STATE LANDS COMMISSION, STATE OF CALIFORNIA

Transcript of Proceedings
Meeting of February 25, 1960
Los Angeles, California

Tryer, Merrill & Blodgett
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STATE LANDS COMMISSION, STATE OF CALIFORNIA

Transcript of proceedings of meeting of State Lands Commission, held at Room 806, State Building, Los Angeles, California, on Thursday, February 25, 1960, at 10:00 a.m.

THE COMMISSION:

Glenn M. Anderson, Lieutenant Governor, Chairman.
Alan Cranston, State Controller

F. J. Hortig, Executive Officer
Fred W. Kreft, Assistant Executive Officer
Jay L. Shavelson, Deputy Attorney General
Harold A. Lingle, Deputy City Attorney, City of Long Beach
Jess D. Gilkerson, City Engineer, City of Long Beach

Reported by: Carroll S. Blodgett, CSR
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17. Report on status of major litigation, informative

18. Confirmation of date of next Commission meeting

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GOV. ANDERSON: The meeting of the State Lands Commission will come to order. The Secretary will note that Commissioners Cranston and Anderson are present. I don't believe Mr. Carr is going to be here, is he?

MR. HORTIG: Mr. Carr will not be present.

GOV. ANDERSON: Will he have a representative?

MR. HORTIG: And he will not have a representative present, and asked me to report to you, Mr. Chairman, that the meeting with two commissioners is with his full consent.

GOV. ANDERSON: (Addressing Mr. Cranston) Before you can do anything today, you have to have my consent.

We will proceed with the agenda, then.

The first item is confirmation of minutes of meeting of December 17, 1959. If there is no objection, they are approved without reading.

Item 2 we completed at our special meeting, didn't we, Mr. Hortig?

MR. HORTIG: No, sir. While Item 2, Mr. Chairman, relates to Long Beach, this item relates to the specific question of the tide and submerged lands boundary determination pursuant to Chapter 2000 of the Statutes of 1957, which the Commission has had under executive consideration. There are also later a few of the normal operating items for consideration by the Commission for Long Beach. All of them were not considered at last Thursday's meeting, which was restricted to the consideration of co-operative
plans, common unit plans, and one special project which 
required advance approval in order to permit the City to 
move their Harbor Department to their new Administration 
Building. So the items which will be considered on the 
calendar here today are in addition to those that were 
considered last Thursday.

GOV. ANDERSON: Yes.

MR. HORTIG: Calendar page 1, if the Chairman pleases, 
on January 21, 1960, the Commission continued consideration 
of the Long Beach tide land boundary problem to its next 
scheduled meeting on February 25, 1960, today. A report 
again is expected on the status to be given by the Attorney 
General's office, members of the Commission staff, and by 
representatives from the City of Long Beach, who were in-
vited to comment on this problem in the normal--what has 
come to be the normal manner for consideration of this 
problem in that the City of Long Beach was informed by 
copy of this calendar that this item would be up for con-
sideration today at this meeting of the Commission. If 
the Chairman pleases, you might call with respect to 
whether there is any representation by the City of Long 
Beach today on this problem.

GOV. ANDERSON: Is the City of Long Beach here and 
making representation on this item?

MR. HAROLD A. LINGLE: Sir, for the record again, 
I am Harold A. Lingle, Deputy City Attorney. Unfortunately,
I am not prepared. We had requested and understood that Mr. Bell, who is presently engaged in trial, would make this presentation. You remember last time in Sacramento I did, because we then knew that Mr. Bell would not be there, and I assumed that he has been detained in the trial, and I understood also that there is some possibility, through a conversation that he had with Mr. Hortig, that he might perhaps have misunderstood the necessity for him having been there. I am not aware, having been involved in these other oil negotiations for the City, and it has not been my assignment, and I don't know the report that I can make. I don't even know whether or not he has talked to the Attorney General's office.

GOV. ANDERSON: Mr. Hortig.

MR. HORTIG: Under those circumstances, Mr. Chairman, comments from the Attorney General's office would appear to be in order on this question.

MR. SHAVELSON: We haven't heard from the City of Long Beach on this matter--

MR. HORTIG: Pardon me. This is Jay Shavelson, Deputy Attorney General.

