

ORIGINAL

Before The
STATE LANDS COMMISSION
STATE OF CALIFORNIA

ca
5167

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Regular Meeting held in
Room 5168 State Capitol
Annex, Sacramento, Calif.

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Tuesday, May 24, 1960
9:15 o'clock A.M.

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KAEMPFER REPORTING SERVICE
CERTIFIED SHORTHAND REPORTERS
4128 BRUHN COURT, SACRAMENTO 21, CALIFORNIA
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A P P E A R A N C E S

Commission Members:

Messrs. Glenn M. Anderson, Lieutenant Governor, Chairman
Alan Cranston, Controller
John E. Carr, Director of Finance

Staff Members:

Messrs. Frank J. Hortig, Executive Officer
Fred W. Kreft, Assistant Executive Officer
Kenneth C. Smith, Public Lands Officer

Others Present:

Messrs. Fred Zweiback, Executive Secretary to
Lieutenant Governor Anderson
Jay L. Shavelson, Deputy Attorney General,
Office of the Attorney General
Mrs. Julia T. Stahl, Secretary to the Commission

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Alex C. Kaempfer, Court Reporter

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16	(No Commission action required)			
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20	MOTION ON ITEM 14			53 19
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25	<u>SPEAKERS:</u>			
26	Harold A. Lingle, Deputy City Atty., Long Beach			3 21
	Jesse Gilkerson, City Engineer, Long Beach			14 20
	Reginald Knox, Assistant Counsel, Imperial Irrigation District			43 10

I N D E X
(In accordance with Calendar Summary)

ITEM CLASSIFICATION	ITEM ON CALENDAR	PAGE OF CALENDAR	PAGE & OF TRANSCRIPT	LINE OF TRANSCRIPT
1. <u>Confirmation of Minutes of Meeting March 24, '60</u>			1	6
MOTION ON ITEM 1.....			1	10
2. <u>Special Order of Business: Long Beach Tide and Submerged Lands Boundary Determina- tion</u>	6	1	1	12
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3. <u>Permits, easements, and rights-of-way to be granted to public and other agencies at no fee</u>				
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(a) Humble Oil & Refining Company	5	6	8	15
(b) Kern County Land Co.	22	7	8	19
(c) James A. Lloyd and Kenneth W. Hilt	28	8	8	20
(d) Hazel Locke	24	9	8	20
(e) Malibu Pier Corp.	7	10	8	21
(f) Northern Calif. Plywood, Inc.	15	11	8	21

1 TUESDAY, MAY 24, 1960

2 9:15 O'CLOCK A.M.

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4 CHAIRMAN ANDERSON: The meeting of the State Lands
5 Commission will come to order.

6 The first item is confirmation of minutes of the
7 meeting of March 24, 1960.

8 MR. CRANSTON: I move their approval.

9 MR. CARR: Second the motion.

10 CHAIRMAN ANDERSON: Moved that they be dispensed
11 without reading? If no objection, so ordered.

12 Item 2. Special order of business. Long Beach Tide
13 and Submerged Lands Boundary Determination, pursuant to Chapter
14 2000/57. Mr. Hortig.

15 MR. HORTIG: As the Commission will recall, further
16 consideration on this matter was deferred at the last meeting
17 of the Commission to today's meeting.

18 A representative of the City Attorney's office of the
19 City of Long Beach is here today. The Chairman may wish to
20 call on Mr. Lingle.

21 CHAIRMAN ANDERSON: Mr. Lingle, would you like to
22 report from the City of Long Beach?

23 MR. LINGLE: For the record, I am Harold A. Lingle,
24 Deputy City Attorney, City of Long Beach.

25 Gentlemen, since the last meeting there has been some
26 marked interesting progress as you have undoubtedly read in the

1 paper. The City has successfully had hearings in Washington
2 and had assurances on additional money for repair work in the
3 shipyard. All of the money has not yet been appropriated out
4 of the various places where it has to be appropriated, but at
5 least the hearings that we did have, I am told, were successful.

6 We also in our recent City elections had a charter
7 measure on whereby it was necessary that we conform our charter
8 provisions similar to the State laws so that the operators of
9 the various wells which are the subject of your demand and our
10 resistance would be assured that they would go ahead and drill.
11 So we think that the legal steps so far as putting those wells
12 into a unit have progressed, and we are having active talks
13 with the operators.

14 Now, I realize those are two of the things that you
15 were particularly interested in having accomplished, and to
16 a great extent they have been accomplished.

17 The things that haven't been accomplished is that we
18 are working still very hard on this Fault Block IV; as you've
19 been told before it's probably more difficult to put it together
20 than the other two Fault Blocks that we did put together due to
21 the fact that it's so large and there are so many people
22 involved. In addition to that, I would suggest that the time
23 that we have had in the last month, as I stated, I think that
24 you put to good use and we've put to good use.

25 I also might call your attention to the fact that we
26 have had an election. I will have a new boss as of the 5th of

1 July, there will be a new City Attorney. There will be at
 2 least four new City Councilmen, and I don't mean to put this
 3 on any sort of a political basis but even if you were operating
 4 as a board of directors of any sort of a private corporation
 5 there are new people who are coming in who I think it might
 6 serve both of our purposes if they had time to familiarize
 7 themselves with the problems.

8 So I think that if you can see fit to put this matter
 9 over another month we could make further progress on Fault Block
 10 IV, and we could also have time to familiarize these new
 11 officials with the problems that are in front of them.

12 CHAIRMAN ANDERSON: Any questions of Mr. Lingle?

13 Mr. Carr?

14 Mr. Carr: Well, I don't have any, Mr. Chairman.

15 CHAIRMAN ANDERSON: Mr. Cranston?

16 MR. CRANSTON: No questions.

17 MR. CARR: Mr. Chairman.

18 CHAIRMAN ANDERSON: Mr. Carr.

19 MR. CARR: I've been looking at the record in this
 20 matter, and I believe that this Commission has always had in
 21 mind the joint interests of the State of California and the City
 22 of Long Beach in this matter, and in response to a request by
 23 Mayor Keeler, going back almost a year ago or more, actually the
 24 Long Beach City Council authorized Mayor Keeler in May last year
 25 to request this Commission to negotiate a settlement of this
 26 boundary dispute so as to avoid any possibility of interfering

1 with this repressuring program.

2 That was prior to the time that I became a member of
3 the Commission, but I remember the first meeting that I
4 attended of this Commission, we acceded to this request and
5 we have gone along on this policy ever since, and I think
6 advisable; I think we have been correct in our attitude and in
7 our conclusions, and the things that we were anxious to
8 accomplish which was to make it possible to assure the Navy
9 and the citizens of Long Beach that this repressurizing
10 program would work, everybody seems to be satisfied including
11 the Navy who had a great interest in it.

12 But as of now, the very reasons that Mr. Lingle advances
13 for putting it over another month seem to me to be the reason
14 why we should. There is a new City Council coming into Long
15 Beach. There is no reason to believe that they're going to
16 come into office completely in possession of all of the facts
17 and theories and policies that are necessary to consider to
18 come to a point of negotiation over these boundaries or this
19 boundary.

20 So I think that this is time now for this Commission
21 to accede to the mandate of the legislature, which is to arrive
22 at a conclusion as to where this boundary is, and in looking
23 at the record, I remember in one previous meeting Commission
24 Cranston -- and we went along with him; we agreed with him --
25 said that we were going on the assumption that everybody was
26 negotiating in good faith, and I think we were.

1 But I'm looking at some news releases here where one
2 of the present councilmen of Long Beach says that, and I
3 quote from this newspaper:

4 "The word of State officials is worthless,
5 Dooley continued, and he likened them to the
6 officials in Russia."

7 And it says:

8 "Dooley said the State has the temerity to
9 send down punk lawyers 25 years of age to tell
10 us what to do."

11 Now, Mr. Chairman, that does not smack of good faith
12 as far as I'm concerned, and I personally resent it. I think
13 it shows the opposite of good faith. But I don't think it
14 represents the feelings of the City of Long Beach or the City
15 Council.

16 But I don't think that we would be doing the City of
17 Long Beach a service or the State of California a service and
18 certainly I think that this Commission has been extremely
19 cooperative, and it was our duty, it was our interest to do
20 so, ^{but} because of the fact that I don't think that any City
21 Council in Long Beach is going to get themselves in a frame of
22 mind where they will have the courage to negotiate a settlement
23 on an issue that is as red hot as this one is, and is liable to
24 be kept that way, so I think the friendliest and the most
25 sensible attitude that we can take is that as long as Mr.
26 Jacobson has said here, and I read this, in his campaign

1 literature, that he thinks this should be settled in the
2 courts. I think that is one statement he has made that is
3 correct. I think it should be.

