

members of their staff, these agencies being sponsors of the project on the part of the State. It was agreed by all present that the report should be protested vigorously. Opportunity has been afforded to do this by a statement in the public notice referred to above, in which there is set a deadline of April 20, 1951, for protests or other comments, to be made to the Beach Erosion Board in Washington, D. C., or for a request for a hearing. It is the recommendation of the group meeting yesterday that the Governor execute such a protest and/or request for hearing, in view of the extreme importance to the State of the issues involved.

Assemblyman G. Delbert Morris was present during the discussion of this item and joined in approving the action proposed.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED BY WHICH THE STATE LANDS COMMISSION DISAPPROVED THE INCLUSION OF ANY STATEMENTS IN THE PROPOSED REPORT OF THE CORPS OF ENGINEERS, U. S. ARMY, ON THE PLAN FOR BEACH EROSION CONTROL IN SOUTHERN CALIFORNIA, WHICH WILL IN ANY WAY CONTRIBUTE TO AN ASSUMPTION BY THE UNITED STATES OF OWNERSHIP OR PARAMOUNT RIGHTS IN SUBMERGED AREAS NOW IN DISPUTE IN UNITED STATES VS. CALIFORNIA; FURTHER, THE COMMISSION REQUESTED THE GOVERNOR TO ADDRESS THE BEACH EROSION BOARD, ASKING FOR ADDITIONAL TIME IN WHICH TO ARRANGE FOR SUBMITTING A WRITTEN PROTEST IN DETAIL OR FOR AN ORAL HEARING; IN ADDITION, THE EXECUTIVE OFFICER WAS DIRECTED TO MAKE SUCH A REQUEST TO THE BEACH EROSION BOARD IN THE EVENT THE GOVERNOR DID NOT SEE FIT TO DO SO HIMSELF.

4. (APPLICATION FOR LEASE OF TIDE AND SUBMERGED LANDS, MRS. L. IMOGENE VALLE, MIDDLE RIVER, SAN JOAQUIN COUNTY - W.O. 586, P.R.C. 595) On February 28, 1951, authorization was given to the Executive Officer to issue to Mrs. L. Imogene Valle a lease of approximately one-half acre of tide and submerged lands in Middle River, San Joaquin County, adjacent to the Borden Highway bridge on a year by year basis at an annual rental of \$50.00 and the furnishing of performance bond in the amount of \$1000.00, effective date to be September 30, 1949.

The first year period passed prior to signing of the lease, furnishing of bond, and fulfillment of the requirement that Mrs. Valle's lease of the adjoining upland be changed from a verbal to a written agreement. The latter has now been accomplished, the lease of the uplands being on a year by year basis.

Mrs. Valle, the prospective lessee, has now requested that her lease, when issued, be assigned to Mr. John A. Fitzgerald as he has purchased the facilities on both the uplands and on State lands and has been assigned the lease which Mrs. Valle had with the upland owner.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED REVISING THE ACTION OF THE COMMISSION ON FEBRUARY 28, 1951, ITEM 5, PAGE 1285 OF MINUTES AND AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE TO MRS. L. IMOGENE VALLE A LEASE FOR THE SAME AREA FOR A PERIOD OF TWO YEARS WITH RIGHT OF RENEWAL FOR THIRTEEN SUCCESSIVE PERIODS OF ONE YEAR EACH AT SUCH TERMS AS MAY BE DETERMINED PRIOR TO EACH RENEWAL DATE, EFFECTIVE DATE TO BE SEPTEMBER 30, 1949, RENTAL AND BOND REQUIREMENTS TO BE AS PREVIOUSLY AUTHORIZED, AND FURTHER

THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO APPROVE THE ASSIGNMENT OF THE LEASE FROM MRS. VALLE TO MR. JOHN A. FITZGERALD UPON PAYMENT OF THE STATUTORY FILING FEE.

5. (UNION OIL COMPANY OF CALIFORNIA, APPLICATION FOR LEASE OF TIDE AND SUBMERGED LANDS, OLEUM, CONTRA COSTA COUNTY - W.O. 1040, P.R.C. 600) The Union Oil Company of California has applied for a long term lease of two parcels of tide and submerged lands adjacent to their refinery property at Oleum, Contra Costa County. Parcel No. 1, consisting of 3.68 acres is now under lease to the applicant which expires on January 5, 1952. This parcel has largely been filled by the applicant under permit authorized by the Commission on January 9, 1948. Parcel No. 2 is an area on which a pier was built under Contra Costa County Franchise Ordinance No. 206, expiring April 5, 1951. Mr. Walter Ries has appraised Parcel No. 1 at \$14,560. and Parcel No. 2 at \$3,688. Annual rental on Parcel No. 1 at the established rate of 6.6 percent of the appraised value amounts to \$960.96, rental under the present lease being \$736.00. Annual rental on Parcel No. 2 at the established rate of 6.6 percent of the appraised value amounts to \$243.41; the total annual rental being \$1,204.37 for the two parcels. It is considered that performance bond in the amount of \$35,000 should be furnished by the applicant. As the present County Franchise expires on April 5, 1951 that date should be the effective date of the lease now applied for. The rental for the remaining nine months of the present lease for the 3.68 acre parcel, amounting to \$552.00, would be applied as a portion of the first year's rental under terms of the new lease. Filing fee and expense deposit have been paid.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE TO UNION OIL COMPANY OF CALIFORNIA, A LEASE OF CERTAIN TIDE AND SUBMERGED LANDS ADJACENT TO THAT COMPANY'S REFINERY AT OLEUM, CONTRA COSTA COUNTY, CONSISTING OF 3.68 ACRES OF PARTIALLY FILLED LAND AND 2.9506 ACRES NOW OCCUPIED BY A WHARF CONSTRUCTED UNDER A COUNTY FRANCHISE; EFFECTIVE DATE OF THE NEW LEASE TO BE APRIL 6, 1951; PERIOD OF LEASE TO BE FIFTEEN YEARS AT AN ANNUAL RENTAL OF \$1,204.37 WITH RIGHT OF RENEWAL FOR TWO ADDITIONAL PERIODS OF TEN YEARS EACH AT SUCH TERMS AS MAY BE DETERMINED PRIOR TO EACH RENEWAL DATE; PERFORMANCE BOND IN THE AMOUNT OF \$35,000. TO BE FURNISHED BY THE APPLICANT; THE EXISTING LEASE OF THE 3.68 ACRE PARCEL TO BE TERMINATED ON THE EFFECTIVE DATE OF THE LEASE NOW APPLIED FOR AND THE UNEARNED RENTAL AMOUNTING TO \$552.00 FOR THE PERIOD FROM APRIL 6, 1951 TO JANUARY 6, 1952, IS TO BE CREDITED TO THE APPLICANT AS PARTIAL PAYMENT OF THE RENTAL DUE UNDER TERMS OF THE NEW LEASE.

6. (DIVISION OF HIGHWAYS, REQUEST FOR APPROVAL OF HIGHWAY RIGHT OF WAY, PETALUMA CREEK, MARIN, SONOMA COUNTIES - W.O. 411, P.R.C. 601) The Division of Highways has requested approval of a right of way 260 feet in width and 1386 feet in length across Petaluma Creek at Black Point in Marin and Sonoma Counties. An existing bridge with lift span has been in place for a number of years without approval. It is now planned to construct a second parallel bridge within the right of way requested. No fee nor consideration is required.