

in Item 11. Estimates indicate that an additional \$22,000 will probably be necessary to provide for continuing the State's defense during the remainder of the fiscal year. Combined, these figures represent a total of \$25,000 in supplementary appropriations needed at this time.

13. (ASSIGNMENT OF LEASES, COLUMBIA STEEL COMPANY TO UNITED STATES STEEL COMPANY, LEASE NO. 14 - 69/1929, LEASE NO. 14 (SUPPLEMENTAL) - 69/1929, LEASE NO. 26 - 69/1929, CONTRA COSTA COUNTY - W.O. 1209.) Columbia Steel Company has requested the assignment of Leases No. 14 - 69/1929, No. 14 (Supplemental) - 69/1929, and No. 26 - 69/1929, to the United States Steel Company, a wholly-owned subsidiary of the United States Steel Corporation. The Columbia Steel Company was merged into the United States Steel Company on December 31, 1951.

Lease No. 14 was issued originally to C. A. Hooper & Co. on July 5, 1930, for a period of 40 years, with right of renewal for an additional 25 years, and assigned by C. A. Hooper & Co. to Columbia Steel Company on January 2, 1931. Lease No. 14 (Supplemental) was issued October 24, 1930, to C. A. Hooper & Co., and also assigned, on January 2, 1951, by that Company to Columbia Steel Company. Lease No. 26 was issued, on June 8, 1933, to the Union Oil Company of California for a period of 40 years, with right of renewal for an additional 25 years, and assigned to Columbia Steel Company on March 2, 1950.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO APPROVE THE ASSIGNMENT BY THE COLUMBIA STEEL COMPANY OF LEASES NO. 14 - 69/1929, NO. 14 (SUPPLEMENTAL) - 69/1929, AND NO. 26 - 69/1929, TO THE UNITED STATES STEEL COMPANY, A NEW JERSEY CORPORATION, ASSIGNMENT TO BE EFFECTIVE DECEMBER 31, 1951, UPON PAYMENT OF THE STATUTORY FILING FEES AND FURNISHING OF REQUIRED PERFORMANCE BONDS.

14. (APPLICATION FOR AMENDMENT, P.R.C. 629, STANDARD OIL COMPANY OF CALIFORNIA, EL SEGUNDO, LOS ANGELES COUNTY - W.O. 1210.)

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO AMEND EASEMENT P.R.C. 629 ISSUED TO STANDARD OIL COMPANY OF CALIFORNIA, BY INCREASING THE LENGTH OF THE PRESENT RIGHT-OF-WAY EASEMENT OF 220 FEET TO 520 FEET AND INCREASING THE ANNUAL RENTAL FROM \$44.40 TO \$50.40, EFFECTIVE DATE TO BE FEBRUARY 15, 1952, THE EFFECTIVE DATE OF EASEMENT P.R.C. 629.

The Standard Oil Company of California has requested amendment to Easement P.R.C. 629 which was authorized by the Commission on June 21, 1951, replacing P.R.C. 89 which expires on February 14, 1952. The request is occasioned by and because of the building up of sand on the floor of the Santa Monica Bay by littoral drift.

15. (TIDELAND LITIGATION, UNITED STATES V. CALIFORNIA - W.O. 721.) The Commission, by letter of December 5, 1951, was forwarded a copy of the Report on Tidelands to the Senate Interim Committee on Public Lands wherein was set forth the Order of the Supreme Court dated December 3, 1951, appointing William F. Davis, Esquire, as Master. This Order is as follows:

"The order of February 12, 1949, appointing William H. Davis, Esquire, of New York City, Special Master herein, is continued and he is

directed to conduct hearings and to submit to this Court with all convenient speed his recommended answers to the following questions, with a view to securing from this Court an order for his further guidance in applying the proper principles of law to the seven coastal segments enumerated in Groups I and II of the Master's Report of May 31, 1949, ordered filed June 27, 1949, pp. 1 and 2 of said Report:

Question 1. What is the status (inland waters or open sea) of particular channels and other water areas between the mainland and offshore islands, and, if inland waters, then by what criteria are the inland water limits of any such channel or other water area to be determined?