4 /nd, therefore, I move that we instruct the Attorney
5 General to take the necessary legal steps to get this cause
6 into court and we settle it this way, and I think in that
7 way no one will be subject to any undue criticism and
8 especially in the City of Long Beach, the members of the
9 commission who are -- the City Council who are working in the
10 interests of the City and cooperating with the State will be
11 relieved from unjust criticism on a giveaway program or any
12 other of that kind of monkeybusiness, I think we should get
13 it in the court in the friendliest way possible, and any way
14 possible, and I move that.

15 MR. CRANSTON: Mr. Chairman, I second it.

16 CHAIRMAN ANDERSON: Moved and seconded. Any further
17 discussions?

18 MR. CRANSTON: Mr. Chairman.

19 CHAIRMAN ANDERSON: Mr. Cranston.

20 MR. CRANSTON: I'd like to state, Mr. Chairman, that
21 the principal reason apart from our desire to seek to
22 negotiate this in good faith for delaying institution of a suit
23 was that the Land Commission would in no way jeopardize the
24 actions insofar as whether or not the Naval Base would be kept
25 at Long Beach, and all information that has been made available
26 to the Commission indicates that there is no longer any threat

1 at the present time that the Navy Base would leave Long Beach,
2 and there is every indication that whatever we might choose to
3 do in regard to this boundary dispute would have no effect
4 whatsoever on that particular matter.

5 A new reason is now advanced by Long Beach that they
6 have a new City Council coming or perhaps they have a new City
7 Council coming that we should take time for them to familiarize
8 themselves with this situation, but it seems to me that we could
9 go on finding new reasons forever, and we should bring this
10 to a head. We have sought to negotiate in good faith and we
11 have waited for the primary reason I mentioned insofar as the
12 Navy Base is concerned, and when we have somebody from the City
13 Attorney's office recommending that we delay and have his
14 present boss in print here saying that the only way to handle
15 this is to sue, I think that Mr. Carr is quite right, we should
16 sue and reach a fair determination in that way with no hard
17 feelings on either side as far as the Commission is concerned.

18 CHAIRMAN ANDERSON: I think we might also point out
19 that there's still a possible chance of settlement even after
20 the suit has been instituted.

21 Any further comments? If not, all in favor of the
22 motion signify by saying aye. (Chorus of ayes.) Opposed?
23 It's unanimous.

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25 ---oOo---

1 CHAIRMAN ANDERSON: Item 3 is the permits, easements,
2 and rights-of-way to be granted to public and other agencies
3 at no fee, pursuant to statute. And the first one is
4 Applicant (a), the Aptos Sanitation District; (b) is the City
5 of Chula Vista; (c) the United States of America; and (d)
6 the Department of Water Resources. Those are the four items
7 under Classification 3. Is there a motion to approve?

8 MR. CARR: I so move.

9 MR. CRANSTON: Second the motion.

10 CHAIRMAN ANDERSON: Moved and seconded. If there is
11 no objection it's so ordered and approved unanimously.

12 Item Classification 4 is permits, easements, leases,
13 and rights-of-way issued pursuant to statutes and established
14 rental policies of the Commission. And the first applicant
15 is (a), the Humble Oil and Refining Company. Mr. Hortig, if
16 there are any of these you want to comment upon, I'll pause
17 briefly.

18 MR. HORTIG: I will, Mr. Chairman.

19 CHAIRMAN ANDERSON: Item (b), Kern County Land
20 Company; (c), James A. Lloyd and Kenneth W. Hilt; (d) Hazel
21 Locke; (e), the Malibu Pier Corporation; (f) is the Northern
22 California Plywood, Incorporated.

23 MR. HORTIG: Excuse me, Mr. Chairman, if we may return
24 momentarily to Item (d) Locke as appearing on page 9. The
25 recommendation should have deleted from it the words ". . .
26 a portion of Lot 2, Section 19, T. 28 N., R. 17 E., . . ."

1 This is surplusage and would confuse the description
2 of the area authorized to be included in the grazing lease.

3 CHAIRMAN ANDERSON: If there is no objection when it
4 will be understood that the recommendation will be corrected
5 to read as Mr. Hortig corrected it there.

6 We'll proceed on then to the next item, Item (g),
7 Pacific Gas and Electric Company. I understand that's the one
8 that Senator Short had originally objected to, (g) and (h),
9 and I understand he has withdrawn his objection to both, correct?

10 MR. HORTIG: That is correct, by letter, Mr. Chairman.

11 CHAIRMAN ANDERSON: The same with Item (h), Pacific Gas
12 and Electric Company; Item (i), Safeway Stores, Incorporated;
13 Item (j) is Lindsey Spight; Item (k) is Standard Oil Company
14 of California.

15 MR. HORTIG: With respect to Item (k) appearing on pages
16 16 and 17, Mr. Chairman, the staff recommends that, to be
17 certain there is no misunderstanding, the proposal to account
18 for royalties is to be strictly conformable to the terms and
19 conditions of the existing agreement for easement #15.1, that
20 the recommendation appearing on page 17 be restated as I will
21 now read it: (Reading:)

22 "IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE
23 THE EXECUTIVE OFFICER TO APPROVE AN AMENDMENT TO
24 AGREEMENT FOR EASEMENT #15.1, SUBMITTED BY THE
25 STANDARD OIL COMPANY OF CALIFORNIA IN ITS LETTER
26 DATED APRIL 29, 1960, EFFECTIVE OCTOBER 29, 1959,

1 ALLOCATING FOR ROYALTY PAYMENT UNDER EASEMENT
 2 415.1, 6.45 PER CENT OF THE GAS PRODUCED FROM
 3 UNIDENTIFIED LANDS INCLUDED IN THE UNIT AGREEMENT
 4 FOR THE ISLETON GAS FIELD, SACRAMENTO, CALIFORNIA,
 5 EXCLUDING THEREFROM GAS USED FOR OPERATION IN
 6 CONNECTION WITH SUCH PRODUCTION."

7 The calculation of royalty payments is to be in
 8 accordance with Standard's letter of April 29, 1960, which
 9 conforms with agreement for easement 415.1.

10 CHAIRMAN ANDERSON: What is your pleasure?

11 MR. CARR: I move approval of the staff recommendation.

12 MR. CRANSTON: Second it.

13 CHAIRMAN ANDERSON: Moved and seconded. All those in
 14 favor signify by saying aye (chorus of ayes). Opposed, no.
 15 So ordered and passed unanimously.

16 Item 5, the City of Long Beach Projects, approvals
 17 required pursuant to Chapter 29/56, 1st Extraordinary Session.
 18 Item (a) is the construction of convention and exhibit hall to
 19 be located on tidelands. Mr. Hortig?

20 MR. HORTIG: The Commission will recall that at an
 21 earlier meeting it was requested that with respect to this item
 22 the staff arrange to have procedures established in accordance
 23 with the routine heretofore utilized by the Commission for hav-
 24 ing items of this type which required Commission approval
 25 first reviewed by the Commission staff and recommended on
 26 concurrently with and in accordance with the opinions of the

1 office of the Attorney General.

2 There had been discussion and items noted in the press
3 which the Chairman brought to the staff's attention, that there
4 had been comments that there had been discussion in the Attorney
5 General's office with respect to this particular item without
6 any prior consideration by the Lands Commission.

7 All procedures I am happy to report are back on the
8 track with respect to the proper administration of Chapter 29
9 as it is viewed by the Lands Commission and by the Attorney
10 General's office and pursuant to application by the City of
11 Long Beach and with an opinion from the office of the Attorney
12 General that if certain criteria are met the Commission may
13 authorize the expenditure by the City of Long Beach from its
14 share of tideland revenues of not more than six million one
15 hundred thousand to be expended subsequent to May 24, 1960
16 for the construction of a Convention and Exhibit Hall to be
17 located on tidelands is an item which may properly be considered
18 by the Commission; the Staff having completed review of the
19 purposes and found them to be in conformance with the requirements
20 as specified by the Attorney General's opinion, recommends
21 that the Commission authorize or direct approval of this
22 recommendation.

23 MR. CRANSTON: I move that we approve this request from
24 Long Beach.

25 MR. CARR: Second it.

26 CHAIRMAN ANDERSON: Very well. Project (s) has been

1 moved and seconded that we approve this. If no objection,
2 it's so ordered and passed unanimously.

3 Item (b), Dredging Alamo Bay. And I just want to
4 comment that our office has received innumerable letters and
5 telegrams the last few days protesting the procedure down
6 there and raising certain questions. Has your office been
7 receiving these, too?

8 MR. HORTIG: No, sir, we had not.

9 CHAIRMAN ANDERSON: Mr. Zweiback has, I think, about
10 six or eight letters there.

11 MR. HORTIG: Pursuant to promises or at least agreements
12 made before the citizens had notified those groups who were
13 on our mailing list that this item was to be considered, we had
14 not at headquarters received any letters respective to this
15 item.

