

Owners of land in the vicinity have applied for inclusion in the Palo Verde Irrigation District, cost of pumps and pipe lines to be paid for by the land owners if inclusion in the district is approved. The land supports no streams, is not suitable for agriculture without artificial irrigation, and is not accessible by an existing road.

The State's application to select the land has been accepted by the Bureau of Land Management, subject to future approval and listing.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

The sale is authorized of the W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 1, E $\frac{1}{2}$ of SE $\frac{1}{4}$ and SW $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 2, and NE $\frac{1}{4}$ of Section 15, T. 7 S., R. 21 E., S.B.M., containing 360 acres in Riverside County, to John H. Geier at the appraised cash price of \$1800, subject to all statutory reservations including minerals, upon the listing (conveyance) of said land to the State by the Federal Government.

13. (SUBMARINE GEOPHYSICAL EXPLORATION PERMITS, SANTA BARBARA COUNTY, P.R.C. 718.1, P.R.C. 724.1, P.R.C. 817.1, P.R.C. 821.1 - W.O. 1522.) Under date of September 21, 1953, the Board of Supervisors of the County of Santa Barbara submitted a petition to the State Lands Commission for rehearing and reconsideration of submarine geophysical exploration permits issued heretofore to Humble Oil & Refining Company, Richfield Oil Corporation and Western Gulf Oil Company, authorizing seismic exploration activities offshore from Santa Barbara County. At a conference held October 14, 1953, with representatives of the holders of submarine geophysical exploration permits and the County of Santa Barbara, District Attorney Thomas proposed interim operating limitations for submarine geophysical exploration activities offshore from Santa Barbara County as follows:

1. All shooting to be restricted to areas outside of kelp.
2. Shooting to be restricted to the area beyond one mile from the ordinary high-water mark between Gaviota and the Santa Barbara-Ventura County line, with the exception of the area within the projected limits of the City of Santa Barbara.
3. Shooting within the area of the projected limits of the City of Santa Barbara to be restricted to the seaward area more than two miles from shore, these limits to be subject to acceptance and approval by the City of Santa Barbara.
4. Shooting in the balance of the County offshore area to be restricted to one-half mile seaward of the ordinary high-water mark.

Representatives of the Western Gulf Oil Company and the Richfield Oil Corporation (the only permittees currently active in submarine geophysical exploration offshore from Santa Barbara County) indicated acceptance of the interim operating conditions, subject to the following:

1. Recommendation by District Attorney Thomas to the Board of Supervisors for modification of the offshore shooting limit to one-quarter mile in the area from Gaviota, west to Point Conception.

2. Recommendation by District Attorney Thomas to the City of Santa Barbara of the acceptance of the two-mile operating limitations within the area of the projected limits of the City of Santa Barbara.

Industry representatives indicated that independent studies have been undertaken of the possibilities of kelp damage resulting from submarine geophysical exploration activities. It was agreed further that the foregoing operating limitations would be acceptable for submarine geophysical exploration activities under existing permits and for such extension, renewal and new applications as are pending currently before the State Lands Commission, subject to reconsideration of permit limitations after the Fish and Game Commission have evaluated the kelp damage studies undertaken by the industry and the Department of Fish and Game.

Acceptability of this interim program has now been stated by the City and County of Santa Barbara, and request for withdrawal of the County petition for rehearing has been submitted. No objections have been made by the Humble Oil & Refining Company, the only other holders of submarine geophysical exploration permits. No exploration operations are being conducted under these permits currently.

The State Lands Commission has also received a resolution from the County Supervisors Association of California, under date of September 12, 1953, requesting action "to prevent the damage or destruction of kelp beds in recreational waters by seismographic explosion activities carried on under state permits and that any such activities be required to be confined to areas located sufficiently offshore so as not to endanger public beaches along the coast or interfere with the rights and easements of the public to navigation, bathing, and fishery".

The following appearances were made:

Mr. J. G. Leovy of Western Gulf Oil Company stated that his company and the Richfield Oil Corporation are having a study made at the present time, by Dr. M. G. Sargent of the Scripps Institution of Oceanography at La Jolla, to determine what damage, if any, is caused to kelp beds by seismic shooting. Until such determination is made they have agreed to keep all operations outside of kelp beds.

Dr. Frances N. Clark of the California Department of Fish and Game reported that that department is compiling results of various studies being made, but is not itself having any definite study made. When the facts are determined from the compilation, they are to be submitted to the State Fish and Game Commission for final conclusions.

