

MINUTE ITEM

45. APPLICATIONS FOR PROSPECTING PERMITS, SANTA MONICA BAY, LOS ANGELES COUNTY, HOWARD P. RITSCH AND C. EDWARD CHRISTOFFERSON - W.O. 3827, W.O. 3839.

In presenting Informative Calendar Item 31 and Supplemental Calendar Item 48 attached, the Executive Officer reported the receipt of 261 letters of protest, some of which contained multiple signatures.

A discussion followed, during which those appearing in opposition to issuance of the permits made presentations to the Commission:

Assemblyman Charles E. Chapel of Los Angeles County
Harry Pecorelli, Jr., Manager of Drive "N" Surf, Inc.
Robert J. Rosevear, Chairman of the Planning and Parks Commission,
City of Palos Verdes Estates
Clyde Robinson, Vice President of the Ocean Fish Protective Association
J. Beasley, City Councilman, City of Torrance
Robert Dower, Assistant City Attorney, City of Torrance
North Jones, Sport Fishing Company, Redondo
Mrs. Patricia Gazin, Mayor of Hermosa Beach

Appearing for the applicants:

Joseph Spray, Attorney for the Applicants
Howard Ritsch, applicant
Edward Christofferson, applicant

UPON MOTION DULY MADE AND CARRIED, A RESOLUTION WAS ADOPTED THAT THE APPLICATIONS FOR PROSPECTING PERMITS IN SANTA MONICA BAY BY HOWARD P. RITSCH AND C. EDWARD CHRISTOFFERSON BE DENIED, WITH THE VOTE TAKEN UPON THIS MATTER BEING AS FOLLOWS: CHAIRMAN ANDERSON, AYE; MEMBER CRANSTON, AYE; MEMBER CHAMPION, NO.

Attachments

Calendar Item 31 (1 page)
Calendar Item 48 (5 pages)

CALENDAR ITEM

INFORMATIVE

31.

APPLICATIONS FOR PROSPECTING PERMITS, SANTA MONICA BAY, LOS ANGELES COUNTY, HOWARD P. RITSCH AND C. EDWARD CHRISTOFFERSON - W.O. 3827 AND W.O. 3839, RESPECTIVELY.

Separate applications have been received from Howard P. Ritsch and C. Edward Christofferson for permits to prospect for all minerals other than oil and gas on contiguous areas of tide and submerged lands seaward of the ordinary high water mark in the vicinity of Flatrock Point, Santa Monica Bay, Los Angeles County. The Ritsch application describes approximately 1835 acres and the Christofferson application approximately 1835 acres of tide and submerged lands.

On October 19, 1961, the Executive Officer will meet with officials of the cities of Redondo Beach, Hermosa Beach and Torrance to review these applications. Recommendations on these applications based on statutory and regulatory requirements and analysis of any protests will be presented to the Commission in supplemental calendar items.

SUPPLEMENTAL CALENDAR ITEM

48.

APPLICATIONS FOR PROSPECTING PERMITS, SANTA MONICA BAY, LOS ANGELES COUNTY, HOWARD P. RITSCH AND C. EDWARD CHRISTOFFERSON - W.O. 3827, W.O. 3839.

Applications have been received from Howard P. Ritsch of Chicago, Illinois, and from C. Edward Christofferson of Downey, California, for permits to prospect for all minerals other than oil and gas on an area of tide and submerged lands seaward of the ordinary high water mark, in the vicinity of Flatrock Point, Santa Monica Bay, Los Angeles County, including approximately 1,853 acres and 1,169 acres, respectively (Exhibits A1, A2).

Field reconnaissance and review of published reports by the staff have shown that the areas for which applications have been made cannot be classified at this time as known to contain commercially valuable deposits of the minerals sought.

The applicants propose to dredge mineral-bearing sand from the ocean floor. Any minerals found would be separated on the dredge. All dredged material, except mineral concentrates, will be redeposited on the ocean floor. Because of the nature of the proposed operation, it would appear to be desirable to have any productive area discovered included in one preferential lease. Section 6895 of the Public Resources Code provides that in the event of the discovery of commercially valuable deposits of minerals on tide and submerged lands, the Commission is authorized to divide such lands into such size and number of parcels as the Commission shall determine will not substantially impair the public rights to navigation and fishing, or interfere with the trust upon which such lands are held.

The statutory filing fees of \$5 each have been paid, as well as deposits of the respective permit fees in the amounts of \$1,853 and \$1,169.

In accordance with the provisions of Section 6818 of the Public Resources Code, the applications were referred to the office of the Attorney General and to the Director of Natural Resources. The office of the Attorney General has advised that the applications comply with the applicable provisions of law and with the rules and regulations of the State Lands Commission. The Director of Natural Resources has reported that the proposed operations will not interfere with the recreational use of lands littoral to the area applied for.

Consideration of the applications by the Commission was deferred on May 4, 1961 at the request of the Cities of Palos Verdes Estates, Torrance and Redondo Beach, in order to provide additional time for a review by the respective City Councils of the proposed operations and their effect on the adjacent shoreline.

On June 8, 1961, a hearing was held by the Division. Representatives of the interested municipalities and the applicants were present. The proposed method of extraction operations, in the event commercial minerals are discovered, was detailed and possible effects on the shoreline were discussed.

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Subsequent to this hearing, letters were received from the Cities of Palos Verdes Estates and Torrance and the Ocean Fish Protective Association, Inc., to the effect that the issuance of the permit would be opposed.