16 Under the circumstances I could only suggest, Mr.
17 Chairman, consideration of deferment of action on this item
18 in order that we may have the opportunity to review and report
19 to the Commission as to the inter-relationship of these
20 projects and the project --

21 CHAIRMAN ANDERSON: For example, I know one of the
22 telegrams I got this morning inquired into dredging of Alamo
23 Bay, what you were doing with the dirt, the excess dirt that is
24 being taken out of the dredging. Now, that was public land;
25 it should be distributed in public lands and it's being given
26 to someone else. Do you know anything about this?

1 MR. HORTIG: Yes. May I suggest this is not actually
 2 a new item. The request here is for an extension of time to
 3 complete a project which the Commission has already authorized
 4 heretofore, but the authorization had a terminal date of June
 5 30, 1960, and the project has not been completed and can not be
 6 completed by June 30, 1960, so the City is asking here for an
 7 extension of time into the next fiscal year for the completion
 8 of a project which the Commission heard previously and
 9 authorized previously. So this is not a new project.

10 CHAIRMAN ANDERSON: The next one is a new one, kind of
 11 part of the same thing, the Appian Way is part of the same
 12 project, and you're making a new expenditure on this. That's
 13 why I thought we'd bring this up.

14 MR. HORTIG: It's additional expenditure again on the
 15 Appian Way, on a project also previously authorized by the
 16 Commission.

17 Under the circumstances, not having read the objections,
 18 as I say, of the ^{objectors} I feel that the staff should review
 19 and report as to whether they reflect properly on the items
 20 here being considered by the Commission.

21 CHAIRMAN ANDERSON: Well, this first one, Item (b),
 22 giving an extension of time, this will not in any way conflict
 23 with the staff doing that. But what about Item (c), the
 24 expenditure by the City of Long Beach of an additional amount
 25 of \$87,200?

26 MR. HORTIG: Again, this is expenditure of additional

1 funds for an already authorized project, but in an amount
2 greater than heretofore authorized. So it is of the same
3 nature, in one case more money and in the other case more time,
4 but for previously authorized projects.

5 MR. CARR: I think we might authorize (b) and hold up
6 (c), checking as to why this extra money is requested. I'd like
7 to ask a question. As of this morning is there anyone here, do
8 you know, or is anyone here from Long Beach that can tell us
9 what the impact of this tidal wave was on this particular area
10 here,--Alamitos Bay, was that -- ?

11 MR. HORTIG: We have both the City Engineer Jesse
12 Gilkerson, and a representative of the Harbor Department,
13 Mr. Al Wheeler, present, so both can report.

14 MR. CARR: I think it's pertinent to this to know what
15 has happened.

16 CHAIRMAN ANDERSON: Would you like to ask them now?

17 MR. CARR: Yes, I would.

18 CHAIRMAN ANDERSON: Would you identify yourself for
19 the record, please?

20 MR. GILKERSON: Jesse Gilkerson, City Engineer.

21 In respect to your inquiry relative to the tidal wave
22 damage, actually in the Alamitos Bay area we had little damage.
23 We did have unusual waves. We had the current receding very
24 rapidly and almost draining the Bay, should we say, in a matter
25 of minutes, a phenomena which is not normal. But we didn't have
26 any boat damage down there, surprisingly enough. Damage occurred

1 in the Corritos channel which is the connecting channel on
 2 the north side of Terminal Island between Long Beach and Long
 3 Beach Harbor where you have a terrific rush of water
 4 apparently in the Long Beach entrance side through the Corritos
 5 Channel.

6 MR. CARR: Was the pontoon bridge carried away?

7 MR. GILKERSON: No, it was not. The railroad was
 8 going to be the only access to the Terminal Island for awhile.

9 MR. CARR: Was that because the pontoon bridge was out
 10 out of commission or what's the reason for that?

11 MR. GILKERSON: Mr. Carr, perhaps Mr. Wheeler can
 12 answer that better than I. It's my understanding that they
 13 closed both the Schuyler Heim Bridge and the paralleling
 14 Bascule Bridge to the west of it during this phenomena, and
 15 it was in that area where the boats were sunk, small craft,
 16 and were dashed against the north abutment to the so-called
 17 Bascule Bridge.

18 Now, the pontoon bridge which is around to the east
 19 and which is across the Long Beach entrance channel, I understand,
 20 still maintains operation, and that apparently was the only
 21 access, vehicular access, to the island for awhile.

22 I say, I'm not as familiar with that as Mr. Wheeler.

23 MR. CARR: Perhaps the radio report was wrong. The
 24 radio report I heard about 5:00 o'clock this morning was that
 25 the Schuyler Heim Bridge would be the only access to the Island
 26 for a few days, which would indicate that the pontoon bridge

1 was carried away, but after all, maybe they just got it
2 reversed. These early morning radio reports aren't always
3 the most accurate in the world.

4 MR. GILKERSON: If that occurred in the morning, I
5 wouldn't have any knowledge of it. I came up last night.

6 MR. CARR: But you do know that the Alamitos Bay
7 project, as far as that yacht harbor and everything in there
8 is concerned, was not damaged, is that right?

9 MR. GILKERSON: Not seriously. There may have been
10 extensive erosion but we'll only be able to determine what that
11 is after this is over. And fortunestely, when this tide came
12 up some 3 or 4 feet, and George Hart, a local attorney was
13 watching it, we had a reasonably low tide. Now, if that 3 or
14 4 foot of surge had occurred concurrently with the high tide,
15 we probably would have had the whole peninsula under water.
16 We were just fortunate that the current was at a medium or low
17 tide and we didn't have serious property damage on the peninsula.

18 Gentlemen, I would like to comment on these Items (b)
19 and (c), if it would be in order, if you're finished with the
20 questioning on this matter.

21 CHAIRMAN ANDERSON: All right, proceed.

22 MR. GILKERSON: In respect to Item (b) which is the
23 dredging up around Alamitos Bay, Mr. Carr will recall, and the
24 others that are familiar with Long Beach, that there has been
25 a running battle in connection with those who have boat frontage
26 and those who have docks and those who do not since late '49,

1 '50, '51.

2 But this matter has been thoroughly aired in the
3 council on numerous occasions and in respect to the matter
4 at the last hearing before the council, there was a preponderance
5 of support both from the island operation as well as those who
6 had boating interests, to go ahead with the project.

7 As a result of that, the plans were adopted, we have
8 advertised for bids and all that we are asking today is that
9 it's obvious we can't complete it by July the 1st, that this
10 terminal date be extended.

11 Now, in relation to the disposal of this material, we
12 discussed this at great length with the Lands Commission staff.
13 There are not public lands immediately adjacent to the site
14 on which to dispose of this material, and we have pumped over
15 two million yards from the Marina project on to the ocean side
16 of the peninsula. We had filled all the public land around
17 there that is capable of filling with the type of material
18 involved.

19 The disposing of this material in part on private
20 property results in economies in connection with the operation.
21 We are discussing the proposal to dispose of some forty of the
22 one hundred thousand yards on public property on the north and
23 south side of the Marine Stadium immediately adjacent to the area
24 to be dredged. As regards the private property which flanks
25 that public property to the north and south, there would be
26 a drainage problem created if we filled the public land without

1 filling the adjacent public property.

2 In addition to that, we would have the additional
3 pumping costs of some thirty to thirty-five cents per cubic
4 yard if we pumped this material out to the ocean side of the
5 peninsula where we do not need it and where the material which
6 is a black silt -- we've already had objections raised from
7 the landowners down there that we pushed the ocean too far
8 away from their property.

9 This filling of these so-called private lands was
10 instituted by the City not with any ulterior motives at all
11 but in the interests of trying to get a project which was
12 workable and trying to save some money.

13 Our estimate is \$130,000 instead of one hundred fifty.
14 Now, the sixty-five thousand yards which was disposed of on
15 private property adjacent to public property, we did ask
16 consideration for this material which is a dredge type fill
17 within a dike, and we must obtain deeds to two parcels of
18 property which are required for the Marina, one for the Lido
19 Lane widening and another for connection with our Marina Drive
20 and the West Davies Bridge, properties on which we were
21 negotiating and for which we will have to pay good money if we
22 do not otherwise obtain them through this so-called arrangement.

23 Now, I petition you gentlemen, this has been thoroughly
24 aired. There have been hearings over 6 or 8 months on this
25 before the City Council. We have already advertised for bids.
26 There is no "nigger in the woodpile" at all. The people who are

1 protesting represent, I'm sure, a minority of interests down
2 there and you are never going to reconcile all the different
3 groups in the area anyway. You have as many different thoughts
4 down there as you have people. I know of no area in the City
5 where there are as many controversial issues which have been
6 raised.

7 There have been some political overtones in this but
8 I think it's interesting to you gentlemen to note that
9 Councilman Louis Rees who lives in the district and who resided
10 there for years voted in favor of this project when it came up
11 for vote in the Council, and there were only two negative votes.

