PARTICIPANTS:

THE COMMISSION:

Hon. Glenn M. Anderson, Lieutenant Governor, Chairman
Hon. Alan Cranston, Controller
Hon. Hale Champion, Director of Finance

Mr. F.J. Hortig, Executive Officer

Mr. Alan Sieroty, Administrative Assistant to
Lieutenant Governor Anderson

APPEARANCES:

(In the order of their appearance)

Hon. Charles W. Petit, Mayor,
City of San Buenaventura, and
representing Ventura Port District

Mr. Fred L. Jones
Department of Fish and Game
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GOV. ANDERSON: The meeting of the State Lands Commission will come to order. I think before we start our classifications, I might point out that our former Director of Finance, former member of the Lands Commission, is sitting back in the corner and we are concerned with what great problem he has here today.

MR. CARR: No problems at all.

GOV. ANDERSON: You caused great consternation up here.

MR. CARR: I don't have any ulterior motives of any kind.

GOV. ANDERSON: Mr. Cranston, do you want to take something out of order?

MR. CRANSTON: Yes, in keeping with our general policy of taking up matters first when people are present in connection with an item on the agenda, and because of the importance of the item, I'd like to move that we take up Supplemental Item 20 relating to the Ventura Port District as our first item this morning.

GOV. ANDERSON: We have a request to have supplemental item 20 taken out of order. If there is no objection, so ordered. We might note all of the members of the Commission are here.

Supplemental Item 20 is application for amendment of permit P.R.C. 2342, permit to construct jetties and dredge channel on tide and submerged lands at Pierpont Bay,
Ventura County; Ventura Port District. Mr. Hortig, do you
want to comment on this?

MR. HORTIG: Mr. Chairman, in summary, the Ventura
Port District has had under consideration and partial imple-
mentation various plans for establishment of a boat harbor at
Pierpont Bay in Ventura County since 1959, at which time the
Lands Commission had authorized the issuance of a 49-year per-
mit to the District to establish such jetties and protective
facilities as were necessary for the protection of the proposed
entrance channel.

Before complete implementation of that project,
there were difficulties, including financial, on the part of
the Port District, which suspended operations and considera-
tion of further development until this year. in April, when
the Port District again proceeded with the sale of bonds to
finance the project, which has now been redesigned so that
the entrance jetties will be at a slightly different location
than originally approved by the State Lands Commission.

Therefore, while the Port District has applied for
an amendment of the prior existing permit to permit the re-
location of these jetties and facilities on tide and submerged
lands under the jurisdiction of the State Lands Commission,
the staff recommends in lieu thereof the accomplishment of
the same purposes, slightly different mechanically, in recom-
manding a rescission of the prior permit with the issuance
simultaneously of a new permit for these facilities at the
new location. The simultaneous issuance is felt to be desirable in order that there be no period of time in which there is no authorization to the Port District for conducting operations, so there can be no question as to the validity of contracts that have been entered into and other time schedules which have been undertaken by the Port District.

The staff recommendation for the issuance of the new permit is subject to only one condition, and that is, that the District have obtained the necessary permits from the United States Army Corps of Engineers for operations in navigable waters of the United States. The Corps of Engineers has opened a protest period for the general public, which will close approximately May 7th; and the Corps of Engineers have indicated that if no objections are received during that protest period, such permit as is necessary will be issued on May 8th. If protests are received, then the Army Engineers' permit cannot be issued and there will be a further unavoidable delay for the Port District -- a delay, however, which the State Lands Commission has no control over whatsoever.

GOV. ANDERSON: Is there anyone here who wishes to comment?

MR. CRANSTON: Mayor Petit is here, I believe.

MAYOR PETIT: Mr. Chairman, my name is Charles Petit and I am Mayor of the City of Ventura. The City of Ventura is not, of course the entire port district. We have, however, about ninety-five percent of the assessed valuation of the
port district in Ventura, and the five percent is in the unincorporated area. We have a letter here to the Commission, authorizing us to appear for them.

I think the statement that has been made is complete and I can't add anything to that, except that the Port District director has authorized me to state that whatever conditions apply to this permit they are willing to meet, and there is a sort of point of urgency now because they have already advertised for bids and have received bids, but we have not awarded the contract; and I believe they have a further request, and that is to dump the disposal material on State land south of the south jetty on the entrance to the beach; and whether that is a question or not, that is what they propose to do and they would ask that permission also.

MR. HORTIG: This is already authorized in the proposed form of permit.

