MINUTE ITEM
This Calendar Item No. C70 was approved as Minute Item No. 70 by the California State Lands Commission by a vote of 3 to 0 at its 9-99 meeting.

CALENDAR ITEM
C70

A)
) Offshore Statewide
S)

PRC 8117

09/03/99
W 6005.76
A. Nitsche
M. Voskanian

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

APPLICANT:

Fugro West, Inc.
Attn.: Mr. Robin R. Villa
3007 Bunsen Avenue, Suite F
Ventura, CA 93003

BACKGROUND:

Fugro West, Inc. (Fugro) has applied for a low energy statewide offshore Geophysical Permit. These permits are issued to qualified companies to perform geophysical surveys of the ocean bottom for the purpose of geotechnical investigation of fiber optic cable beds, oil and gas pipeline routes, marine facility sea bottom changes, seafloor hazards and debris, and emergency location of sunken boats and airplanes. These low energy surveys utilize equipment such as side scan sonar and magnetometer, which use no more than two kilojoules of energy. Air guns and other sources of high energy are expressly prohibited in the permit.

TERMS OF PROPOSED PERMIT:

Beginning October 1, 1999 through September 30, 2002.

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

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. (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 certain geophysical equipment that 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 substantive 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 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 permit, as part of the program for the project as proposed, is consistent with its use classification.

EXHIBIT:

A. Permit Regions

PERMIT STREAMLINING ACT DEADLINE:

April 5, 2000

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDINGS:

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.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO FUGRO WEST, INC., OF A NON-EXCLUSIVE GENERAL PERMIT TO CONDUCT LOW ENERGY GEOPHYSICAL SURVEYS FOR THE PERIOD OCTOBER 1, 1999, THROUGH SEPTEMBER 30, 2002, WITHIN PERMIT REGIONS I, II, III, AND IV AS DESIGNATED ON EXHIBIT A.

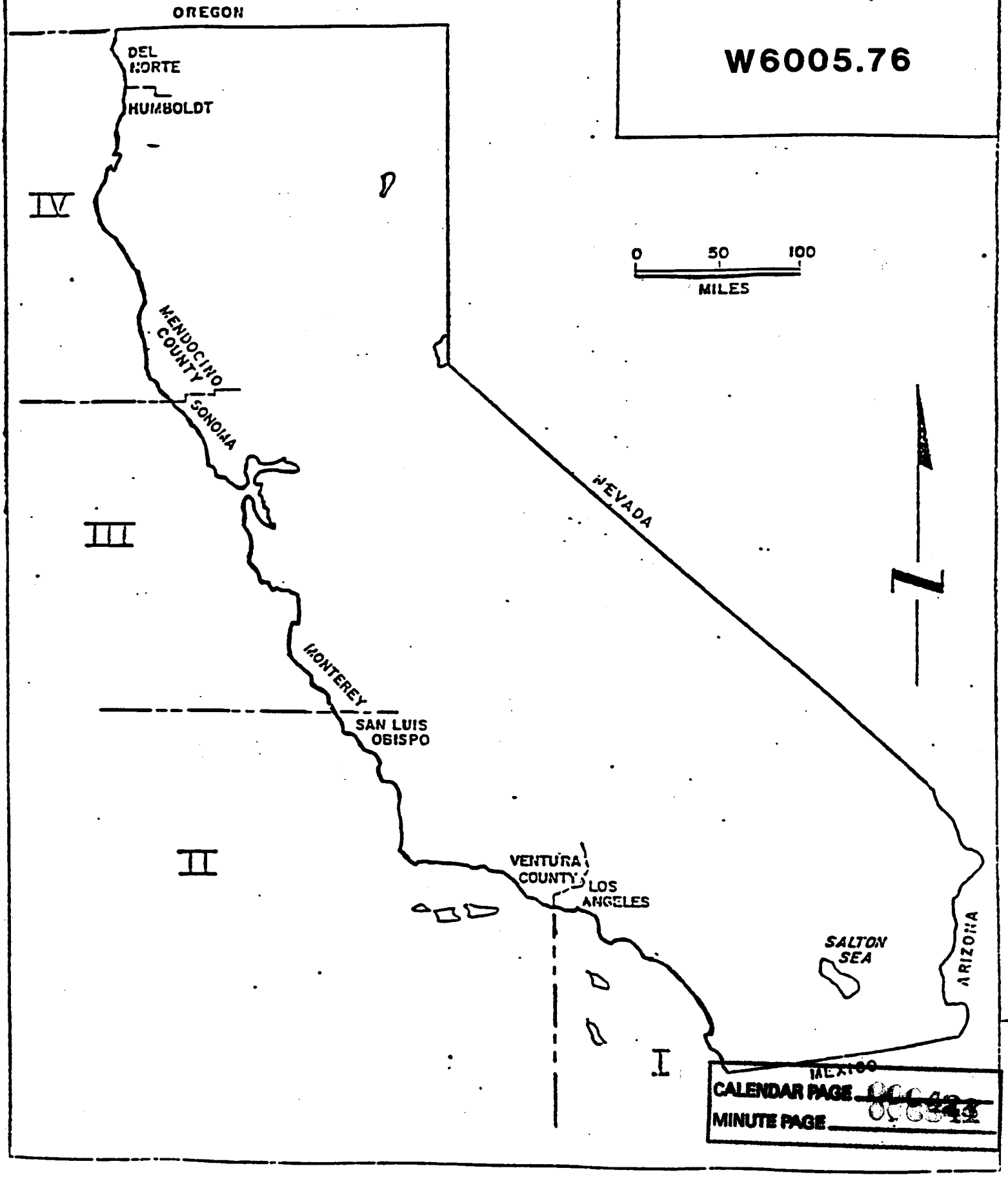
EXHIBIT "A"
PERMIT REGIONS
W6005.76
OREGON
DEL NORTE
HUMBOLDT
IV
MENDOCINO COUNTY
SONOMA
III
NEVADA
MONTEREY
SAN LUIS OBISPO
II
VENTURA COUNTY
LOS ANGELES
SALTON SEA
ARIZONA
I
MEXICO
0
50
100
MILES
CALENDAR PAGE
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