

MINUTE ITEM

4/1/69

29. REPORT ON PROPOSAL TO CONSIDER OIL AND GAS LEASE OFFERS IN SAN PABLO BAY - U.O. 7086.

During consideration of Calendar Item 41 attached, appearances were made by the following:

Mrs. Franklyn (Anita) Miller, Secretary to the Blackpoint Improvement Club and also representing ten other home improvement associations in the North Marin area accounting for many thousands of people in that area who live adjacent to the Bay, called the North Marin Federation, who stated that all these persons were unequivocally and unalterably opposed to any drilling in San Pablo Bay.

Miss Ernestine I. Smith, Conservation Chairman of the Madrone Branch of the National Audubon Society, who commended the Commission and its staff on the position they had taken.

Mrs. Ron Jenkins, Delegate representing C.O.A.A.S.T. and Science Teachers, Petaluma, who expressed delight with the Commission's findings. However, it was her feeling that the staff recommendation and Commission resolution should state "that no further consideration would ever be given to any proposals to offer any tide and submerged lands in San Pablo Bay for possible oil and gas lease," rather than "no further consideration be given at this time."

The Chairman pointed out that there was no way in which an incumbent Commission or Legislature could bind future commissions or legislatures by a specific action, and therefore the word "ever" could not be used in the Commission's resolution.

Upon motion duly made and unanimously carried, the following resolution was adopted:

NO FURTHER CONSIDERATION IS TO BE GIVEN AT THIS TIME TO ANY PROPOSALS TO OFFER ANY TIDE AND SUBMERGED LANDS IN SAN PABLO BAY FOR POSSIBLE OIL AND GAS LEASE.

Attachment

Calendar Item 41 (5 pages)

CALENDAR ITEM

4/69

41.

REPORT ON PROPOSAL TO CONSIDER OIL AND GAS LEASE OFFERS IN SAN PABLO BAY -  
W.O. 7086.

On December 19, 1968, the State Lands Commission directed the Executive Officer to conduct public hearings prior to consideration of offering oil and gas leases on State-owned tide and submerged lands in San Pablo Bay.

Pursuant to this directive and notification, as required by statute, to all whose interest in the subject matter was known to the State Lands Division, public hearings were held on February 4, 1969, in the City of Fairfield, Solano County, and on February 5, 1969, in the City of Martinez.

The record of the hearings and copies of testimony presented have been reviewed, and a report has been prepared for consideration by the Commission. The report is attached as Exhibit "A".

In view of current official and public opposition,

IT IS RECOMMENDED THAT NO FURTHER CONSIDERATION BE GIVEN AT THIS TIME TO ANY PROPOSALS TO OFFER ANY TIDE AND SUBMERGED LANDS IN SAN PABLO BAY FOR POSSIBLE OIL AND GAS LEASE.

Attachments: Exhibits "A" and "No. 1"

EXHIBIT "A"REVIEW OF PUBLIC HEARINGS HELD IN SOLANO AND  
CONTRA COSTA COUNTIES ON FEBRUARY 4 AND 5,  
1969, RESPECTIVELY, RE CONSIDERATION OF OFFERING  
AREAS OF SAN PABLO BAY FOR OIL AND GAS LEASEI. INTRODUCTION

On August 28, 1969 (Minute Item 56, page 1036), the State Lands Commission authorized the Executive Officer to proceed with the publication of a Notice of Intention to consider offering for oil and gas lease certain tide and submerged lands of the State of California in San Pablo Bay, in the counties of Contra Costa, Solano, Sonoma and Marin. Contained in the area are approximately 75,000 acres.

The authorized notice was published on September 11, 1968, and again on September 18, 1968, as required by statute. On September 11, 1968, copies of the notice were sent to the Boards of Supervisors of the affected counties. Section 6873.2 of the Public Resources Code specifies that within 30 days after the publication of the Notice of Intention, any affected city or county may request in writing to the Commission that a hearing be held with respect thereto.

Requests for public hearings on this matter were received by the Commission within the 30-day period from the Boards of Supervisors of the counties of Marin, Solano and Contra Costa and from the cities of Richmond, Vallejo and Pinole. On December 19, 1968, the Commission authorized the Executive Officer to conduct public hearings on the subject of consideration of offering oil and gas lease on State-owned tide and submerged lands in San Pablo Bay.

Subsequent to appropriate notification to all interested parties, public hearings were held by the Executive Officer in Solano County (City of Fairfield) and Contra Costa County (City of Martinez) on February 4 and 5, 1969, respectively.

The Executive Officer prefaced each hearing with introductory remarks, accompanied by illustrations, explaining (1) leasing procedures and safeguards to the public under State Lands Commission leases; (2) current drilling and producing activities on both offshore and urban sites; and (3) the economic benefits to both the State and local government, and the public, from a continuing oil and gas leasing program. He further advised those present that the hearings were being held only in Solano and Contra Costa counties at this time because possible lease offers were under consideration only in those counties. Future hearings would be held in other counties should any leasing program be considered in those counties.

Testimony was heard from State and local government, conservation groups, and the general public (see Exhibit No. 1).

## II. SUMMARY OF THE TESTIMONY

Mr. Wallace W. Brazalton, Supervisor, County of Solano, advised the hearing officer that the County had taken no stand on the proposal, and had requested the hearing for the sole purpose of providing the public an opportunity to be heard if they so desired. No testimony opposing the leasing proposal was presented by any resident of Solano County at the Fairfield, Solano County, hearing. In contrast, there was complete and unqualified official opposition by the County of Contra Costa and Marin County (even though leasing in Marin County was not being considered at this time).