MAYOR PETIT: We have nothing further to add than what has been said, except the fact the bids have been received and bonds are ready to be sold, so they are ready to proceed when these permits are received both from the State Lands Commission and the U. S. Corps of Engineers.

MR. CRANSTON: Mr. Chairman, I move approval of the project, insofar as the State Lands Commission is concerned. The harbor project there is of very great importance, not only to the people of Ventura County but all surrounding counties, who will have greatly extended recreational
Facilities on waters of California when the project is completed. It will also be a truly great boon to Ventura County.

GOV. ANDERSON: Your motion is to authorize the recommendation of the staff?

MR. CHAMPION: There was also some condition or qualification.

MR. HORTIG: In the staff recommendation, Item 2 -- in issuing a permit by the Commission or for the Commission, this would be issued simultaneously with the rescission of the old permit when the District has obtained the necessary permits from the U. S. Army Corps of Engineers.

MR. CHAMPION: I'll second the motion.

MR. CRANSTON: It is important to have the record clear that we have done all we could to move the project in fairly urgent fashion; that we have given all the approvals we can give; that there is a protest period under law, whereby the project must be kept open before the Army Engineers' permit is issued; that our authority does not extend to this.

MAYOR PETIT: We understand that.

GOV. ANDERSON: Any further comments? (No response)

Motion is carried unanimously.

Starting, then, with the regular calendar -- first item is permits, easements, and rights-of-way to be granted to public and other agencies at no fee, pursuant to statute: Applicant (a) is the Estero Municipal Improvement District; applicant (b) is the Huntington Harbour Corporation....
MR. HORTIG: Mr. Chairman, the record should indicate with respect to the application of the Huntington Harbour District that two telegrams of protest and several telegrams of approval of this project were received by the Lands Commission. The two telegrams of protest have now been withdrawn, one by a superseding telegram and one by a superseding telephone call from the association who submitted the original protest; so therefore there are now no protests pending and at least four recommendations, including one from Assemblyman Richard T. Hanna, that this project go forward.

GOV. ANDERSON: Applicant (c) is North San Mateo Sanitation District -- Amendment of legal description of the life-of-structure permit P.R.C. 1364.9, with amended description to cover 3.926 acres in City and County of San Francisco, for purpose of extending the sewer outfall constructed on the permitted lands.

I was looking at that. This is out into the Pacific Ocean there. Who establishes the conditions of the sewage?

MR. HORTIG: The State Water Pollution Control Board and the State Department of Public Health.

GOV. ANDERSON: The State Department of Public Health sets the standards, then ....

MR. HORTIG: ... and the Water Pollution Board sees that under their regulations they are implemented.

GOV. ANDERSON: I saw in this case that their plant is in San Francisco and I wondered.
GOV. ANDERSON (continuing) Applicant (d) -- United States of America, 10-month right-of-entry permit effective 5/1/62, to conduct underwater explosion tests in Mono Lake, Mono County, in the interest of national defense.

MR. HORTIG: This permit, Mr. Chairman, is an extension of time under a permit previously authorized by the Lands Commission for the same operation. The original test operations proposed to be conducted for the United States were not able to be completed.

GOV. ANDERSON: Is there a motion on these?

MR. CRANSTON: I move approval of Item Classification 1.

MR. CHAMPION: Second.

GOV. ANDERSON: Moved, seconded and carried unanimously.

Item Classification Number 2 -- Permits, easements, leases, and rights-of-way issued pursuant to statutes and established rental policies of the Commission.

First applicant, the Connolly-Pacific Company -- a one-year renewal effective 1/4/62 of Lease P.R.C.582.1, covering tide and submerged lands in Pacific Ocean adjacent to Santa Catalina Island, Los Angeles County, used as site for two mooring buoys, annual rental $50.

(b) -- Humble Oil and Refining Company -- Deferral to 12/21/62 of drilling requirements under oil and gas lease P.R.C. 1551, in order to evaluate further the possibility of extending the productive limits, so as to determine whether
drilling of more wells would be economically feasible.

MR. HORTIG: Do you wish further comment?

GOV. ANDERSON: Only if you feel there is comment needed.

MR. HORTIG: The only additional comment, Mr. Chairman, is that the operations under this lease, further drilling operations, have been deferred since the Commission authorization of November 22, 1961, at which time deferment was authorized to May 22, 1962, a six-month period. The study operations contemplated during that deferment period are under way and have been under way, and it is the staff recommendation that an additional six months' deferment period be granted for this lease to complete these study operations — because, as originally reported to the Commission in connection with the first deferment, the operator had been so diligent in developing the lease and not taking the maximum amount of time permitted by the lease between the drilling of wells that it could be calculated that he had actually exceeded the drilling schedule by something like four years of additional time which the operator would have been justified in taking under the lease terms. So, with this diligence in prior development, it is felt that it is entirely equitable and it certainly can only be to the advantage of both the State and the operator to permit the time for full and complete economic studies on how to efficiently develop the balance of the lease.