12 I would petition that you accede to our request and
13 the recommendation of your staff and authorize the extension of
14 this terminal date to its completion.

15 MR. CRANSTON: Mr. Chairman, since both items are to
16 implement projects previously approved, I move the approval of
17 Items (b) and (c) in accordance with the staff recommendation.

18 MR. CARR: I second the motion, Mr. Chairman. And I
19 might comment that I passed by this area last Saturday and again
20 last Sunday, and I wasn't aware that, at that time that there
21 was this controversy, but it's definitely an improvement which
22 is much to be desired, and it's going to result in a better
23 use of that area for recreational purposes.

24 And as far as putting this fill on private land, it's
25 certainly going to increase the assessed value of that land and
26 the City is going to be getting taxes out of it. I'm in favor

1 of taxes as long as we don't have to raise them. We need the
2 money.

3 CHAIRMAN ANDERSON: Moved and seconded that Items
4 (b) and (c) of Item 5 be approved according to staff
5 recommendation. Any further discussion? If no objection,
6 it's approved unanimously.

7 Do you want to comment, Mr. Zweiback?

8 MR. ZWEIBACK: No comment, Mr. Chairman, but I'd like
9 to insert in the record that the mail that's on the desk here
10 was all postmarked from Long Beach over the week end and
11 arrived in our office, I am told, yesterday, late yesterday
12 afternoon. Of course, neither one of us being there, we had no
13 chance to read it until just prior to the meeting this morning.

14 If the Chairman would like, we can just read the names
15 of the major ones that sent them. Mrs. C. H. McFadden sent in
16 two letters; there's a letter from Mrs. A. L. Miller; there's
17 a letter from Mr. Edgar Miller; and there's a letter from Mrs.
18 Gloria Maupin, M-a-u-p-i-n; and there are two other letters
19 containing about a dozen or so signatures each.

20 All of these letters are addressed to our office, Mr.
21 Chairman, but are also addressed to the members of the Lands
22 Commission. The material contained in them is so voluminous
23 that it would have been impossible to digest them in any form
24 in advance of this meeting.

25 CHAIRMAN ANDERSON: Well, then, for the record you'll
26 turn that over to Mr. Hortig for the staff to peruse?

1 MR. WINDPACK: I shall.

2 CHAIRMAN ANDERSON: I have at least one wire, maybe
3 two, on my desk that I shall also turn over to Mr. Hortig.

4 Then if there is no objection, Items (b) and (c) will
5 be approved unanimously.

6 Item (d) is Subsidence Studies. Mr. Hortig?

7 Mr. Hortig: The Commission will recall that as a
8 continuing procedure it is necessary for the Harbor Department
9 to undertake subsidence studies on an engineering evaluation
10 basis. The Commission has heretofore approved, pursuant to
11 statute, on a fiscal year basis amounts to be utilized for such
12 studies. The recommendation now before the Commission is for
13 approval for the fiscal year '60-'61 of an amount not to exceed
14 \$246,000 for the conduct of subsidence studies by the Long
15 Beach Harbor Department.

16 MR. CRANSTON: I move approval.

17 MR. CARR: Second it.

18 CHAIRMAN ANDERSON: Moved and seconded we approve
19 these items. If no objection, it's passed unanimously.

20 Item (e) is Subsidence Maintenance. Any comment on
21 that, Mr. Hortig?

22 MR. HORTIG: Only in this sense, Mr. Chairman, that
23 the balance of the items including (e) are repetitious or
24 additions to authorizations heretofore approved by the Lands
25 Commission, that is, Items (e) through (k), with only one
26 additional comment as to Item (f) appearing on page 27, under

1 Item 1 on page 27, the approval sought for Berths 105-107
2 Wharf & Back Area Development, should include in the statement
3 that this is an approval for "second phase" costs, the term
4 "second phase" as it has been defined for the Commission
5 consists of additional costs approved subsequent to review of
6 detail construction plans and/or other data sufficient to guide
7 construction operations.

8 MR. CRANSTON: I move approval in accordance with
9 the staff recommendation.

10 CHAIRMAN ANDERSON: Was that Item (e) you were talking
11 about, Item (f), or both?

12 MR. HORTIG: The modification was to Item (f) and the
13 statement with respect to the items being standard refers to
14 everything from Item (e) through Item (k).

15 CHAIRMAN ANDERSON: O.K. It's been moved that Items
16 (e) and (f) be approved.

17 Mr. Carr seconded the motion. You seconded the motion
18 of approval of these two items?

19 MR. CARR: Yes.

20 CHAIRMAN ANDERSON: If no objection, so ordered and
21 passed unanimously.

22 Item (g) is Pier E, Berths 118-119, Oil Terminal, and
23 the same reports will cover that?

24 MR. HORTIG: Yes, sir.

25 CHAIRMAN ANDERSON: If no objection, then, this will
26 be approved with the others.

1 Item (h) is Pier F, Rockwork and Dredging Fill (2nd
2 Phase). And your explanation, I believe, included that one,
3 too, didn't it?

4 MR. HORTIG: Yes, sir, everything through Item (k).

5 MR. CRANSTON: And my motion covered through Item (k).

6 CHAIRMAN ANDERSON: Your motion covered through Item
7 (k). As I understood the motion as approved covered Items
8 (f) through (k).

9 We will proceed then to Item Classification 6. Sales
10 of Vacant State School Lands.

11 MR. CARR: Mr. Chairmen, I'd like to make a comment here.
12 As a member of the Public Works Board we are approving from
13 time to time the purchase of lands for the State Parks and
14 Recreation Division, and a rather cursory examination of the
15 requirements and needs of the State Park system indicates to me
16 that there are some of these areas which we are selling that we
17 probably could better use if we kept them and made sure that we
18 get the full use out of this land, and this was brought to our
19 attention in this famous case where we sold some land for
20 three dollars an acre and turned around and bought back the
21 same kind of land for ten dollars an acre.

22 Now, the needs of the Beaches and Parks Department are
23 great, and I would like to suggest here, move that we, before
24 we sell any more of these surplus school lands or any other
25 lands that are presently owned by the State, take a more
26 detailed inventory and make sure that the lands that we are

1 owning at the present time are lands that we want to sell and
2 not lands that we might want to keep for the use of our Beaches
3 and Parks Department for their growing needs.

4 They're all over the State. Some of these lands are
5 in the desert; some of them are in the mountains. And they're
6 all potential, good recreation lands. I think we ought to take
7 a good look at the property the State now owns and make sure
8 we don't need it before we sell it.

9 CHAIRMAN ANDERSON: Mr. Hortig, right now what is the
10 procedure of notifying other State agencies, particularly the
11 Parks and Beaches of the sale of these school lands?

12 MR. HORTIG: Well, first, Mr. Chairman, the Division of
13 Beaches and Parks is completely informed as to the location of
14 all existing vacant State school lands which could be sold
15 upon application. I believe they have as a matter of routine
16 access to the knowledge of proposed sale of actual parcels
17 but I think the major item for the information of the Commission
18 is the fact that the Division of Beaches and Parks knows as
19 to the location of all the lands that the Commission potentially
20 might sell whether the Commission has applications for purchase
21 at this time or not.

22 In certain specific instances, at the direction of the
23 Commission, when there were areas being offered that in general
24 appeared possibly might have recreational values, these were
25 again specifically called to the attention of the Division of
26 Beaches and Parks and other agencies, State agencies, who

1 might have interest, witness the recent considerations of the
2 sale of vacant State school lands under Salton Sea, suggestions
3 that any other State agency might be interested in those were
4 rejected by all other State agencies including Beaches and
5 Parks.

6 We have yet another item on the agenda here today
7 for consideration of possible sale of such lands to the
8 Imperial Irrigation District as a quasi-public organization
9 who might better administer and utilize the lands and have them
10 remain on the vacant land list.

11 MR. CARR: Mr. Chairman.

12 CHAIRMAN ANDERSON: Mr. Carr.

13 MR. CARR: We are being asked to approve an augmentation
14 at the present time of \$340,000, that is, the Public Works Board
15 is, \$340,000 to acquire land along the banks of the Salton Sea.

16 Now, I don't imagine that all of these lands which the
17 State now owns or even the very large part of them are
18 appropriate for recreational use, but I do know in talking over
19 with the Division of Beaches and Parks that they haven't had
20 the staff or time to really investigate these publicly owned
21 lands and they couldn't tell you today without considerable
22 staff work whether they are interested in them or not, but it
23 seems to me in the interest of economy and good management of
24 the property that we now own that we should know more definitely
25 whether these lands are appropriate for State use or not before
we sell them.

1 I make it in the form of a motion.

2 CHAIRMAN ANDERSON: How do you do that, though, if they
3 already notified them of all the potential land to be sold
4 and they don't indicate an interest in it?