A review of the record of the hearings and of the correspondence received subsequently reveals several major recurring contentions:

1. The natural asset value of the San Francisco Bay region, including San Pablo Bay, outweighs its consideration as any other kind of asset.
2. The drilling for oil and gas in San Pablo Bay would:
  - a. Cause pollution of Bay waters;
  - b. Introduce drilling structures that would be inimical to the area's scenic and recreational attributes;
  - c. Create some amount of dislocation in the Bay's recreational economy;
  - d. Through oil pollution, be ruinous to the area's ecological balance.
3. The nearby presence of the Hayward and other minor earthquake faults represent a hazard to drilling operations and thus a potential cause of oil pollution in the event of earthquakes.
4. The potential oil and gas deposits in San Pablo Bay are not now needed by the State or Nation and could be left untouched as a reserve for future needs.
5. Even with the best of safeguards, the risk potential to the Bay, however small, is unacceptable.
6. The over-all greater good to the public is in not proceeding with oil and gas development - as opposed to the potential gain that would accrue to the benefit of a minority by permitting development.

7. Drilling and producing operations in any area of San Pablo Bay would affect the total San Francisco Bay area, and, therefore, public hearings could not be held in only the county in which drilling was proposed, but must be held in all areas of the Bay region.

### III. STAFF COMMENTS AND CONCLUSIONS

Gas drilling and producing operations have been conducted under State leases in Suisun Bay for the past two years (a fact not generally realized by those present at the hearing) and elsewhere in the Sacramento River Delta area without detrimental effect or serious mishap since 1936.

It is apparent, however, from review of the hearings, the quantities of mail received, the general press coverage, and from the obviously increasing over-all concern with the condition of total environment, that the Commission's successful development of the State's mineral resources to date is not considered as any justification for continuation of the program.

Though it is believed that under the controls of the Commission, the possibilities of a sequence of events occurring such as the well blowout from Union Oil Company's Well A-21 in federal waters offshore Santa Barbara are minimal; nonetheless, the statistical probability of reducing such risks to absolute zero is not attainable under the present state of the art.

Since the Bay area is considered to be potentially a gas-producing, and not an oil-producing area, it is reasonable to expect that pollution by oil would not occur. Based upon the Commission's experience in other offshore areas of the State, there is every factual basis for believing that oil and gas development in the Bay would not prove detrimental to scenic values, to recreational values, to wildlife or waterfowl, or the general ecological condition, or to recreationally based economies. Nor, again based upon the Commission's experience, especially in the Long Beach-Los Angeles area where the demonstrably active Long Beach-Inglewood fault systems exist, would it be anticipated that the Hayward and other faults in the Bay area would escalate risk factors for oil and gas development.

The catalyst to the present intense public opposition to development, of course, is the well blowout and subsequent pollution in the Santa Barbara Channel. It is difficult to offer current meaningful discussion in the context presented by that incident. The event has occurred offshore a populated recreational area, has been highly visible and destructive, and takes such occurrences out of the realm of possibility and into a visible fact.

EXHIBIT NO. 1

## Speakers in The Order of Their Appearances:

FAIRFIELD HEARING

Honorable Wallace W. Brazelton, Supervisor, County of Solano  
 Mr. Gerald R. Davis, Assistant City Manager, City of Vallejo  
 Mrs. Donald Jenkins, Member of "C.O.A.A.S.T.", Californians Organized to  
 Acquire Access to State Tidelands  
 Mr. Jack Schoop, Chief Planner, San Francisco Bay Conservation and  
 Development Commission  
 Mr. Alvin Hightower, Member of Richmond Rod and Gun Club  
 Mrs. Ernestine I. Smith, Conservation Chairman, Madrone Chapter,  
 National Audubon Society  
 Mr. Walter F. Freitas, Member of Marin County Planning Commission  
 Mr. David Balmer, County Administrator, County of Solano  
 Mr. W. D. Vail, Planning Department, County of Sonoma

MARTINEZ HEARING

Mr. John A. Nejedly, District Attorney, County of Contra Costa  
 Mr. Ernest W. Henderson, Planning Director, City of Richmond  
 Mr. Herbert F. Wimmer, Building and Planning Superintendent, City of Pinole,  
 representing The City Council of the City of Pinole  
 Honorable Bernice Hubbard May, Councilman, City of Berkeley  
 Mr. John Barrows, County Administrator, County of Marin  
 Mr. Harold Gregg, President, Marin County Conservation League  
 Mr. Richard Hinkson, Member, Associated Sportsmen of California  
 Mr. Fred H. Kierker, Executive Officer, Regional Water Quality Control Board  
 Mrs. Barbara Dixon, Director, Save the Bay Association, Richmond  
 Mr. Carl Bennett, Resident of the City of Rodeo  
 Mr. Paul A. Schulz, President, Mt. Diablo Audubon Club  
 Mr. Donald F. Anthrop, Vice Chairman, Executive Committee, San Francisco  
 Bay Chapter of the Sierra Club  
 Mr. Clarence M. Olson, President, Richmond Rod and Gun Club, Inc.  
 Mr. Jack Schoop, Chief Planner, San Francisco Bay Conservation and  
 Development Commission  
 Mr. Pete Santana, Citizen  
 Mrs. Elizabeth Sego, Citizen  
 Mr. Ernest W. Henderson, Planning Director, City of Richmond  
 Mrs. Sally Germaine, Citizen  
 Mrs. Donald Jenkins, Member of "C.O.A.A.S.T.", Californians Organized to  
 Acquire Access to State Tidelands