MR. SHAVELSON: We haven't heard from the City of Long Beach on this matter since November of 1959. We do not know whether there is any prospect of a negotiated settlement of this matter, and we won't know until we hear from the City further. And, as we have stated, we are prepared to file
proceedings in this matter whenever we are directed to do so by the State Lands Commission.

MR. CRANSTON: Is there any word from the Navy Department as to their attitude or decision on the matter?

MR. HORTIG: Not specifically, sir. As a matter of fact, Mr. Lingle probably can comment on it further. This is hearsay on my part this morning, from conversation with him, but the City has undertaken to determine what the disposition of budgeted funds may be with respect to the operations to be conducted in the shipyard, which disposition it was anticipated would be determined after unit plans and co-operative plans for Fault Blocks II and III were consummated--these were the documentation which you gentlemen authorized approval on last Thursday--and the specifics on the disposition of the budgeted funds have not yet been available, nor have we any announcement of any determination by the Secretary of Navy with respect to the operating future of the Long Beach Naval Shipyard.

GOV. ANDERSON: Do you have something you would like to add to that?

MR. LINGLE: No, he has covered it quite thoroughly. We have done our--this is hearsay on my part--but I know that we have done our best to try to find out what they were going--if there was any recommendation forthcoming rapidly, and we haven't been successful. We have had some more conferences along the line of some of the suggestions
that were made by the Navy's general counsel at a meeting at which your representatives and ours and some of the private companies were at, at the Navy Yard in January in regard to further assurances by ourselves that the City, and possibly the State, about repressuring after the termination of production in the field, and this was something that we thought was dead, and had apparently cropped up again, and we are trying to find out whether this is still a further prerequisite which the Navy has placed upon it or not. At this point we don't know.

MR. CRANSTON: What is included in the President's budget as submitted to Congress?

MR. LINGLE: I don't know, sir; I haven't any idea.

MR. HORTIG: I might amplify, Mr. Cranston, the disposition of the funds to which I referred, the funds previously budgeted conditionally to the Navy Department, approximately on a distribution basis that a maximum of $500,000 might be expended during the current fiscal year for maintenance, with an additional five or six million dollars, I am not now certain as to which of those two items, that could be available for rehabilitation and further maintenance work in the Naval Shipyard, as, if and when the Secretary of Navy should determine that it would be in the interest of the Navy and the public to make such expenditure in the light of his conclusions that subsidence has been substantially or sufficiently ameliorated so as
to insure a reasonable future life for the shipyard. The question then is, we have not yet heard whether there has been any determination based on which the Secretary can authorize the expenditure of these already-budgeted funds, although budgeted with a condition precedent to be met.

MR. CRANSTON: I move the matter be continued to the next regular meeting of the Lands Commission.

GOV. ANDERSON: I will second it, and if there is no objection, it will be so ordered.

The next item on the calendar is Item 3, permits, easements, and rights of way to be granted to public and other agencies at no fee, pursuant to statute. And the first applicant, Applicant (A), is the Department of Fish and Game.

If there is any comment on these, we will hear it, otherwise I will just go through them.

MR. HORTIG: I would say, Mr. Chairman, on the very first item, being typical of a type which is repeated later on throughout the calendar, both for public agencies and private agencies, there are authorizations for utilizations of areas for boat-landing ramps, boat harbors, boat marinas and similar boating facilities. All of the being presented to the Commission this morning in this category have previously been submitted to the Small Craft Harbors Division for review for compatibility with both the policy and any programs that division may have with
respect to the State Small Craft Harbors program. All the items which are being recommended to you gentlemen this morning are here without any objection by the Small Craft Harbors Division.

GOV. ANDERSON: Item (b), Division of Highways; Item (c) applicant City of Mill Valley; Item (d) The City of Oceanside; Item (e) the City of Pittsburg.

MR. CRANSTON: I move approval.

GOV. ANDERSON: It has been moved, and I second it. If there is no objection, all items under Item 3 will be approved.

Item 4 on the agenda is permits, easements, leases and rights-of-way issued pursuant to statutes and established rental policies of the Commission. The first applicant is Fibreboard Paper Products Corporation.

MR. HORTIG: Mr. Chairman.

GOV. ANDERSON: Mr. Hortig.