5 MR. CARR: Well, I think we could do it this way, that
6 we could spot these lands on a map and I don't know where those
7 lands are but I sit here and approve those sales and I don't
8 know any more about it than the State Beaches and Parks Depart-
9 ment.

10 CHAIRMAN ANDERSON: Doesn't the staff of the Beaches
11 and Parks know where all the potential land is that even might
12 be for sale, not just that that we're selling but all of our
13 potential land?

14 MR. HORTIG: By geographical location, yes, sir.

15 CHAIRMAN ANDERSON: And I assume on maps and everything
16 in connection with their own parks and beaches and their own
17 programs?

18 MR. HORTIG: With relationship to existing beaches and
19 parks they know this. I might point out a typical example,
20 although this is in the minority, of the type of program that
21 I understand Mr. Carr is proposing. If the Commission will
22 refer to Item (1), there's a proposal to sell a specific piece of
23 vacant State school land for addition to Dry Lagoon Beach State
24 Park without advertising to the State Park Commission for
25 additional parks.

26 Now, here's one instance where a piece of land has been

1 indicated by the Park Commission as being desirable to their
2 purposes and which we are recommending it be sold to them with-
3 out the necessity for going to competitive public bidding and
4 bid against the world in view of the State interest in the
5 retention of this parcel in the State Park System.

6 CHAIRMAN ANDERSON: I was just inquiring how you thought
7 we could hold it up any more than we are holding it up now.

8 MR. CARR: Well, Mr. Chairman, we have a new Director
9 of the Division of Beaches and Parks, Mr. DeFurk, and he hasn't
10 had time to become fully acquainted with these lands, I don't
11 think.

12 I've discussed this with him personally and I think that
13 he feels that inasmuch as we have a program of acquiring more
14 land for beaches and parks and inasmuch as that appropriation
15 is somewhere, I think even with the last budget correction,
16 about twelve million dollars over-appropriated for the things
17 we want to buy now, there's a definite saving by close
18 examination of this program -- I think there's a definite saving
19 to the State of California -- as well as making it possible to
20 acquire lands in areas such as these. These lands are worth
21 quite a bit of money or people wouldn't be bidding on them.

22 CHAIRMAN ANDERSON: What would your thought be, to give
23 an agenda each month to the Division to have them approve any
24 of these before we sell them?

25 MR. CARR: No. I think the discussion that we've had
26 is that we set up the inventory of these State-owned lands on

1 punch cards so that we can, in such a way, identified in
 2 such a way that we can take an inventory and give it to the
 3 Division of Beaches and Parks before these lands are offered
 4 for sale, before they're put up for sale, so that they can
 5 isolate certain areas and certain lands that they think would
 6 be appropriate for their program and then we negotiate with
 7 them on that basis.

8 It seems to me there's a possibility that we would
 9 acquire these necessary lands for recreational purposes faster
 10 and also in buying them for ourselves we would get them at a
 11 much lower price and save the taxpayers some money.

12 MR. HORTIG: Mr. Chairman.

13 CHAIRMAN ANDERSON: Mr. Hortig.

14 MR. HORTIG: I should like to comment that the inventory
 15 though not in the punch card type but in mimeographed sheets
 16 by indicating parcel, section, township, range, county,
 17 specific geographic location, has heretofore been furnished to
 18 the Division of Beaches and Parks, is available on a current
 19 basis on any day to the Division of Beaches and Parks in its
 20 latest revised form; if the Commission today, for example,
 21 authorizes sales of certain of these lands as recommended, the
 22 inventory, of course, is changed immediately.

23 This revised inventory, as I say, is available immediately
 24 to a State agency after completion of action by the State Lands
 25 Commission either on an informal or a formal basis.

26 I should like to bring to the attention of the Commission

1 and to Mr. Carr as the Director of Finance, that the next step
 2 over and above inventory is probably classification in order
 3 that an agency such as Beaches and Parks in addition to knowing
 4 the geographic location also would have a description of the
 5 probable utility of the particular parcel of land to that
 6 program.

7 Preparing such a classification either on study by
 8 Beaches and Parks or by the State Lands Commission, of course,
 9 would represent a project which has not been undertaken
 10 heretofore to my knowledge by either agency, but certainly
 11 could be carried on, but in order to carry on would require
 12 staff specifically assigned to that project.

13 MR. CRANSTON: Mr. Chairman, it seems to me that Mr.
 14 Carr as Director of Finance should have an opportunity to
 15 discuss this with the new head of the Division of Beaches and
 16 Parks with whom he shares budget responsibilities.

17 I'd like to ask Frank, would we run into any technical,
 18 legal snarls if we delayed action on these items until the
 19 next meeting so that there could be recommendations submitted
 20 in written form on these and probably the policies forwarded
 21 for further consideration.

22 MR. CARR: Mr. Chairman, I'm not putting in my motion
 23 that we withhold action on these. I think we should take
 24 action on these applications, whatever the appropriate action
 25 is, but I want to make my motion read like this, that we
 26 instruct the Lands Commission or Division, whichever is the

1 appropriate one, to inventory and classify the lands presently
2 owned by the State and we then discuss this inventory and
3 classification with the Division of Beaches and Parks, and
4 also the Youth Authority and Corrections and everyone else
5 that has any programs for acquisition of additional land
6 before we offer them for sale. That is exclusive of these
7 present.

8 CHAIRMAN ANDERSON: You've placed that in the form of
9 a motion?

10 MR. CRANSTON: What would be the effect of that on
11 matters that are scheduled now to come before us at our next
12 meeting?

13 MR. CARR: Well, I would say that it would exclude
14 every one except these that are in front of us now. I don't
15 know, I would like to be advised on that.

16 CHAIRMAN ANDERSON: Are you able to do this with your
17 present staff?

18 MR. HORTIG: I feel that we should undertake a
19 feasibility study and report to the Director of Finance as to
20 the various types of classification studies which could be
21 undertaken at various costs and then determine which of those
22 might represent the optimum return for Beaches and Parks for
23 the program the Director has in mind before we actually under-
24 take this study. We could undertake this starting immediately
25 after having received direction to do so.

26 I would like to suggest possible consideration of

1 modification or clarification of the Director's motion in this
2 sense, that over and above the applications which are being
3 considered today for sale, consideration might be given to those
4 applications now pending which have been filed with the State
5 Lands Commission, but which have not been processed to completion
6 but which were filed in good faith.

7 The other remaining alternatives then are that the
8 Commission direct either that such inventorying ^{and} classification
9 run concurrently with the normal procedures of the Commission,
10 which means that over a period of time there would be less and
11 less land available for selection for Beaches and Parks
12 purposes, or direct today the withdrawal from public sale of
13 all remaining vacant State school lands for which applications
14 are not on file as of today, process to completion those
15 applications which are on file, and during the time of the with-
16 drawal undertake this study and determine as to what the future
17 sales program of the Commission should be.

18 MR. CRANSTON: John, how about restating your motion
19 as you would like to make it in the light of his comment?

20 MR. CARR: I would like to make the motion in this form,
21 that we act on these applications that are before us today,
22 that we suspend all further sales until such time as we have had
23 a chance first to review those that are partially in process
24 and perhaps process them on through, but aside from those that
25 are to be considered today and those that are in process, which
26 we would review before we further continued the process, that we

1 hold them up until we have this review and classification.

2 Now, I've been looking these things over as we all have.

3 It says: (Reading:)

4 "A staff appraisal shows" -- and this is a standard
5 paragraph -- "that the land is not suitable for
6 cultivation without artificial irrigation and establishes
7 its value at \$15 per acre, . . ."

8 Now, it just happens that I know, and we all know
9 lands that were sold for \$15 an acre, subdivided and put out on
10 the market for many times that amount. This is no attack on
11 private enterprise, but I think that we should make sure that
12 we don't sell land for \$15 an acre that may have water under
13 it.

14 There's a lot of desert land that there's no water
15 on the surface but I happen to know where you can drive a well
16 into this desert out there and get plenty of water for domestic
17 purposes, and in some cases they've got whole lakes of water
18 underneath them.

19 Now, it doesn't seem to me to make very much sense
20 to sell land for \$15 an acre when the State turns around and
21 pays thousands of dollars an acre for land which is perhaps
22 no better than this, except we just didn't happen to find out
23 whether there was any water there or not before we sold it.

24 CHAIRMAN ANDERSON: Mr. Hortig, you heard his restated
25 motion?

26 MR. HORTIG: Yes. I would like to restate again for

1 consideration, however, Mr. Carr, that the problem of the
2 equity to those applicants who have filed applications, who
3 have deposited monies, who have expended monies in seeking
4 purchase of these lands, and ask your reconsideration of the
5 possibility of completion of those pending applications which
6 are not too numerous that are being processed.

7 MR. CARR: How many pending applications are there?

8 MR. SMITH: Roughly, 100 to 125 pending.

9 MR. CRANSTON: Is there any legal objection to our
10 stopping action on whatever actions we choose?

11 MR. HORTIG: We would have to evaluate that. There
12 might be some applications in a particular stage of processing
13 where we might have commitments to complete.

