

**MINUTE ITEM**

This Calendar Item No. C56 was approved as Minute Item No. 56 by the California State Lands Commission by a vote of 3 to 0 at its 9-3-99 meeting.

**CALENDAR ITEM  
C56**

A 1  
S 2

PRC 8113

09/03/99  
W 25518  
B. Young

**GENERAL LEASE - NON-COMMERCIAL USE**

**LESSEE:**

Mr. Edwin Newman  
10331 Lindley Avenue, #113  
Northridge, CA 91326

**AREA, LAND TYPE, AND LOCATION:**

0.23 acres, more or less, of sovereign lands in the Pacific Ocean, near the town of Mendocino, Mendocino County.

**AUTHORIZED USE:**

Temporary placement of an engineering device and a marker buoy.

**LEASE TERM:**

One year, beginning September 1, 1999.

**CONSIDERATION:**

\$50 per annum, with the State reserving the right to fix a different rental periodically during the lease term.

**SPECIFIC LEASE PROVISIONS:**

Bond:  
\$ 10,000

**OTHER PERTINENT INFORMATION:**

1. The Applicant is proposing to conduct an engineering feasibility study by lowering a 5,000 pound device onto the ocean floor at the depth of 300 feet, about two miles off the Mendocino coast. The purpose of the project is to test the suitability of the device to utilize subsurface ocean currents to produce an economical source of electric power. The device includes a base, four legs and the body, all constructed from steel and covered by epoxy paint. The body consists of a nozzle connected to a turbine pump

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attached to a rudder. The device will occupy an area on the ocean floor of 100-foot square with a height of 60 feet. A U.S. Coast Guard approved marker buoy will be suspended from the device to warn mariners of the submerged obstacle below.

2. The device will be prefabricated and barged out to the site and installed by divers. At the end of the lease period, the divers will dismantle the device and transport it back to shore to an upland site.
3. Staff will be notified of and will monitor the removal of the device.
4. Staff consulted with staff of the California Department of Fish and Game, the U.S. Army Corps of Engineers, and the California Coastal Commission. As a result, a Notice to Mariners will be published prior to placement of the device, a fish screen will be placed on the device, and a \$ 10,000 security will be posted with the Commission by the Applicant to ensure removal of the device at the end of the lease period.
5. 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 as a categorically exempt project. The project is exempt under Class 6, Information Collection; Title 2, California Code of Regulations, section 2905 (c)(5).

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

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.

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**FURTHER APPROVALS REQUIRED:**

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

**EXHIBIT:**

A. Site and Location Map

**PERMIT STREAMLINING ACT DEADLINE:**

November 15, 1999

**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 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 6, INFORMATION COLLECTION; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(5).

