

At its meeting on April 12, 1951 (Minute Item No. 18, Pages 1347-1352), a resolution was adopted authorizing the transfer of jurisdiction from the State Lands Commission to the Board of State Harbor Commissioners for the Port of San Francisco, of certain tide and submerged lands in the Port of San Francisco, the transfer to be effected under the provisions of Section 13110 of the Government Code. Before this transfer was completed the Legislature enacted Chapter 1118 of the Statutes of 1951, which accomplished exactly the same thing. This legislation will become effective as of midnight September 21, 1951.

Among the properties to be thus transferred are those under lease to the California & Hawaiian Sugar Refining Corporation, Nos. P.R.C. 488 and P.R.C. 489. The Attorney General's Office has advised that the transfer of the jurisdiction of the lands in question carries with it the transfer of the leases and other encumbrances of this character.

21. (TERMINATION, LEASES P.R.C. 488 AND P.R.C. 489, CALIFORNIA & HAWAIIAN SUGAR REFINING CORPORATION.)

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE ACCEPTANCE OF THE NOTICE OF TERMINATION SUBMITTED BY THE CALIFORNIA & HAWAIIAN SUGAR REFINING CORPORATION TERMINATING LEASES NOS. P.R.C. 488 AND P.R.C. 489, EFFECTIVE OCTOBER 28, 1951 (MIDNIGHT), AND, IN ACCORDANCE WITH THE TERMS OF SAID LEASES, APPROVING A REFUND OF THE UNEARNED RENTALS PAID UNDER THE LEASES, TO THE LESSEE, AS FOLLOWS:

LEASE NO. P.R.C. 488

LAST ANNUAL RENTAL PAID IN ADVANCE	\$15,055.25
PRO RATA SHARE SECOND ANNUAL RENTAL	<u>2,289.15</u>
TOTAL REFUNDABLE	\$15,344.40

LEASE NO. P.R.C. 489

LAST ANNUAL RENTAL PAID IN ADVANCE	\$ 927.86
PRO RATA SHARE SECOND ANNUAL RENTAL	<u>152.69</u>
TOTAL REFUNDABLE	\$ 1,080.55

FURTHER, THE EXECUTIVE OFFICER WAS EMPOWERED TO ACCEPT A CLAIM FROM THE CALIFORNIA & HAWAIIAN SUGAR REFINING CORPORATION AGAINST THE STATE OF CALIFORNIA IN THE AMOUNT OF \$16,434.95, BEING THE SUM OF THE AFOREMENTIONED REFUNDS, AND TRANSMIT THE SAME TO THE STATE BOARD OF CONTROL, TOGETHER WITH A COPY OF THIS RESOLUTION, WITH A REQUEST THAT THE BOARD ACT FAVORABLY ON THE CLAIM, AND THEREAFTER THAT THE BOARD MAKE SETTLEMENT WITH THE CALIFORNIA & HAWAIIAN SUGAR REFINING CORPORATION UNDER THE PROVISIONS OF PARAGRAPH "A" OF SECTION 6816, PUBLIC RESOURCES CODE; SAID ACTION BY THE EXECUTIVE OFFICER TO BE TAKEN AFTER THE TERMINATION DATES AFOREMENTIONED AND ONLY AFTER THE CALIFORNIA & HAWAIIAN SUGAR REFINING CORPORATION HAS FULFILLED ALL THE OBLIGATIONS IMPOSED BY THE TERMS OF SAID LEASES.

Under date of August 30, 1951, the California & Hawaiian Sugar Refining Corporation served the required 60 days' notice of its termination of the

above-described leases to be effective October 28, 1951. The corporation has also furnished satisfactory quitclaim deeds as required under the lease terms.

Paragraphs 2 of said leases provide specifically that any portions of unearned rentals paid in advance shall be refundable to the lessee, wherefore the corporation is entitled to a refund of the last annual rentals in their entirety as well as to 84/365th's of the second annual rentals which will be unearned as of the termination date.

Inasmuch as the leases were let under the Public Resources Code, such refunds may be made under the provisions of Section 6816, Public Resources Code, which appropriates deposits in the State Lands Act Fund for the payment of refunds authorized by the Commission and approved by the State Board of Control.

22. (SUBMARINE GEOPHYSICAL EXPLORATION, UNION OIL COMPANY OF CALIFORNIA - W.O. 1061, P.R.C. 627.)

On June 21, 1951 (Minute Page 1397, Item 17), the Commission authorized the granting of a permit to the Union Oil Company of California for the conduct of geophysical exploration operations on tide and submerged lands between Point Dume, Los Angeles County, and Dana Point, Orange County. Operations under this permit were initiated September 4, 1951, and to date (September 19, 1951) approximately forty shots have been discharged, five of which were within one to one and one-half miles of a tideland structure (Huntington Beach Pier). Continuous inspection by the Division of State Lands has shown that there were no detectable effects on the Huntington Beach Pier, and no fish have been killed, this latter observation being confirmed by the inspector of the Division of Fish and Game.

The operating permit as authorized by the Commission does not permit the placing of any shots within one nautical mile of any structure. In view of the fact that no effects could be detected on a structure from shots fired at a distance of one mile, the permittee has requested permission for the firing of controlled, observed shots at distances up to 0.25 nautical miles from structures on the basis that the data from such experimental shots will furnish realistic limits for shot placement in future geophysical exploration permits. The staff concurs with the suggestion of the permittee for the firing of controlled, experimental shots.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE UNION OIL COMPANY OF CALIFORNIA, PERMITTEE UNDER GEOPHYSICAL EXPLORATION PERMIT P.R.C. 627, TO FIRE NOT TO EXCEED ONE HUNDRED SHOTS AT DISTANCES NOT CLOSER THAN 0.25 NAUTICAL MILES FROM ANY STRUCTURE, ON THE CONDITION THAT SUCH SHOTS WILL BE PLACED AND FIRED ONLY WITH THE SPECIFIC CONSENT OF AN INSPECTOR OF THE DIVISION OF STATE LANDS AND THAT ALL OTHER TERMS AND CONDITIONS OF GEOPHYSICAL EXPLORATION PERMIT P.R.C. 627 SHALL REMAIN IN FULL FORCE AND EFFECT.

23. (APPLICATION FOR LEASE, TIDE AND SUBMERGED LANDS, NAPA RIVER, NAPA COUNTY, STANDARD OIL COMPANY OF CALIFORNIA - W.O. 1188, P.R.C. 654.)

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE TO THE STANDARD OIL COMPANY OF CALIFORNIA A LEASE OF CERTAIN TIDE AND SUBMERGED LANDS IN NAPA RIVER, NAPA