

MOTION BY SUPERVISOR HOLLY J. MITCHELL

November 6, 2024

Marine Mammal Care Center Right of Entry Permit Fee Waiver

The Marine Mammal Care Center (MMCC) is a 501(c)(3) nonprofit organization comprised of staff and volunteers providing veterinary and husbandry care, 24 hours a day, 365 days per year, at its hospital located within Angels Gate Park in San Pedro. MMCC’s mission is to rehabilitate and release seals and sea lions as soon as possible, following criteria established by the National Oceanic and Atmospheric Administration Fisheries, and to find permanent homes for marine mammals who are unable to feed or to protect themselves.

MMCC plays a vital role in the County of Los Angeles (County) owned and managed beaches, keeping both beach goers and beach marine mammals safe. MMCC is the only qualified organization within the County that can assist with sick and/or deceased marine mammals on County beaches. Since 1992, MMCC has rescued and rehabilitated approximately 10,000 marine mammals that were found ill, injured, or suffering from malnutrition at County Beaches.

In addition, MMCC’s veterinary team partners with scientists around the County in conservation and research efforts. In 2023, MMCC was a critical partner in the County’s response to the domoic acid toxic algal bloom, which killed hundreds of sea lions and

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brought an unprecedented number of sick marine mammals ashore on highly populated beaches.

Pursuant to Government Code Section 26227, the County's Board of Supervisors has the authority to contract with non-profit entities for operation of programs which serve public purposes and are necessary to meet the social needs of the population of the County. Given its essential work to help keep residents and marine mammals safe along our coasts, the County's right of entry permit fee of \$841 should be waived as needed for MMCC staff while performing care and retrieval of marine mammals at County Beaches.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

1. Find that approval of the proposed actions does not constitute a project under the California Environmental Quality Act (CEQA), pursuant to Section 21065 of the Public Resources Code and Section 15378(b)(5) of the CEQA Guidelines. These actions are administrative in nature, involve the support of non-profit operations, and do not result in direct, or indirect, physical changes to the environment. Alternatively, the proposed issuance of a right of entry permit and corresponding waiver of fees has been determined to be Categorically Exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The issuance of a right of entry permit to rescue and rehabilitate injured, sick, or dead marine animals will not result in any physical change to the environment;
2. Find that the services to be provided by the Marine Mammal Care Center (MMCC) are necessary to meet the social needs of the County and serve public purposes which benefit the County;
3. Delegate and authorize the Director of the Department of Beaches and Harbors (DBH), or their Designee, to negotiate and execute a right of entry permit, on a gratis basis, for a term of 10 years that includes one (1) additional, two (2) year term upon confirmation from MMCC to the satisfaction of the Director of DBH

that it has the necessary permits and authority to conduct the activities outlined in the right of entry permit; and

4. Authorize the Director of DBH, or their designee, to execute other ancillary documentation, approved as to form by County Counsel, necessary to effectuate the right of entry permit, and to take any other actions necessary and appropriate to implement and effectuate the right of entry permit.

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