MR. HORTIG: Again, all items appearing under item classification 4 of your calendar summary are pursuant to rules, regulations and lease conditions, and authorized leases by the State Lands Commission are recommended by the staff, and we are unaware of any objections thereto. They do range over, in general, the field of right-of-way easements, deferment of drilling requirements under an oil and gas lease, which is necessary in order to accomplish proper safety checks before reinitiating drilling, and modifica-
tion of Submarine Geophysical Exploration permits to permit on a controlled experimental basis the use of a type of explosive which has not heretofore been authorized by the State Lands Commission, but which has now been authorized by the Department of Fish & Game, who are particularly concerned over explosive effects, and it is therefore recommended that the Commission's permit for the same operations in the same area be made to conform to the authorization for such use of explosives.

GOV. ANDERSON: For the record, then, we will go through these. The first one I mentioned was the Fibreboard Paper Products Corporation; Item (b), Flying-S Ranch, an amendment of grazing lease; Item (c), Neva Hallmark, renewal of lease; Item (d), E. P. Jepsen, Jr., rescission of previous action; (e), Monterey Oil Company, deferring of drilling requirements; (f) Pacific Lighting Gas Supply Company, issuance of four 49-year right-of-way easements, San Bernardino County; Item (g), San Diego Gas & Electric Company, deferment of operating requirements; Item (h), Shell Oil Company, modification of Submarine Geophysical Exploration Permits; Item (i), Signal Oil & Gas Company, the renewal of lease, Contra Costa County; and Item (j), Signal Oil & Gas Company, issuance of lease, approximately one acre in Contra Costa County.

Any comments on any of those?

MR. CRANSTON: I move approval of those items.
GOV. ANDERSON: I will second them. If there is no objection, all of those items under Item 4 will be approved.

Item 5, the City of Long Beach projects, approvals required pursuant to Chapter 29, Statutes of 1956, First E.S.

Item (a) we completed at the last meeting?

MR. HORTIG: That is correct, sir.

GOV. ANDERSON: So we start with Item (b).

MR. HORTIG: All items, (b) through (f), represent requests for approval and recommendations of the staff for approval of the State Lands Commission for expenditures to be made by the City of Long Beach during the balance of the fiscal year for projects which include subsidence costs, which are allowable under Chapter 29, Statutes of 1956. The specific amount of allowance, as is standard with Commission approvals heretofore, the specific allowance will be determined as and when the work under these projects is completed, that being the first time that there is an accurate engineering and accounting measure of the magnitude of the operations.

GOV. ANDERSON: Then for the record we will commence with (b) in Item 5, which is Specification of Harbor Department 592, Berths 208-211, Wharf (2nd Phase); (c) Pier A, East, Miscellaneous Filling (2nd Phase); (d) is Fire Station, (1st Phase); (e) is the dredging of Alamitos Bay, Second Street to Appian Way (2nd Phase); (f) is North Harbor
area--pump station and drain line (1st Phase).

MR. CRANSTON: I move approval.

GOV. ANDERSON: I will second approval. If there is no objection or comment, all those items from (b) through (f) under 5 will be approved.

MR. HORTIG: Mr. Chairman, if you please.

GOV. ANDERSON: Mr. Hortig.

MR. HORTIG: Before proceeding under Item (e), dredging of Alamitos Bay, Second Street to Appian Way, the record should show that the Office of the Lieutenant Governor received under date of February 16, 1960, a letter from Mr. Spencer A. Hillman of 249 Venetia Drive, Long Beach 3, California, which reviews in three pages the majority of the history of the Alamitos Bay area and projects which have heretofore been undertaken by the City of Long Beach, and essentially in one paragraph summarizes an objection and a suggestion by Mr. Hillman with respect to this Item (e), and I quote:

"Now, to get back to the dredging of the Upper Bay"--this is the one item that appears on the calendar today to which Mr. Hillman's letter refers specifically--again quoting--"Mr. Vickers noted sand bars are building up and are a danger to many boats he expects to be in the bay."

Still quoting, "Why not bar all boats in the Upper Bay and not dredge it?" Unquote.

The City Engineer of the City of Long Beach is here
today, in the event the Commission might desire further comment or rebuttal to this suggestion.

GOV. ANDERSON: Would the City Engineer from the City of Long Beach like to comment on that briefly?

Give your name for the record.

