

MINUTE ITEM

This Calendar Item No. 29
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Date 9/25/86

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C09

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PRC 3136
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TERMINATION OF LIFE OF STRUCTURE PERMIT
PRC 3136, AND ISSUANCE OF GENERAL PERMIT - PUBLIC AGENCY

APPLICANT: California Department of
Fish and Game
245 West Broadway, Suite 350
Long Beach, California 90802

AREA, TYPE LAND AND LOCATION:
Two parcels of submerged land totaling
488.3± acres in the Pacific Ocean, near the
City of Oceanside, San Diego County.

LAND USE: Construct and maintain two artificial fishing
reefs:

TERMS OF PROPOSED PERMIT:
Initial period: 25 years beginning
September 1, 1986.

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.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:
N/A

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and processing costs have been
received.

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STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. The California Department of Fish and Game proposes to develop two new artificial fishing reefs near the City of Oceanside. One site (Parcel 1 in Exhibit "A" herein) contains 69.7± acres and will replace an existing 4.3± acre artificial reef; this existing reef is covered by PRC 3136 - a Life of Structure permit that is proposed for termination herein. The second site (Parcel 2 in Exhibit "A" herein) contains 418.6± acres.
2. In 1985, Assembly Bill 706 was enacted authorizing the California Department of Fish and Game to construct a series of experimental artificial reefs along the California coast for the purpose of developing optimum reef design, and management of fisheries enhancement programs. These two proposed reefs are part of that series. The fishing reefs will draw sportsmen from throughout Southern California, whereas existing natural reefs are too remote along the southern coastline to benefit most small-boat fishermen.
3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands.
4. As to the termination of the Life of Structure Permit, pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that

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this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

5. As to the issuance of the General Permit, pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 4, Minor Alteration to Land, 14 Cal. Adm. Code 15304(d).

Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15300.

APPROVALS OBTAINED:

Coastal Commission, Regional Water Quality Control Board, and United States Army Corps of Engineers.

EXHIBITS:

- A. Land Description.
- B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AS TO THE TERMINATION OF THE LIFE OF STRUCTURE PERMIT, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. AS TO THE ISSUANCE OF THE GENERAL PERMIT, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND, 14 CAL. ADM. CODE 15304(d).
3. FIND THAT THIS ACTIVITY WILL INVOLVE LANDS IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES PURSUANT TO P.R.C. 6370, ET SEQ., BUT THAT SUCH ACTIVITY WILL HAVE NO DIRECT OR INDIRECT EFFECT ON SUCH LANDS.

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4. APPROVE THE TERMINATION OF LIFE OF STRUCTURE PERMIT PRC 3136, AND AUTHORIZE ISSUANCE TO CALIFORNIA DEPARTMENT OF FISH AND GAME OF A 25-YEAR GENERAL PERMIT - PUBLIC AGENCY USE BEGINNING SEPTEMBER 1, 1986; 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 CONSTRUCTION AND MAINTENANCE OF TWO ARTIFICIAL FISHING REEFS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

Two parcels of submerged land in the Pacific Ocean near Oceanside, San Diego County, California, said parcels being more particularly described as follows:

PARCEL 1

BEGINNING at a point having California Coordinate System, Zone 6, coordinates of N=373397.72 and E=1644852.74; thence S 42° 46' 24" E, 1113.00 feet; thence S 56° 26' 29" W, 2877.15 feet; thence N 32° 32' 44" W, 1086.89 feet; thence N 56° 11' 12" E, 2679.73 feet to the point of beginning.

