

MINUTE ITEM

This Calendar Item No. C34 was approved as Minute Item No. 34 by the California State Lands Commission by a vote of 3 to 0 at its 4-9-02 meeting.

**CALENDAR ITEM
C34**

A 41,70

04/09/02

S 23,35

PRC 8386

W 25785

J. Smith

GENERAL LEASE

LESSEE:

Orange County CoastKeeper
441 Old Newport Boulevard, #103
Newport Beach, California 92663

Santa Monica BayKeeper
P.O. Box 10096
Marina del Rey, California 90295

AREA, LAND TYPE, AND LOCATION:

.98 acres (.49 acres at each location), more or less, of sovereign lands in the Pacific Ocean, offshore Malibu and Crystal Cove State Park, Los Angeles and Orange counties.

AUTHORIZED USE:

Kelp reforestation, including the outplanting and transplanting of kelp.

LEASE TERM:

Five years, beginning April 1, 2002.

CONSIDERATION:

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

Liability insurance with coverage of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicants have permission to use an upland mariculture facility.
2. The Applicants are proposing to restore kelp populations, specifically *Macrocystis pyrifera*, in two areas offshore Escondido Beach in Malibu,

CALENDAR PAGE 000195
MINUTE PAGE 000801

CALENDAR ITEM NO. C34 (CONT'D)

Los Angeles County, and within Crystal Cove State Park in Orange County. The sites were selected based on historic kelp levels and potential for survival. The Applicants will gather drift kelp for transplanting purposes. Juvenile kelp plants will be grown at a mariculture facility associated with the Southern California Marine Institute. The plants will be grown until they reach sufficient size to be planted at the restoration sites. Approximately 1500 juvenile kelp plants will be planted at each area. The juvenile kelp will be attached to ceramic tiles with natural-latex (biodegradable) rubber bands. The tiles and rubber bands will be removed as the maturing plants grow and attach themselves to the natural reef structure. In addition to transplanting lab grown kelp, the Applicants propose to relocate fertile kelp (a maximum of 12 transplanted kelp plants per area) in an effort to reduce the grazing pressure from local herbivores on the newly planted juvenile plants.

The Applicants will conduct monitoring for five years and are required to provide an annual report summarizing all project activities and results to appropriate agencies.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA under the general rule that the CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes, based on the information available to it, that there is no possibility that this project may have a significant effect on the environment.

Authority: Title 14, California Code of Regulations, section 15061(b)(3).

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

U. S. Coast Guard; U.S. Fish and Wildlife Service; National Marine Fisheries Service; California Regional Water Quality Control Board; State Department of Fish and Game; State Department of Parks and Recreation.

CALENDAR PAGE	000196
MINUTE PAGE	0000802

CALENDAR ITEM NO. C34 (CONT'D)

FURTHER APPROVALS REQUIRED:

U. S. Army Corps of Engineers; California Coastal Commission; California State Lands Commission.

EXHIBITS:

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

PERMIT STREAMLINING ACT DEADLINE:

May 7, 2002

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061(b)(3).

SIGNIFICANT LANDS INVENTORY FINDING:

