

MINUTE ITEM

This Calendar Item No. C118 was approved as Minute Item No. 118 by the California State Lands Commission by a vote of 3 to 0 at its 12/16/98 meeting.

**CALENDAR ITEM
C118**

A)
) Statewide
S)

PRC 8059 12/16/98
W 6005.64
A. Nitsche

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

APPLICANT:

David Evans and Associates, Inc.
Attn: Ms. Susan Cunningham
2828 S.W. Corbett Avenue
Portland, Oregon 97201

TERMS OF PROPOSED PERMIT:

Beginning July 1, 1998 through June 30, 2001.

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. California Code of Regulations, section Title 2, Article 2.9, 2100.
- E. California Code of Regulations, section Title 2, 2905(e)(3).
- F. California Code of Regulations, section Title 14, 15074.

PERMIT STREAMLINING ACT DEADLINE:

January 15, 1999.

OTHER PERTINENT INFORMATION:

- 1. Pursuant to the Commission's delegation of authority and the State CEQA guidelines (Title 14, California Code of Regulations, section 15025), the Commission staff prepared a Negative Declaration identified as CSLC ND 358, State Clearinghouse No. 84020113. On May 24, 1984, the

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Commission considered and adopted the Negative Declaration 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 would have a significant effect on the environment; Title 14, California Code of Regulations, section 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, pending further study.
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 section 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 project, as proposed, is consistent with its use classification.

EXHIBIT:

- A. Permit Regions

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

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CEQA FINDINGS:

1. CERTIFY THAT A NEGATIVE DECLARATION, CSLC ND 358, STATE CLEARINGHOUSE NO. 84020113, WAS PREPARED FOR THIS PROJECT, PURSUANT TO THE PROVISIONS OF THE CEQA, WAS ADOPTED BY TYHE CSLC ON MAY 24, 1984, AND THAT THE INFORMATION CONTAINED THEREIN REMAINS VALID FOR THE CONSIDERATION OF THE PROPOSED PERMIT.

2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISISON FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET. SEQ.

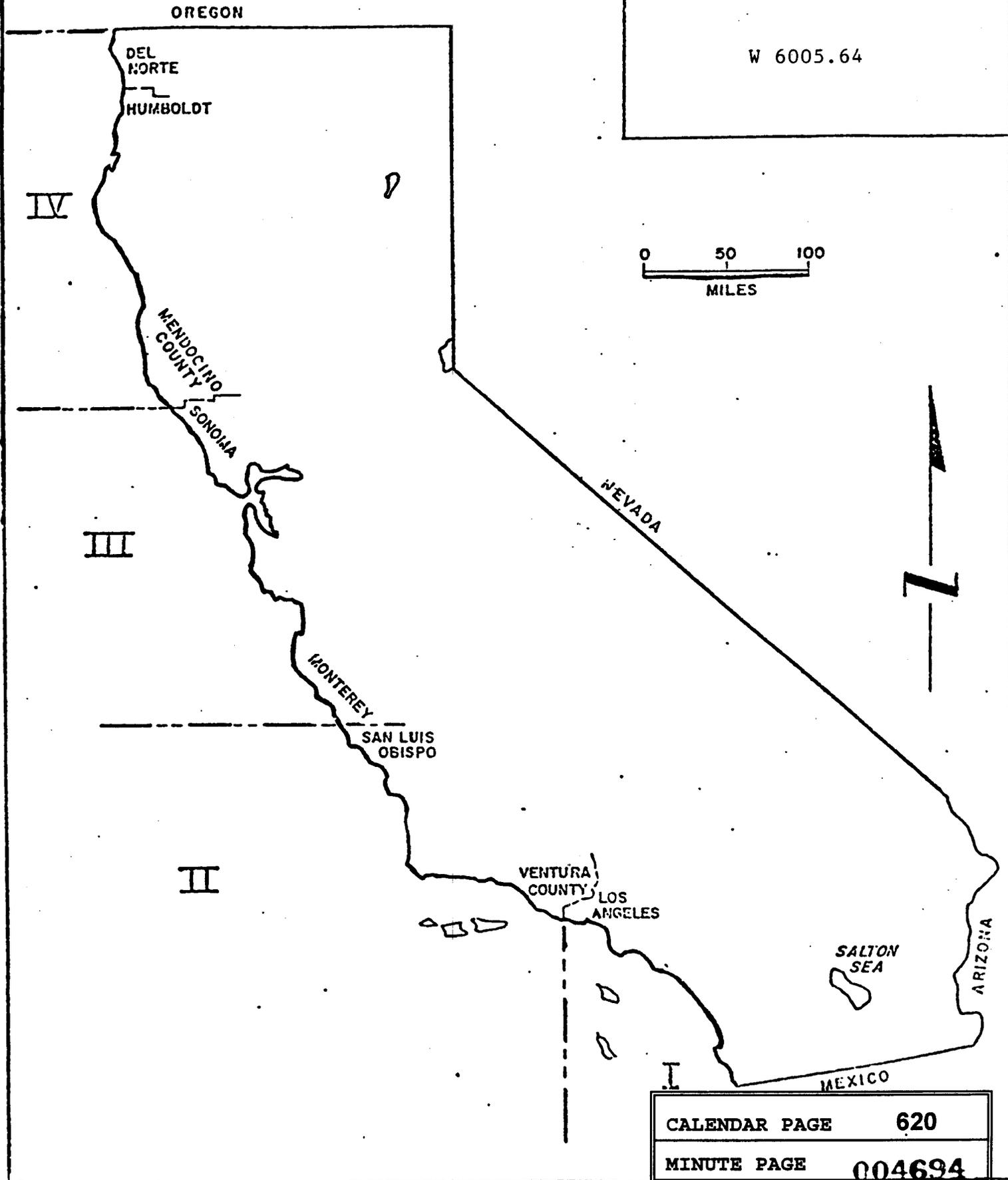
AUTHORIZATION:

AUTHORIZE ISSUANCE TO DAVID EVANS AND ASSOCIATES, INC., OF A NON-EXCLUSIVE GENERAL PERMIT TO CONDUCT LOW ENERGY GEOPHYSICAL SURVEYS FOR THE PERIOD JULY 1, 1998 THROUGH JUNE 30, 2001, WITHIN PERMIT REGIONS I, II, III, AND IV AS DESIGNATED ON EXHIBIT A.

EXHIBIT "A"

PERMIT REGIONS

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