

be determined prior to renewal. This is deemed to be proper in view of the considerable expense required of the lessee for construction of levees, draining and preparing the land for use.

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

The Executive Officer is authorized to issue to Mervyn J. Goodman a lease for Tide Land Lots 17, 28, 29, 30, 31 and 32 in Section 11; Tide Land Lots 29, 30, 31 and 32 in Section 12; Tide Land Lots 1, 2, 3, 4, 7, 8, 9, 10, 11, 13, 14, 15, 16, 20, 23 and 24 in Section 13, T. 2 N., R. 6 W., M.D.M., adjacent to Gallinas Canal, Marin County, consisting of approximately 441.4 acres, for a period of fifteen years at an annual rental of 66 cents per acre, an annual total rental of \$291.32, together with the right of renewal in the lessee for two periods of ten years each at the same terms and conditions, and a third period of ten years at such terms and conditions as may be determined prior to the third renewal, no bond being required in consideration of the enhanced value of the land after reclamation; rental for the first and last years of the lease to be paid prior to execution of the lease by the State; provided that unless the lands are reclaimed to the satisfaction of the State within the initial 15-year period, no renewals will be made.

11. (FEDERAL CONDEMNATION CASES U.S.D.C. (NO.-NO.) 6386, 6858, 6890, 6831 AND OTHERS, FOLSOM DAM, SACRAMENTO, PLACER AND EL DORADO COUNTIES - W.O. 503.) Condemnation actions have been brought by the United States against owners of land to be occupied by the Folsom Dam and Reservoir. The State has been named in these actions because of possible interest in the beds of the North and South Forks of the American River, as set forth in title company reports to the United States.

Investigation by the Staff has failed to disclose that the North and South Forks of the American River were navigable in their natural condition and therefore they can not be proven to be sovereign lands of the State. There has been no legislative declaration as to the navigability of the North and South Forks.

It is in the interest of the State to have the dam and reservoir constructed. The Attorney General has asked for the consent of the State Lands Commission to file a disclaimer of interest on behalf of the State in these cases.

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

The Executive Officer is authorized to request the Attorney General to file a disclaimer of any State's interest in the beds of the North and South Forks of the American River as condemned in Cases U.S.D.C. (NO.-NO.) 6386, 6858, 6890, 6831 and others.

*Atty's letter
to AG
3/2/53*

12. UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, THE FOLLOWING ACTIONS OF THE EXECUTIVE OFFICER, PURSUANT TO AUTHORITY GRANTED BY THE COMMISSION AT ITS MEETING ON MARCH 24, 1953, MINUTE ITEM 29, AND IN COMPLIANCE WITH PARAGRAPH 15 THEREOF, ARE CONFIRMED:

<u>Application No.:</u>	<u>W.O. 1119</u>	<u>W.O. 1134</u>
P.R.C. No.:	809.1	803.1
Applicant:	Roland R. and Elsa K. Durham	Vallejo Electric Light and Power Co.
County:	Marin	Sonoma
Location:	Corte Madera Creek	Napa River
Form of action:	Lease	Right-of-way easement
Class of land:	Sovereign	Sovereign
Proposed use:	Ark Site	Installation, maintenance and use of submarine electric transmission cable
Area:	Ark Site No. 4	100 feet wide and 2215 feet long
Term (years):	6 months	49
Effective date:	July 1, 1953	May 15, 1953
Rental:	\$56 per year	\$332.25 (for 49 years)
Bond:	None	None
Remarks:	Right of renewal for 10 years	None

Application No.: S.W.O. 5643
P.R.C. No.: 1319.2
Applicant: D. L. Williams
County: Tehama
Location: W $\frac{1}{2}$ of Section 36
 T. 26 N., R. 7 W.
 S.B.M.
Form of action: Grazing lease
Class of land: School
Proposed use: Grazing only
Area: 320 acres
Term (years): 5
Effective date: June 19, 1953
Annual rental: \$32
Bond: None
Remarks: None

13. (APPLICATION FOR PERMIT TO CONSTRUCT DAM, GREY GOOSE SLOUGH, SANTA CLARA COUNTY, CITY OF ALVISO - W.O. 1152, GEO.-SANTA CLARA CO.) The City of Alviso, lying on low land and, to a substantial extent, on lands subject to flooding after heavy winter rains as well as from extremely high tides, has prepared plans for protection from tides and for taking care of flood waters. These plans include the construction of a dam or levee across the mouth of Grey Goose Slough to prevent tidal flow from encroaching on the City. Grey Goose Slough, while presently being navigable in fact but not by statute, lies within swampland sales and is now claimed by Leslie Salt Co., successors to the original patentee. Objections were raised by the Staff to this project and the City was informed that there were no legal means by which the Commission could permit the permanent closing of navigable waters. In anticipation of possible passage by the Legislature of a bill relieving the trust for navigation and fisheries, the City of Alviso has requested that the Commission grant permission to construct the proposed dam, on the grounds that without such protection the City will be subject to another disastrous flood such as occurred in 1952. The City is financially unable to carry out their plans without outside assistance. Leslie Salt Co. has offered to carry the burden of costs, the company thereby gaining area for an additional salt pond.

At the present time, the Staff is making an investigation of the navigability of all of the sloughs between Alviso and San Mateo bridge on both sides of San Francisco Bay in order to try to settle boundary questions with the Leslie Salt Co. Some of these sloughs are navigable by statutory declaration, others