

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

A \_\_\_\_\_

Permit \_\_\_\_\_

**SURVEY PERMIT**

**GENERAL PERMIT TO CONDUCT GEOPHYSICAL SURVEYS**

Pursuant to Division 6 of the California Public Resources Code and Title 2 of the California Administrative Code, the State of California, acting by and through the California State Lands Commission (State or CSLC) hereby issues \_ (Permittee), a non-exclusive geophysical survey permit subject to the following terms and conditions.

**TERMS AND CONDITIONS**

1. **Permit Area:** This permit covers offshore state waters, excluding inland waterways, known as Regions I, II, III, and IV, between the California-Mexico and California-Oregon borders out to three (3) nautical miles, the Regions are outlined in the map attached as Exhibit A:
  - A. **Region I** - the area between the California-Mexico border and Los Angeles/Ventura County line;
  - B. **Region II** - the area between the Los Angeles/Ventura County line and San Luis Obispo/Monterey County line;
  - C. **Region III** - the area between the San Luis Obispo/Monterey County line and Sonoma/Mendocino County line, excluding San Francisco (to the Golden Gate Bridge), San Pablo, and Suisun Bays; and
  - D. **Region IV** - the area between the Sonoma/Mendocino County line and the California-Oregon Border.
2. **Terms of Permit:** This permit shall commence on October 1, 2013 and shall continue until September 30, 2016, unless terminated sooner as provided in this permit.
3. **Scope of Activities:** Permittee shall comply with the terms of this permit whenever the equipment specified in Exhibit B is deployed or geophysical data are to be collected within the permit area. Geophysical surveys shall include seismic, gravity, magnetic, remotely operated vehicle (ROV) surveys, electrical and geochemical methods of measuring and recording spatial data associated with archaeological/cultural/paleontological research, infrastructure (e.g., pipeline and cable) inspections, dredging, marine biology, oceanography, subsurface geology, and related scientific purposes.
4. **Definitions:** As used within this permit, unless the context indicates otherwise, "CSLC staff" means the Executive Officer of the CSLC or other person designated by the Executive Officer.

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

5. **Presurvey Requirements:** Permittee is authorized under this permit to collect geophysical data utilizing such equipment as is set forth on Exhibit B, subject to the following conditions.
- A. Except as otherwise provided in Exhibit E, Part II, Permittee shall submit, and the CSLC staff shall receive, the required presurvey documents at least twenty-one (21) calendar days prior to the proposed survey, using the Presurvey Checklist provided as Exhibit G.
  - B. Presurvey Notices: The Permittee shall follow the complete notification procedure set forth in Exhibit E for all proposed geophysical surveys. This notice shall include the information required under Exhibit E, Section B, Contents of Notice, and in the format displayed in Exhibit F.
  - C. Marine Wildlife Contingency Plan (MWCP): Except as otherwise provided in Exhibit E, Part II, at least twenty-one (21) calendar days prior to each survey, Permittee shall prepare a MWCP for review and approval by the CSLC staff. Said plan shall include, at a minimum, measures that: (1) specify the distance, speed, and direction transiting vessels would maintain when in proximity to a marine mammal or reptile; (2) qualifications, number, location, and authority of onboard Marine Wildlife Monitors (MWMs); (3) methods of reducing noise levels generated by the geophysical equipment; (4) acoustic “safety zone(s)” radius that will be enforced by the MWMs (must be consistent with MM BIO-3 in attached Exhibit H); (5) identification of pinniped haul-out sites within or immediately adjacent to the proposed survey area; and (6) observation recording procedures and reporting requirements in the event of an observed impact to marine organisms.
    - i. For surveys within 300 meters (m) of a pinniped haul-out site, the MWCP shall further require that:
      - 1. The (survey) vessel shall not approach within 91 m of a haul-out site, consistent with National Marine Fisheries Service (NMFS) guidelines;
      - 2. Survey activity close to haul-out sites shall be conducted in an expedited manner to minimize the potential for disturbance of pinnipeds on land; and
      - 3. MWMs shall monitor pinniped activity onshore as the vessel approaches, observing and reporting on the number of pinnipeds potentially disturbed (e.g., via head lifting, flushing into the water).
    - ii. Qualifications of proposed MWMs shall also be submitted to the National Oceanic and Atmospheric Administration (NOAA) and CSLC staff at least twenty-one (21) calendar days in advance of the survey. Survey operations shall not commence until the CSLC staff approves the MWMs and the MWCP.
  - D. Oil Spill Contingency Plan (OSCP) (MM HAZ-1, Exhibit H): Except as otherwise provided in Exhibit E, Part II, at least twenty-one (21) calendar days prior to each survey, Permittee shall prepare and submit to the CSLC staff for review and approval an OSCP for accidental releases of petroleum and/or non-petroleum products. Said plan shall include, at a minimum: (1) specific steps to be taken in the event of a spill, including notification names, phone numbers, and locations of: (i) nearby emergency medical facilities, (ii) wildlife rescue/response organizations (e.g., Oiled Wildlife Care Network), (iii) containment procedures, and (iv) cleanup procedures; (2) a description of crew training and equipment

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

testing procedures; and (3) a description, quantities and location of spill response equipment onboard the vessel.

