

MINUTE ITEM

This Calendar Item No. C2  
was approved as Minute Item  
No. 2 by the State Lands  
Commission by a vote of 3  
to 0 at its 11/21/78  
meeting.

CALENDAR ITEM

1/78  
W 21599  
Atkins

C2.

GENERAL PERMIT  
PUBLIC AGENCY USE

APPLICANT:

California Department of  
Fish and Game  
1416 Ninth Street  
Sacramento, California 95814

AREA, TYPE LAND AND LOCATION:

Tide and submerged land surrounding San  
Miguel Island, Santa Barbara County.

LAND USE:

Establishment and operation of an ecological  
reserve.

TERMS OF PROPOSED PERMIT:

Initial period: 49 years from February 1,  
1978.

The Commission is reserving the right to  
drill and produce oil and gas should the  
demised area become subject to drainage  
from adjacent wells.

CONSIDERATION:

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

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3,  
Arts. 1, 2, 6.5,  
10 & 11.

OTHER PERTINENT INFORMATION:

- 1. This project is exempt from CEQA because  
this project consists of an action  
by a regulatory agency for the protection  
of natural resources.

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S 18

Replaced in kind 7/21/78 due to bad xerox copy.

CALENDAR ITEM NO. 52. (CONTD)

Authority: Public Resources Code  
21085, 14 Cal. Adm. Code 15100 et seq.,  
and 2 Cal. Adm. Code 2907.

2. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class A which authorizes Restricted Use.

Staff has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

3. The establishment of this Ecological Reserve will provide an opportunity to protect one of the least disturbed marine environments in California waters. This reserve is exempt from the requirements of Article 6.5, of Title 2, of the California Administrative Code, because this reserve is not a development within the meaning of Section 2503, of Title 2, of the California Administrative Code, and Section 30105, of the Public Resources Code.

FURTHER APPROVALS REQUIRED:

U. S. Park Service.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PUBLIC RESOURCES CODE 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. DETERMINE THAT THIS PROJECT IS EXEMPT FROM THE REQUIREMENTS OF ARTICLE 6.5, OF TITLE 2 OF THE CALIFORNIA ADMINISTRATIVE CODE, BECAUSE THIS PROJECT IS NOT A DEVELOPMENT WITHIN THE MEANING OF SECTION 2503, OF TITLE 2 OF THE CALIFORNIA ADMINISTRATIVE CODE, AND SECTION 30105, OF THE PUBLIC RESOURCES CODE.

CALENDAR ITEM NO. 02. (CONTD)

3. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
4. AUTHORIZE ISSUANCE TO CALIFORNIA DEPARTMENT OF FISH AND GAME OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM FEBRUARY 1, 1979; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR THE ESTABLISHMENT AND OPERATION OF AN ECOLOGICAL RESERVE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF. IT IS UNDERSTOOD THAT THE COMMISSION RESERVES THE RIGHT TO DRILL AND PRODUCE OIL AND GAS, AND OTHER HYDROCARBONS FROM THE DEMISED AREA, IF THE AREA BECOMES SUBJECT TO DRAINAGE OF THESE SUBSTANCES FROM WELLS PRODUCING ON ADJACENT AREAS.

Attachment: Exhibit "A"

EXHIBIT "A"

W 21599

All those tide and submerged lands in the Pacific Ocean contiguous to San Miguel Island, Santa Barbara County, California, lying between the mean high tide line of said island and a line every point of which is at a distance of one nautical mile from the nearest point on said mean high tide line.

END OF DESCRIPTION

Prepared by Blanket Letter Checked Frank T. Coyne  
Reviewed Dr. J. Pennecke Date 11/22/77  
ZJB