GOV. ANDERSON: The total number of wells on the
lease when it is completed would be £25, approximately, wouldn’t it?

MR. HORTIG: On the basis of one to ten acres, or any area not developed to be quitclaimed; but as to the necessity for quitclaiming under this lease, because of this accelerated development schedule of the lessee, any question of quitclaim is still far in the distance.

GOV. ANDERSON: (c) Magnolia Motor and Logging Company, Inc. -- Cancellation of Lease P.R.C. 2098.1, Klamath River, Humboldt County, effective 4/15/62. Rental delinquent; appears to be intent to abandon the premises and any rights under the lease.

Applicant (d) Signal Oil and Gas Company -- Assignment from Western Hyway Oil Company of Lease P.R.C. 701.1, covering tide and submerged lands of Sacramento River, City of Sacramento, being used for maintenance and operation of wharf for distributing petroleum products.

MR. CHAMPION: May I ask a question about (c)? You say there appears to have been intent to abandon. Has there been any discussion, or is that a conclusion?

MR. HORTIG: The original State lessee was requested by correspondence to give an expression of intent, did not reply, purportedly assigned the lease to yet another organization without the required approval of the State Lands Commission, and the assignee’s attorney has indicated that the lease is no longer desired.
In view of the provisions for deposit of first and last year's rent, application of the last year's rent would bring this lease up to date as far as rental payment on the books is concerned through April of this year. This appears to be the desirable time to terminate, with the authority spelled out in the lease as being in the Commission under these circumstances.

MR. CHAMPION: Move approval of Classification 2.

MR. CRANSTON: Second.

GOV. ANDERSON: Moved and seconded, carried unanimously.

Item Classification 3 -- City of Long Beach approvals required pursuant to Chapter 29/56, First Extraordinary Session. Project a: Long Beach Navy landing -- determination of the State's share of subsidence remedial costs to be $173,579.86, with credit due State of $32,147.53.

MR. HORTIG: Mr. Chairman, this is an excellent exemplar of the workings of the mechanics of the Lands Commission conditional approvals of Long Beach projects, which are approved in advance on an estimated basis -- subject to modification as a result of final audit and engineering review after a project is completed. In this instance, as shown here, the final audit shows that the City should and has transferred $32,000 additional review to the State which was withheld originally on the estimate basis, and that estimate basis was in excess of the actual construction costs.
This, I think, demonstrates the advantages to everybody's bookkeeping of these conditional approvals, rather than having a firm approval on an estimate basis in advance as has been suggested some time in the past might expedite the operations. This might expedite the operations, but it wouldn't give a correct reflection of actual costs and what the State participation should be in Long Beach operations. The system the Commission has had in effect since 1956 is working.

MR. CHAMPION: Move approval.

MR. CRANSTON: Second.

GOV. ANDERSON: Moved and seconded, carried unanimously.

Item Classification 4 -- Land items: Sales, selections, et cetera. All land sale items here presented have been reviewed by all State agencies having a land acquisition program and, unless otherwise indicated, no interest has been reported by those agencies in any of the lands proposed for sale. (a) is the selection and sale of vacant Federal lands. First applicant is F. T. Elliott, Jr., appraised value $1,763.04 and that is the bid.

MR. HORTIG: Mr. Chairman, subsequent to preparation of the agenda item, a letter has been received from the Director of the Department of Fish and Game indicating that the Department of Fish and Game wishes the State Lands Commission to withhold disposition of this subject parcel, pending an opportunity to determine whether Fish and Game could integrate
the area with lands which are being considered under a
national cooperative wildlife area management study or with
other existing national park lands.

The Commission will recall at the last meeting
there was an analogous item and it was recommended -- and I
again recommend with respect to this item -- that disposition
be deferred, as requested by Fish and Game, to be determined
finally after adoption of a land management and disposition
policy by the State Lands Commission; any rights which the
State's applicant desires to have protected to be protected
and to be held for him in the event that the land is not
finally disposed of to Fish and Game that the disposition
would be completed to the applicant, F. T. Elliott.

MR. CRANSTON: I move the matter be deferred.

GOV. ANDERSON: But in the meantime you wish to
proceed with securing it from the Federal government?

MR. HORTIG: That's right.