Thereafter, a conference was held with the applicants, the Corps of Engineers, Department of Fish and Game, Department of Water Resources and the Los Angeles County Engineer. Proposed operations were reviewed further. The Department of Water Resources, after a review and discussion with the Corps of Engineers, submitted a statement to the effect that, in their opinion, the shoreline would not be adversely affected by the proposed prospecting, but that any extraction operations should be confined to the area seaward of the 30-foot depth contour, and that provisions should be included in any extraction lease for regular hydrographic surveys by the applicants of the bay bottom in the extraction area with the survey results made available for review by interested agencies, and that provisions of the lease should provide for extraction operations to be halted if, on the basis of the survey results, or other information, it is believed that such operations are adversely affecting the beaches. The Department of Fish and Game reported that, in their opinion, the operations will not be harmful to aquatic life if carried out in the area and in the manner described by the applicants. The Los Angeles County Engineer reported that a critical need for beach building material exists on the beach south of Redondo pier, because the supply of sand from the north has been cut off due to construction of the Redondo Harbor Breakwater, and it appears that to transport material from an operation such as is proposed by the applicants to the beach location would be feasible at considerably less cost than would be the case with material from upland sources. The applicants would agree to make the waste material available to the responsible agency at the barge location with the cost of transporting material to shore to be borne by the using agency.

At a later meeting with representatives of the municipalities, the Ocean Fish Protective Association, and the applicants, operations were again discussed and comments submitted by the agencies with responsibility in the offshore area were reviewed. Copies of the reports from the Department of Water Resources, the Department of Fish and Game, and the Los Angeles County Engineer were sent to the interested parties, and after a review with their respective City Councils, this Division was informed that Torrance has reaffirmed its protest in "...consideration of possible erosion and pollution of the shoreline, as well as other practical difficulties." It was further stated that "...under no circumstances will said protest be withdrawn." No reply was received from the Cities of Redondo Beach or Palos Verdes Estates.

On October 19, 1961, the Executive Officer conferred with the following:

Mr. Francis E. Hopkins, City Manager, Redondo Beach
Mr. Arnold M. Cowan, City Attorney, City of Redondo Beach
Mr. James Morrison, Asst. to Public Works Director, Redondo Beach
Dr. R. E. Kent, Special Consultant City of Redondo Beach
Mr. J. A. Beasley, Councilman, City of Torrance
Mr. Wade E. Peebles, City Manager, City of Torrance

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Mr. John A. Bramhall, Asst. City Manager, City of Torrance
Mr. Walter M. Nollac, City Engineer, City of Torrance
Mr. Robert K. Dower, Asst. City Attorney, City of Torrance
Mrs. Myron G. Gazin, Mayor, Hermosa Beach
Mr. Walter H. Harris, City Manager, Hermosa Beach
Mr. H. Roesler, Mayor, Palos Verdes Estates
Mr. Robert J. Rosevear, Planning & Park Chairman, Palos Verdes Estates

From this conference, it appears that in summary the principal concern of all the represented communities (with the exception of the City of Palos Verdes Estates) is that prospecting permits (and a subsequent lease) might be granted without effective protection for the coastal communities in the event that there should be detrimental effects from offshore exploration and extraction, contrary to the expectations of technical studies, or from as yet unforeseen circumstances.

The attitude of the City of Palos Verdes Estates is that any industrial process located so that it could be seen from the shore (as possibly heard) would be unaesthetic and objectionable.

One hundred forty-nine individual and joint letters of protest to the proposed operations have also been received. All of the bases for concern and protest in these letters have been included in the discussions held with the local municipal administrators.

IT IS RECOMMENDED THAT THE COMMISSION DIRECT THE EXECUTIVE OFFICER TO UNDERTAKE THE DEVELOPMENT AND SPECIFICATION OF CONTROL AND PROTECTIVE PROSPECTING PERMIT CONDITIONS MUTUALLY SATISFACTORY TO THE POTENTIALLY AFFECTED COASTAL COMMUNITIES, THE APPLICANTS, AND THE STATE, WITH THE UNDERSTANDING THAT SIMILAR NECESSARY LEASE CONDITIONS ARE TO BE DEVELOPED IN THE EVENT OF FUTURE CONSIDERATION OF THE ISSUANCE OF A DEVELOPMENT LEASE.

Attachments

Exhibit "A1"
Exhibit "A2"

EXHIBIT "A1"

(Howard P. Ritsch)

W.O. 3827

Beginning at a point on the southerly boundary line of the Legislative Grant to the City of Redondo Beach (Chapter 57, Statutes of 1915) 10,185 feet westerly of the intersection of said boundary line with the mean high tide line of Santa Monica Bay; thence westerly along said southerly boundary line 5,100 feet; thence South 10,930 feet; thence easterly along a line parallel with said southerly boundary line 6,935 feet to a point on the mean high tide line of Santa Monica Bay; thence northeasterly along the mean high tide line 8,600 feet more or less to the intersection with a line parallel to and 5,465 feet south of the southerly boundary of the aforementioned Legislative Grant to the City of Redondo Beach; thence westerly along said line 6,475 feet; thence North 5,465 feet to the point of beginning, containing 1,853 acres more or less.

EXHIBIT "A2"

(C. Edward Christofferson)

W.O. 3839

Beginning at the intersection of the southerly boundary line of the Legislative Grant to the City of Redondo Beach (Chapter 57, Statutes of 1915) with the mean high tide line of Santa Monica Bay; thence westerly along said southerly boundary line 10,185 feet; thence South 5,465 feet; thence easterly along a line parallel with said southerly boundary line 6,475 feet to a point on the mean high tide line of Santa Monica Bay; thence northeasterly along the mean high tide 7,500 feet, more or less, to the point of beginning, containing 1,169 acres, more or less, excluding therefrom that 0.138-acre parcel (Area "B") of submerged land used by the State Department of Fish and Game for fish propagation under permit P.R.C. 2341.9 and located at 33° 48.8' North Latitude and 118° 24.3' West Longitude.