

MINUTE ITEM

This Calendar Item
No. 3
8/31/78

CALENDAR ITEM

C3.

GENERAL PERMIT
PUBLIC AGENCY USE

8/78
W 21844
Atkins
PRC 5518

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

Attn: Mr. Emil Smith

AREA, TYPE LAND AND LOCATION: Tide and submerged land in the Pacific Ocean contiguous to Anacapa and Santa Barbara Islands. The areas within the proposed reserves will be situated between the mean high tide line and 1 mile waterward around each island.

LAND USE: Establishment and operation of ecological reserves.

TERMS OF PROPOSED PERMIT:

Initial period: 49 years from September 1, 1978.

Special: 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.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:

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

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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. This project is exempt from Coastal Regulations; Article 6.5, of Title 2, of the Cal. Adm. Code, as these reserves are not developments within the meaning of Section 2503 of Title 2, of the Cal. Adm. Code, and Section 30105 of the Public Resources Code.

4. Further approvals required: None.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 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 CAL. ADM. CODE BECAUSE, THIS PROJECT IS NOT A DEVELOPMENT WITHIN THE MEANING OF SECTION 2503 OF TITLE 2 OF THE CAL. ADM. CODE AND SECTION 30105 OF THE PUBLIC RESOURCES CODE.
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.

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4. AUTHORIZE ISSUANCE TO THE CALIFORNIA DEPARTMENT OF FISH AND GAME OF A 49-YEAR GENERAL PERMIT PUBLIC AGENCY USE FROM SEPTEMBER 1, 1978; 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 ECOLOGICAL RESERVES AT ANACAPA AND SANTA BARBARA ISLANDS 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 DENISED AREA, IF THE AREA BECOMES SUBJECT TO DRAINAGE OF THESE SUBSTANCES FROM WELLS PRODUCING ON ADJACENT AREAS.

EXHIBIT "A"

LAND DESCRIPTION

W 21844

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

END OF DESCRIPTION

Prepared Michael B. Beckland Checked M. J. Shafar
Reviewed J. M. Hunt Date Aug 31/78