MR. JESS D. GILKERSON: I am Jess Gilkerson, City Engineer of Long Beach. I am a little startled that we have an objection, and the solution as suggested certainly would be novel. We are trying to provide facilities for small craft. We think we have a well-balanced, well-conceived program to accommodate as many small craft as we can in the limited area, and the consensus is you have boats down there indicating that there are a great many more where the owners live outside of our boundaries. I just can't conceive of any suggestion so ridiculous as the one made by the gentleman in his letter.

GOV. ANDERSON: Any further comment?

For the record, then, the letter that Mr. Hortig presented will be in the minutes with the comments from Mr. Hortig and the comments of the City Engineer of the City of Long Beach.

We will now proceed to Item Classification 6. City of Long Beach - Special Items.

MR. HORTIG: Mr. Chairman.

GOV. ANDERSON: Mr. Hortig.

MR. HORTIG: May I bring to the attention of the
Commission that Items (a), (c) and (d) were already considered and approved by the Commission at the meeting last Thursday. Item (b), the staff finds requires further modification in order to be certain that the proposal which is satisfactory in principle can be in complete legal form, it is requested that action on Item (b) be deferred until the next meeting of the State Lands Commission. This would dispose of all of Item Classification 6 on this agenda.

GOV. ANDERSON: If there is no objection, then—we are already completed with (a), (c) and (d), so those are actually not on the agenda?

MR. HORTIG: Right.

GOV. ANDERSON: --Item (b) will be deferred to the next meeting of the State Lands Commission, and so ordered. We will proceed to Item Classification 7, Authorization for sales of vacant State school lands. The first applicant (a) is Lyle Cook--

MR. HORTIG: Mr. Chairman.

GOV. ANDERSON: Mr. Hortig.

MR. HORTIG: Mr. Lyle Cook is deceased and his application has been received from his widow, who has, I believe, an appointment as executor of the estate. In this application from the widow it is requested that this application be canceled. Therefore, there will be no action required of the Commission. The cancellation can be effectuated by the staff, and this item should be stricken
from the calendar today.

GOV. ANDERSON: In other words, it is the recommendation that the application of Lyle Cook shall be stricken from the file. If there is no objection, so ordered.

We will proceed to (b), Mal Coombs; (c), Forrest M. Harris; (d), the applicant is Everett E. Johnson; (e), Ben Mednick etc.; (f) J. H. Partridge; (g), Harry Pon and R. A. Ellsworth; (h), Marcus Rudnick; (i), Mark J. Ryan and Camille Ryan; (j), James Selna and Margaret V. Selna.

Any comment on any of those?

MR. CRANSTON: I move approval?

GOV. ANDERSON: You move approval, then, of all those from Item (b) through (j). I will second the motion. If there is no further comment, the approval is so ordered.

Proceed to classification Item 8, authorization for selection and sale of vacant Federal lands, and the first applicant in (a) is Joe Marion Gerlach and Albert C. Gerlach, and (b) is Viola Russ McBride. Is there any comment on those?

If not, a motion is in order.

MR. CRANSTON: Move approval.

GOV. ANDERSON: It has been moved to approve those two items under Item Classification 8. I will second it, and if there is no objection, it is so ordered.

Item Classification No. 9, authorization for selection of vacant Federal lands, and for sale thereof pursuant to
the rules and regulations of the Commission.

(a) is 319.39 acres in Kern County, and (b) is 40 acres in San Bernardino County. Any comment on these two?

MR. HORTIG: No, sir, except in amplification, as the summary indicates, these are lands which have been acquired and are available to the State pursuant to application made by individuals, originally. The individual applicants do not at this time desire to proceed with the purchase of the lands, therefore it is recommended that the State acquire title in its own name and place the lands on the vacant school land list, to be sold in the manner prescribed in the rules and regulations for the sale of vacant State school lands pursuant to competitive public bid.

MR. CRANSTON: I will move that we so do.

GOV. ANDERSON: I will second the motion.

If there is no further comment or objection, it is so ordered.

Item 10 is authorization for exchange, on an equal-value basis, of State school land in two withdrawn military installations, totaling 37,402.67 acres, plus all school lands in townships on which plats have been or may be suspended by the United States and all lands declared dangerous due to unexploded shells and duds, for United States' lands under pending exchange applications, the purpose being to conclude as many pending land-exchange applications as available State land will permit.
Any comment on that?

