

MINUTE ITEM

This Calendar item No. 39
was approved as Minute Item
No. 39 by the State Lands
Commission by a vote of 3
to 0 at its 3/27/90
meeting.

CALENDAR ITEM

A)
S) Statewide

- 39

03/27/90
W 6005.17 PRC 7387
Nitsche

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

APPLICANT: Engineering Hydraulics, Inc.
Attn: Charles E. Sweeney
14715 N.E. 95th Street, Suite #100
Redmond, Washington 98052

PROPOSED AUTHORIZATION:
Approval of a Non-Exclusive Geophysical Permit
to conduct geophysical surveys on tide and
submerged lands under the ownership and
jurisdiction of the State Lands Commission.
(See Figure 1)

TERM: The term of the Non-Exclusive Geophysical
Survey Permit is from April 1, 1990 through
September 30, 1990.

PREREQUISITE ITEMS:
Required statutory filing fee, expense deposit
and performance bond.

STATUTORY REFERENCES:
A. P.R.C. Section 6826.
B. Cal. Code Regs., Title 2, Article 2.9,
Section 2100.
C. Cal. Code Regs., Title 2,
Section 2905(e)(3).

AB 884: 07/19/90.

CALENDAR PAGE 319
MINUTE PAGE 680

0.1474

OTHER PERTINENT INFORMATION:

1. On May 24, 1984, the Commission, pursuant to the provisions of the CEQA, considered and adopted a Proposed Negative Declaration (ND 358, State Clearinghouse 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 October 7, 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 and environmental impact report. However, the Commission also found that no new information revealed any substantial evidence the use of passive equipment of low acoustic pulse generating equipment, such a side-scan sonar and magnetometers, would have a significant effect on the environment. Based upon the May 24, 1984 Negative Declaration, the Commission, therefore, approved issuance of permits of the kind for which the applicant here applies.
3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et. seq. Based upon the staff's consultation with the person 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: Figure 1. Map of Survey Areas.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT ON MAY 24, 1984, A NEGATIVE DECLARATION, ND 358, STATE CLEARINGHOUSE 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 THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN AND THE COMMENTS IN THE COMMISSION'S FILES WHICH WERE RECEIVED IN RESPONSE THERETO.
2. DETERMINE THAT THERE IS NO SUBSTANTIAL EVIDENCE THAT THE PROGRAM UNDER WHICH ISSUANCE OF THE PERMIT IS PROPOSED, AS REVISED AND APPROVED, WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. AUTHORIZE ISSUANCE TO ENGINEERING HYDRAULICS, INC. OF A NON-EXCLUSIVE GENERAL PERMIT TO CONDUCT GEOPHYSICAL SURVEYS FOR THE PERIOD APRIL 1, 1990 THROUGH SEPTEMBER 30, 1990, WITHIN TIDE AND SUBMERGED LANDS AS DEFINED ON FIGURE 1 ATTACHED HERETO.

Figure 1

PERMIT REGIONS

