

MINUTE ITEM
This Calendar Item No. C11
was approved as Minute Item
No. 11 by the State Lands
Commission by a vote of 2
to 0 at its 2/6/91
meeting.

CALENDAR ITEM

C 1 1

02/06/91
W 6005.34 PRC 7491
Nitsche

A)
) Statewide
S)

APPROVE A NON-EXCLUSIVE GEOPHYSICAL SURVEY PERMIT
ON TIDE AND SUBMERGED LANDS UNDER THE
JURISDICTION OF THE STATE LANDS COMMISSION

APPLICANT:

Sea Surveyor, Inc.
Attn: Kelley J. Vickers
4576 East 2nd Street, Suite H
Benicia, California 94510

TERMS OF PROPOSED PERMIT:

Initial period:
Three (3) years beginning March 1, 1991 through
September 30, 1993.

PREREQUISITE CONDITION: FEES AND EXPENSES:

Filing fee, expense deposit, and performance bond have been
received.

STATUTORY AND OTHER REFERENCES:

- 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:
07/10/91

OTHER PERTINENT INFORMATION:

1. On May 24, 1984, the Commission, pursuant to the provisions of the CEQA, considered and adopted a Proposed Negative Declaration (EIR ND 358, State

CALENDAR ITEM NO. C 1 I (CONT'D)

Clearinghouse No. 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.

CALENDAR ITEM NO. C 7 1 (CONT'D)

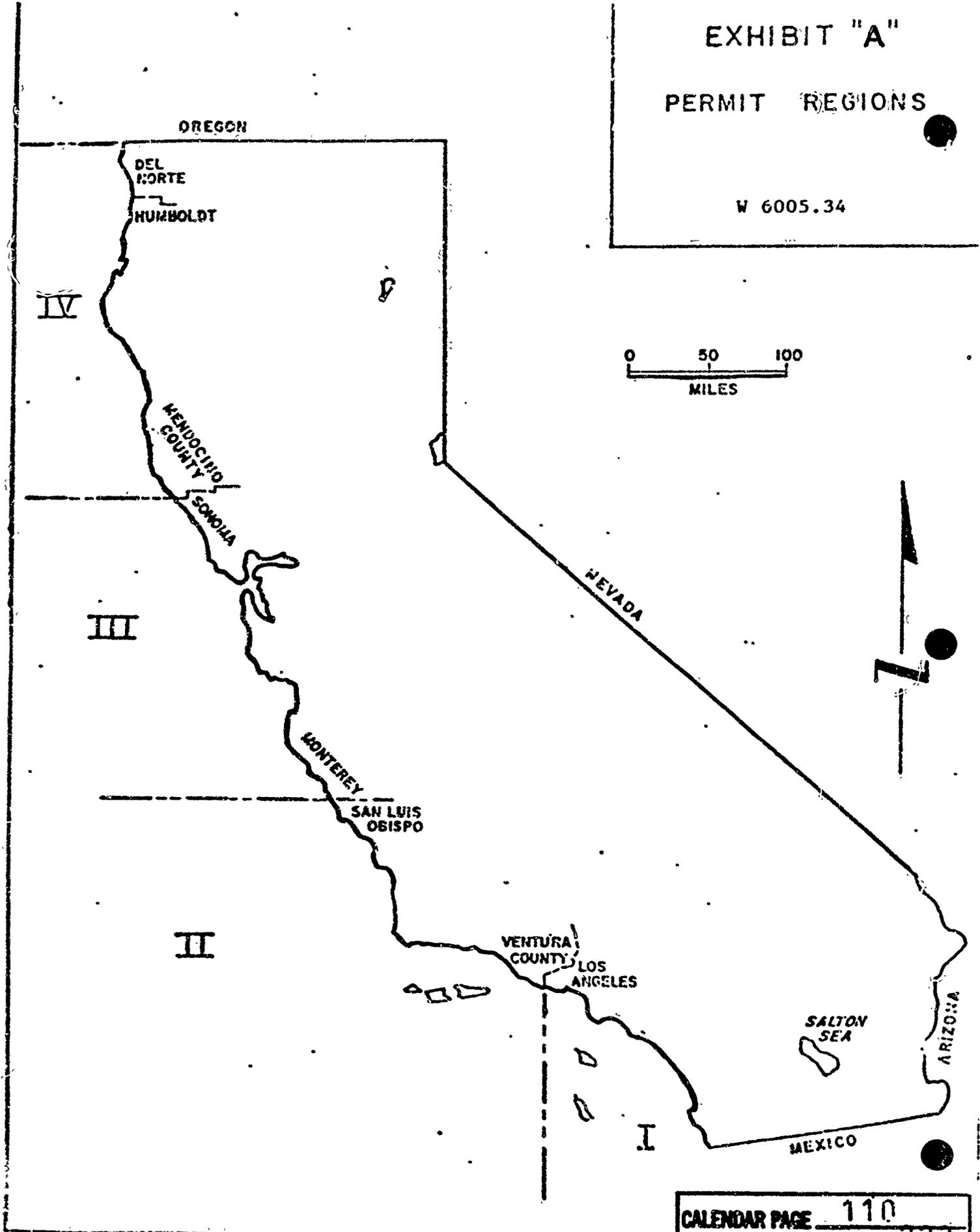
IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT ON MAY 24, 1984, A NEGATIVE DECLARATION, ND 353, 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 A PERMIT IS PROPOSED, AS REVISED AND APPROVED, WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE ISSUANCE TO SEA SURVEYOR, INC. OF A NON-EXCLUSIVE GENERAL PERMIT TO CONDUCT LOW ENERGY GEOPHYSICAL SURVEYS FOR THE PERIOD MARCH 1, 1991 THROUGH SEPTEMBER 30, 1993 WITHIN PERMIT REGIONS I, II, III, AND IV AS DESIGNATED ON EXHIBIT "A".

EXHIBIT "A"

PERMIT REGIONS

W 6005.34



CALENDAR PAGE 110
MINUTE PAGE 223