

13. (CORTE MADERA ARK SITE LEASES AND SEWER CONSTRUCTION, MARIN COUNTY, DETERMINATION OF PROCEDURE - W.O. 667.) Twenty-five of twenty-six leases covering ark sites at Corte Madera Creek, Marin County, expire on December 31, 1951. Applications for new leases have been received from eighteen of the twenty-five lessees and from the lessee whose lease expires on June 30, 1952. Sanitary conditions in the area are bad, raw sewage being released directly into the creek from all but one of the arks under State lease, the exception having a septic tank which, because of the soil condition, cannot operate efficiently. The City of Larkspur, in which the arks are located, is attempting to correct the situation, but due to inability to assess State land for costs is estopped. Various methods of overcoming this difficulty have been discussed by the staff, with two solutions appearing the most logical. These are:

1. The City of Larkspur might create a sewer district and assess costs as a special tax on the arks. However, the property against which such special tax can be assessed is all personal property which can be removed from the tax jurisdiction of the City, the real property on which the arks are located being nontaxable State land.
2. A special budget item of sufficient amount in the Division of State Lands budget to cover the cost of sewer construction, with assessments or increased rentals charged each lessee over a period of years to repay the State. At a meeting of more than half of the State's lessees on September 22 this was discussed by a member of the staff. All of the lessees present requested that this second method be used if legally possible.

Present leases have run for five years. New leases have been requested for a longer period, the applicants wishing to improve their arks and connect to a sewer during the life of a lease. Lessees feel that leases will be acceptable for a period of ten years, with the right of renewal for five or ten additional years, and they are so considered by the staff.

Location of the proposed sewer has not been determined. A preliminary cost estimate has been made by J. C. Oglesby, City Engineer for the City of Larkspur, at \$8 per lineal foot. A very rough estimate, at this figure, for the lateral sewer lines, exclusive of house connections and main gathering line, has been calculated by the staff at \$14,000 to \$25,000, depending on the extent of the area to be served, which still must be determined.

It is proposed to enter into an interagency agreement with an appropriate State agency for a more accurate determination of the costs involved.

Rental for the Corte Madera ark sites has been \$42 annually. At Black Point in Petaluma Creek rental for similar occupancy of State lands has been established at \$50 plus \$15 per structure annually, a structure being considered a house or ark. To place all ark sites on an equal basis, rental for the Corte Madera ark sites should be raised to equal the Black Point rental. Lessees at Corte Madera have been informed of the possible increase, and have raised no objection.

UPON MOTION DILY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO EXPLORE THE PROPER AND MOST ADVANTAGEOUS

MEANS OF FINANCING THE CONSTRUCTION OF A SEWER WITH CONNECTIONS TO THE ARMS ON STATE LAND AT CORTE MADERA CREEK, DETERMINE COSTS THEREOF, AND DETERMINE MEANS OF RECOVERY OF SUCH COSTS FROM LESSEES OF THE STATE AT CORTE MADERA CREEK BY ASSESSMENT OR INCREASED RENTAL, AND REPORT BACK TO THE COMMISSION AS TO HIS FINDINGS.

IT WAS FURTHER AUTHORIZED THAT AN ANNUAL RENTAL RATE FOR LEASES OF ARK SITES AT CORTE MADERA CREEK OF \$50, PLUS \$15 FOR EACH STRUCTURE OR RESIDENCE, BE ESTABLISHED AS A BASE RENTAL, ADDITIONAL RENTAL OR ASSESSMENT AS MAY BE DETERMINED TO BE ADDED TO THE BASE RENTAL, LEASES TO BE FOR A PERIOD OF TEN YEARS, WITH RIGHT OF RENEWAL FOR AN ADDITIONAL PERIOD OF FIVE YEARS AT SUCH TERMS AS MAY BE DETERMINED PRIOR TO RENEWAL.

14. (APPLICATION TO REMOVE MATERIAL FROM THE BED OF AMERICAN RIVER, DIVISION OF HIGHWAYS, SACRAMENTO COUNTY - W.O. 1149, P.R.C. 661.) Application has been received from the Division of Highways for permission to remove 300,000 cubic yards of material from the portion of the bed of the American River under the jurisdiction of the State Lands Commission lying easterly of the extension northerly of the westerly line of Alhambra Boulevard, City of Sacramento. This application is in supplement to the permit to remove 400,000 cubic yards of material from the river in the vicinity of Elvas Tower, Sacramento, authorized by the Commission on October 5, 1950 (Minutes Page 1198, Item 2c).

Section 101.5, Streets and Highways Code, provides in part "the Department (Public Works) may file for record with the Division of State Lands ... such maps as are necessary to furnish an accurate description of any ungranted ... bed of any navigable channels, stream, river ... which, in the opinion of the Department are needed as ... a source of material covering the construction, maintenance, or improvement of any ... highway". No fees are required.

The previous permit was issued subject to the condition that the removal of material be conducted so that the bank slope of approximately 5:1 is maintained, with the operation started from the water's edge and progressing in such a manner that the bank edge of the material will be left in a relatively straight line, and subject to the issuance by the District Engineer of a waiver of objection to the conduct of the project insofar as flood control effects are concerned.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE TO THE DIVISION OF HIGHWAYS A LETTER PERMIT FOR THE REMOVAL OF NOT TO EXCEED 300,000 CUBIC YARDS OF MATERIAL, IN ADDITION TO THE PERMIT OF OCTOBER 5, 1950, PERMITTING REMOVAL OF 400,000 CUBIC YARDS, FROM THE BED OF THE AMERICAN RIVER LYING EASTERLY OF THE EXTENSION NORTHERLY OF THE WESTERLY LINE OF ALHAMBRA BOULEVARD, CITY OF SACRAMENTO, IN ACCORDANCE WITH THE MAPS FURNISHED BY THE DIVISION OF HIGHWAYS ON AUGUST 30, 1951, AND ITS REVISED APPLICATION OF SEPTEMBER 21, 1951, SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE REMOVAL OF THE MATERIAL SHALL BE CONDUCTED SO THAT THE BANK SLOPE OF APPROXIMATELY 5:1 IS MAINTAINED, AND OPERATIONS SHALL BE STARTED FROM THE WATER'S EDGE AND PROGRESS IN SUCH A MANNER THAT THE BANK EDGE OF THE MATERIAL WILL BE LEFT IN A RELATIVELY STRAIGHT LINE.