MR. HORTIG: That, Mr. Chairman, is as succinct a summary of our problem as we could make. If the commission desire an explanation thereon, we would be very happy to give it to them at this time as to why history has overtaken us.

MR. CRANSTON: I move approval.

GOV. ANDERSON: I will second it.

If there is no further comment or objection, it is so ordered.

Item 11, authorization for withdrawal from public sale of 1280 acres of State school lands, Riverside County, pursuant to request of State Division of Beaches and Parks, for potential purchase by that agency.

Any comment on that?

MR. HORTIG: As the Commission will note from page 56, these lands are located, one section within the exterior boundary of the proposed and approved Salton Sea State Park project, the other section is in very rugged country within the Painted Canyon State Park project, and it is felt that the interests of the State will not be adversely affected nor will the value of the lands decrease in any period of one year, during which time these lands might be withheld, during which time the Park Department or the Division of Beaches and Parks can conclude whether they do in fact wish to purchase these lands from the State
Lands Commission.

MR. CRANSTON: I move approval of this item.

GOV. ANDERSON: I will second it.

If there is no further comment or objection, it is so ordered.

Item 12, authorization for execution by the Executive Officer of service agreement with County of Marin on behalf of the Commission as contractor, providing for surveying services to be rendered the County pursuant to Chapter 497, Statutes of 1959, at a cost, to be paid by the County, not to exceed $15,000.

Any comment?

MR. HORTIG: The services to be performed pursuant to this contract are required by the granting statute of tide and submerged lands granted to the County of Marin in 1959. The sole reason for presentation to the Commission for approval is that the delegated authority to the Executive Officer to approve contracts does not extend above $2000 per individual contract. Many of these surveys and, as a matter of fact, the one in the following item, were completed under contract approved by the Executive Officer, because the magnitude of the project was such that the $2000 figure was not exceeded in this instance. In order to finally secure Department of Finance approval we have to have also the prior approval of the Lands Commission for entering into this contract.
MR. CRANSTON: What is the procedure if the $15,000 turns out to be inadequate?

MR. HORTIG: Happily—or not happily, because of good estimating work by your civil engineering section, our estimates to date have been found to be reasonable and sufficient and not excessive, and even were the contingency included, which is not objected to ordinarily by the other party to the contract, because the limitation, as far as the other party is concerned, that it does not exceed actual cost in any event, if the day should come and we find ourselves running close, I would assume that we would be back renegotiating with the other party to the contract, if completely unforeseen circumstances did arise, which is the only basis on which I would expect we would ever find that the amounts contracted for would not prove to be adequate. In fact—

MR. CRANSTON: I move approval.

GOV. ANDERSON: I second it.

Any further comment? If there is no objection, it is so ordered.


MR. HORTIG: This is an instance where we have the end product of a contract of the type approved by the Commission in the previous item, the end product being the map, which
will be recorded to show what lands were granted to the City of San Leandro by the Legislature.

MR. CRANSTON: I move approval.

GOV. ANDERSON: I will second it. Any comment?

If there is no objection, it is so ordered and approved.

Item 14, authorization for approval by Executive Officer of maps entitled "State Lands, South Humboldt Bay, Humboldt County, California," dated December 1959, and for reporting the Legislature thereafter on the extent of State ownership of tide and submerged lands in South Humboldt Bay.

MR. HORTIG: If the Commission please, we would recommend that in the resolution as shown on page 59, at the end of the third line, the word "thereafter" be stricken, inasmuch as it could be interpreted at the report to the Legislature should not be made until after the sheets have been recorded. In fact, this report, upon approval by the Commission, will be sent to the Legislature this afternoon. Also, the maps will be sent for recording and ultimately will be recorded.

GOV. ANDERSON: Then the recommendation will be changed and we will strike out the word "therefore"--

MR. HORTIG: "thereafter."

GOV. ANDERSON: --"thereafter" at the end of and beginning of lines 3 and 4.

MR. CRANSTON: Move approval.
GOV. ANDERSON: I will second it. Any further comment?

If there is no objection, it is so ordered and it is approved.

Item 15, adoption of amendments to Commission's regulations in Title 2, California Administrative Code, covering "Automatic Custody Transfer" of oil from State leases. Any comment on that?