- E. Notification of Geophysical Survey Equipment Used (See Exhibit F): Except as otherwise provided in Exhibit E, Part II, at least twenty-one (21) calendar days prior to each survey, Permittee shall submit, and the CSLC staff shall receive, a written list of the specific make and model of all such equipment Permittee intends to use and, with respect to any equipment that is to be used specifically to generate acoustical energy in order to collect data, any and all specifications regarding decibel levels (dB re 1 Pa), frequencies (Hz, kHz), and all other information requested in Exhibit F, as well as the length of time the equipment will operate.
  - i. If, after the list of equipment is provided by Permittee pursuant to this Section, the CSLC staff requests additional information about the listed equipment, Permittee shall promptly provide all such requested information.
  - ii. If, after receipt of the list of equipment and any information that may be requested under this Section, the CSLC staff directs Permittee that certain equipment may not be used or may be used only under certain specified circumstances or that Permittee must delay the survey until more information is provided, then Permittee shall comply with any and all such direction.
- F. Verification of Equipment Service and/or Maintenance and Sound Output (MM BIO-6, Exhibit H): Prior to commencing survey activities and thereafter on an annual basis, Permittee shall test the low energy geophysical equipment utilized in the noticed survey to verify that the sound source levels are within manufacturer's specifications.
- G. Proposed Operation in Marine Protected Areas (MPAs) (MM BIO-9, Exhibit H): Prior to commencing survey activities in or potentially affecting MPAs, Permittee shall coordinate with the CSLC staff, California Department of Fish & Wildlife (CDFW), and any other appropriate permitting agency regarding proposed operations within MPAs. The scope and purpose of each survey proposed within a MPA shall be defined, and an analysis of the consistency of the survey with the allowable MPA activities and the goals of the Marine Life Protection Act shall be conducted.
  - i. If deemed necessary by CDFW, Permittee will obtain a scientific collecting permit, or other appropriate authorization, to secure approval to work within a MPA, and shall provide a copy of such authorization to the CSLC staff at least twenty-one (21) calendar days prior to each survey as part of the required notification described in Exhibit E. Note that Permittee should initiate such contact with CDFW and/or other permitting agencies well in advance of the proposed survey to ensure sufficient processing time by the agency or agencies.
  - ii. CSLC staff, CDFW, and/or other permitting agencies may impose further restrictions on survey activities within MPAs generally or any specific MPA as conditions of approval.
- H. Current Biological Information (MM BIO-1, Exhibit H): Prior to commencement of survey operations, the Permittee shall: (1) contact the NOAA Long Beach office staff and local whale watching operations and shall acquire information on the current composition and relative

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

abundance of marine wildlife offshore; and (2) convey sightings data to the vessel operator and crew, survey party chief, and onboard MWMs prior to departure.

- I. **New Information Provided:** If, subsequent to the issuance of this permit, it is the CSLC staff's opinion that evidence has emerged indicating that the location, type, length, equipment to be used, or conduct of a proposed survey, noticed under Exhibit E, herein, has the potential to cause substantial environmental impact, the CSLC staff reserves the right to impose conditions on the location, type, length, equipment to be used, or conduct of the proposed survey in order to reduce the risk of substantial environmental impact, up to and including cancellation of the survey activity.
  - J. **Compliance with the Provisions of this Section:** Permittee shall not perform any geophysical survey under this permit unless Permittee has complied with the provisions of this section.
6. **Multiple Use:** This permit is non-exclusive and is issued subject to all existing valid rights of the State at the date of this permit. Such rights shall not be affected by the issuance of this permit. The State shall have the right to issue additional non-exclusive survey permits and leases or other entitlement for uses, which are not inconsistent with this permit.
7. **Operations:**
- A. Permittee shall conduct all activities with due regard for the preservation of the property covered by this permit, potential environmental impacts, peak fishing seasons and with due caution to minimize damage to third parties.
  - B. **Geophysical Survey Permit:** Operator shall maintain a copy of its CSLC Geophysical Permit onboard for the primary survey vessel during survey operations, as well as copies of all other permits or authorizations from other Federal or State agencies (if applicable).
  - C. **Daily Equipment Use Duration:** Acoustic pulse-generating survey equipment shall be operated for no more than ten (10) hours total each survey day.
  - D. **Nighttime Operations:** Permittee shall not conduct nighttime survey operations, except, when the CSLC staff may authorize at its discretion, upon application, the Permittee to use single beam echosounders and/or passive equipment types at night on a case-by-case basis. The CSLC staff will take into consideration the equipment specifications, location, timing, and duration of survey activity.
  - E. **Simultaneous Equipment Operation:** When several pieces of equipment are operating simultaneously they shall be timed so that they will not be transmitting at the same time in order to avoid cumulative effects.
  - F. **Engine Tuning (MM AIR-1, Exhibit H):** Permittee shall maintain all construction equipment in proper tune according to manufacturers' specifications; fuel all portable diesel-powered equipment with California Air Resources Board (CARB)-certified motor vehicle diesel fuel limiting sulfur content to 15 parts per million or less (CARB Diesel). Permittee shall also operate equipment in conformance with specific county air quality guidelines as described in Exhibit C.
  - G. **Vessel Fueling (MM HAZ-2, Exhibit H):** Vessel fueling shall only occur at an approved docking facility. No cross vessel fueling shall be allowed.