Question 2. Are particular segments in fact bays or harbors constituting inland waters and from what landmarks are the lines marking the seaward limits of bays, harbors, rivers and other inland waters to be drawn?

Question 3. By what criteria is the ordinary low water mark on the Coast of California to be ascertained?

"In holding hearings, the Master is authorized to exclude such evidence as he may deem immaterial or unduly cumulative in arriving at his recommendations. Each party may make proffer of any part of such excluded evidence in written form to this Court. Excluded evidence so proffered shall accompany the record of proceedings upon which the Master acted, but shall not be a part of that record.

"Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this question.

"Mr. Justice Black is of the opinion that the case should be set for argument with a view to narrowing and making more precise the issues upon which evidence is to be heard."

Mr. Davis set January 7, 1952, as the date for commencement of the hearings. Subsequently the Solicitor General of the United States requested that Mr. Davis defer the hearings until January 23, 1952, because the United States wished to study the decision of the World Court of the Hague on the British-Norwegian Fisheries case. Mr. Davis acceded to the request after consulting the Attorney General of California. The Norwegian case decision sets forth principles which support California's position that all waters between the Channel Islands and the mainland are inland waters.

In connection with the hearings before the Master on January 23, 1952, it would appear that questions 1, 2, and 3 given above in the Supreme Court's Order have equal application to all United States Maritime and Great Lakes States.

In particular, the hearings are intended to establish criteria by which inland waters may be delineated anywhere along the coasts of the United States. It is therefore apparent that the proceedings will have a nationwide effect of great importance. Such criteria can and probably will be applied at the convenience of the United States whenever a Federal advantage

may result. The States of Washington, Louisiana, Florida, Maryland, and Massachusetts, and several others should have a vital interest in these proceedings.

It would therefore be helpful to California if in the hearings commencing on January 23, 1952, the Maritime and Great Lakes States would request the Supreme Court to permit them to present to the Master their respective positions on the three questions.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE CHAIRMAN OF THE COMMISSION TO EXECUTE A MEMORANDUM, WHICH IS TO BE PREPARED FOR HIS SIGNATURE, INFORMING GOVERNOR WARREN OF THE FACTS CONTAINED IN THIS ITEM. THE INFORMATION CONTAINED IN THIS ITEM IS ALSO TO BE SUBMITTED TO SENATOR BREED'S TIDELAND COMMITTEE.

16. (SUBMARINE GEOPHYSICAL EXPLORATION, HUMBLE OIL & REFINING COMPANY - W.O. 1191, P.R.C. 707.) On December 17, 1951 (Minute Item 14, Page 1500), the Commission authorized the deferment of further consideration of the application of the Humble Oil & Refining Company for a permit to conduct geophysical exploration operations on tide and submerged lands under the jurisdiction of the Commission, pursuant to the request of the District Attorney of Santa Barbara County for an opportunity to prepare a statement of objections to the proposed action.

Letter protests to the issuance of geophysical exploration permits have been filed by the District Attorney upon behalf of the Board of Supervisors of Santa Barbara County, and by the City Clerk of the City of Santa Barbara pursuant to authorization by the City Council. In summary, the protest filed by the County states that past seismic explorations have resulted in considerable damage to fish and marine life, that residents in areas adjacent to the shoreline have complained of damage to property allegedly caused by the seismic blasting, that notwithstanding any modifications of the manner of conducting seismic exploration activities, the Board of Supervisors is opposed to the granting of a permit, and repeated seismic explorations do not serve the public interest in that the results of such operations conducted previously should be available to all interested parties. The letter of protest by the City of Santa Barbara states that no seismic operations should be allowed in the entire Santa Barbara Channel area because of the great damage to fish and marine life.

The Commission was informed on December 17, 1951, of the successful submarine geophysical exploration operations conducted by the Union Oil Company of California under a geophysical exploration permit authorized by the Commission, from which there were no structural effects whatsoever, a very limited fish kill, and no public protests in Los Angeles and Orange Counties where the operations were conducted. In addition, after consideration of these results, the State Fish and Game Commission has authorized the use of explosives in the operations for which the subject application is pending before the State Lands Commission.

The previous recommendation by the Division of State Lands for the issuance of a permit to the Humble Oil & Refining Company did not include any requirement with respect to continuous observation by the Division of State Lands