**SIGNIFICANT LANDS INVENTORY FINDING:**

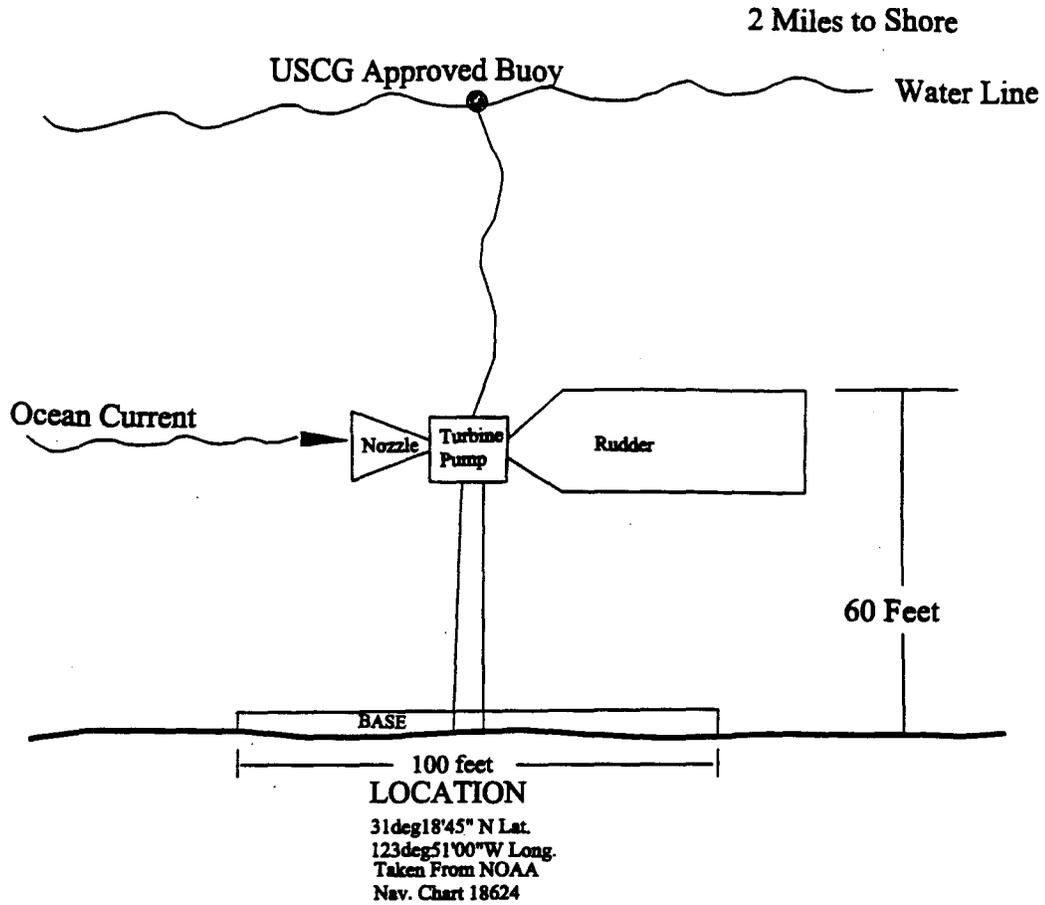
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO EDWIN NEWMAN OF A GENERAL LEASE -COMMERCIAL USE, BEGINNING SEPTEMBER 1, 1999, FOR A TERM OF ONE YEAR, FOR TEMPORARY PLACEMENT OF AN ENGINEERING DEVICE AND A MARKER BUOY ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$ 50; SURETY BOND IN THE AMOUNT OF \$10,000.

NO SCALE

# SITE MAP



# PROFILE

NO SCALE

# LOCATION MAP

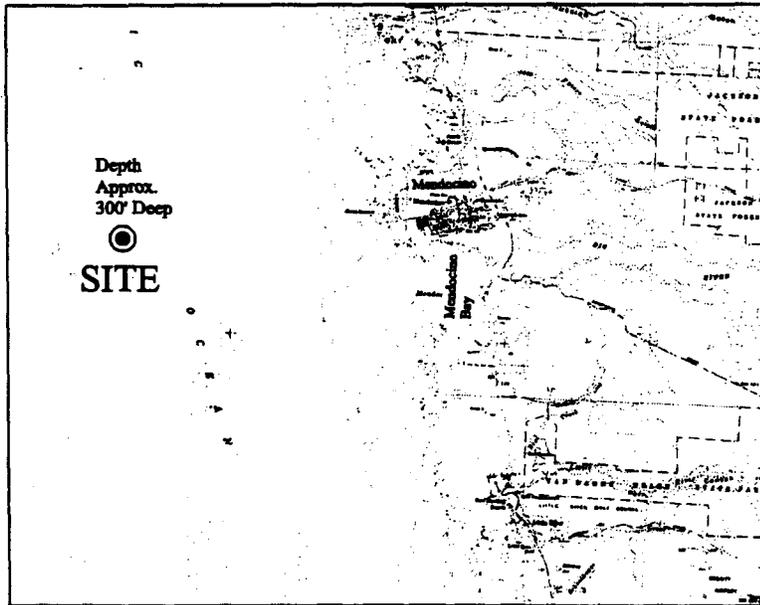


Exhibit A  
W 25518  
Underwater  
**ALTERNATIVE**  
Energy Turbine Unit  
with Marker Buoy  
Bottom of Pacific Ocean  
**MENDOCINO COUNTY**



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

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