

**CALENDAR ITEM
C95**

A	Statewide	10/14/14 W 6005.147 RA# 05914
S	Statewide	R. B. Greenwood K. Keen

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

APPLICANT:

Gahagan and Bryant Associates, Inc.
Attn.: Mr. David Eller, Vice President
772 Tuna Street
San Pedro, CA 90731

BACKGROUND:

Gahagan and Bryant Associates, Inc. has applied for a low energy statewide offshore Geophysical Permit covered under the California State Lands Commission's (Commission) Offshore Geophysical Permit Program (OGPP). This permit is issued to qualified companies to perform geophysical surveys of the ocean bottom for purposes including, but not limited to:

- Scientific research, including surveys of near-shore sand erosion and deposition, seafloor changes, and seafloor topography and bathymetry;
- Surveying existing pipelines to assess any structural damage, corrosion, or spanning that could lead to a pollutant release;
- Identifying and avoiding seafloor hazards and faults when designing pipeline- and cable-laying projects, reducing the likelihood of dangerous leaks, ruptures and breakages;
- Surveying existing fiber-optic cables and other seafloor structures to determine how well they are buried;

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- Developing maps of hard bottom and essential fish habitat or cultural resources indicating where the placement of permanent or temporary objects (e.g., cables or anchors) should be precluded; and
- Searching for the locations of historic shipwrecks, other sunken boats, and airplanes.
- Supporting and auditing dredging operations in harbors and navigation channels.

Low energy geophysical surveys conducted under the OGPP authorize the use of electromechanical (e.g., echosounders, side-scan sonar, sub-bottom profilers) and passive equipment (e.g., magnetometers, remotely operated vehicles [ROVs]); the use of high energy devices, including airguns and water guns, require project-specific environmental analysis by the Commission and are expressly prohibited in the OGPP permit in advance of scheduled survey activity under the permit, the permit holder is required to post a \$50,000 surety bond, detail the specifications for the equipment to be employed, provide notification of operations, and develop Marine Wildlife Contingency Plans and Oil Spill Contingency Plans. The permit holder will also submit post survey reports, including permit-required records of observations and/or incidents. Upon request, the Commission staff will receive copies of all data derived from any and all surveys under the permit.

TERMS OF PROPOSED PERMIT:

Three years, beginning October 15, 2014, through October 14, 2017.

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, subdivision (c).
- C. California Code of Regulations, Title 2, Article 2.9, section 2100.
- D. California Code of Regulations, Title 14, section 15074.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State California Environmental Quality Act (CEQA) Guidelines (Cal. Code Regs., tit.14, § 15025), Commission staff prepared a Mitigated Negative

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Declaration (MND) identified as CSLC MND No. 751, State Clearinghouse No. 2013072021. The MND was prepared and circulated for public review pursuant to the provisions of CEQA, and adopted by the Commission on September 20, 2013.

2. On September 20, 2013, the Commission found that, based upon the entire record before the Commission, including the Initial Study, the MND, and the comments received in response thereto, there is no substantial evidence that the program may have a significant effect on the environment; California Code of Regulations, Title 14, section 15074, subdivision (b). A Mitigation Monitoring Program was prepared in conformance with the provisions of CEQA (Pub. Resources Code, section 21081.6).
3. Commission staff prepared an addendum to the previously adopted MND pursuant to California Code of Regulations, Title 14, section 15164, subdivision (b). Commission staff reviewed the proposed changes to the General Permit and Mitigation Monitoring Program and determined that none of the events specified in section 21166 of CEQA had occurred, and therefore, no additional CEQA analysis was required.
4. On April 23, 2014, the Commission adopted an addendum to the MND, CSLC MND No. 751, State Clearinghouse No. 2013072021, which revised the General Permit and Mitigation Monitoring Program.

EXHIBIT:

- A. Permit Regions

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

1. Find that the MND, CSLC No. 751, State Clearinghouse No. 2013072021, and Mitigation Monitoring Program was prepared by Commission staff and adopted on September 20, 2013.
2. Find that the addendum to the MND, including a revised General Permit and Mitigation Monitoring Program was prepared by Commission staff and adopted on April 23, 2014 pursuant to the provisions of CEQA.

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3. Find that the Commission reviewed and considered the information contained in the previously adopted MND and addendum, that both the adopted MND and the addendum adequately analyzed the scope of activities to be carried out under the permit to be issued under this authorization, and that adopted MND and addendum reflect the Commission's independent judgment and analysis.

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance to Gahagan and Bryant Associates, Inc. of a Non-Exclusive General Permit to conduct low energy geophysical surveys from October 15, 2014, through October 14, 2017, within Permit Regions I, II, III, and IV as designated on Exhibit A, attached hereto.

EXHIBIT A PERMIT REGIONS