GOV. ANDERSON: In other words, the first part of
the recommendation you wish to go on with.

MR. HORTIG: That's right. Actually, the Federal
government has already approved the State's selection of this
one-half of the project leading to the sales and disposition.
Therefore, we need approval now only on the phase of with-
holding disposition.

GOV. ANDERSON: In other words, you don't wish
authorization on the whole thing -- you just want to defer
the sale of it?

MR. HORTIG: Just the sale to Mr. Elliott.

MR. CRANSTON: I so move.

MR. CHAMPION: Second.

GOV. ANDERSON: Moved and seconded, carried unanimously. (b) Selection of vacant Federal lands on behalf of the State. Applicants do not desire to proceed with acquisition of the lands. (1) - 40 acres in San Diego County pursuant to application of Laurence W. Foreman.

MR. HORTIG: A very interesting parcel, which is an exemplar of what is happening to California real estate values. At the time the application was originally made to the Federal Government for these lands, a routine $5 deposit per acre was made. On appraisal by the staff, the appraisal indicates an appraised value of $2,500 an acre. Therefore, we are recommending that these lands be acquired for the State and put in the vacant land category, to be disposed of and administered in accordance with policy still to be determined.

GOV. ANDERSON: In the case of Mr. Foreman, he gets the deposit back?

MR. HORTIG: His deposit, less costs.

MR. CHAMPION: Move to approve the staff recommendation.

MR. CRANSTON: Second.

GOV. ANDERSON: Moved and seconded, carried unanimously. Item (c) is Appeals. First, the authorization for the
Executive Officer to file appeal with Secretary of the Interior to decision of the Office of the Director of the U. S. Bureau of Land Management dated 3/15/62, which affirmed rejection of State Exchange Application No. 74, Trinity County. Mr. Hortig?:

MR. HORTIG?: The Commission will recall extensive consideration last year of the subject application, which was for approximately fifty-eight acres of Federal land on the Trinity River in Trinity County. The application of the State having been rejected at the regional level in the first instance, an appeal was taken on authorization of the State Lands Commission to the Director of the Bureau of Land Management, who has also rejected the State's application.

The full range of administrative remedies in connection with application of this type include a provision for appeal to the Secretary of the Interior. It is felt that without in any wise changing the posture of the Lands Commission as to the sale of these lands, it would be desirable for a management record to have the complete administrative record on the processing of appeals for an application of this type available for guidance of the administrators in the Lands Division; subject to the conditions, as reported previously, that the Commission is in no manner determining the public interest in holding the land for public recreational purposes at this time and any public interest will be evaluated by the Commission in the light of Commission land management and disposition policy as and when (and I assume I can interpolate "if")
the subject land is conveyed to the State by the United States.

Therefore, it is recommended that the appeal which
is provided for in law and the Federal regulations, to the
Secretary of Interior, be taken by the State of California
with respect to this application.

MR. CHAMPION: With the understanding of the policy
statement, that is, that we are by no means saying that we
think this ought to go on into the private ownership that is
seeking it, I move approval.

MR. HORTIG: There is no policy determination at this
time.

MR. CRANSTON: Second.

GOV. ANDERSON: Moved and seconded, carried
unanimously.

Item 5 is consent for Austral Oil Company, Incorporated,
to hypothecate Oil and Gas Leases P.R.C. 2205.1 and P.R.C.
2207.1, Santa Barbara County, as security for the repayment
of certain indebtedness to First National City Bank.

MR. HORTIG: Mr. Chairman, this is a matter made
complex primarily by legal verbiage, in that leases of the
type here under consideration may not be assigned without the
advance consent of the State Lands Commission. In connection
with financing by the Austral Oil Company, there are certain
documents that indicate by their language that the document
purport to be an assignment. The Office of the Attorney
as to
denial has by informal opinion informed us that this/ the trust
deed in question, although it purports among other things to
assign and transfer, the purpose is so limited that it does
not appear to be the type of transfer concerning which Section
6804 of the Public Resources Code calls for approval by the
State Lands Commission. On the other hand, it is not felt
that actions of this type should go unreviewed and that there
be an inference that silence on the part of the Commission has
lent consent; but that, preferably, as recommended on page 18,
there be a statement transmitted to the Austral Oil Company
reciting that the Commission does not hereby approve in advance
any assignment, transfer or sublease by the trustee pursuant to
the provisions of such trust deed or otherwise, and the Commis-
sion reserves the right to disapprove any such assignment,
transfer or sublease; that there is also no Commission approval
in advance of any change of operator or management of the lease
without further review of the Commission; and that the lessee
remains fully bound by all its obligations under the lease and
the Lands Commission retains all the rights and powers under
the lease despite the completion of this document for hypoth-
casing or putting up as security oil production payments out
of the lessee's share of this oil.