14 Therefore, my suggestion would be that possibly the
15 most orderly procedure would be to simply process to completion
16 all applications which by the normal course of circumstances
17 are on file as of today with the Lands Commission, and then have
18 a clean cutoff, a very distinct cutoff point for consideration,
19 inventory and classification of all the remaining lands having
20 withdrawn from public sale all the remaining vacant State school
21 lands which withdrawal incidentally is specifically authorized
22 by statute.

23 MR. CRANSTON: Do we have legal authority to do that,
24 to stop, to withdraw from sale those on which there has been no
25 bid?

26 MR. SHAVELSON: Yes, I think Section 6910.2 of the

1 Public Resources Code would specifically authorize that,
2 and the regulations specify that after the bidding procedure
3 is completed and there's a review of the recommendation of the
4 Division the Commission may make final award or take such other
5 action as public interest indicates.

6 Now, before making or expressing a final opinion, I'd
7 like a chance for more careful study but that would be my
8 tentative view.

9 MR. CRANSTON: Well, Mr. Chairman, I would like to
10 second the motion, to amend it to provide that on all pending
11 applications not presently before us that we continue to process
12 them and that the staff make all efforts to find out if any
13 State agency is interested in any of them and at the time they
14 come before us to advise us whether interest has been indicated
15 by any State agency.

16 I would also like -- not part of the motion -- but
17 to ask John if he would undertake to consult with the head of
18 the Division of Beaches and Parks and other agencies on this
19 general policy matter because I think that word from him in
20 relationship to the budget problems that we face in the State
21 of California should supplement whatever word came from our staff
22 in regard to this. It would create, perhaps, greater interest
23 on the part of these agencies.

24 MR. CARR: Mr. Chairman, the Division of Beaches and
25 Parks has already been in on such a discussion, and they are
26 very much interested in exploring the possibilities of the lands

1 presently owned.

2 Mr. Cranston, I think your amendment actually reads
3 then that in effect all pending applications are automatically
4 O.K.'d, right?

5 MR. CRANSTON: No.

6 MR. CARR: Because when do we ever turn one down?

7 MR. CRANSTON: We consider each one here; we have some
8 before us now; others will come before us later. But those
9 will be given priority for reference to all State agencies
10 who might be interested so we can find out if they are interested
11 in acquiring them.

12 CHAIRMAN ANDERSON: How would you interpret the word
13 "pending"? Would that be any person who has put a cash deposit
14 down or any person who has inquired?

15 MR. HORTIG: Where an application has been filed, which
16 is specifically detailed in the law and the rules and regulations
17 and where an application has been accepted and filed in
18 accordance with law as of today.

19 CHAIRMAN ANDERSON: So the words "pending application"
20 is clear as far as you are concerned?

21 MR. HORTIG: Yes.

22 CHAIRMAN ANDERSON: So you could live with this motion
23 as amended by Mr. Cranston?

24 MR. HORTIG: We could implement and administrate under
25 any of the motions. I would like to suggest consideration of
26 Mr. Cranston's amendments as a matter of equity to the applicants

1 who have deposited money.

2 CHAIRMAN ANDERSON: Will you accept Mr. Cranston's
3 amendment, Mr. Carr?

4 MR. CARR: I'd like to ask Mr. Hortig a further
5 question. You say there are pending some 150 applications?

6 MR. HORTIG: Some 100, I believe.

7 MR. SMITH: 100 to 125.

8 MR. CARR: 125 in addition to these that are before
9 us today?

0 MR. HORTIG: Yes, sir.

1 MR. CARR: And your amendment would include that those
2 go through --

3 CHAIRMAN ANDERSON: Be screened.

4 MR. CRANSTON: That they be screened with all agencies
5 that have an interest in them before we act on them here,
6 but we keep processing them as they come before us.

7 CHAIRMAN ANDERSON: Now, then, anything that comes in
8 after these 100 or 125 that are pending, what happens to those
9 now?

0 MR. HORTIG: They are rejected. They are not accepted.
1 They are not filed.

2 CHAIRMAN ANDERSON: Until what?

3 MR. HORTIG: Until the Commission restores the vacant
4 State school lands to public sale. The motion today would
5 require a withdrawal from public sales of vacant State school
6 lands and thereafter the staff would no longer accept applications

1 and if any further applications were received, they would be
2 returned with the statement that the Commission had withdrawn
3 the lands from sale, therefore no application could be accepted.

4 MR. CRANSTON: I'd like to ask one other question
5 on a matter which is now pending before us, and on its way to
6 us, if Mr. Carr finds that Beaches and Parks is interested in
7 one of these items, what are our powers then insofar as turning
8 down the bid of the citizen and giving Beaches and Parks an
9 opportunity to --

10 MR. HORTIG: Well, your powers are complete. The
11 equitable considerations and the relationships of State interest
12 versus the equities of the applicant would be the items that
13 would have to be determined by the Commission by motion.

14 MR. CRANSTON: But we would have the power if we chose
15 to turn the citizen down and give the State the opportunity?

16 MR. HORTIG: Yes. And on rare occasions this has been
17 found to be necessary by State Commissions previously.

18 MR. CARR: Mr. Chairman, my motion contemplates this.
19 We do it very fast, as fast as possible obtain rundowns on
20 locations of these various pieces of lands and give Beaches and
21 Parks and these other State institutions an opportunity to take
22 a look at them and on a rather rapid basis because what I would
23 hope to do is to get into the hands of the State institutions
24 those appropriate lands and then we pursue a vigorous policy of
25 disposal of the rest, getting them on the taxrolls and getting
26 money into the State treasury.

1 CHAIRMAN ANDERSON: I'm interested in seeing as much
2 of this property getting on the tax rolls as possible, so I'd
3 like to see these sales go on. How soon do you think, Mr.
4 Hortig, you could get together with these different departments
5 and work out some sort of a procedure with the staff that you
6 have and the staff they have because I understand there is a
7 staff problem? You don't have it, is that right?

8 MR. HORTIG: Well, complete classification would be a
9 staff problem beyond that to which we had allocated any staff
10 heretofore. However, as of tomorrow we could dispatch to every
11 State agency a complete inventory of the vacant State school
12 lands in California by geographical location.

13 CHAIRMAN ANDERSON: You don't do this now?

14 MR. HORTIG: We have heretofore done it only on request
15 of the agency because in general we had been informed previously
16 there was no agency interest nominally in vacant State school
17 lands, and our experience has been that even in those instances
18 where we have brought specific potential sales to the attention
19 of the agency, we have been informed that there is no agency
20 interest.

As I pointed out at staff level, we had this series of
expressions from all agencies potentially interested in Salton
all State agencies particularly interested in Salton Sea.
Similarly, the Commission will recall that we had a pier which
the Federal Government was willing to sell at cost, which was
located on State lands, and the State had first refusal; failure

1 in exercising first refusal and not buying, the pier would be
2 sold at public auction.

3 We circularized every State agency; starting out was
4 a pier that had possible recreational advantages, was obviously
5 on the water in Cerquinez Straits, and our file again is a
6 complete series of rejections from every State agency who were
7 contacted with respect to the desirability of that particular
8 facility to their operations, so the standard practices as a
9 result of this experience have been to not routinely circularize
10 all State agencies but do it in those instances where it appeared
11 there might be an interest and certainly to report to the
12 Commission and to withdraw or withhold and make available for
13 sale even as on the calendar today those specific parcels of
14 State land which other State agencies indicate they need in
15 their business.

16 MR. CARR: Mr. Chairman.

17 CHAIRMAN ANDERSON: Mr. Carr.

18 MR. CARR: The case of the pier cited by Mr. Horig
19 is one of the incidents that alerted me to the fact that in many
20 cases the left hand of the State of California doesn't know what
21 the right hand is doing, and this is a pretty big State and
22 it's really difficult to get these various agencies acquainted
23 with what the other person, other one, might own, and that's
24 the reason why I want to get this classification.

25 This is not criticism of Mr. Horig's staff. It's just
26 simply a lack of communication between various State departments

1 and I think it's costing us money and keeping us from the
2 best development of these recreational facilities.

3 CHAIRMAN ANDERSON: Well, how soon do you think we could
4 get back to the procedure of putting these lots up for sale?
5 Could this be done by the next meeting, some sort of procedure
6 set up?

7 MR. HORTIG: I would say no.

8 MR. CARR: If Mr. Hortig would have to have some staff
9 assistance, I would undertake to get the loan of some staff
10 people from these agencies interested including the Department
11 of Finance, see if we can't talk these things out. We certainly
12 aren't going to hold these things up indefinitely but I would
13 like to have a good statewide look at it.