MR. HORTIG: I believe I should report to the Commission that this is an example of co-operation—the results of co-operation on the part of all parties concerned, the State's oil and gas lessees and the Commission staff, and all, in developing what is felt will be a completely satisfactory set of rules and regulations which will permit under control and specification the use of automatic custody control measuring equipment on the various State leases as some lessees will undoubtedly propose to do in the future, and by adoption of these rules and regulations the Commission will not have to consider amendment of individual leases to accomplish this, which has already been done in one instance by the Commission, and which brought to our attention the necessity for rules and regulations to preclude that cumbersome method of operating in the future. The proposed rules and regulations were fully noticed, considered, pursuant to all statutory provisions. They were reviewed extensively by industries who might be
affected thereby; they were reviewed and modified, and
a conference was held and consensus was developed on
specific language for the rules and the regulations here-af-eter recommended for adoption, and represent the culmina-
tion of this effort.

It is therefore recommended that the Commission adopt
the resolution in the form in which it appears on pages 60
and 61 of the calendar, which resolution in turn conforms
with the requirements of the California Administrative Code.

MR. CRANSTON: I take it that Item (b) on page 61
does not constitute any delegation of the Lands Commission’s
authority to the American Petroleum Institute, so there can
be no change without approval?

MR. HORTIG: That is correct, any such delegation was
farthest from our mind.

MR. CRANSTON: I move approval.

GOV. ANDERSON: I will second it.

Any further comment? If there is no comment or
objection, it is so ordered.

Item 16, confirmation of transactions consummated by
the Executive Officer pursuant to authority confirmed by
the Commission at its meeting on October 5, 1959.

MR. HORTIG: The summary statements appearing on
pages 62 through 64 of your calendar represent routine
ministerial actions which were completed by the Executive
Officer, but in order to assure that there can be no
question of record title or the sufficiency of the author-
izations granted, it is recommended that the Commission
confirm the actions of the Executive Officer as reported in
the items appearing on pages 62 through 64 of the calendar.

GOV. ANDERSON: Any further comment?

MR. CRANSTON: I move approval.

GOV. ANDERSON: I will second. If there is no ob-
jection, then it is so ordered and approved.

Item 17 is a report on status of major litigation.

MR. HORTIG: This is informative for the commissioners
and requires no action. Essentially, there is no real
change since the last report at the last meeting to the
Lands Commission. Of principal interest to the Commission,
of course, are the matters of the Long Beach subsidence
matter, which, in effect, has already been summarized here
this morning as to progress therein. Secondly, the status
of the litigation with the County of Orange now hinges on
a determination by the County of Orange as to whether the
County in its true capacity as a county will desire to
proceed with the litigation, or will not. The press reports
from Orange County indicate that this in turn may be
dependent upon recommendations of a newly appointed County
Counsel, who has now been appointed, effective March 1st,
so therefore the Board of Supervisors have not had as yet
the recommendation of their new County Counsel.

GOV. ANDERSON: Any questions?
MR. CRANSTON: No action is required.

GOV. ANDERSON: The next item on the agenda will be a supplemental item, which here shows Item 19, which we will take up before we take up the confirmation of our next Commission meeting. Item 19 is authority for the Executive Officer to execute a contract with Submersible Operations Corporation, San Diego, California, to provide for the preparation of a map-to-scale, with an accompanying report, locating the horizontal and vertical position of all underwater oil casings or other projecting obstructions in a predetermined area of tide and submerged lands offshore of Summerland, Santa Barbara County. In return for services rendered, the contractor is to receive a sum not in excess of $1900.

Would you explain that, Mr. Hortig.