MR. CRANSTON: I move approval of the staff recom-
mendation.

MR. CHAMBON: Second.

GOV. ANDERSON: Moved and seconded, carried unani-
mously. Item 6 -- Approval of map entitled "Boundary of State
Submerged Lands, Vicinity of Martinez, Contra Costa County, California," dated March 1960; authorization for Executive Officer to execute agreement with the upland owner, Shell Oil Company, fixing boundary line between certain State submerged lands and private lands along Carquinez Strait, Martinez, Contra Costa County. Mr. Hortig?

MR. HORTIG: Mr. Chairman, if you and the Commissioners will refer to the map following page 21 of the agenda, the heavy black line arcing through the center of the map is the best relocation that the State Lands Division can make at this date of the natural ordinary low water mark, which was the waterward mark of tidelands sales circa 1870 by State officers to various private individuals. The waterward boundary of those sales was never clearly defined at the time of those sales and the waterward boundary is now found to be at the heavy black line, which is also identified as a segment of the boundary between State tidelands and those of the Shell Oil Company.

Shell Oil Company is the original purchaser of Tidelands Purchase Number 3 and, in order to develop the area and to know where their boundary is, have applied and asked for approval by the Lands Commission of the fixation of the waterward boundary line and execution of a boundary agreement between the State and Shell Oil Company as to the common boundary between the State submerged lands and the Shell Oil Company.

MR. CHAMPION: There is no controversy?
MR. HORTIG: No, this is authorized under law.

There is no objection and I can tell you gentlemen there will be a slightly analogous item further down the stream for another private owner.

GOV. ANDERSON: These people own the land to the low water mark as a result of sales in 1870 and you find there has been some accretion?

MR. HORTIG: Accretion in some instances and in some areas in this particular item, mix has moved it.

GOV. ANDERSON: Who owns this land? (Indicating on map)

MR. HORTIG: State of California.

GOV. ANDERSON: Under the interpretation of this map the State will own this land outward from this black line all the way down to where the dotted lines start?

MR. HORTIG: That is correct, and on beyond the dotted line has not actually been surveyed yet.

GOV. ANDERSON: Is there anything on this land now? Do the companies have anything?

MR. HORTIG: Not insofar as the property under discussion here today; except, as you see, a pier which projects out into Carquinez Straits encompasses both State lands and Shell Oil Company lands. The pier is under permit from the State Lands Commission.

GOV. ANDERSON: That is the only thing there? What about that portion where the land is out in the water? That's
MR. HORTIG: This is still the location of the low
water mark and, therefore, in that area (which involves Tide-
lands Survey 18) there is a portion of the land which was sold
into private ownership which today is under water.

GOV. ANDERSON: How far out in the water would this
be -- two, three hundred yards?

MR. HORTIG: Several hundred feet.

GOV. ANDERSON: So in this case, is this the Shell
Oil Company's land out there?

MR. HORTIG: No, sir.

GOV. ANDERSON: Whose is it?

MR. HORTIG: Tidewater's.

GOV. ANDERSON: And they would own the land out
several hundred feet?

MR. HORTIG: That's right.

GOV. ANDERSON: And they would have jurisdiction to
fill that without approval from us?

MR. HORTIG: That is correct. They own it in fee
absolute.

MR. CHAMPION: Move approval.

MR. CRANSTON: Second.

GOV. ANDERSON: Moved and seconded, carried unani-
mously. Item 7 is oil and gas leases: (a) is the acceptance
of cash bonus bid made by Union Oil Company of California on
Parcel 6, Santa Barbara County, in the amount of $3,047,740.
Any comment?

MR. HORTIG: No, sir. Representatives of Union Oil Company are here today. Arrangements have been made to follow award of lease and acceptance, if accepted and awarded by the Commission today; to collect the remaining deposits and execute the leases, and so forth, in Los Angeles.

MR. CHAMPION: We had quite a discussion when we authorized this out to bid. How many bids did we get?

MR. HORTIG: Four.

MR. CHAMPION: In the staff's opinion, was there adequate bidding here? There was great doubt that the bidding would be adequate and reflect the possible value.

