

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.

2. WAIVER OF OBJECTION BY THE U.S. DISTRICT ENGINEER TO THE CONDUCT OF THE PROJECT INSOFAR AS FLOOD CONTROL EFFECTS ARE CONCERNED IS TO BE OBTAINED BY THE DIVISION OF HIGHWAYS.

15. (REQUEST FOR TERMINATION OF LEASE P.R.C. 580, GEORGE A. AND GEORGE R. ROSENQUIST, PETALUMA CREEK, MARIN COUNTY - W.O. 1164.) On October 1, 1950, pursuant to authorization granted by the Commission on April 26, 1950, a lease was issued to George A. and George R. Rosenquist covering a small parcel of tide and submerged land in Petaluma Creek at Black Point, Marin County, period of lease being ten years at an annual rental of \$65. Rental schedule used in this lease specifies the annual rental to be \$50 plus \$15 per structure located on area leased. Also, on April 28, 1950, a schedule of permit fees was adopted fixing a fee of \$15 for structures costing less than \$500, permit to be for five years. Erroneous information was used as to the type of structure owned by the Messrs. Rosenquist, the structure being a short outwalk pier and boat protection of minor cost rather than a structure of any substantial value. A minor-structure permit should have issued. The first and last years' rentals, amounting to \$130, have been paid. To correct the inequity, the Messrs. Rosenquist have requested termination of Lease P.R.C. 580 and refund of rental paid. The Attorney General's Office has advised that this procedure is legal.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO TERMINATE LEASE P.R.C. 580, ISSUED TO GEORGE A. AND GEORGE R. ROSENQUIST ON OCTOBER 1, 1950, FOR A PERIOD OF TEN YEARS, TERMINATION TO BE IN ACCORDANCE WITH PARAGRAPH 16 OF THE LEASE, WHICH READS "THIS AGREEMENT MAY BE TERMINATED ... BY MUTUAL CONSENT OF THE PARTIES," AND TO ISSUE IN LIEU THEREOF TO THE MESSRS. ROSENQUIST A MINOR-STRUCTURE PERMIT, DATED AS OF OCTOBER 1, 1950, THE DATE OF THE LEASE AS ORIGINALLY GRANTED. THE EXECUTIVE OFFICER WAS FURTHER AUTHORIZED TO ACCEPT AND RECOMMEND TO THE BOARD OF CONTROL FOR PAYMENT UNDER SECTION 5816, PUBLIC RESOURCES CODE, A CLAIM EXECUTED BY THE LESSEES, IN THE AMOUNT OF \$130, SAID AMOUNT REPRESENTING A REFUND TO THE LESSEES OF THE EXCESSIVE RENTAL PAID UNDER LEASE P.R.C. 580.

16. (APPLICATION FOR LEASE, FISH CANYON LOT 41, LOS ANGELES COUNTY, RALPH V. MARTINI - W.O. 1165, P.R.C. 1216.)

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE A ONE-YEAR LEASE TO RALPH V. MARTINI, COVERING LOT 41, FISH CANYON, LOS ANGELES COUNTY, EFFECTIVE NOVEMBER 22, 1951, AT AN ANNUAL RENTAL OF \$30.

Application has been received from Mr. Ralph V. Martini for a one-year lease of Fish Canyon Lot 41. This lot has been under a ten-year lease to Mr. Martini, which expires on November 22, 1951. The reason for issuance of a one-year lease at this time, rather than a ten-year lease, is that Fish Canyon school lands are being exchanged with the United States for consolidated acreage in the Mountain View Forest Home Tract in Tulare County. At the time of the culmination of the exchange either the State or the Federal Government will enter into a ten-year lease, so that the present lessees of the State will be protected for a period of ten years.