

**CALENDAR ITEM
C53**

A 41, 70

04/26/05

S 23, 35

PRC 8386

WP 8386.9

J. Smith

AMENDMENT OF LEASE

LESSEES:

Santa Monica BayKeeper
P.O. Box 10096
Marina del Rey, California 90295

Orange County CoastKeeper
441 Old Newport Blvd., Suite 105
Newport Beach, CA 92663

San Diego BayKeeper
2924 Emerson Street, Suite 220
San Diego, California 92106

CURRENT AREA, LAND TYPE, AND LOCATION:

11.77 acres, more or less, of sovereign lands in the Pacific Ocean offshore Malibu in Los Angeles County; offshore Crystal Cove State Park in Orange County; and offshore Del Mar, San Diego County.

PROPOSED AREA, LAND TYPE, AND LOCATION:

31.57 acres, more or less, of sovereign lands in the Pacific Ocean (5.39 acres offshore Malibu, 4.95 acres offshore Escondido Reef, 4.95 acres offshore Point Vicente, 4.95 acres offshore Long Point-Marine Land in Los Angeles County; 1.48 acres offshore Crystal Cove State Park, 4.95 acres offshore Treasure Island in Orange County; and 4.9 acres offshore Del Mar in San Diego County).

AUTHORIZED USE:

Kelp reforestation, including the outplanting (lab-grown juvenile plants) and transplanting of kelp.

LEASE TERM:

Five years, beginning April 1, 2002.

CALENDAR ITEM NO. C53 (CONT'D)

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

PROPOSED AMENDMENT:

Amend the land description to include an additional 19.8 acres (4.95 acres offshore Escondido Reef, 4.95 acres offshore Point Vicente, 4.95 acres offshore Long Point-Marine Land, Los Angeles County; and 4.95 acres offshore Treasure Island in Orange County). All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Lessees have permission to use an upland mariculture facility.
2. On April 9, 2002, pursuant to Minute Item 34, the Commission authorized a five-year lease (Lease No. PRC 8386.9) to the Lessees for kelp reforestation offshore Los Angeles and Orange counties. The lease was amended by the Commission on August 19, 2003, to include additional sites in Los Angeles, Orange and San Diego counties.

The Lessees have submitted an application requesting that the lease be further amended to include new sites offshore Escondido Reef, Point Vicente, Long Point-Marine Land in Los Angeles County and offshore Treasure Island in Orange County.

Lessees will use the following techniques: (1) outplanting of lab-grown juvenile plants; (2) seeding of existing fertile kelp into small mesh bags; and (3) transplanting local drift kelp. In addition, urchins in the restoration areas may be moved away from the juvenile kelp as needed, but only with the consultation of the State Department of Fish and Game.

As a result of Lessee's efforts, approximately 9,000 square meters of kelp habitat has been restored within the past three years in the areas offshore Los Angeles and Orange counties. Early data indicates a maturation of the kelp, a sustained reduction in sea urchin density and significant increases in the abundance and diversity of fish.

The expanded sites will be included in the Lessees' five-year monitoring effort and Lessees will continue to provide Commission staff with annual reports summarizing all activities and results.

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3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA under the general rule that the CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes, based on the information available to it, that there is no possibility that this project may have a significant effect on the environment.

Authority: Title 14, California Code of Regulations, section 15061 (b)(3).

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 project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

U.S. Fish and Wildlife Service; California Regional Water Quality Control Boards; California Coastal Commission; California Department of Fish and Game

EXHIBITS:

- A. Land Description
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

June 3, 2005

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061, BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 (b)(3).

SIGNIFICANT LANDS INVENTORY FINDING:

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CALENDAR ITEM NO. C53 (CONT'D)

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

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 8386.9, A GENERAL LEASE - HABITAT RESTORATION, OF LANDS DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE MAY 1, 2005, TO AMEND THE LAND DESCRIPTION TO INCLUDE NEW KELP REFORESTATION SITES AS FOLLOWS: 4.95 ACRES OFFSHORE ESCONDIDO REEF, 4.95 ACRES OFFSHORE POINT VICENTE, 4.95 ACRES OFFSHORE LONG POINT-MARINE LAND, IN LOS ANGELES COUNTY; AND 4.95 ACRES OFFSHORE TREASURE ISLAND IN ORANGE COUNTY ; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

EXHIBIT A

WP 8386.9

LAND DESCRIPTION

ESCONDIDO RESTORATION AREA 1

A parcel of sovereign land of the State of California, in the Pacific Ocean, Santa Monica Bay, Los Angeles County, California, more particularly described as follows:

A circular parcel of land having a radius of 25.231 meters, the center of said parcel having the following geographic coordinates: longitude 118°46'39.9" W, and latitude 34°01'13.6" N, WGS84 datum.