MR. HORTIG: In view of the fact that the same area, a portion of the same area, here offered was offered originally by the State Lands Commission without receiving a single bid, the receipt of four bids for the revised parcel indicated active interest and participation on the part of the industry. The nominal problem for evaluating the sufficiency of the bids arose out of the spread, ranging from approximately 170,000 low to the 3,047,000 high; but, as against what staff evaluations could be made based on prior exploration data and extrapolation of known developments on lands adjoining, it is recommended that this bid is adequate and a proper one for the Lands Commission to accept.

MR. CHAMPION: Move approval.

MR. CRANSTON: Second the motion.
GOV. ANDERSON: Moved and seconded, carried unanimously. (b) is proposed oil and gas lease, Santa Barbara County, known as Parcel 8.

MR. HORTIG: By reference to the map following page 24, Mr. Chairman and Commissioners, Parcel 8 is cross-hatched thereon. As you see, Parcel 7, which is two parcels to the west, is out on bid invitation now under Commission authorization; and Parcel 8, therefore, is the next unleased parcel to the east available for Commission consideration in western Santa Barbara County.

It is recommended that the staff be authorized to offer this parcel for lease, in accordance with the established procedures.

MR. CRANSTON: I move approval.

MR. CHAMPION: Second.

GOV. ANDERSON: Moved and seconded. Carried unanimously.

Item 8 -- Confirmation of transactions consummated by the Executive Officer pursuant to authority confirmed by the Commission at its meeting on October 5, 1959.

MR. CHAMPION: Mr. Chairman, excuse me a minute. Could I ask a question about this? What does this bring the total to for the cash bonus bidding for this fiscal year?

MR. HORTIG: Approximately five million dollars.

The Parcel 7 bids are due in, early in June.

MR. CHAMPION: It was only curiosity about the
status of our 1961-62 budget.

MR. HORTIG: Happily, we don't have the disparities that some of our sister states have. The State of Louisiana has just found itself faced with what must be a bit of a crisis in having included in the budget, and possibly even expended, an estimated twenty-five million in cash bonuses when thirteen million actually were received.

MR. CHAMPION: Our estimate in this budget was about six million?

MR. HORTIG: Six million roughly -- six million-five.

GOV. ANDERSON: Item Classification 8 -- Confirmation of transactions ....

MR. CRANSTON: Move approval.

MR. CHAMPION: I'll second.

GOV. ANDERSON: Moved and seconded, carried unanimously.

Item 9 -- Informative only, no Commission action required. Report on status of major litigation.

MR. HORTIG: Mr. Chairman, if you will refer to page 27 with respect to Item 2, being the Alamitos Bay quit-claim litigation, under which the question was to be resolved by the courts as to whether or not under a quitclaim to tide and submerged lands the State of California or the City of Long Beach had the authority to develop the oil, this parcel being located at the northern limit of the City of Long Beach, the Supreme Court in April 1961 (subsequent to the enactment...
City of Long Beach. With the practical effect that there is no authorization for the development of the property under the jurisdiction of the State Lands Commission and thus, unlike the remainder of the Long Beach tidelands, this area is not involved with any obligation to share in the revenues derived from this tideland which will come to the State from operations by the State Lands Commission. All of the revenues derived from this tideland will come to the State from operations by the State Lands Commission.

Gov. Anderson: Any further comments?

Mr. Peterson: No, sir.

Mr. Craig: You have the only supplemental.

Gov. Anderson: I move to adjourn. May 19th, 19
and if this is approved, it is approved.

GOV. ANDERSON: If there is no objection, that will be the next time and place of the meeting. Anything further to be brought before the meeting? Alan, do you want to report on that Wilderness bill, or do you think this is not the place?

MR. SIEROTY: I can report briefly on it.

GOV. ANDERSON: There is a bill before Congress relative to a Wilderness bill that I am personally interested in and I didn't have a chance to get any information on it. I thought we might bring it up here to get any comments we might have. I am in general favor of their policy, but I wondered what effect it would have on any policy we might have. Alan, would you bring it up and see if Mr. Hortig would have any ideas on it?

MR. SIEROTY: This is Wilderness Bill, Senate 174, by Senator Anderson of New Mexico. It has passed the United States Senate September 1961 by a vote of seventy-eight to eight. The bill will be heard in a subcommittee of the House Interior Committee the week of May 7th -- possibly May 7th or 8th. The bill provides in general that lands which have been classified administratively by the National Park Service and the National Forest Service as wilderness, wild and primitive, certain ones of these lands will be provided primarily or statutorily as wilderness areas -- with the provision that Congress has a veto power, in effect, of any of these lands that it wants to restrict from this area.
The major change is that it will prevent the multiple use of these lands; that is, there will be no grazing, mining, timber activities, nor recreation activities, (recreational development other than hiking, horseback riding) or camping on this land. The intent is to keep these areas in the natural condition, the primeval type of state.