Mr. M. W. Phelan of the Richfield Oil Corporation stated that his company would stay one mile offshore in the conduct of its seismic explorations, as previously agreed, until the kelp studies which are being made have been completed and a conclusion reached. However, he felt that if such operations were not doing damage to kelp they should be able to come closer to shore in their exploration work.

District Attorney Thomas asked that Santa Barbara County be recorded as wanting a one-mile limit in most areas for seismic operations. He further stated that although the County of Santa Barbara was notified in advance of the meeting of the State Lands Commission held on July 2, 1953, they were not specifically notified of the intent to change at that time the one-mile limit on seismic operations to one-quarter mile, and consequently were not represented at the meeting. He read a letter of October 15, 1953, which had been sent to the Commission, requesting an opportunity to be heard and to present objections to the one-quarter mile limit.

Mr. Callahan, Member of the City Council of the City of Santa Barbara, stated that at the last official meeting they concurred with the recommendation amending permit agreements, and offered no objection on the agreement proposed on October 14, 1953.

Colonel Putnam reported that all recommendations are contingent upon results of studies to be made, and the question of limitations may be reopened when these studies are completed.

Mr. Dean brought up the question of whether permits already granted could be modified, in reply to which it was reported that there is a clause in the permits to cover this.

Mr. Dean asked Mr. Thomas if Santa Barbara County did not have access to the courts (in connection with its protests) on the basis of a nuisance, to which Mr. Thomas replied that the law required that first all administrative remedies be sought before resorting to the courts. He said further that it is felt that shooting in kelp might possibly aggravate the unusual disease conditions in the kelp this year, which caused considerable debris to be washed ashore, and he took the position that if shooting is permitted within one-quarter mile of shore it will aggravate an existing public nuisance.

Mr. Hortig read a letter of October 26, 1953, from the Office of Joel E. Ogle, County Counsel for Orange County, relating to applications (W.O. 1523 and W.O. 1543) of the Richfield Oil Corporation for permission to conduct submarine seismographic exploration on tide and submerged lands, stating that "It is the position of the County of Orange that any permit for seismographic explorations on tide and submerged lands should contain adequate conditions and restrictions which would assure minimum harm or damage to marine life."

Mr. Hortig also read a letter of October 26, 1953, from the Office of the Board of Supervisors of Ventura County, requesting that the State Lands Commission "apply to activity off the Ventura County shoreline the same concessions and conditions that have been negotiated for Santa Barbara County."

Mr. Thomas requested that the following statement which he made be a matter of record:

"My appearance on behalf of the County of Santa Barbara and Mr. Callahan's appearance on behalf of the City of Santa Barbara are not to be taken as a waiver of any rights that we may have with respect to this controversy, nor do we concede exclusive jurisdiction in the State Lands Commission with respect to tidelands, nor

do we waive any proposition of law or any proposition asserted in our petition for a rehearing, nor is the withdrawal of the petition for a rehearing to stop the City or the County from raising any proposition of law or factual matter asserted therein."

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

All existing permits for submarine geophysical exploration are to be revoked, and new permits containing the following clause are to be issued.

1. Explosive charges may be placed only in areas of water sufficiently clear of kelp to minimize physical damage from the detonation of any submarine geophysical exploration shots.

In addition, the following conditions are to be included as to operations in the Santa Barbara County offshore areas:

1. No shots shall be permitted at distances closer than two statute miles from the ordinary high-water mark within the offshore area between the projection south of the easterly and westerly limits of the City of Santa Barbara.
2. No shots shall be permitted at distances closer than one statute mile from the ordinary high-water mark in the offshore Santa Barbara County area between a line drawn due south from Gaviota and the projection seaward of the Santa Barbara-Ventura County line, with the exception of the Santa Barbara City area as noted above.
3. No shots shall be permitted at distances closer than one-quarter statute mile from the ordinary high-water mark in the balance of the Santa Barbara County offshore area.

14. (SUBMARINE GEOPHYSICAL EXPLORATION, LOS ANGELES, ORANGE AND SAN DIEGO COUNTIES, WESTERN GULF OIL COMPANY - W.O. 1543, P.R.C. 852.1.) The Western Gulf Oil Company has made application for authorization to conduct submarine geophysical exploration operations on those tide and submerged lands under the jurisdiction of the State Lands Commission lying southerly of a line drawn due West from Point Dume, Los Angeles County, and northerly of the extension westerly of the California-Mexico Border. The Boards of Supervisors of the Counties of Los Angeles, Orange and San Diego have been informed that this application is to be considered.

Mr. Hortig read the reply which had been received from Orange County.

Mr. J. G. Leovy appeared and stated that they cannot obtain the information necessary if they are kept one mile offshore in their exploration work, but that they are willing to keep out of kelp beds.