

**STAFF REPORT
C59**

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D. Simpkin

GENERAL LEASE – OTHER

APPLICANT:

L.A. Seismic, LLC

PROPOSED LEASE:

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Pacific Ocean, located adjacent to Seal Beach, city of Seal Beach, Orange County.

AUTHORIZED USE:

Installation, monitoring, and removal of 116 geophone seismic nodes.

LEASE TERM:

Four months, beginning November 29, 2017.

CONSIDERATION:

\$125 for the term of the lease.

SPECIFIC LEASE PROVISIONS:

Lessee shall remove all geophone seismic nodes no later than the end date of the lease; liability insurance in an amount no less than \$1,000,000 per occurrence.

STAFF ANALYSIS AND RECOMMENDATION:

Authority:

Public Resources Code sections 6005, 6216, 6301, 6501.1, and 6503;
California Code of Regulations, title 2, sections 2000 and 2003.

Public Trust and State's Best Interests Analysis:

The Applicant has submitted an application for a General Lease – Other for a research project to provide a better understanding of the exact locations of faults and areas prone to liquefaction in the Seal Beach area of Orange County.

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The Applicant proposes to place 116 geophone seismic nodes offshore Seal Beach in January 2018, for approximately 30 to 45 days. Unlike other seismic survey equipment, which can use high- or low-energy acoustic sources to collect data, the nodes use passive receptors (i.e., no acoustic energy is emitted) to detect seismic vibrations. The nodes will be placed on sandy seafloor habitat, outside the surf zone, and at water depths of 10 to 30 feet. Node placement will be performed by divers from a small boat, and a qualified biologist will be present during placement to monitor for wildlife. Each node will be tethered to a small submarine buoy, which will float 1 foot above the node. Node deployment and retrieval will each take approximately 3 to 5 days each.

The information collected will enhance the understanding of the Newport-Inglewood Fault and aid in developing models to determine areas vulnerable to increased shaking during a seismic event. The sensors will also locate very small earthquakes (microseismicity) which will help identify the locations of subsurface faults.

The research is supported by the Water Replenishment District of Southern California, U.S. Geological Survey (USGS), and the California Institute of Technology (CalTech). The results and data collected from the project will be shared with USGS and CalTech.

Climate Change:

The project is a short-term (4-month lease) research/monitoring project offshore Seal Beach in Orange County. The activity would not involve the construction of permanent structures or facilities. Due to the type of activity and short-term, temporary nature of the project, the effects of sea-level rise would not affect the project.

Conclusion:

Scientific study and education are generally consistent with the common law Public Trust Doctrine. The proposed lease is limited to a 4-month term and does not grant the Applicant exclusive rights to the lease premises. The activity would not involve the construction of permanent structures or facilities, and all temporary equipment would be located underwater. Upon termination of the lease, the Applicant will be required to remove all improvements from State land.

For all the reasons above, Commission staff believes the issuance of this lease is consistent with the common law Public Trust Doctrine, will not substantially interfere with Public Trust needs at this time, and is in the best interests of the State.

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OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation, and responsible economic use of the lands and resources under the Commission's jurisdiction.

2. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 6, Information Collection; California Code of Regulations, title 2, section 2905, subdivision (e)(3).

Authority: Public Resources Code section 21084 and California Code of Regulations, title 14, section 15300 and California Code of Regulations, title 2, section 2905.

3. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon staff's consultation with the persons nominating such lands and through the CEQA review process, it is staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, title 14, section 15061 as a categorically exempt project, Class 6, Information Collection; California Code of Regulations, title 2, section 2905, subdivision (e)(3).

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed lease will not substantially interfere with the Public Trust needs and values at this location, at this time, and for the foreseeable term of the lease; is consistent with the common law Public Trust Doctrine; and is in the best interests of the State.