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

- H. Marine Wildlife Monitors (MM BIO-2, Exhibit H): A minimum of two (2) qualified MWMs who are experienced in marine wildlife observations shall be onboard the survey vessel throughout both transit and data collection activities. Onboard MWMs responsible for observations during vessel transit shall be responsible for monitoring during the survey equipment operations. All visual monitoring shall occur from the highest practical vantage point aboard the survey vessel; binoculars shall be used to observe the surrounding area, as appropriate. The following exceptions apply to this condition:
- For survey activities that require the collection of geophysical data of nearshore ocean bottom areas, at least twenty-one (21) calendar days prior to the commencement of survey activities, the Permittee may petition the CSLC staff for authorization to conduct survey operations with one (1) MWM aboard. The CSLC staff will evaluate such petitions on a case-by-case basis and, in granting such authorization at its discretion, will consider factors as the timing, type, and location of the survey, the size of the survey vessel, the availability of alternate vessels, and the ability of one (1) MWM to effectively monitor the safety zone(s).
  - For survey activities where the only geophysical equipment used is operated at a frequency at or above 200 kHz, one (1) MWM will be required.
  - MWMs will not be required aboard vessels conducting survey activities that utilize, as the only form of geophysical equipment, non-pulse or non-acoustic generating, passive survey equipment (e.g., ROV, magnetometers, gravity meters).
- I. Safety Zone Monitoring (MM BIO-3, Exhibit H): Except as provided in subdivision (k), the MWMs will survey an area (i.e., safety or exclusion zone) based on the equipment used, centered on the sound source (i.e., towfish), when the survey equipment is operating. The onboard MWMs shall have authority to stop operations. If a mammal or reptile is observed within the specified safety zone (below), or if a large concentration of diving birds/seabirds is observed in the immediate vicinity. The MWMs shall also have authority to recommend continuation or cessation of operations during periods of limited visibility (i.e., fog, rain). Periodic reevaluation of weather conditions and reassessment of the continuation/cessation recommendation shall be completed by the onboard MWMs. During operations, if a mammal or reptile's actions are observed to be irregular, the monitor shall have authority to recommend that equipment be shut down until the animal(s) moves further away from the sound source. If irregular behavior is observed, the equipment shall be shut-off and will be restarted and ramped-up to full power, as applicable, or will not be started until the animal(s) is/are outside of the safety zone or have not been observed for 15 minutes. Radial distances for the safety zone of each equipment type are as follows:

<b>Equipment Type</b>	<b>Safety Zone (radius, m)</b>
Single Beam Echosounder	50
Multibeam Echosounder	500
Side-Scan Sonar	600
Subbottom Profiler	100
Boomer System	100

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

- J. Soft Start (MM BIO-5, Exhibit H): The Permittee shall use a “soft start” technique at the beginning of survey activities each day (or following a shutdown) to allow any marine mammal that may be in the immediate area to leave before the sound sources reach full energy. Permittee shall initiate each piece of equipment at the lowest practical sound level, increasing output in such a manner as to increase in steps not exceeding approximately 6 decibels (dB) per 5-minute period.
- K. If the geophysical survey equipment is operated at or above a frequency of 200 kHz, safety zone monitoring/enforcement (MM BIO-3) is not required; however, if geophysical survey equipment operated at a frequency at or above 200 kHz is used simultaneously with geophysical survey equipment less than 200 kHz, then the safety zone for the equipment less than 200 kHz must be monitored.
- L. Fishing Gear Interaction (MM FISH-2, Exhibit H): To minimize interaction with fishing gear that may be present within a survey area: (1) the geophysical vessel (or designated vessel) shall traverse the proposed survey corridor prior to commencing survey operations to note and record the presence, type, and location of deployed fishing gear (i.e., buoys); (2) no survey lines within 30 m (100 feet) of observed fishing gear shall be conducted. The survey crew shall not remove or relocate any fishing gear; removal or relocation shall only be accomplished by the owner of the gear upon notification by the survey operator of the potential conflict.
- M. Collision Reporting (MM BIO-8, Exhibit H): In the event of a collision with a marine mammal or reptile, the Permittee shall abide by the reporting and procedure requirements listed in Exhibit D

8. **Observers:**

- A. The CSLC staff may require the Permittee to furnish food, quarters, and marine transportation, if necessary, for a CSLC staff representative on any vessel conducting operations authorized by this permit. The CSLC staff representative may observe or inspect all operations conducted pursuant to this permit.
- B. If the CSLC staff representative notes permit violations or determines adverse environmental impacts are being caused or are imminent, the representative may recommend suspension of activities to the CSLC staff. Upon approval of the CSLC staff, the representative may carry out suspension of the activities allowed under this permit pursuant to Section 14.

9. **Data Submission and Examination:**

- A. The Permittee shall submit a post survey Field Operations and Compliance Report to the CSLC staff as soon as possible, but not more than thirty (30) days after the completion of any survey activities conducted under this permit. The Report shall include, at a minimum:
  - i. Survey Information:
    - 1. A narrative description of the work performed, the data obtained, and the logs produced from the operations;

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

2. Information about the weather and sea state during operations;
  3. Charts, maps, or plots indicating the areas in which any exploration was conducted, specifically identifying the lines of geophysical traverses, [pre-plot maps(s) may be used provided it accurately depicts the area and lines surveyed], accompanied by a reference sufficient to identify the data produced from each activity;
  4. Spatial information related to the survey track lines (either Global Positioning System (GPS) coordinates or Geographic Information System (GIS) files);
  5. The dates and times during which the actual data collection was performed;
  6. The nature and location of any environmental hazards encountered, and what adjustments, if any, were made;
  7. A description of any accident, injury, damage to, or loss of property which resulted from the reported activities; and
  8. Such other information relative to the permitted activities as may be requested.
- ii. Biological Information:
1. A narrative description of any encounters with marine mammals, reptiles, and/or unusual concentrations of diving birds/seabirds (e.g., species, group size, age/size/sex categories [if determinable], behavior, distance and bearing from vessel) and the outcome of those encounters;
  2. The number of times shutdowns or slow-downs were ordered due to animals being observed in the safety zone or due to poor visibility conditions, as assessed by the MWM;
  3. A summary of observations of pinniped behavior at haul-out sites, if applicable, and any recommendations made by MWMs related to pinniped avoidance;
  4. The number of collision events, if applicable, and type and disposition of animal;
  5. A copy of the Table in Exhibit H, with the date(s) of implementation and/or compliance of each MM and the initials of the person overseeing compliance; and
  6. A summary narrative written by the MWM or other qualified survey personnel describing implementation of the MMs required in Exhibit H, any problems encountered with implementing MMs, an assessment of the effectiveness of the MMs, and any recommendations for improvements or additions to increase protection of the marine environment.
- B. Permittee shall make available, upon request, and the Commission shall have the right to inspect and/or copy factual and physical survey results, logs, records, field acquired data, processed records or any other data/ information resulting from operations under this permit. These data and information shall include, but not be limited to, geophysical data from:

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

- i. High resolution systems including but not limited to bathymetry, side-scan sonar, subbottom profiler, and electromechanical devices;
  - ii. Copies of final stacked sections and migrated sections. Sections chosen for CSLC staff use shall be made at one-half scale, (2 1/2 inches per second);
  - iii. Post-plot maps at a reasonable and appropriate scale for the dimensions of the survey and whenever possible, at least a scale of 1:24,000 (1 inch equals 2000 feet). A narrative summary of accuracy of shot points and ship tracks;
  - iv. Copies of navigation tapes or files and velocity tapes or files with narrative summary of accuracy of shot points and ship tracks;
  - v. Gravity data reduced or compiled as a Free-Air or Bouguer maps whenever possible or in profile form. Magnetometer data corrected for International Geomagnetic Reference Field in profiles or whenever possible in map form. Data to include how reductions and corrections were made; and
  - vi. The CSLC shall reimburse the Permittee for the reasonable costs of reproducing any data or information.
- C. In the event that information or data obtained under this permit are transferred from the Permittee to a third party, or, subsequently, from a third party to another third party, the transferor shall notify the CSLC staff and shall require the receiving third party, in writing, to expressly agree to abide by the obligations of the Permittee under Section 9 of this permit as a condition precedent to the transfer of the information or data.
- D. The following definitions apply to words used in this section:
- i. Factual or physical survey results include all data and information gathered as the result of any and all operations conducted under this permit by whatever means.
  - ii. Data means all facts, statistics or samples.
  - iii. Processed Records mean data collected under a permit which has been processed. Processing involves changing the form of data so as to facilitate interpretation. Processing operations include, but are not limited to, applying corrections for known perturbing causes, rearranging or filtering data, and combining or transforming data elements.
- E. Such data and information, as well as products derived therefrom, shall be held confidential as required by Public Resources Code, section 6826, subdivision (c); however, the CSLC staff reserves the right to disclose any data or information acquired from Permittee to an independent contractor or agent for the purpose of reproducing, processing, reprocessing, or interpreting such data or information for the use of the Commission.



**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

10. **Third Party Damage Claims**: Permittee shall make a good-faith effort to settle all claims brought by third parties for damages resulting from Permittee's geophysical survey activities.
11. **Bond**: Permittee shall furnish, and maintain, until released by the CSLC, a bond or letter of credit in the sum of fifty-thousand thousand dollars (\$50,000.00), in favor of the State, for its exclusive use and benefit, to guarantee the faithful performance by the Permittee of this permit's terms and conditions and satisfaction of third-party damage claims. The bond or letter of credit shall be delivered to the CSLC at the address specified in Section 16, prior to the effective date of this permit. The bond or letter of credit shall be non-cancellable and shall, by its own terms, remain in effect until at least one-hundred fifty (150) days after the termination date of this permit, unless earlier released by the CSLC.
12. **Insurance**: At the option of the CSLC staff, Permittee shall submit a certificate of self-insurance or procure and maintain liability, property damage, or other insurance for the benefit of the State in an amount satisfactory to the CSLC staff.
13. **Indemnity**: Permittee agrees to indemnify, save harmless and, at the option of the State, defend the State of California, its officers, agents and employees against any and all claims, demands, causes of action, or liability of any kind which may be asserted against or imposed upon the State of California or any of its officers, agents or employees by any third person or entity arising out of or connected with Permittee's operations hereunder.
14. **Modification, Revocation, or Suspension**: The activities provided for in this permit may be suspended, in whole or in part, upon a finding by the CSLC staff, that suspension of the activity authorized by this permit would be in the public interest. Such suspension shall be effective upon receipt by Permittee of a written or oral (to be confirmed in writing) notice thereof which shall indicate: (1) the extent of the suspension; (2) the reasons for the action; and (3) any corrective or preventive measures to be taken by Permittee deemed necessary by the CSLC staff to meet the general public interest.
  - A. Permittee shall take immediate action to comply with the provisions of the suspension. Permittee may request a hearing before the CSLC in order to present information relevant to a decision as to whether the Permittee's permit should be reinstated, modified, or revoked.
  - B. This permit may be modified or revoked by the CSLC staff upon thirty (30) days' notice at its reasonable discretion. Notwithstanding, if pursuant to section 5(i) of this permit, the permit is modified because new information indicates that use of certain equipment that had been permitted prior to modification of the permit is likely to result in significant adverse effects upon the environment, then a prohibition on use of that equipment shall become effective immediately upon receipt of the notice of modification from the CSLC staff.
  - C. Any suspension, modification, or revocation of the Permittee's permit shall not be a basis for any claim for damages against the State of California.
15. **Permits**: Permittee shall obtain all necessary and applicable permits and obey all laws and regulations applicable to the conduct of operations under this permit.

