

19. (REVISION OF AGREEMENT WITH PACIFIC TELEPHONE AND TELEGRAPH COMPANY - W.O. 1830, W.O. 1831.) The following report was presented to the Commission:

"On October 27, 1953 the Commission approved a form of agreement with the Pacific Telephone and Telegraph Company in conformance with Opinion No. 52/56 and Section 7901 of the Public Utilities Code. The agreement so approved covered crossings over sovereign lands of the State. Since 1953 it has been found that in a few instances telephone and telegraph lines cross State lands which are subject to sale. Presence of telephone and telegraph lines across school or swamp and overflow lands might mitigate against the sale of those lands, or reduce the appraised value prior to sale. For that reason it was deemed advisable to modify the agreement by the addition of Section VI of a new paragraph in cases of crossings over lands subject to sale, reading

'State expressly reserves the power to require Telephone Company to relocate said telephone and telegraph facilities upon determination by State that the purpose of such relocation is to protect the principal use of the demised premises.'

"The addition of the above paragraph has been approved by the Attorney General and the attorneys for the Pacific Telephone and Telegraph Company."

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

THE COMMISSION APPROVES MODIFICATION OF THE AGREEMENT WITH THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY, SAID AGREEMENT APPROVED OCTOBER 27, 1953, BY THE ADDITION TO SECTION VI OF A PARAGRAPH READING

"STATE EXPRESSLY RESERVES THE POWER TO REQUIRE TELEPHONE COMPANY TO RELOCATE SAID TELEPHONE AND TELEGRAPH FACILITIES UPON DETERMINATION BY STATE THAT THE PURPOSE OF SUCH RELOCATION IS TO PROTECT THE PRINCIPAL USE OF THE DEMISED PREMISES."

THIS MODIFIED FORM IS TO BE USED IN THOSE CASES WHERE TELEPHONE AND TELEGRAPH LINES CROSS STATE LANDS THAT ARE SUBJECT TO SALE.

20. (MASTER PLAN OF SHORELINE DEVELOPMENT, VENTURA COUNTY - GEO.-VENTURA COUNTY.) The following report was presented to the Commission:

The Oxnard City Planning Commission has forwarded Resolutions Nos. 389 and 390 to the Commission requesting that due consideration be given to the County Master Plan of Shoreline Development in the event that offshore oil leases are contemplated in the area between the Santa Clara River and the prolongation westerly of Fifth Street, Oxnard. The areas proposed for acquisition as a beach park are detailed on a map which was transmitted with the subject resolutions. In view of the fact that the current surface utilization of the areas is not apparent from the map which was transmitted, the attention of the Oxnard Planning Commission was directed to the fact that

a substantial portion of the onshore areas proposed for park under the Ventura County Master Plan are included in oil development operations of several years' standing, and an area of 960 acres of tide and submerged lands adjoining one mile of the shoreline in the central portion of the proposed beach park area is included in State Oil and Gas Lease P.R.C. 735.1, issued June 30, 1952 for a term of 20 years and for so long thereafter as oil or gas is produced in paying quantities. The subject resolutions were transmitted on July 12, more than one month after the first public hearing on the subject. The press has reported that a second public hearing held July 14, 1955, before the County Planning Commission at Ventura, developed unexpected and strong opposition to any beach acquisition under the County Master Plan, with the result that the County Planning Commission has agreed to defer any further consideration on action for six months."

21. (REVIEW AND REVISION OF COMMISSION LEASING POLICIES - W.O. 1087.) The following report was presented to the Commission:

"At several meetings of the Commission during the year 1954, the matter of issuance of permits for piers located on State lands in the bed of Lake Tahoe was under consideration. At the meeting of the Commission on January 21, 1955, it was anticipated that legislative action might be taken which would alter the authority and duties of the Commission in the premises, and at that meeting the staff was directed to defer all action on the issuance of new permits or the renewal of permits pertaining to piers constructed or to be constructed for recreational purposes by upland property owners, no matter where they might be located.

"Chapter 1305 of the Statutes of 1955 amends Section 6503 of the Public Resources Code to read as follows:

'Upon receipt of an application to lease land under this chapter, the commission shall appraise the lands and fix the annual rental per acre or other consideration therefor; provided, no rental fee shall be charged for private recreational piers constructed for the use of a littoral land owner.' (Underlining added to indicate the amendment.)

"In order to proceed with the issuance of permits under the provisions of Section 6503 of the Public Resources Code as thus amended, a consideration of policies and procedures involved appears to be appropriate. Section 6505.5 of the Public Resources Code states in part 'No grazing or recreational lease shall be for a period longer than 10 years.' It is therefore proposed that the permits to be issued for private recreational piers under the provisions of Chapter 1305 be for a period of 10 years and no longer. In this connection, reference is made to Section 6501 of the Public Resources Code, which states 'As used in this chapter, "lease" includes a permit, easement, or license.'