14 MR. HORTIG: Well, the answer there, Mr. Chairman, is
15 that the inventory is available right now. The question then
16 is, what of the lands in the inventory are of interest to any
17 other State agencies, and this is a decision which, of course,
18 has to be reached by the agency who wants the lands.

19 MR. CARR: And therein would have no control. The
20 prime classification would be geographical.

21 MR. HORTIG: We have that.

22 MR. CARR: That's a rough classification, and in order
23 to make it easy for these other agencies to interpret whether
24 or not they're interested, we could simply pinpoint it on a
25 map in general in areas and then let them take a look at it,
26 but it's going to take a little time. It's going to take a little

1 staff work and cost a little money, but I think it would pay off.

2 MR. ZWEIFACK: Mr. Chairman.

3 CHAIRMAN ANDERSON: Mr. Zweifack.

4 MR. ZWEIFACK: There may be a bit of problem here on
5 semantics, but as I understand it when Mr. Kortig and the
6 staff use the term "classify the lands," it's my impression
7 that this means the process that takes place when the appraiser
8 goes out there, that is, actually views the land, describes the
9 terrain, and whether water is available, and for what other
10 purposes aside from agriculture it might be useful.

11 Now, if we use the yardstick of what the normal
12 appraisal costs are to go out and do this for the applicant
13 and multiply it by the parcels, I'm just wondering how much
14 money we're talking about? As I say, we're using that word
15 "classify" in a general way in this discussion, whereas the
16 staff uses it in a specific manner to mean a specific function.

17 MR. CARR: When you just say that lands are not or
18 would not be suitable for agriculture without artificial
19 irrigation, that applies to nine-tenths of the lands in
20 California, but we're trying to get the water bonds voted for
21 irrigation and other purposes that we use water for, so I think
22 that this procedure is definitely in order.

23 I move the question.

24 CHAIRMAN ANDERSON: It's been moved and seconded, the
25 motion as amended by Mr. Cranston and the amendment by Mr. Carr.
26 All those in favor signify by saying aye (chorus of ayes).

1 Opposed, no. The motion is carried unanimously.

2 Then we'll proceed with the sales of vacant State
3 school lands, Applicant (a), Helen M. Bouer; (b), William
4 Irving Donahue; (c), Anthony E. Gallo; (d), Anthony E. Gallo;
5 (e), Ray D. Martin; (f), Ben Mednick; (g), Marie L. ^{Mobley} and Ruth
6 D. Forbes; (h), N. H. Monroe; (i), John J. Fytel; (j), George
7 Rodds.

8 MR. CRANSTON: I move approval of Items (a) through
9 (j).

10 MR. CARR: Second the motion.

11 CHAIRMAN ANDERSON: Moved and seconded that Items (a)
12 through (j) be approved. If no objection, it's passed
13 unanimously.

14 We will now proceed to Item (k), Adrienne C. Burke;
15 (Item (l) is the California State Park Commission.

16 MR. CARR: Now, this is done without advertisement,
17 as Mr. Hortig mentioned before.

18 CHAIRMAN ANDERSON: Item (m) is Imperial Irrigation
19 District, which is also without advertising for tentative bids.

20 MR. HORTIG: Mr. Chairman, this is a proposal as to
21 procedure which would be followed if satisfactory to the
22 Commission. There are no pending applications from the
23 Imperial Irrigation District. There were inquiries whether
24 the Commission would consider with favor this procedure for
25 selling because of the quasi-governmental status of the Imperial
26 Irrigation District such lands as are vacant State school lands

1 under Salton Sea to be sold to the Imperial Irrigation District
2 at the market value established by staff appraisal but without
3 the necessity for advertising for competitive public bids.

4 CHAIRMAN ANDERSON: When we sell this now to the
5 Imperial Irrigation District they in turn consult with someone
6 else without any -- or someone can sell without any advertising
7 to whoever they want. This is not actually a public agency,
8 is it?

9 All right, Mr. Knox.

10 MR. KNOX: My name is Reginald Knox. I'm Assistant
11 Counsel from the Imperial Irrigation District. I was asked to
12 appear here today to answer any questions you might have in
13 connection with this matter.

14 I'd like to say first that the Imperial Irrigation
15 District is a political subdivision of the State of California
16 and it's organized as many of the other irrigation districts
17 in the State are, and carries out public functions mainly for
18 distributing water and providing drainage for the lands in the
19 Imperial Valley.

20 The Salton Sea is a necessary sump, so to speak, for the
21 disposal of drainage water from the irrigated lands in the
22 Imperial Valley, and it has been the policy of the Irrigation
23 District over many years to protect that area for continued use
24 as a sump.

25 And in connection with that policy, we have acquired and
26 now own approximately 150,000 acres of lands that underlie the

1 Salton Sea. Most of the remaining land is owned by the United
2 States, and back in the twenties was withdrawn from public
3 entry as a public water reserve for purposes of drainage.
4 And that is the status of the matter at this time.

5 And I might say further that the Imperial Irrigation
6 District does cooperate with the State and the various agencies
7 of the State who wish to acquire any of the land that the
8 Irrigation District owns in the Salton Sea area.

9 As Mr. Carr pointed out, at the present time there are
10 several miles of beach on the north side of the Salton Sea
11 that are leased to the State Division of Beaches and Parks.
12 Likewise, there are several hundreds or thousands of acres in
13 the south end of the Salton Sea that are leased to the
14 Department of Fish and Game and also there are several thousand
15 acres under lease to the Federal Fish and Wildlife Service.
16 All those leases are for nominal rental of perhaps one dollar
17 a year, or something like that.

18 CHAIRMAN ANDERSON: If you wish to dispose of some of
19 this land, you can sell it direct to one of your members without
20 any advertising, can't you, or any competitive bid?

21 MR. KNOX: Yes. However, it has been the policy of the
22 district not to sell any of these lands; the district has leased
23 lands and appropriations are placed in the leases to protect
24 the district from litigation and liability for changes in the
25 level of the sea.

26 But the policy is not to sell the land although it could

1 be done.

2 CHAIRMAN ANDERSON: Is this district like so many of
3 them are, where it consists solely of the people who own land
4 and they vote in proportion to the number of acres they have?

5 MR. KNOX: No. Any resident of the district otherwise
6 qualified to vote can vote, regardless.

7 CHAIRMAN ANDERSON: Whether he owns any property or not?

8 MR. KNOX: Correct.

9 CHAIRMAN ANDERSON: I see.

10 MR. CARR: Mr. Chairman, at the present I don't see
11 any conflict of interest between the State and the Imperial
12 Irrigation District.

13 CHAIRMAN ANDERSON: Does Mr. Hortig feel that it is
14 in the public interest that we sell this at this time?

15 MR. HORTIG: Yes, in view of the fact that the State
16 Lands Commission's remaining holdings are in scattered cells
17 throughout the Sea have raised the administrative problems that
18 they have in the recent past and therefore this consolidation
19 for administration in one political subdivision and obtaining
20 for the school land fund the full market value of the lands
21 appears to be potentially happy solution for the entire problem.

22 MR. CRANSTON: Mr. Chairman, I move approval of Items
23 (k), (l) and (m).

24 MR. CARR: Second it.

25 CHAIRMAN ANDERSON: You heard the motion. If no
26 objection, it's passed unanimously.

1 All right, continuation of Item Classification 6.
 2 Sales of vacant State school lands, Applicant (1), San Bernardino
 3 County Flood Control District and Russell W. Eledsoe and
 4 Max Schlosser.

5 MR. HARTIG: Mr. Chairman and Commissioners, because
 6 Mr. Max Schlosser has withdrawn his application for purchase,
 7 the recommendation relates to now only rejection from
 8 purchase application of Mr. Russell W. Eledsoe of 151.94 acres
 9 of vacant State school lands, and withdrawal from sale pending
 10 filing of proper application by San Bernardino County Flood
 11 Control District, with Mr. Eledsoe to be permitted to proceed
 12 with the purchase of the balance of the lands contained in his
 13 application if he so desires; if not, his application is to
 14 be cancelled and all deposits refunded.

15 The problem arose from the fact that during the time
 16 that applications to purchase were received, there were also
 17 pending, there was also pending an application filed by the
 18 Flood Control District for the lease of certain lands which
 19 are necessary for flood control works.

20 The District has concluded that the preferential and
 21 the only practical approach is to purchase the land in fee,
 22 and therefore it is recommended that the specific parcel
 23 required for flood control activities be held for sale to the
 24 San Bernardino County Flood Control District with the remaining
 25 applicant for the remainder of the land to be given his option
 26 as to whether he desires to complete the purchase or withdraw.

1 MR. SPANNEY: I move we follow the staff recommenda-
2 tion.

3 MR. CARR: Second it.

4 CHAIRMAN ANDERSON: How do you arrive at the price for
5 San Bernardino County Blood Control District. Is that bid the
6 same as Mr. Bledsoe bid on?