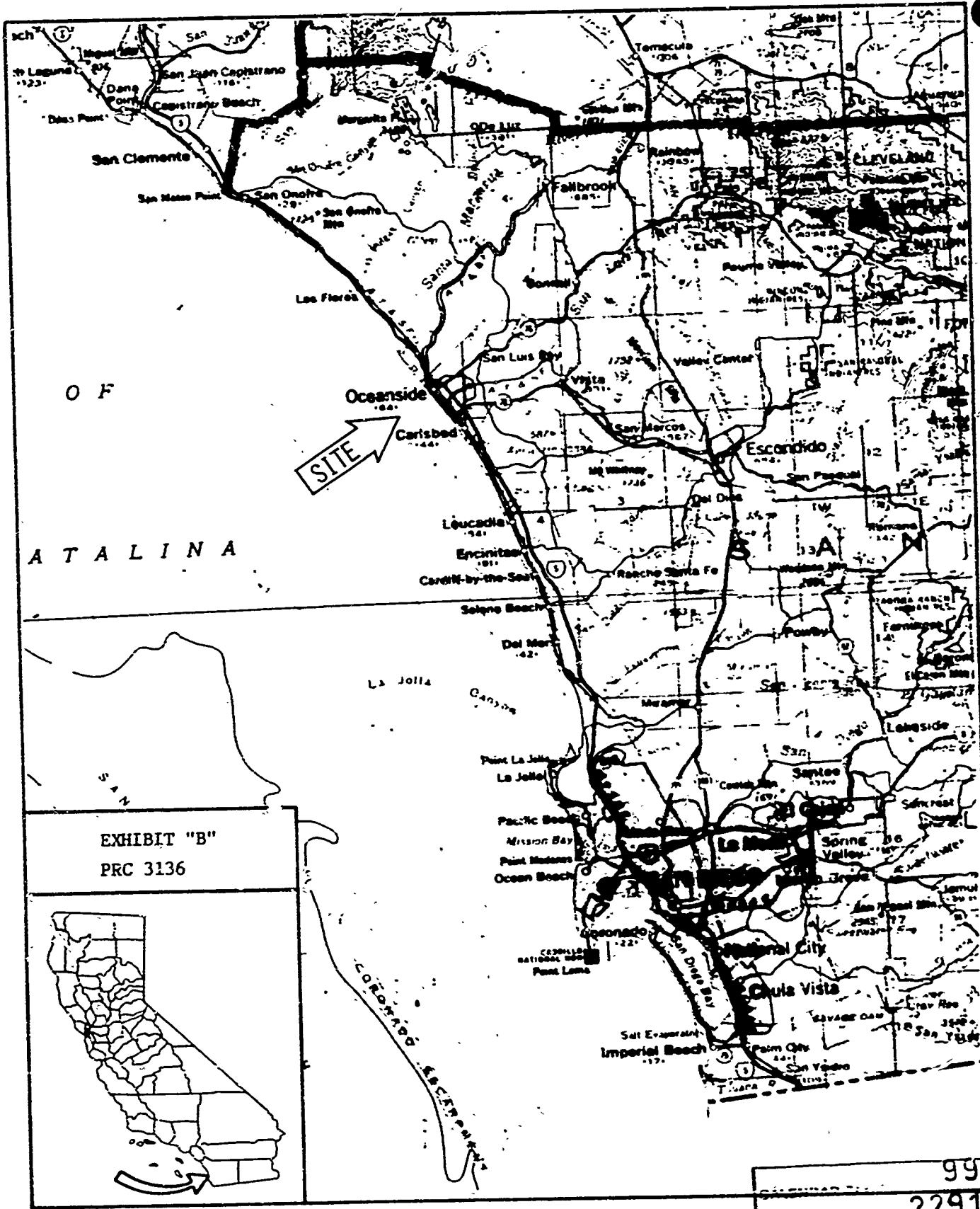
PARCEL 2

BEGINNING at a point having California Coordinate System, Zone 6, coordinates of N=382439.77 and E=1640705.07; thence S 33° 16' 42" E, 3044.96 feet; thence S 55° 17' 32" W, 5938.62 feet; thence N 32° 14' 23" W, 3129.44 feet; thence N 56° 05' 46" E, 5880.40 feet to the point of beginning.

This description is based on the California Coordinate System, Zone 6.

END OF DESCRIPTION

REVISED AUGUST 21, 1986, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.



O F
A T A L I N A

EXHIBIT "B"
PRC 3136