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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 of a General Lease – Other to L.A. Seismic, LLC, beginning November 29, 2017, for a term of 4 months, for the installation of 116 geophone seismic nodes as described in Exhibit A, and shown in Exhibit B (for reference purposes only) attached and by this reference made a part hereof; rent in the amount of \$125 for the term of the lease; liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT B
LAND DESCRIPTION

BEGINNING at the point along the County Line common to Los Angeles and Orange Counties where it is intersected by a line from Point TL 120, as shown on Sheet 21 of the map of the *Survey of the Compromise Tideland Boundary Along the Ocean Front, City of Long Beach*, indexed as map no. CB 1438 to 1458, records of the California State Lands Commission, and Station 1 as shown on the map of the *Survey of the Ordinary High Water Mark on the Shore of the Pacific Ocean in Sec. 13, 14, & 24, T.5 S., R.12 W., SBM*, indexed as map no. CB 320 to 322, records of the California State Lands Commission;

Thence S 58°16'11" E, 1057.36 feet, more or less, to said Station 1;

Thence along the ordinary high water mark as shown on said map of the *Survey of the Ordinary High Water Mark*, the following five (5) courses:

1. S 58°41'03" E, 4175.03 feet to Station 2,
2. S 60°27'07" E, 260.17 feet to Station 3,
3. S 84°02'09" E, 348.33 feet to Station 4,
4. N 76°30'52" E, 308.23 feet to Station 5, and
5. N 50°12'59" E, 338.28 feet to Station 6;

Thence S 44°40'39" E, 563.56 feet to Station 14 as shown on Sheet 2 of said map of the *Survey of the Ordinary High Water Mark*;

Thence along the ordinary high water mark as shown on said map of the *Survey of the Ordinary High Water Mark*, the following eleven (11) courses:

1. S 34°25'54", 178.47 feet to Station 15
2. S 12°37'16", 163.98 feet to Station 16
3. S 24°45'51", 178.97 feet to Station 17
4. S 51°05'08", 166.30 feet to Station 18
5. S 67°03'56", 472.35 feet to Station 19
6. S 59°30'16", 325.68 feet to Station 20
7. S 60°29'35", 250.02 feet to Station 21
8. S 63°15'03", 250.37 feet to Station 22
9. S 62°35'08", 244.46 feet to Station 23
10. S 60°17'18", 402.93 feet to Station 24
11. S 57°23'38", 500.13 feet to Station 25

Thence leaving the ordinary high water mark, seaward, S 61°03'01" W, 3500 feet;

Thence S 88°12'09" W, 5800 feet;

Thence N 40°31'36" W, 3200 feet, more or less to the County Line common to Los Angeles and Orange Counties;

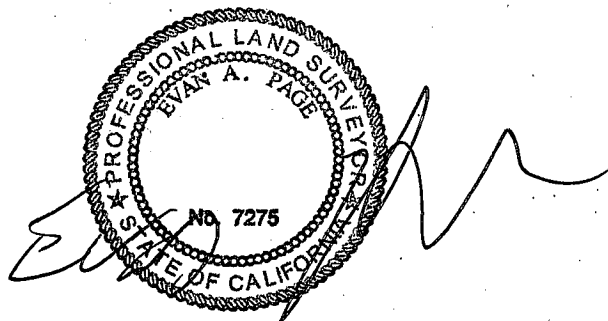
Thence N 33°06'56" E, 5000 feet to the **POINT OF BEGINNING**.

EXCEPTING THEREFROM any portions lying above the ordinary high water mark.

Containing 940.3 acres, more or less, of sovereign land.

The **BASIS OF BEARINGS** for this description is the California Coordinate System, 1983, Zone 5 (CCS83-5).

END DESCRIPTION



A circular professional seal for Evan A. Page, a Professional Land Surveyor in the State of California. The seal contains the text "PROFESSIONAL LAND SURVEYOR", "EVAN A. PAGE", "NO. 7275", and "STATE OF CALIFORNIA". A handwritten signature is written over the seal.

OCT 25 2017