

MINUTE ITEM

38. APPLICATION FOR PERMISSION TO CONDUCT UNDERWATER EXPLOSION TESTS ON SUBMERGED LANDS, UNITED STATES OF AMERICA - W.O.s 4040 AND 4041, P.R.C. 2766.9.

Following presentation of Supplemental Calendar Item 37 attached, the Executive Officer reported that, from data submitted with the application, the staff of the Commission was confident that there could be no structural damage to installations onshore or offshore of the test sites, and that complete safety precautions would be maintained by the United States Government. The Executive Officer stated that if the Federal Government desired to do testing other than at the three test sites, they would first report to the staff.

Representatives of the Corps of Engineers and of the U. S. Geological Survey reported that, by containing the explosion underwater, the sonic effects would be quite small.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO THE UNITED STATES OF AMERICA A PERMIT TO CONDUCT A SERIES OF UNDERWATER DETONATIONS ON STATE SUBMERGED LANDS WITHIN A 25-MILE RADIUS OF PASADENA AND WITHIN A 25-MILE RADIUS OF BERKELEY, CALIFORNIA. THE PROJECT IS TO COMMENCE ON AUGUST 21, 1961, AND TO END ON OR BEFORE DECEMBER 31, 1961. THE PERMIT IS TO PROVIDE THAT:

1. COMPLETE SAFETY PRECAUTIONS ARE TO BE MAINTAINED BY THE UNITED STATES GOVERNMENT, ITS AGENCIES AND ITS CONTRACTORS.
2. THE UNITED STATES GOVERNMENT, ITS AGENCIES AND ITS CONTRACTORS SHALL BE LIABLE FOR AND AGREE TO INDEMNIFY THE STATE AGAINST ANY LOSS, DAMAGE, CLAIM, DEMAND OR ACTION CAUSED BY, ARISING OUT OF, OR CONNECTED WITH THE DETONATIONS.

THE CONSIDERATION FOR THE ISSUANCE OF THE PERMIT IS THE INTEREST OF NATIONAL DEFENSE.

Attachment
Calendar Item 37 (1 page)

*This item was re-included
by Minute Item 5, see
Rps 7229-30 of 9-14-1961*

SUPPLEMENTAL CALENDAR ITEM

37.

APPLICATION FOR PERMISSION TO CONDUCT UNDERWATER EXPLOSION TESTS ON SUBMERGED LANDS, UNITED STATES OF AMERICA - W.O.s 4040 AND 4041.

An application has been received from the Corps of Engineers, U. S. Army, for a permit to authorize the Federal Government to conduct a series of underwater explosion tests for national defense purposes on State submerged lands. The tentative locations for the operations would be within a required 25-mile radius of Pasadena and a similarly required 25-mile radius of Berkeley. The proposed detonations will provide seismic-wave-propagation information which will improve our national scientific capabilities of detecting and identifying underground nuclear explosions and natural earthquakes. The project, which is under the direction of the Department of Defense, is to be a joint effort by personnel of the U. S. Geological Survey, of the Corps of Engineers, U. S. Army, of the U. S. Coast Guard, and of the Advanced Research Projects Agency.

The over-all field work is scheduled to commence on August 21, 1961, and will end on or before December 31, 1961.

Complete safety precautions will be maintained by the United States Government, its agencies and its contractors. Under the proposed permit the United States Government, its agencies and its contractors would be liable for and agree to indemnify the State against any loss, damage, claim, demand or action caused by, arising out of, or connected with the detonations.

The proposed operations will also require approval by the State Department of Fish and Game as to location in order to assure maximum feasible protection of marine life.

It is proposed that, in the interest of national defense, the statutory filing fee and any performance bond or rental be waived.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO ISSUE TO THE UNITED STATES OF AMERICA A PERMIT TO CONDUCT A SERIES OF UNDERWATER DETONATIONS ON STATE SUBMERGED LANDS WITHIN A 25-MILE RADIUS OF PASADENA AND WITHIN A 25-MILE RADIUS OF BERKELEY, CALIFORNIA. THE PROJECT IS TO COMMENCE ON AUGUST 21, 1961, AND TO END ON OR BEFORE DECEMBER 31, 1961. THE PERMIT IS TO PROVIDE THAT:

1. COMPLETE SAFETY PRECAUTIONS ARE TO BE MAINTAINED BY THE UNITED STATES GOVERNMENT, ITS AGENCIES AND ITS CONTRACTORS.
2. THE UNITED STATES GOVERNMENT, ITS AGENCIES AND ITS CONTRACTORS SHALL BE LIABLE FOR AND AGREE TO INDEMNIFY THE STATE AGAINST ANY LOSS, DAMAGE, CLAIM, DEMAND OR ACTION CAUSED BY, ARISING OUT OF, OR CONNECTED WITH THE DETONATIONS.

THE CONSIDERATION FOR THE ISSUANCE OF THE PERMIT IS TO BE THE INTEREST OF NATIONAL DEFENSE.