

STANDARD B & P "NOISE"

A meeting of the State Lands Commission was held in Room 180 Business and Professions Building, Sacramento, California, on April 12, 1951, at 9:00 A.M.

Present: Honorable James S. Loan, Chairman
Honorable Goodwin J. Knight, Member
Honorable Thomas H. Kuchel, Member

In attendance were: G. Delbert Morris, Assemblyman
Miriam E. Wolff, Deputy Attorney General (representing Board of State Harter Commissioners)

1. UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, THE MINUTES OF THE MEETING OF FEBRUARY 28, 1951, WERE APPROVED AND CONFIRMED AS SUBMITTED.

2. UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS DECIDED TO DEFER SETTING A DATE FOR THE NEXT COMMISSION MEETING.

3. (TIDELANDS CONTROVERSY - BEACH IMPROVEMENT PROJECT, SOUTHERN CALIFORNIA - W.O. 721) The Division of State Lands has received a copy of a public notice, dated March 23, 1951, and issued by the Corps of Engineers, U. S. Army, referring to a plan for beach improvement and erosion control of the shoreline of California between Point Mugu in Ventura County and San Pedro Harbor. This plan is the result of a survey undertaken by the Beach Erosion Board of the Corps of Engineers, the costs of which were partially borne by the State and local interests. The construction of groins and widening of beaches by protective fills are proposed at a cost of about \$9,500,000 to which the Federal Government would contribute one-third.

The public notice states in part:

"Authorization of a Federal project as recommended by the reporting officers would be construed to vest authority in the Secretary of the Army to convey the State of California or to such county, city, or other municipality as the State may designate, the right to the free use and occupancy, for recreational and allied purposes, of the submerged lands to be filled in the construction of the project, subject to reservation by the United States of access rights necessary for recovery of oil, gas, or other subsurface deposits."

A study of a copy of the report of the U. S. District Engineer on the project revealed the existence of several statements which impute ownership by the United States of submerged lands along the coast which lie in areas claimed by the State as inland waters in the pending proceedings of United States vs. California. Any imputations or inferences as to ownership to or paramount rights in these disputed areas by the United States, particularly at this time are believed to be prejudicial to the position taken by the State and should at least be protested, if not entirely eliminated from the report. This matter has been discussed with Assistant Attorney General Everett W. Mattoon, currently in Washington, D. C., and he agrees with the opinions held by the staff.

On April 11, 1951, a conference was held with the Director of the Department of Natural Resources, the Chief of the Division of Beaches and Parks, and

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