MR. CHAMPION: How about fishing and hunting?

MR. SIERY: I don't know.

MR. CHAMPION: Do you know, Frank?

MR. HORTIG: As far as you can do it by walking in and walking out again, and not camping overnight.

MR. CHAMPION: There can be no overnight camping in these areas?

MR. HORTIG: This is one of the variations in one of the drafts of the Wilderness bill.

GOV. ANDERSON: Have you had a chance to study the bill?

MR. HORTIG: Yes, Mr. Chairman. There are a great many pros and cons, most of which will not be applicable to any great degree to lands in California, but would be a matter of extreme concern to states having large potential wilderness areas -- Montana, Idaho, Washington. As a result, the Western States Land Commissioners Association has heretofore studied the bill and, prior to the vote in the Senate last year, a resolution of objection was adopted by the Western States Land Commissioners Association (being the land commissioners of the
eighteen western public land states in the United States) to the bill as drafted, suggesting that in those areas where it would be particularly applicable -- and, again, in the northern states as I indicated -- that locking up millions of acres of land, which at the time and the posture of the bill are prohibited any roads, any overnight camping, only entrance so far as a person could make it in and cut again on foot during a day, would result in the case of a large area, the majority of the central portion of the withdrawn area, probably never being seen by man unless he flew over it; and for this purpose there is the question whether it is desirable to withdraw it as a wilderness area simply for flying over it.

GOV. ANDERSON: Weren't there some changes as a result of your resolution?

MR. HORTIG: There have been some modifications. However, the essential one, the primarily essential one to our sister states and not the same degree of application and importance to the State of California, and which is the same problem for the petroleum industry, the mining industry, the lumber industry, is this basic problem of the elimination of any opportunity for multiple use of the land even though it could be administered -- as the petroleum industry has testified -- and in many instances developments could be made in terms of providing fire protection roads, et cetera, in connection with an obscure, camouflaged and reasonably developed oil operation.
Prohibiting multiple use under those circumstances and locking up the last reservoir of large scale resources for development in the western United States, which is the only place where this bill could have practical application, doesn't appear to be a good land management program.

MR. CHAMPION: Isn't that always subject to unlocking?

MR. HORTIG: Of course -- but undoing one of these after it has gone in is patently more difficult.

MR. CHAMPION: It is more difficult that not doing it?

MR. HORTIG: Yes, sir.

GOV. ANDERSON: In California, is there any of this land that falls in this category? I looked at the list, but of course could not identify it; but I was wondering if there were any in that category?

MR. HORTIG: There might be. Essentially, so far as California, it would be primarily proposed expansion of the limits of areas that are already national forests, national monuments and national parks. As you will note, and as I can see here, the total for California is one million acres over eighteen different areas, with the largest single area being up in the Klamath Forest area, 213,000 acres. This is of potential effect and concern to the California timber industry; but still, 200,000 acres in one area, large as this is in California, doesn't propose the million-plus per unit withdrawals in our northwestern public land states.
MR. CHAMPION: Both California Senators voted for this bill when it left the Senate.

MR. HORTIG: I believe that is correct. I know of one.

GOV. ANDERSON: Doesn't our State Fish and Game and Parks support this?

MR. HORTIG: Definitely.

GOV. ANDERSON: I was wondering how it would affect Fish and Game and ....

MR. JONES: I wonder if I might comment. I am representing the Department of Fish and Game -- Fred Jones is the name.

GOV. ANDERSON: Yes, good.

MR. JONES: We have studied this legislation quite intensively, particularly in regard to the testimony made here in Sacramento several months back. I am really confused about this reference to prohibition of overnight camping. In my personal review of the legislation, I don't remember anything that would even remotely preclude overnight camping.

In essence, according to our understanding, this would give Congressional sanction to established wilderness areas. Under the jurisdiction of the Forest Service, areas which are known as wild areas -- the construction of roads, use of mechanized vehicles and so-called outboard motors is prohibited, but people can pack in. There are also prohibitions under Forest Service regulations of low-flying airplanes.
Hunting and fishing would not be changed per se. There would be no change in the regulations now administered. In the national forest areas, hunting and fishing are permitted. Overnight camping has been permitted, certainly. In national parks, of course, hunting is not permitted and certainly would not be, and there would be no change in that.

GOV. ANDERSON: We are talking about lands which are all presently Federal-owned lands?

MR. JONES: Yes, national wildlife areas -- Forest Service areas.

GOV. ANDERSON: Can you tell me, without getting too complicated, the basic difference between wilderness and primitive terminology?