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

16. **Notices**: All written notices to the State or Permittee which are not part of the notification procedure identified in Exhibit E shall be deemed to have been fully given when made in writing, and deposited in the United States mail, with first class postage prepaid, addressed as follows:

To the State:                    California State Lands Commission  
                                        Mineral Resources Management Division  
                                        Attention: Geophysical Coordinator  
                                        301 East Ocean Boulevard, Suite 550  
                                        Long Beach, CA 90802

To the Permittee:

\_\_\_\_\_  
Attention:

The address to which notices shall be mailed may be changed by written notice, as is provided in this paragraph.

17. **Date of Document Receipt**: All notices under the permit that are received, by any method, by the CSLC staff after 4:00 p.m. PST will be deemed as being received the following business day.
18. **Assignment**: Permittee may not assign, sublease, or transfer this permit or any interest therein without prior Commission approval. However, Permittee may subcontract part or all of the work to be performed. No subcontract shall relieve the Permittee of its responsibilities or obligations herein. The subcontractor shall be the agent of Permittee and Permittee shall remain responsible to the State under the terms of this permit.
19. **Successors**: If for any reason this permit is transferred by operation of law or otherwise, it shall apply to and bind the heirs, successors, executors, administrators, and assigns of all of the parties to this permit. All parties to this permit shall be jointly and severally liable under the terms of this permit.
20. **Section 504 Federal Rehabilitation Act of 1973 Compliance Statement**: "The Permittee will not discriminate against any person or entity, in regard to the administration or operation of any agreement made under this procedure, on the basis of race, color, creed, national origin, sex, marital status, religious or political affiliation, ancestry, disability, age or sexual orientation."

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

IN WITNESS WHEREOF, the parties hereto have executed this permit as of the date entered below

\_\_\_\_\_  
Date

\_\_\_\_\_  
Marina Voskanian, P.E.  
Division Chief,  
Mineral Resources Management Division

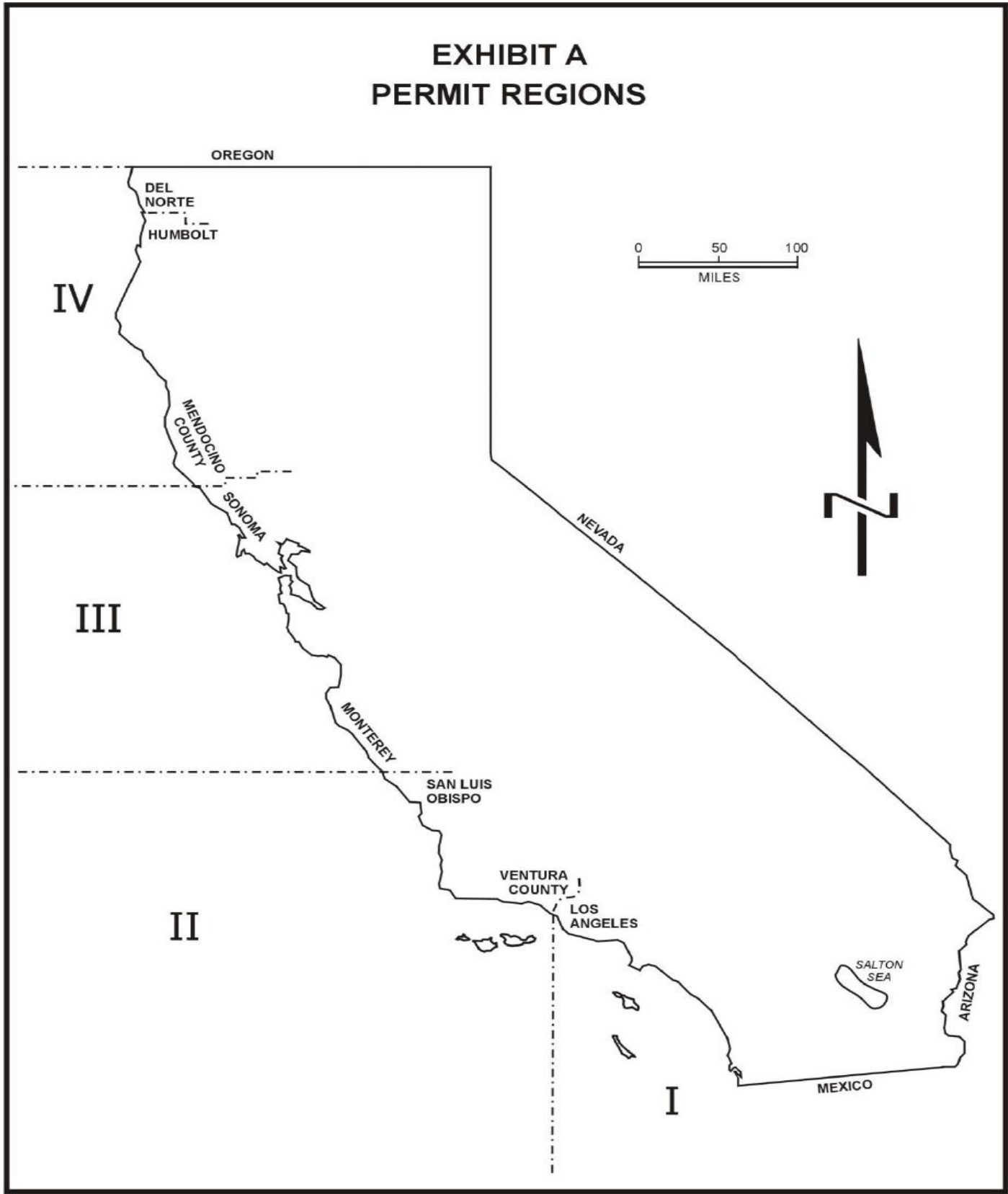
**PERMITTEE\***

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
City, State and Zip Code

\*In executing this document, the following is required:

- Corporations: Certificate of Corporate Secretary providing that the Board of Directors authorized the execution of this permit specifically or authority to execute documents of this type generally. An example of the type of form required is attached as Exhibit I.
- Individuals: Acknowledgment of signature is required.



