

A meeting of the State Lands Commission was held in Room 180 Business and Professions Building, Sacramento, California, on November 20, 1950, at 9:30 A.M.

Present: Honorable James S. Dean, Chairman  
Honorable Thomas H. Kuchel, Member

Absent: Honorable Goodwin J. Knight, Member

1. (RIGHT OF WAY ON TIDE AND SUBMERGED LANDS, OIL TERMINALS COMPANY, CRESCENT CITY HARBOR - W.O. 637, P.R.C. 541, P.R.C. 502) The Commission was informed as follows: At its meeting on August 29, 1950, the Commission authorized the Executive Officer to issue a permit to the Oil Terminals Company for the installation of two dolphins and for a right of way along the inner breakwater and sand barrier at Crescent City Harbor, California, subject, to certain stipulated conditions. At the meeting of the Commission on October 5, 1950, the Commission adopted a resolution postponing temporarily action on the issuance of said lease.

Meanwhile, despite continued negotiations, no agreement has been reached for a lease between the Oil Terminals Company and the Crescent City Harbor District, and it appears unlikely that any such agreement may be reached in the near future.

In the letter opinion of the Attorney General in which the authority of the Commission to issue such a lease to the Oil Terminals Company was upheld the Attorney General stated "I am of the further opinion that your Commission must take an affirmative action to otherwise effect the purpose of the trust". In view of the continued delay, it is believed that it would be advisable for the Commission to take affirmative action at this time.

It was emphasized by members of the Commission that, if the Oil Terminals Company was to receive a lease from the State, negotiations would continue to be carried on with the District, with a view to obtaining a satisfactory lease with that body.

The Harbor District was represented by the following individuals: E. J. Lessard, (newly elected Commissioner), Chester J. Paul, Allen S. Wheelon, Lloyd C. Byrne, J. L. Frickett, Berry D. Brown and Allen C. Lehman.

The Oil Terminals Company was represented by Mr. Thomas B. Crowley, Jr.

The following persons were also in attendance: E. B. Serruys, Guy C. Hedrick, George J. Raymond and Robert E. Keane.

A transcript of these entire proceedings was made by a reporter employed by the Crescent City Harbor District.

AFTER A FULL DISCUSSION OF THIS MATTER, UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED: THE ACTION TAKEN BY THE COMMISSION ON AUGUST 29, 1950, AUTHORIZING THE ISSUANCE OF A LEASE TO THE OIL TERMINALS COMPANY FOR A TERMINAL AT CRESCENT CITY HARBOR, CALIFORNIA, IS AMENDED ONLY TO THE EXTENT OF MAKING SUCH LEASE SUBJECT TO REVOCATION BY THE STATE ON THIRTY DAYS NOTICE AFTER THE CRESCENT CITY HARBOR DISTRICT HAS MADE A FIRM PROPOSAL FOR A LEASE BETWEEN THE DISTRICT AND THE OIL TERMINALS COMPANY UPON TERMS ACCEPTABLE TO THE COMMISSION; THE EXECUTIVE OFFICER IS DIRECTED TO ISSUE SUCH LEASE FORTHWITH.