the environment. (14 Cal. Code Regs. 15074(b)).

2. On October 5, 1987, the Commission considered applications for general geophysical permits. The Commission found that new information, obtained after the May 24, 1984 Negative Declaration, revealed that use of geophysical equipment, which emits strong acoustic pulses, may cause significant adverse effects upon the environment and that approval of a permit allowing use of such equipment required preparation of an environmental impact report. However, the Commission also found that no new information revealed any substantial evidence that use of passive equipment or low acoustic pulse-generating equipment, such as side-scan sonar and magnetometer, would have a significant effect on the environment. Based upon the May 24, 1984 Negative Declaration, the Commission, therefore, approved the issuance of permits which provided for the use of equipment which has no more than two kilojoules of energy input.
3. Since 1987, geophysical surveys employing passive or low-energy equipment have continued under the Commission's permits without significant incident or new evidence of potential environmental effects from the surveys.
4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et. seq. Based upon the staff's consultation with the

person nominating such lands and through the CEQA review process, it is the staff's opinion that the permit as part of the program for the project, as proposed, is consistent with its use classification.

EXHIBIT: A. Permit Regions.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT ON MAY 24, 1984, A NEGATIVE DECLARATION, ND 358, STATE CLEARINGHOUSE #84020113, WAS CONSIDERED AND ADOPTED FOR THE PROGRAM UNDER WHICH ISSUANCE OF THIS PERMIT IS PROPOSED PURSUANT TO THE PROVISIONS OF THE CEQA, AND THAT ON OCTOBER 7, 1987, THE COMMISSION REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION AND THE COMMENTS IN THE COMMISSION'S FILES WHICH WERE RECEIVED IN RESPONSE TO THE NEGATIVE DECLARATION.
2. DETERMINE THAT THERE IS NO SUBSTANTIAL EVIDENCE THAT THE PROGRAM UNDER WHICH ISSUANCE OF THE PERMIT IS PROPOSED, AS REVISED AND APPROVED, WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE ISSUANCE TO PELAGOS CORPORATION OF A NON-EXCLUSIVE GENERAL PERMIT TO CONDUCT LOW ENERGY GEOPHYSICAL SURVEYS FOR THE PERIOD OCTOBER 1, 1990 THROUGH SEPTEMBER 30, 1993 WITHIN PERMIT REGIONS I, II, III, AND IV AS DESIGNATED ON EXHIBIT "A".

EXHIBIT "A"
PERMIT REGIONS