MR. HORTIG: Yes, sir. The first State Mineral Leasing Act which covered tide and submerged lands, as well as other uplands of the State, was adopted in California in Chapter 303 of the Statutes of 1921. The first tideland well in the world was drilled in Summerland in the tidelands in 1896. Therefore, between 1896 and 1921 there were extensive operations in the tide lands under no authorization and under no objection from the State of California. This Summerland Field reached a peak of operations in about 1906, again fifteen years before there was any legislative control, at which time upwards of
400 wells had been drilled or dug into the tidelands. As the operations became unprofitable, the operator just walked off and left whatever it wasn't feasible to salvage, including pilings sticking out of the surf, casings etc. The Commission heretofore has expended $25,000, which was provided as a supplemental budgetary item through a bill which had been introduced by Senator Hollister of Santa Barbara County, at which time within the swimming zone of this beach, which is a desirable beach in Santa Barbara County, all visible obstructions and obstructions which could be reached without excavation were removed, in the hope that this would render the beach completely safe. There has been erosion of beach sand at Summerland over the winter months, and again now we have some of the remaining portions of these earlier casings and pilings and debris which were thrown into the ocean, formerly buried by sand, are now projecting above the sand, and some of them are actually visible above the water at low stages of the tide. How much of these obstructions there are, we do not know specifically at the moment. The County of Santa Barbara has requested, by order of its Board of Supervisors, that the co-operation of the State Lands Commission be solicited in attempting a final beach clean-up, at least we hope it will be a final beach clean-up, at Summerland in order to determine how much work has to be done and what the clean-up would cost, we have to know what obstructions there are there
and at what locations they are located. The Commission does have a modest appropriation in its budget, current operating budget, for beach protection and for miscellaneous investigations along the coast, and in anticipation of funding a study of this problem from that budgetary appropriation bids were requested from submarine survey organizations who could prepare an accurate survey and map of these obstructions so their location would be known, and their quantity, these bids ranging from a high of $3700 to a low of $1900, the low bidder herein being recommended to receive the bid. After the receipt of the survey and maps from this low bidder, if this contract is entered into with the Commission, who will then be in position to either recommend in a forthcoming budget funds that will be necessary, and the Legislature can consider whether they should be allocated, the funds necessary to complete this beach clean-up on State-owned lands, or review with the Department of Finance the feasibility for a deficiency allocation for such funds to complete such beach clean-up. In any event, what is here being recommended is only the amount necessary to complete the study contract, then the procedure for authorizing the beach clean-up procedure to be undertaken will be an item that will be back to the Lands Commission for recommendation as to what course to take.

GOV. ANDERSON: What other areas in addition to
Summerland are in the same condition?

MR. HORTIG: This is actually the only one one of which we are aware specifically and on which we have ever had specific requests from local authorities for assistance and co-operation, and it is unique in that it was the first tideland oil field in the world.

GOV. ANDERSON: Weren't there other areas up there, too?

MR. HORTIG: They were all pursuant to permits and leases issued pursuant to State law. This is the only extensive operation that was actually in effect prior to the time of any existing State law, and under those leases which were issued pursuant to State law all the leases ever issued have required that some measure of clean-up be made before abandonment, and it required a performance bond upon which we have actually had to levy in some few instances to assure that the beach was returned reasonably to its natural condition before the lessee was released from further liability. There are a few instances of still-projecting pilings, and so forth, in some areas which are no longer under our jurisdiction or the jurisdiction of the State Lands Commission, by reason of the lands having been granted by the Legislature to municipalities and counties.

MR. CRANSTON: I move approval.

GOV. ANDERSON: I will second the motion. Is there
any further comment or question?

If none, then it is so ordered and approved.

Then we will take up the last item on the agenda, confirmation of the date of the next Commission meeting. At our last special meeting we discussed having it on the fourth Thursday, which is March 24, 1960, in Sacramento, at 9:00 o'clock.

MR. CRANSTON: Fine.

GOV. ANDERSON: If there is no objection, then our next meeting will be 9:00 o'clock in the morning at Sacramento, on Thursday, on March 24, 1960, and Mr. Hortig will be responsible for finding the location.

MR. HORTIG: Aye, aye, sir.

GOV. ANDERSON: If there is no objection, it is so ordered.

There is nothing more that you wish to bring before the meeting, Mr. Hortig?

MR. HORTIG: There is nothing further, Mr. Chairman.

GOV. ANDERSON: In that event, we will get out of here. Do you want to move we adjourn?

MR. CRANSTON: I so move.

GOV. ANDERSON: It has been moved, and I second it. The meeting is adjourned.

(The meeting was adjourned at the hour of 11:10 a.m.)
REPORTER'S CERTIFICATE

I hereby certify that the foregoing proceedings are a full, true and correct transcript of my shorthand notes taken as Official Reporter of the State Lands Commission at the hearing covered herein.

Dated February 26, 1960. [Signature]

Official Reporter