**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

**EXHIBIT B**

**AUTHORIZED EQUIPMENT AND SURVEY METHODS**

Under this permit, Permittee is authorized to collect geophysical data utilizing energy receivers and/or acoustic pulse-generating devices. The Permittee is authorized to operate geophysical survey equipment in State waters only under the following conditions:

1. No survey equipment may be used other than the following and equipment necessary for use of the following (consistent with those referenced in Table 2-3 of the Mitigated Negative Declaration or with characteristics substantially similar to those identified in Table 2-3)<sup>1</sup>:
  - A. Echosounders (i.e. single beam and multibeam echosounders, fathometers);
  - B. Side-scan sonars;
  - C. Subbottom profilers (i.e. mini-sparkers, boomers, chirp, general subbottom profiler systems), excepting boomers proposed for harbor porpoise habitat from Point Conception to the Oregon border<sup>2</sup>;
  - D. Multi-component systems;
  - E. Passive equipment (e.g. magnetometers, gravity meters); and
  - F. Remotely Operated Vehicles (ROVs) for survey application.
2. Permittee shall follow, to the maximum extent possible, the following guidelines as they pertain to the use of subbottom profilers and side-scan sonar, including:
  - A. Using the highest frequency band possible for the subbottom profiler;
  - B. Using the shortest possible pulse length; and
  - C. Lowering the pulse rate (pings per second) as much as feasible.
3. Permittee shall regularly inspect and service their equipment to ensure that it is maintained in proper working order.
4. Use of any air or water compression devices or chemical explosives for generating acoustic pulses are expressly prohibited.
5. Any question or uncertainty as to whether particular survey equipment or methods are permitted shall be determined by the CSLC staff.

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<sup>1</sup> As an example, any multibeam echosounder with unweighted, maximum-over-depth sound pressure levels exceeding 160 dB (rms) at or beyond 500 meters, using conservative propagation modeling assumptions, would not qualify under this General Permit.

<sup>2</sup> OGPP surveys in this area may be proposed, but would be evaluated on a case-by-case basis and may require additional analysis and/or modeling prior to being allowed.

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

**EXHIBIT C**

**ENGINE TUNING, ENGINE CERTIFICATION, AND FUELS**

The Permittee shall implement the following measures, as applicable, depending on the county offshore which a survey is being conducted.

1. All Counties: Maintain all construction equipment in proper tune according to manufacturers' specifications; fuel all off-road and portable diesel-powered equipment with California Air Resources Board (CARB)-certified motor vehicle diesel fuel limiting sulfur content to 15 parts per million or less (CARB Diesel).
2. Los Angeles and Orange Counties: Use vessel engines meeting CARB's Tier 2-certified engines or cleaner\*; the survey shall be operated such that daily NOx emissions do not exceed 100 pounds based on engine certification emission factors. This can be accomplished with Tier 2 engines<sup>3</sup> if daily fuel use is 585 gallons or less, and with Tier 3 engines if daily fuel use is 935 gallons or less.
3. San Luis Obispo County: Use vessel engines meeting CARB's Tier 2-certified engines or cleaner\*; all diesel equipment shall not idle for more than 5 minutes; engine use needed to maintain position in the water is not considered idling; diesel idling within 300 meters (1,000 feet) of sensitive receptors is not permitted; use alternatively fueled construction equipment on site where feasible, such as compressed natural gas, liquefied natural gas, propane or biodiesel. Maximum diesel fuel consumption allowed in any day is 720 gallons.
4. Santa Barbara County: Use vessel engines meeting CARB's Tier 2-certified engines or cleaner\*.
5. Ventura County: Use alternatively fueled construction equipment on site where feasible, such as compressed natural gas, liquefied natural gas, propane or biodiesel

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<sup>3</sup> The Tier 2 engine requirement applies only to diesel-fueled vessels, pursuant to section 93118.5 of CARB's Airborne Toxic Control Measures.

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

**EXHIBIT D**

**MARINE MAMMAL AND REPTILE COLLISION REPORTING**

If a collision with a marine mammal or reptile occurs, the Permittee shall document the conditions under which the accident occurred, including the following:

1. Vessel location (latitude, longitude) when the collision occurred;
2. Date and time of collision;
3. Speed and heading of the vessel at the time of collision;
4. Observation conditions (e.g., wind speed and direction, swell height, visibility in miles or kilometers, and presence of rain or fog) at the time of collision;
5. Species of marine wildlife contacted (if known);
6. Whether an observer was monitoring marine wildlife at the time of collision; and
7. Name of vessel, vessel owner/operator, and captain officer in charge of the vessel at time of collision.

After a collision, the vessel shall stop, if safe to do so; however, the vessel is not obligated to stand by and may proceed after confirming that it will not further damage the animal by doing so. The vessel will then immediately communicate by radio or telephone all details to the vessel's base of operations, and shall immediately report the incident. Consistent with Marine Mammal Protection Act requirements, the vessel's base of operations or, if an onboard telephone is available, the vessel captain him/herself, will then immediately call the National Oceanic and Atmospheric Administration (NOAA) Stranding Coordinator to report the collision and follow any subsequent instructions. From the report, the Stranding Coordinator will coordinate subsequent action, including enlisting the aid of marine mammal rescue organizations, if appropriate. From the vessel's base of operations, a telephone call will be placed to the Stranding Coordinator, NOAA National Marine Fisheries Service, Southwest Region, Long Beach, to obtain instructions. Although NOAA has primary responsibility for marine mammals in both State and Federal waters, the California Department of Fish and Wildlife will also be advised that an incident has occurred in State waters affecting a protected species.