7 MR. HORTIG: Same market price, the minimum which Mr.
8 Bledsoe would have bid for the same land, being the full
9 market value. It isn't the competitive bid price but no less
10 than the full market value may be accepted by the Commission and
11 be deposited in the school land fund, which is a permanent trust
12 fund.

13 CHAIRMAN ANDERSON: Been moved and seconded. If there
14 is no further objection, it's approved unanimously.

15 Item Classification 7 is selection and/or sale of vacant
16 Federal lands: (a) Selection and sale of 60 acres, Riverside
17 County, to Ivan E. McKinley, at appraised price of \$2,395.00;
18 Item (b), Selection of 640 acres vacant Federal lands in San
19 Bernardino County, and authorization for sale thereof pursuant
20 to the rules and regulations governing the sale of vacant State
21 school land.

22 MR. HORTIG: Best there be any lack of full understanding,
23 the staff will consider this last recommendation as also being
24 subject to the policy adopted by the Commission earlier in that
25 these lands when they are received from the Federal Government
26 will be placed on the vacant land list. They will be on that

1 vacant land list, which has been withdrawn from public sale
2 pending further action by the Commission.

3 MR. CRANSTON: I move it be approved.

4 MR. CARR: Second the motion.

5 CHAIRMAN ANDERSON: Moved and seconded it be approved.
6 If no objection, the motion is passed unanimously.

7 Item 8, Annexations. (a) is Authorization for Executive
8 Officer to notify City Council of City of Pinole that determina-
9 tion has been made that present value of state-owned tide and
10 submerged lands of San Pablo Bay proposed to be annexed under
11 Resolution No. 177 is \$927,000.

12 Mr. Cranston; I move approval.

13 MR. CARR: Second it.

14 CHAIRMAN ANDERSON: Mr. Hortig?

15 MR. HORTIG: Mr. Chairman, for your information there
16 were no objections from any of the upland owners of land within
17 any annexed areas.

18 CHAIRMAN ANDERSON: Moved and seconded Item 8 be
19 approved. If no objection, it's approved unanimously.

20 CHAIRMAN ANDERSON: Item Classification 9. Quitclaim
21 Deeds. (a) is Authorization for Executive Officer to accept a
22 quitclaim deed from Dorothy E. Cotton, evidencing termination of
23 lease PRC 2065.1, covering submerged lands in Sacramento River,
24 Sacramento County.

25 MR. CRANSTON: I move approval.

26 Mr. Carr; Second it.

1 CHAIRMAN ANDERSON: It's been moved and seconded.
2 If no comments or objections, it's approved unanimously.

3 Item Classification 10. Mineral Lease Offers.
4 (a) is Authorization for Executive Officer to reject both bids
5 submitted in response to published notice of intention to
6 enter into mineral extraction lease covering 40 acres State
7 school lands in Inyo County.

8 Do you want to comment on that briefly, Mr. Hortig?

9 MR. HORTIG: Yes, sir. The application of Cena M.
10 Austin, et al., was found by the office of the Attorney General
11 to be not responsive to the bid offer of the Commission and
12 offered the Commission; and the financial statement of Mr.
13 Russell A. Donnelly did not indicate the required fiscal
14 responsibility desired or required by the State Lands Commission
15 for an award of a lease; therefore, it is recommended that both
16 bids be rejected until, and there be no further consideration
17 of offering this area for lease until new qualified applicants
18 are available and also the gold mining business gets better.

19 This was bid for a gold mine, and the bids being as margin-
20 al and as incorrect as they were, obviously it is not in the
21 interest of the Commission to offer this or to award a lease for
22 this land at this time.

23 CHAIRMAN ANDERSON: (b) is the Authorization for
24 Executive Officer to offer for lease, for the extraction of sand
25 at minimum royalty of 4¢ per cubic yard, 132 acres of submerged
26 land at Southampton Shoal, San Francisco Bay, City and County of

1 San Francisco (pursuant to application of Mac Sand Company).

2 MR. HORTIG: Mr. Chairman.

3 CHAIRMAN ANDERSON: Mr. Hortig.

4 MR. HORTIG: In view of the circumstances and the time,
5 and the fact that while we have a letter from the Department
6 of Natural Resources that this operation will not interfere with
7 the recommendation and use of lands or adjoining lands offered,
8 we also have a letter, a later letter from the Department of
9 Natural Resources relating to interests of the Small Craft
10 Harbors Commission in potential other utilization of the
11 material proposed to be dredged. Therefore, it is requested
12 that this item be deferred for consideration to the next meeting.

13 MR. CARR: So move.

14 MR. CRANSTON: I second Mr. Carr's motion.

15 CHAIRMAN ANDERSON: Been moved and seconded that Item
16 (b) be deferred until the next meeting of the Commission.
17 If no objection, so ordered.

18 MR. HORTIG: Mr. Chairman.

19 CHAIRMAN ANDERSON: Mr. Hortig.

20 MR. HORTIG: For Item (c) if I might state here, the
21 Controller has requested additional information which the
22 staff had not expected to present today. Therefore, it is also
23 recommended that Item (c) be deferred to the next meeting.

24 MR. CRANSTON: So move.

25 MR. CARR: Second it.

26 CHAIRMAN ANDERSON: Mr. Cranston moved that Item (c) be

1 deferred until the next meeting. If no objection, approved
2 unanimously.

3 Then the only one that would take a motion to approve
4 would be (a) under Item Classification 10.

5 MR. CRANSTON: I move approval.

6 MR. CARR: Second it.

7 CHAIRMAN ANDERSON: Been moved and seconded that
8 Item (a) be approved. If no objection, it's approved
9 unanimously.

10 Item Classification No. 11 is the Transfer of Jurisdic-
11 tion. (a) is Authorization for Executive Officer to request
12 written approval of Department of Finance and subsequently to
13 execute an agreement transferring to the Department of Natural
14 Resources, Division of Beaches and Parks, control and possession
15 over 755 acres tide and submerged lands of the Pacific Ocean
16 adjacent to Point Lobos State Park, Monterey County; . . .

17 MR. CRANSTON: Move approval.

18 MR. CARR: Second the motion.

19 CHAIRMAN ANDERSON: Do you want to comment on that
20 briefly, Mr. Hortic?

21 MR. HORTIG: Yes, Mr. Chairman. Well, the Department
22 of Natural Resources desires to have jurisdiction and control
23 so that they can exercise their police authority over tide and
24 submerged lands which adjoin Point Lobos State Park because,
25 among other things, there are certain forms of marine life which

... to their primitive and native status

1 on the tide and submerged lands and without jurisdiction over
2 the land beaches and Parks have found it difficult to police
3 the area, so therefore it is recommended that such jurisdiction
4 be transferred to Beaches and Parks but only for such period
5 of time as it is necessary to administrate these tide and
6 submerged lands as an adjunct to Point Lobos State Park.

7 CHAIRMAN ANDERSON: Moved and seconded; if no objection,
8 approved unanimously.

9 Item 12. Confirmation of transactions consummated by
10 the Executive Officer, pursuant to authority confirmed by the
11 Commission at its meeting on October 5, 1959.

12 MR. HORTIG: All standard items, and in accordance
13 with the authorization of the Commission.

14 MR. CRANSTON: So move.

15 MR. CARR: Second.

16 CHAIRMAN ANDERSON: Moved and seconded. If no objection,
17 passed unanimously.

18 Item 13. Report on Status of Major Litigation. Mr.
19 Horig?

20 MR. HORTIG: As noted, this is informative only.
21 There's been no substantial modification in the status of the
22 items of litigation on which or to which the Commission is a
23 party. Our next status report, of course, will include the Long
24 Beach litigation in lieu of Long Beach boundary negotiations.

25 CHAIRMAN ANDERSON: What is the current status of the
26 Orange County situation there?

1 MR. HERTIG: The County of Orange has requested in
 2 its proceedings deferment to mid-June, by which time they will
 3 again be in court to report whether they desire to proceed,
 4 drop the litigation or ask for further deferment.

5 Part of the problem arose from the fact that as of
 6 March 1 they acquired a new County Council and the Board of
 7 Supervisors asked for a comprehensive review and report and
 8 recommendation from the new County Council to guide them in
 9 their determination as to what they are ultimately going to do
 10 with respect to that litigation.

11 CHAIRMAN ANDERSON: Item 14 is confirmation of date
 12 and time of June meeting of the Commission, which we agreed
 13 upon formally would be Thursday, June 23, 1960, at 9:00 a.m.
 14 in Room 115 State Building, Los Angeles.

15 MR. CRANSTON: I move we meet there.

16 MR. CARR: Second the motion.

17 MR. CRANSTON: I move we adjourn now.

18 MR. CARR: Second it.

19 CHAIRMAN ANDERSON: Moved and seconded; passed
 20 unanimously.

(Thereupon adjournment was had at the hour of 10:30
 o'clock a.m.)

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