MR. JONES: This is confusing. It has much to do with size.

GOV. ANDERSON: Hundred thousand or over is wilderness?

MR. JONES: One hundred thousand is wild. The primitive classification covers both over and under 100,000, which have been studied from time to time and boundaries re-evaluated, and one of the two classifications applied. There are still primitive areas that have not been classified and may never be -- I do not know. The Governor, I believe, advised Mr. Warne that he could announce the Governor's support at the hearing held in Sacramento, and this was the nature of the administrator's testimony. All of the agencies in the
Department are in support of it. There is this controversy with the industries and this, of course, is the national lineup of conflict that continues through these many past years in consideration of this. Apparently, the Congress is partly resolving it.

MR. HORTIG: Mr. Chairman? I clarify one point, Mr. Chairman?

Mr. Jones' reference to lack of prohibition with respect to overnight camping in the existing rules administered in connection with all these areas of whatever classification -- wildlife, primitive, and so forth -- is completely correct, particularly so for California. The problem that I referred to and was concerned with was proposed methods of administration and rules which would be applied to certain of those areas in Idaho, as I recall -- and we have the record on it -- in which it was suggested that over and above the limitation you mentioned, even against outboard motors in certain remote lakes, and so forth, the actual proposal for administration of this particular area -- because even overnight camping would depreciate the absolute primitive nature of the area because someone would scavenge firewood and so forth -- the regulations prohibit or contemplate prohibition of anything other than where you could walk in and out.

MR. CHAMPION: This is something they would consider.

MR. HORTIG: I am just stating what is in the report, just what the problems are and the bases for concern.

GOV. ANDERSON: Let us keep within the state. Is
there anywhere in California where we do have a problem,
where some of the companies might be using the areas for
mining, timber? Is there any problem in California on this?

MR. HORTIG: With respect to timber potentially, yes; and with respect to mining, to a degree, yes.

GOV. ANDERSON: You are talking about "potentially," but are they using any of it now?

MR. HORTIG: Our problem is the mining industry is practically nonexistent in California at the present time.

On the other hand, if again we needed domestic production of certain critical ores, such as chromite, as was required in World War II, during which time we developed in California about ninety percent of the domestic production in the United States, then this area which is now inoperative because there is no government support on the price ......

GOV. ANDERSON: Is there chromite on this acreage?

MR. HORTIG: It could come close to it, and there-after there would be an exclusion against redeveloping this area for mining. As of today, this is a minimal question because there is minimal activity in mining; as such.

GOV. ANDERSON: You haven't had a chance to look at these specific acres of land to see whether they would stop operations?

MR. HORTIG: We have made no such specific study, Governor. We would be happy to undertake it if you wish.

MR. CHAMPION: As I understand it - - you sa, we
may need chromite -- well, if the Government ever needs chromite, it can authorize it to go out.

MR. JONES: This would not, per se, affect the application of mining laws. Those laws do take precedence on the type of areas that allow that now. There would be no change by the Wilderness Bill itself. There is an argument from the logging industry, because they feel there is a potential of opening up areas now classified. This, of course, is exactly what the wilderness proponents want to accomplish.

MR. CHAMPION: It is really what the bill is all about when you come down to it.

MR. HORTIG: Who uses it for what.

MR. CHAMPION: This is an attempt to provide some further direct Congressional protection, so that the only way in which these lands could be used for any other purpose would be through Congressional determination, rather than permitting it through regulation -- because it is not now protected in these areas by statute. As I understand it, this is the whole purpose of the Wilderness Bill. It is as simple as that.

MR. HORTIG: The mechanics could become as simple as that. As proposed, it requires a Congressional veto power. It is the negative, rather than the affirmative approach. It isn't an affirmative approach that "x" acres should be a wilderness area; only why such acres should not be a wilderness area.
MR. CRANSTON: Well, I make a motion that we support the motion.

MR. CHAMPION: I'll second it.

GOV. ANDERSON: It has been moved and seconded.

Any further discussion? (No response) Carried unanimously then.

Any further items to be brought on the calendar before we adjourn? (No response) If not, the meeting is adjourned.

ADJOURNED 11:40 A.M.
CERTIFICATE OF REPORTER

I, LOUISE H. LILlico, reporter for the Office of Administrative Procedure, hereby certify that the foregoing thirty-three pages contain a full, true and correct transcript of the shorthand notes taken by me in the meeting of the STATE LANDS COMMISSION held in Sacramento, California on April 26, 1962.

DATED: Sacramento, California, May 1, 1962.