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

**EXHIBIT E**

**PRESURVEY NOTIFICATIONS**

**PART I - General Notification Requirements**

The State may, upon thirty (30) calendar days' notice to Permittee; prescribe additional or different procedures to be followed by the Permittee.

1. General Requirements: Whenever surveys are proposed to be commenced under this permit, Permittee shall give notice in the following manner:
  - A. At least twenty-one (21) calendar days in advance of any proposed operations, written notice of the proposed operations (see subsection B below) must be received by the following parties:
    - i. Statewide Geophysical Coordinator  
California State Lands Commission  
301 East Ocean Boulevard, Suite 550  
Long Beach, CA 90802-4331  
Faxing: (562) 590-5295  
Emailing: [slc.ogpp@slc.ca.gov](mailto:slc.ogpp@slc.ca.gov)
    - ii. USCG Local Notice to Mariners  
Commander (dpw)  
CG Eleventh District  
Bldg. 50-2, CG Island  
Alameda, CA 94501-5100  
Faxing: (510) 437-5836  
Emailing: [D11LNM@uscg.mil](mailto:D11LNM@uscg.mil)
  - B. At least twenty-one (21) calendar days in advance of any proposed operations, the Permittee shall post the notice described in subsection B below in: (1) the harbormasters' offices of regional harbors; and (2) dive shops in coastal locations adjacent to the proposed offshore survey operations (by fax, e-mail, or in person to operator of the shop).
  - C. One working day in advance of the actual operations, the Permittee shall inform the State's Geophysical Coordinator, (562) 590-5201, by telephone, to confirm the receipt of required notices by the parties listed in in A.1 above. The Permittee shall also send to the State's Geophysical Coordinator, a copy of any final pre-plot of the survey, including corresponding Global Positioning System (GPS) coordinates, which shall reflect any changes made in the planned survey.
  - D. Permittee shall use its best efforts to notify the parties listed in A.1 and A.2 and any other affected individuals of substantial addition, modification, deviation, delay, or cancellation, concerning the survey area or survey dates, in the original notice. Permittee shall notify the CSLC staff of such modifications or delays prior to their occurrence.
  - E. Permittee shall notify the State's Geophysical Coordinator by telephone within one (1) working day of completion of the survey activity.



**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

2. Contents of Notice: The written notification required shall include information in the format requested in Exhibit F and outlined below:
- A. The name of the vessel, the name of the ship's captain/designee, the ship's call signs, and the specific radio channel which will be monitored by the vessel at all times during operations authorized by this permit;
  - B. The exact dates through which the survey will be conducted within any given specific area of the general permit area and the daily hours of operation during such period;
  - C. A full-sized navigation chart showing the area to be affected by the survey, including turning areas;
  - D. GPS coordinates of each proposed track line and turning point;
  - E. A listing of equipment to be used in the survey and length(s) of the tow(s). Listing of equipment shall include all information requested on Exhibit F; and
  - F. The name and telephone number of a representative of the Permittee who can resolve multiple-use conflicts.

**PART II - Dredge Monitoring and Coastal Structure Surveys**

The Permittee may be excepted from the 21-day notification requirement if all of the criteria listed below are met. The Permittee shall provide the information in section B above, "Contents of Notice," at least twenty-four (24) hours prior to commencing survey operations; if 24-hour notice is infeasible, the Permittee shall provide such notice information as soon as possible.

- 1. The survey is associated with monitoring/verification of dredging operations in ports, harbors, and marinas of no greater than fifty (50) feet in depth, OR, the survey is associated with investigating a structure directly against or affixed to the coastline or an upland structure (e.g., outfalls);
- 2. Survey equipment to be used is operated at or above 200 kHz at all times;
- 3. The Permittee has an approved "general" MWCP on file with CSLC staff. The general MWCP should adhere, to the extent feasible and applicable, to the content requirements described in section 5(c); AND
- 4. The Permittee has an approved "general" OSCP on file with CSLC staff. The general OSCP should adhere, to the extent feasible and applicable, to the content requirements described in condition 5.d.

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

**EXHIBIT F****PRESURVEY NOTIFICATION FORM**

Applicant/Permittee's Mailing Address:	Date: _____
	<b>Jurisdiction:</b> Federal <input type="checkbox"/> State <input type="checkbox"/> Both <input type="checkbox"/>
	If State: Permit # _____
	Region: _____
	Area: _____

**GEOPHYSICAL SURVEY PERMIT**

Check one: ☐ New survey ☐ Time extension of a previous survey  
 \_\_\_\_\_ (Applicant/Permittee) will conduct a geophysical survey offshore California in the survey area outlined on the accompanying navigation chart segment. If you foresee potential interference with commercial fishing or other activities, please contact the person(s) listed below:

**FEDERAL WATERS (outside 3 nautical miles)**

1. Applicant's representative
2. Federal representative (e.g., Bureau of Ocean Energy Management [BOEM] or National Science Foundation [NSF])

NOTE: Any comments regarding potential conflicts in Federal waters must be received by the Applicant's Representative and lead Federal agency within ten (10) days of the receipt of this notice.