ESCONDIDO RESTORATION AREA 2

A parcel of sovereign land of the State of California, in the Pacific Ocean, Santa Monica Bay, Los Angeles County, California, more particularly described as follows:

A circular parcel of land having a radius of 79.788 meters, the center of said parcel having the following geographic coordinates: longitude 118°45'54.1" W, and latitude 34°01'18.3" N, WGS84 datum.

ESCONDIDO REEF RESTORATION AREA

A parcel of sovereign land of the State of California, in the Pacific Ocean, Santa Monica Bay, Los Angeles County, California, more particularly described as follows:

A circular parcel of land having a radius of 79.788 meters, the center of said parcel having the following geographic coordinates: longitude 118°46'02.2" W, and latitude 34°01'17.4" N, WGS84 datum.

POINT VICENTE RESTORATION AREA

A parcel of sovereign land of the State of California, in the Pacific Ocean, Los Angeles County, California, more particularly described as follows:

A circular parcel of land having a radius of 79.788 meters, the center of said parcel having the following geographic coordinates: longitude 118°24'29.9" W, and latitude 33°44'23.6" N, WGS84 datum.

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LONG POINT – MARINELAND RESTORATION AREA

A parcel of sovereign land of the State of California, in the Pacific Ocean, Los Angeles County, California, more particularly described as follows:

A circular parcel of land having a radius of 79.788 meters, the center of said parcel having the following geographic coordinates: longitude 118°23'47.4" W, and latitude 33°44'07.1" N, WGS84 datum.

CRYSTAL COVE RESTORATION SITE 1

A parcel of sovereign land of the State of California, in the Pacific Ocean, Gulf of Santa Catalina, Orange County, California, more particularly described as follows:

A circular parcel of land having a radius of 25.231 meters, the center of said parcel having the following geographic coordinates: longitude 117°50'46.9" W, and latitude 33°34'28.1" N, WGS84 datum.

CRYSTAL COVE RESTORATION SITES 2A & 2D

A parcel of sovereign land of the State of California, in the Pacific Ocean, Gulf of Santa Catalina, Orange County, California, more particularly described as follows:

A circular parcel of land having a radius of 25.231 meters, the center of said parcel having the following geographic coordinates: longitude 117°50'17.0" W, and latitude 33°34'06.5" N, WGS84 datum.

CRYSTAL COVE RESTORATION SITE 2B

A parcel of sovereign land of the State of California, in the Pacific Ocean, Gulf of Santa Catalina, Orange County, California, more particularly described as follows:

A circular parcel of land having a radius of 17.841 meters, the center of said parcel having the following geographic coordinates: longitude 117°50'16.8" W, and latitude 33°33'56.4" N, WGS84 datum.

CRYSTAL COVE RESTORATION SITE 2C

A parcel of sovereign land of the State of California, in the Pacific Ocean, Gulf of Santa Catalina, Orange County, California, more particularly described as follows:

A circular parcel of land having a radius of 17.841 meters, the center of said parcel having the following geographic coordinates: longitude 117°50'05.2" W, and latitude 33°33'50.9" N, WGS84 datum.

TREASURE ISLAND RESTORATION AREA

A parcel of sovereign land of the State of California, in the Pacific Ocean, Gulf of Santa Catalina, Orange County, California, more particularly described as follows:

A circular parcel of land having a radius of 79.788 meters, the center of said parcel having the following geographic coordinates: longitude 117°45'43.6" W, and latitude 33°30'47.2" N, WGS84 datum.

