

Mr. Paul K. Home of the Standard Oil Company asked about the language used in the staff's recommendation to the Commission (as it appeared in the calendar item), stating that it was slightly different from that pertaining to core drilling operations, and requesting an explanation for this apparent variation. Mr. Hortig explained that although the context might be slightly different, the intent was exactly the same, and that this permit would require the disclosure of information on the same basis as was being required in all other permits.

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

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE A PERMIT CONFORMING TO ALL OPERATING CONDITIONS ESTABLISHED BY THE COMMISSION TO THE UNION OIL COMPANY OF CALIFORNIA FOR THE CONDUCT OF EXPERIMENTAL SUBMARINE SEISMIC OPERATIONS ON TIDE AND SUBMERGED LANDS OFFSHORE FROM VENTURA COUNTY A MINIMUM DISTANCE OF FOUR MILES SEAWARD ... THE ORDINARY HIGH WATER MARK, FOR THE PERIOD JULY 3, 1956 TO JULY 31, 1956, INCLUSIVE. THE PERMITTEE IS TO REIMBURSE THE STATE LANDS COMMISSION FOR ALL OF ITS INSPECTION COSTS. THE PERMIT IS TO BE EFFECTIVE ONLY AS LONG AS A CONCURRENT PERMIT BY THE FISH AND GAME COMMISSION IS IN EFFECT FOR THE SAME OPERATING AREA.

11. (AUTHORITY AND DUTIES OF EXECUTIVE OFFICER - W. O. 1855.) The following report was presented to the Commission:

"Pursuant to Section 1 (f) Chapter 29, Statutes of 1956, 1st Extraordinary Session (W. O. 2323) relating to the administration of tide and submerged lands conveyed in trust to the City of Long Beach, land subsidence remedial costs incurred by the City may be compensated partially from operating revenues allocated to the State only when such costs are expended by the City with the prior approval of the State Lands Commission.

"As a measure of the magnitude of such operations a review of Long Beach Harbor Department construction contracts involving subsidence remedial work has shown 34 outstanding contracts on May 1, 1956 with a total estimated cost of \$8,800,000. By the terms of these contracts changes may be authorized while the contracts are in progress, the maximum total deviation from the initial contract value being limited to a percentage of such initial value. In addition, integral portions of the required work may be performed under separate purchase order agreements which can be authorized by the Harbor Engineer in amounts not to exceed \$3,500 each. Finally, emergency operations may be conducted by assignment of Harbor Department maintenance personnel. In order to minimize delays of subsidence remedial projects through extended periods for securing the requisite contract approvals from the State Lands Commission, consideration has been given to a program whereunder initial contract proposals would be presented to the Commission for action, followed by a delegation of authority to the Executive Officer for approval of changes in process."

The Chairman asked if a check had been made with the office of the Attorney General to determine whether such delegation of authorities was in conformity with law, and was informed that this had been done orally, but that no written opinion had been obtained.

Upon being questioned by Assemblyman Bruce Allen about these delegations of authority, the Executive Officer explained that the projects would still be submitted to the Commission for approval, and it was only for changes to the approved projects to be done that the delegations of authority would apply, whereupon Mr. Allen indicated that he had no objections.

Mr. Kirkwood suggested asking that the opinion of the Attorney General be reduced to writing, so that it would be on file, and it was agreed that this would be done.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE FOLLOWING DELEGATIONS OF AUTHORITY TO THE EXECUTIVE OFFICER, EFFECTIVE JULY 5, 1956, WITH THE UNDERSTANDING THAT A WRITTEN OPINION (IN CONFIRMATION OF A VERBAL OPINION GIVEN EARLIER) WOULD BE OBTAINED FROM THE ATTORNEY GENERAL INDICATING THAT SUCH DELEGATIONS OF AUTHORITY ARE IN CONFORMITY WITH LAW:

1. APPROVAL OF CHANGE ORDERS FOR LONG BEACH HARBOR DEPARTMENT CONTRACTS, SUBJECT TO THE LIMIT THAT THE VALUE OF SUCH CHANGES SHALL NOT EXCEED THE LIMIT SPECIFIED IN A CONTRACT APPROVED PREVIOUSLY BY THE COMMISSION.
  2. APPROVAL OF PURCHASE ORDERS ISSUED BY THE HARBOR ENGINEER RELATING TO SUBSIDENCE COSTS.
  3. APPROVAL OF ASSIGNMENT OF HARBOR DEPARTMENT PERSONNEL TO EMERGENCY CONSTRUCTION, PROTECTIVE AND REMEDIAL PROJECTS.
  4. REDELEGATION OF SUCH APPROVALS IN CASES OF NECESSARY ABSENCE OF THE EXECUTIVE OFFICER.
12. (APPLICATION TO FILL TIDE AND SUBMERGED LANDS, PACIFIC OCEAN, DANA COVE, ORANGE COUNTY, ORANGE COUNTY HARBOR DISTRICT - W. O. 2328, P.R.C. 1746.1.)  
The following report was presented to the Commission:

"The Orange County Harbor District has requested permission to fill an irregular parcel of tide and submerged lands containing approximately two acres in the Pacific Ocean at Dana Cove, Orange County, for use as a public parking area. The adjacent upland is the property of the applicant, a political subdivision, and, therefore, permission may be granted with neither filing fee nor rental required.

"The issuance of this permit has been the subject of a conference with the office of the Attorney General, which advises that this permit may be issued without in any way prejudicing the rights of the State in connection with the claims made by Orange County for control of tide and submerged lands."