

description of the lands which are needed as a source of materials for the construction, maintenance or improvement of any highway, and upon such approval of such maps by the State Lands Division, the lands described therein are reserved for such use by the Department of Public Works."

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

THE EXECUTIVE OFFICER IS AUTHORIZED TO APPROVE THE MAP PRESENTED BY THE DIVISION OF HIGHWAYS PURSUANT TO SECTION 101.5 OF THE STREETS AND HIGHWAYS CODE AND TO AUTHORIZE THE REMOVAL OF NOT TO EXCEED 1,100,000 CUBIC YARDS OF MATERIAL FROM THE FORT KNOX, PRESIDIO AND POTATO PATCH SHOAL AREAS OF SAN FRANCISCO BAY AND VICINITY FOR USE IN FREEWAY CONSTRUCTION IN SAN MATEO COUNTY. THIS AUTHORIZATION IS TO SUPERSEDE THE AUTHORIZATION GRANTED BY THE STATE LANDS COMMISSION APRIL 27, 1954 (MINUTE ITEM 20, PAGES 2073-2074).

10. (RESERVATION OF MINERALS, PARCELS 4, 5 AND 6, CHAPTER 979, STATUTES OF 1955, TULARE COUNTY - GEO.-TULARE CO.) The following report was presented to the Commission:

"On August 15, 1956, pursuant to a request by the Property Acquisition Division of the Department of Finance (Minute Item 17, pages 2776-77), the Commission authorized the Executive Officer to advise the Property Acquisition Division that reservation to the State of mineral rights was not recommended in the proposed sale of Parcels 4, 5, and 6, Ch. 979/55 because of the absence of any current known mineral value.

"On September 24, 1956 the Property Acquisition Division reported further with respect to the subject property in part as follows:

'Without in any sense attempting to refute or question the findings of your staff to the effect that the likelihood of mineral development in this immediate area is unlikely, I should like to request respectfully that you re-examine the conclusion reached wherein there would be no reservation of mineral rights in our proposed sale of the surplus three parcels.

'This request is based first on the premise that the property to be retained and used by the State for hospital purposes is immediately contiguous to the surplus property. Should it develop at some date that mineral deposits are found to underlie this general area, it would seem feasible to whipstock the surplus parcels from a site or sites on the hospital property without the necessity for disturbing the surface or impairing the surface use of the surplus parcels. Secondly, it is my opinion that the surplus properties, when sold, will not be depreciated in value if the State elects to retain the mineral rights without the right to explore from the surface.'

"In addition, the Property Acquisition Division reported in part on October 19, 1956 as follows:

'We realize the amount of investigation and research necessary as a foundation for your recommendation, and have no quarrel with your decision. However, since the recommendation was received the matter has been given careful study here, especially taking into consideration the large holding retained for hospital use immediately adjacent to the surplus parcels.

'The consensus is that it would be desirable to retain the mineral rights, and it is therefore our request, in which the Director of Finance joins, that we have the approval of the State Lands Commission for the inclusion of a provision reserving mineral rights to the State when conveying these properties.'

"Under Section 6404, Public Resources Code, any State agency that sells any of the lands listed in Section 6403, Public Resources Code, (e.g., land acquired by the State for public use) may, with the approval of the State Lands Commission, reserve to the State any or all oil, gas, oil shale, coal, phosphate, gold, silver, or other mineral deposits therein. It appears that the bases under which the Property Acquisition Division desires to retain the mineral rights in the subject land involve considerations beyond the scope authorized for recommendation by the staff of the State Lands Division. The original recommendation to the Commission for approval of the non-reservation of the mineral interests in the subject land was based on the sole consideration under the cognizance of the State Lands Division that record review and field inspection showed no evidence of any current known mineral value."

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

THE COMMISSION CONSIDERS THE REQUEST OF THE PROPERTY ACQUISITION DIVISION OF THE DEPARTMENT OF FINANCE AND THE DIRECTOR OF FINANCE THAT THE COMMISSION RESCIND THE ACTION OF AUGUST 15, 1956 RELATIVE TO THE APPROVAL OF THE NON-RESERVATION TO THE STATE OF THE MINERAL RIGHTS IN THE SALE OF PARCELS 4, 5 AND 6, CHAPTER 976, STATUTES OF 1955, TULARE COUNTY, AND FURTHER, APPROVES THE RESERVATION TO THE STATE PURSUANT TO SECTION 6404 OF THE PUBLIC RESOURCES CODE OF THE MINERAL RIGHTS IN THE SALE OF PARCELS 4, 5 AND 6, CHAPTER 979, STATUTES OF 1955, TULARE COUNTY.

11. (CONSIDERATION OF SUBSIDENCE COST PROJECTS, LONG BEACH - W. O. 10,009; W. O. 10,010.) The following report was presented to the Commission:

"On August 15, 1956 (Minute Item 4, pages 2759-2760) the Commission approved the costs proposed to be expended by the City of Long Beach, including subsidence remedial work for the balance of the fiscal year under two projects, W. O. 10,003 'Subsidence Maintenance' and W. O. 10,014 'Subsidence Studies', and on