MINUTE ITEM
This Calendar Item No. C65
was approved as Minute Item
No. 65 by the State Lands
Commission by a vote of 3
to Ø at its 10/28/96
meeting.

CALENDAR ITEM
C65

A)
)Statewide
S)

10/28/96
PRC7924 W 6005.59
PRC7925 W 6005.60
PRC7926 W 6005.61
A. Nitsche

APPROVE THREE NON-EXCLUSIVE STATEWIDE GEOPHYSICAL SURVEY PERMITS ON TIDE AND SUBMERGED LANDS UNDER THE JURISDICTION OF THE CALIFORNIA STATE LANDS COMMISSION

APPLICANTS:

Pelagos Corporation (W 6005.59)
5434 Ruffin Road
San Diego, California 92123

NCS International (W 6005.60)
3000 Hayes Road
Houston Texas 77082-2699

SAIC (W 6005.61)
11803 Sorrento Valley Road
San Diego, California 92121-1006

TERMS OF PROPOSED PERMITS:

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:

03/26/97 (W 6005.59)
03/30/97 (W 6005.60)
04/12/97 (W 6005.61)

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 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 September 23, 1987, the Commission amended the permit to allow only those geophysical surveys which use equipment producing low acoustical energy (no more than two kilojoules) or passive survey equipment. The geophysical permits issued authorize and regulate any activity involving seismic, gravity, magnetic, electrical, and geochemical methods used to measure and record physical properties of surface and subsurface geological structures. Among the many activities for which the data obtained is used are the following: 1) engineering, design, and construction of offshore projects, such as docks, breakwaters, sewer outfalls and offshore pipelines; 2) dredging; 3) environmental research, such as the identification of hard-and soft-bottom habitat; 4) the location of ocean-bottom hazards, both natural and manmade; 5) location of cultural and archeological resources; 6) identification of shallow faulting which may indicate some earthquake hazard; and 7) performance of offshore system safety programs.

3. 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.

4. 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.

5. 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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT ON MAY 24, 1984, A NEGATIVE DECLARATION, EIR ND 358, STATE CLEARINGHOUSE NO. 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.

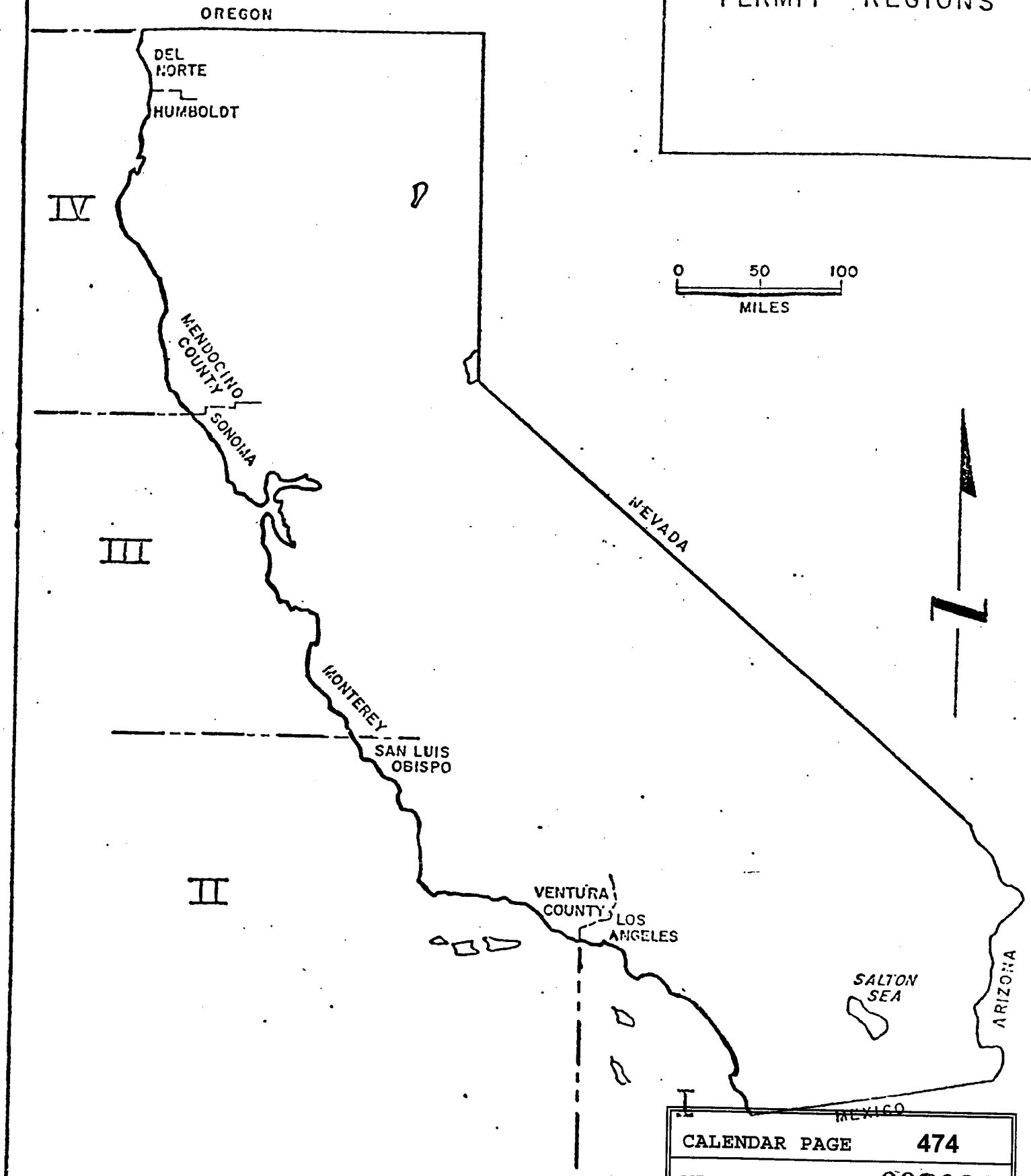
2. DETERMINE THAT THERE IS NO SUBSTANTIAL EVIDENCE THAT THE PROGRAM UNDER WHICH ISSUANCE OF A PERMIT IS PROPOSED, AS REVISED AND APPROVED, WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

3. FIND THAT THIS ACTIVITY IS CONSISTENT WITHIN THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

4. AUTHORIZE ISSUANCE OF THREE NON-EXCLUSIVE STATEWIDE GENERAL PERMITS 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" TO PELAGOS CORPORATION, NCS INTERNATIONAL, AND SAIC.

EXHIBIT "A"

PERMIT REGIONS



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