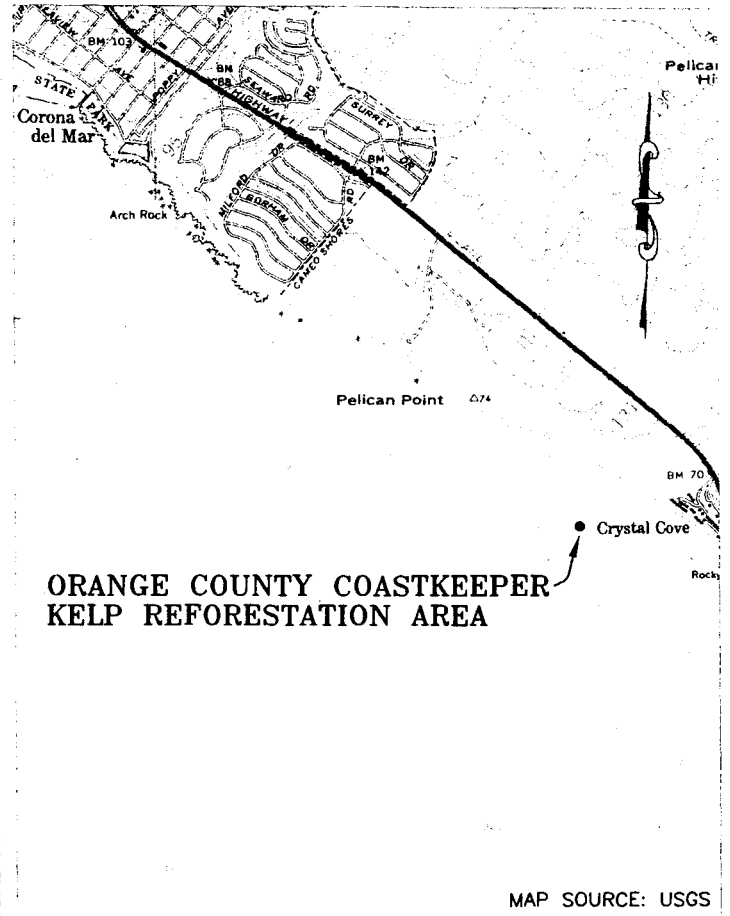
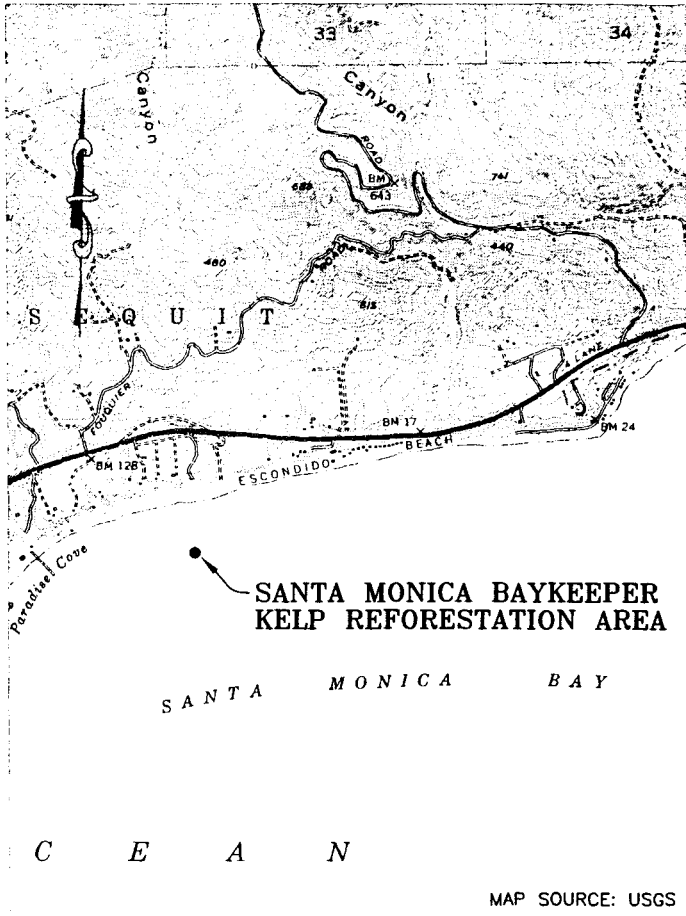
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO ORANGE COUNTY COASTKEEPER AND SANTA MONICA BAYKEEPER OF A GENERAL LEASE, BEGINNING APRIL 1, 2002, FOR A TERM OF FIVE YEARS, FOR KELP REFORESTATION ON THE LAND DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000.

NO SCALE

LOCATION MAP



PARCEL A

ESCONDIDO BEACH AREA, L.A. CO.

PARCEL B

CRYSTAL COVE AREA, ORANGE CO.

NO SCALE

CALIFORNIA MAP



EXHIBIT A

W 25785

Santa Monica BayKeeper/
Orange County CoastKeeper

KELP REFORESTATION PROJECT

Los Angeles and

CALIFORNIA STATE LANDS COMMISSION

MINUTE PAGE

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by Lessee or other parties, and is not intended to be, nor shall it be construed as a waiver or limitation of any state interest in the subject or any other property.

EXHIBIT B

W 25785

LAND DESCRIPTION

PARCEL A

A parcel of sovereign land of the State of California, in the Pacific Ocean, Santa Monica Bay, Los Angeles County, California, more particularly described as follows:

A circular parcel of land having a radius of 25.231 meters, the center of said parcel having the following geographic coordinates: longitude 118°46'39.9" W, and latitude 34°01'13.6" N, WGS84 datum.

PARCEL B

A parcel of sovereign land of the State of California, in the Pacific Ocean, Gulf of Santa Catalina, Orange County, California, more particularly described as follows:

A circular parcel of land having a radius of 25.231 meters, the center of said parcel having the following geographic coordinates: longitude 117°50'46.9" W, and latitude 33°34'28.1" N, WGS84 datum.

END OF DESCRIPTION

PREPARED BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT.