DEL MAR RESTORATION AREA

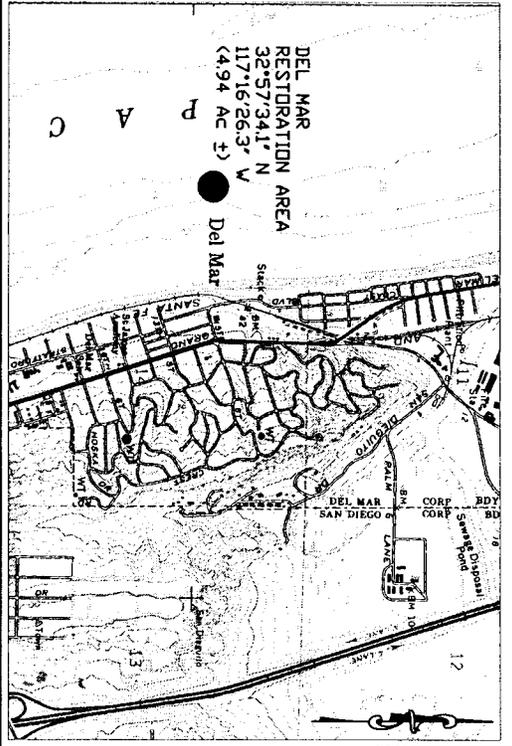
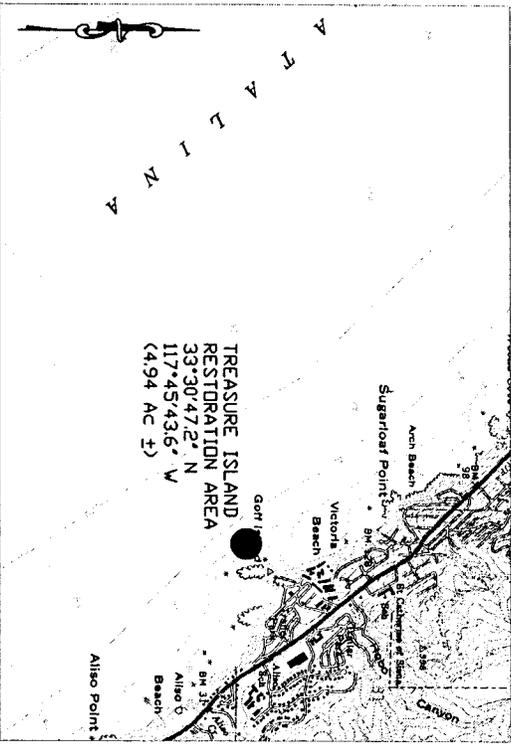
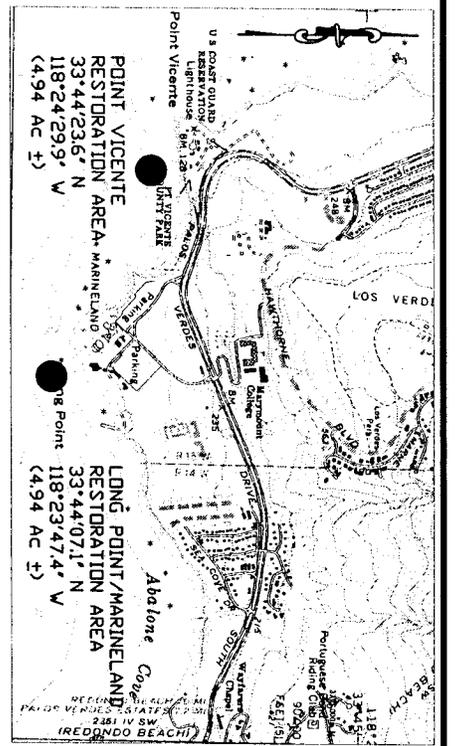
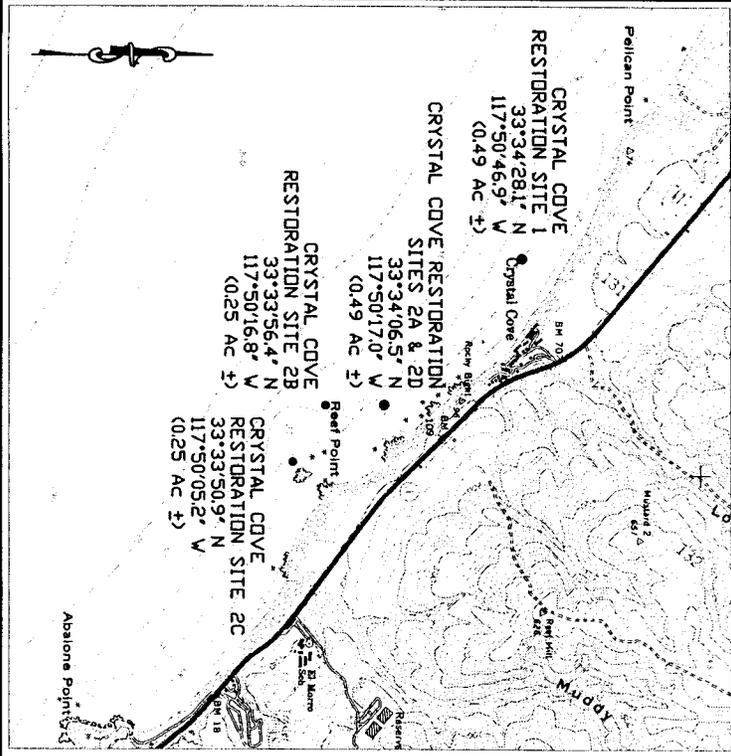
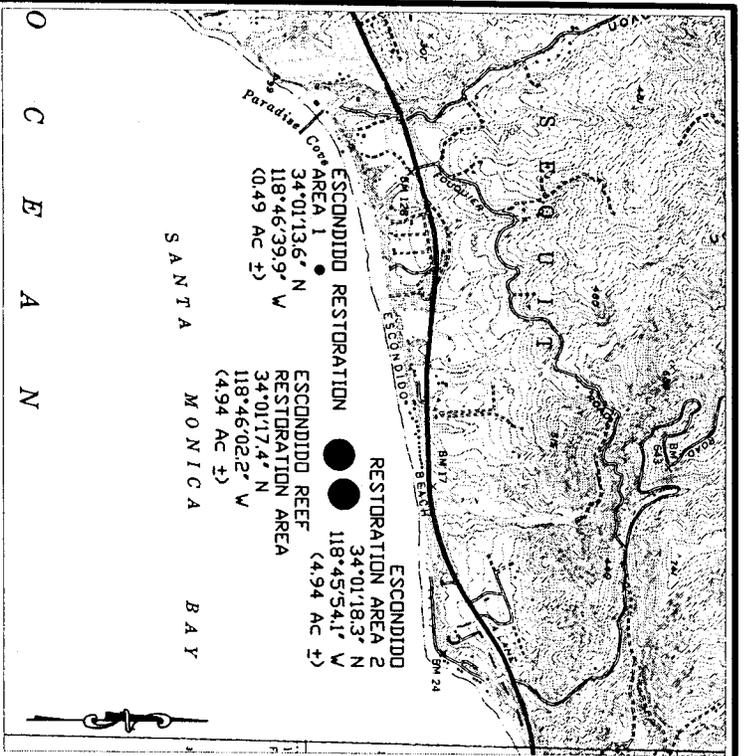
A parcel of sovereign land of the State of California, in the Pacific Ocean, San Diego County, California, more particularly described as follows:

A circular parcel of land having a radius of 79.788 meters, the center of said parcel having the following geographic coordinates: longitude 117°16'26.3" W, and latitude 32°57'34.1" N, WGS84 datum.

END OF DESCRIPTION

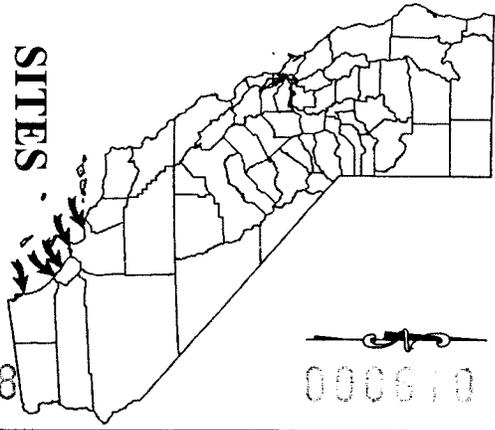
ORIGINALLY PREPARED AUGUST 5, 2003; AMENDED APRIL 6, 2005 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT





This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by Lessee or other parties, and is not intended to be, nor shall it be construed as a waiver or limitation of any state interest in the subject or any other property.

CALIFORNIA MAP



CALIFORNIA STATE LANDS COMMISSION

EXHIBIT B
WP 8386.9
 Santa Monica BayKeeper/
 Orange County BayKeeper/
 San Diego BayKeeper

KELP RESTORATION PROJECT

DRAWING FILE: WP8386_Kelp_omend.dwg	SHEET
DRAWN BY: DMC	FILE NO: WP 8386.9
DATE: 04/07/05	SCALE: 1:1000
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