**STATE WATERS (Inside 3 nautical miles)**

1. Permittee's representative
2. CSLC representative

NOTE: Any comments regarding potential conflicts in State waters should be received as soon as possible by the Permittee's representative, no more than fifteen (15) days after the receipt of this notice.

1. Expected Date of Operation \_\_\_\_\_
2. Hours of Operation \_\_\_\_\_
3. Vessel Name \_\_\_\_\_

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

4. Vessel Official Number \_\_\_\_\_
5. Vessel Radio Call Sign \_\_\_\_\_
6. Vessel Captain's Name \_\_\_\_\_
7. Vessel will monitor Radio Channel(s) \_\_\_\_\_
8. Vessel Navigation System \_\_\_\_\_
9. Equipment to be used \_\_\_\_\_
  - a. Frequency (Hz, kHz) \_\_\_\_\_
  - b. Source level (dB re 1 Pa at 1 meter (m) [root mean square (rms)]) \_\_\_\_\_
  - c. Number of beams, across track beamwidth, and along track beamwidth  
\_\_\_\_\_
  - d. Pulse rate and length \_\_\_\_\_
  - e. Rise time \_\_\_\_\_
  - f. Estimated distances to the 190 dB, 180 dB, and 160 dB re 1 Pa (rms) isopleths  
\_\_\_\_\_
  - g. Deployment depth \_\_\_\_\_
  - h. Tow speed \_\_\_\_\_
  - i. Approximate length of cable tow \_\_\_\_\_

Applicant's Representative:	California State Lands Representative Richard B. Greenwood Statewide Geophysical Coordinator 301 East Ocean Boulevard, Suite 550 Long Beach, CA 90802-4331 (562) 590-5201
BOEM Representative Joan Barminski Regional Supervisor Office of Strategic Resources 770 Paseo Camarillo Camarillo, CA 93010 (805) 389-7585	Other Federal Representative (if not BOEM):

**EXHIBIT G**

**California State Lands Commission Presurvey Notice Requirements for Permittees to Conduct Geophysical Survey Activities**

All parts of the Presurvey Notice must be adequately filled out and submitted to the CSLC staff a minimum of twenty-one (21) calendar days prior to the proposed survey date to ensure adequate review and approval time for CSLC staff. Note that one or more of the items may require the Permittee to plan well in advance in order to obtain the necessary documentation prior to the Notice due date (e.g., permits from other State or Federal entities).

Please use the boxes below to verify that all the required documents are included in the Presurvey Notice. If “No” is checked for any item, please provide an explanation in the space provided. If additional space is needed, please attach separate pages.

**Yes    No**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Geophysical Survey Permit Exhibit F   |
| <input type="checkbox"/> | <input type="checkbox"/> | Survey Location (including a full-sized navigation chart and GPS coordinates for each proposed track line and turning point)<br>Explanation: _____                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Permit(s) or Authorization from other Federal or State agencies (if applicable)<br>Explanation: _____   |
| <input type="checkbox"/> | <input type="checkbox"/> | 21-Day Written Notice of Survey Operations to Statewide Geophysical Coordinator/  |
| <input type="checkbox"/> | <input type="checkbox"/> | U.S. Coast Guard Local Notice to Mariners/  |
| <input type="checkbox"/> | <input type="checkbox"/> | Harbormaster and Dive Shop Notifications<br>Explanation: _____  |
| <input type="checkbox"/> | <input type="checkbox"/> | Marine Wildlife Contingency Plan<br>Explanation: _____  |
| <input type="checkbox"/> | <input type="checkbox"/> | Oil Spill Contingency Plan<br>Explanation: _____  |
| <input type="checkbox"/> | <input type="checkbox"/> | Verification of California Air Resources Board's Tier 2-Certified Engine Requirement<br>Explanation: _____  |
| <input type="checkbox"/> | <input type="checkbox"/> | Verification of Equipment Service and/or Maintenance (must verify sound output)<br>Explanation: _____   |
| <input type="checkbox"/> | <input type="checkbox"/> | Permit(s) or Authorization from California Department of Fish and Wildlife for surveys in or affecting Marine Protected Area(s) (if applicable)<br>Explanation: _____ |

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**NOTE:** CSLC staff will also require verification that current biological information was obtained and transmitted as outlined in Section 5 of this permit.

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

**EXHIBIT H**

**Mitigation Monitoring Program**

Please click this Hyperlink for:- [Mitigation Monitoring Program](#)

**EXHIBIT I**

**INSTRUCTIONS: CORPORATE APPROVAL**

In order for a Non-Exclusive Geophysical Permit to be issued, the Commission requires proof that the Directors of the Corporation seeking the permit have given their approval to the terms of the permit. Attached is a Certificate of Corporation. Please complete the form and attach a copy of the resolution adopted by the Applicant to obtain the permit.

If the Applicant is not a corporation, please provide some explanation as to the authority of the person seeking this permit.

**GEOPHYSICAL SURVEY PERMIT – STANDARD FORM**

SLC 601

**CERTIFICATE OF SECRETARY**

I certify that:

I am the duly qualified and acting (Assistant) Secretary of

\_\_\_\_\_, a \_\_\_\_\_  
(Name of Corporation) (Name of State)

corporation authorized to do business in California.

The attached is a true copy of a resolution duly adopted by the Board of Directors of the corporation at a regular (or special) meeting duly held on \_\_\_\_\_ and entered in the minutes of such meeting in the minute book of the corporation.

The resolution is in conformity with the articles of incorporation and by laws of the corporation, has never been modified or repealed, and is now in full force and effect.

Dated: \_\_\_\_\_

*(Corporation Seal)*

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Secretary