

MINUTE ITEM

This Calendar Item No. C88 was approved as Minute Item No. 88 by the California State Lands Commission by a vote of 3 to 0 at its 08/21/96 meeting.

CALENDAR ITEM

C88

A }
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P 7909 08/21/96
W 6005.57
A. Nitsche

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

APPLICANT:

Fugro West, Inc.
3996 Bunsen Avenue, Suite F
Ventura, California 93003

TERMS OF PROPOSED PERMIT:

Initial period:
Three years beginning October 1, 1996 through September 30, 1999.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Required fees, expense deposit, and other security have been received.

STATUTORY AND OTHER REFERENCES:

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

AB 884:

03/29/96

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 Clearinghouse No. 84020113), for the program under which issuance of this permit is proposed. The Commission found, based on its

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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 (Statewide). 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 Public Resources Code Sections 6370, et. seq. Based upon the staff's consultation with the persons 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

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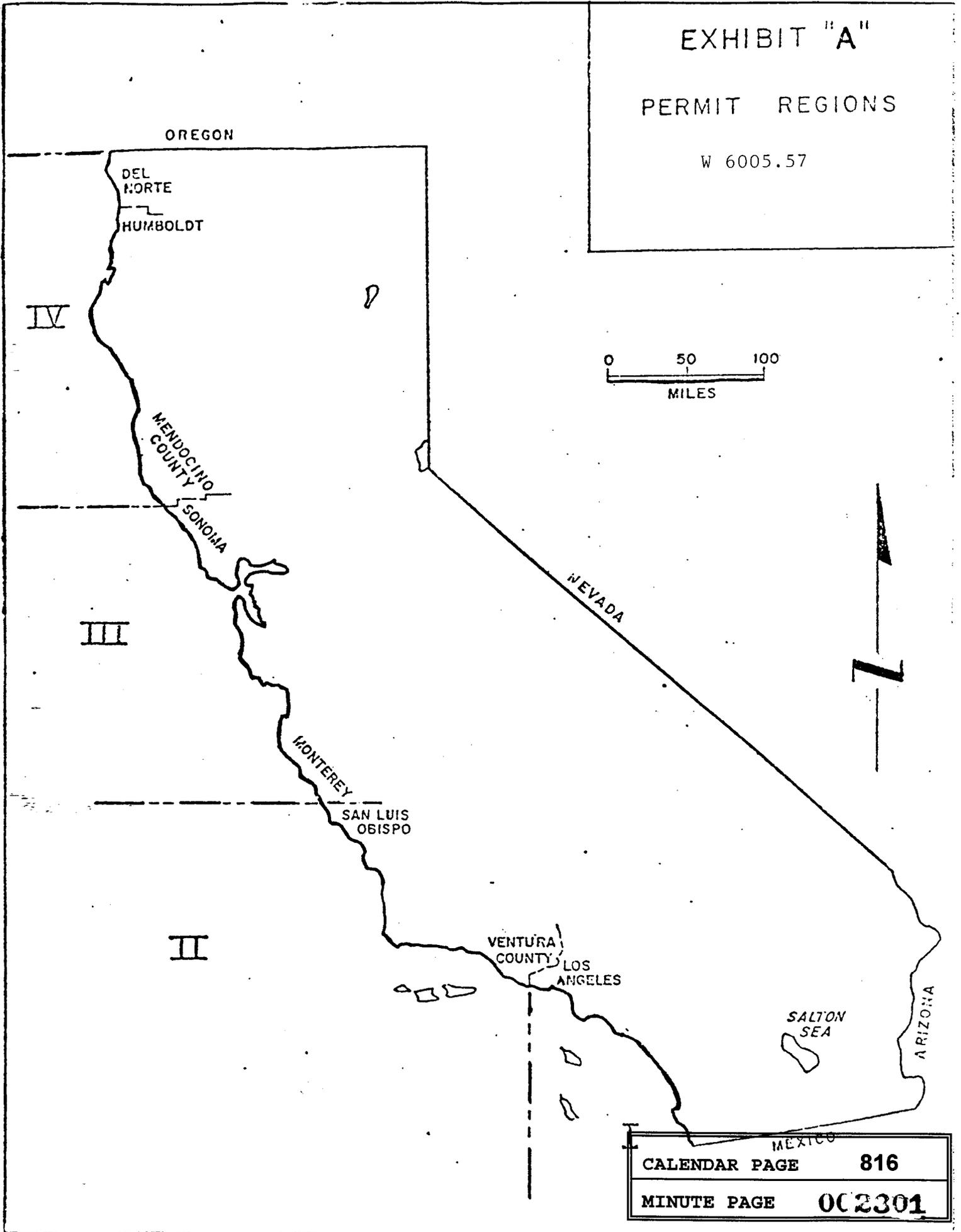
IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT ON MAY 24, 1984, A NEGATIVE DECLARATION, STATE CLEARINGHOUSE NO. 84020113, SLC ND #358 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 FUGRO WEST, INC., OF A NON-EXCLUSIVE GENERAL PERMIT TO CONDUCT LOW ENERGY GEOPHYSICAL SURVEYS FOR THE PERIOD OCTOBER 1, 1996, THROUGH SEPTEMBER 30, 1999, WITHIN PERMIT REGIONS I, II, III, AND IV AS DESIGNATED ON EXHIBIT "A".

EXHIBIT "A"

PERMIT REGIONS

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