

48. APPLICATION FOR BOUNDARY LINE AGREEMENT, HIDDEN HARBOR MARINA, RYER ISLAND, SOLANO COUNTY, MR. & MRS. BARTHOLD CLYDE - W.O. 320.534.

The attached status report was submitted to the Commission by staff, for information only.

Mr. George Basye, Attorney for Mr. & Mrs. Clyde Barthold, made a brief appearance, stating that he was discouraged about the outcome to date of the staff's negotiations on this matter, and that it looked as though the subject might become a matter for the Courts to decide.

The Chairman expressed the hope that a satisfactory conclusion can be achieved through continued negotiation.

Attachment

Status Report (1 page)

Status Report
Application for Boundary Line Agreement
Hidden Harbor Marina
Ryer Island, Solano County

Applicants: Mr. & Mrs. Barthold Clyde
W.O. 320.534

This report is submitted to advise the Commission of the present status of this matter and pursuant to the Commission directive on September 17, 1968 that the Division continue efforts to accomplish a resolution of this matter.

The matter was left open on the September 17 calendar and it was suggested that the Clydes might wish to enter into further discussions with the Division and the Office of the Attorney General for the purpose of considering:

- (1) A long-term lease to the Clydes with reduced rental pending resolution of the title problems; and
- (2) Any further evidence which the Clydes might wish to present in support of their contentions.

Subsequent to the Commission meeting, the Clydes, their counsel, Mr. Charles F. [redacted] of the Senate Governmental Efficiency Committee, and the Division met on two occasions. Representatives of the Resources Agency and a hydrologist and geologist of the Department of Water Resources also attended the second meeting. At this meeting, Mr. Gerald Jones, a Consulting Engineer, presented his views on the problem.

No written response has been received from the Clydes relative to entering into lease negotiations.

Mr. Clyde and Mr. Basye were requested by the Division to supply any evidence they might wish to present. Mr. Basye presented a copy of a paper prepared by Mr. Gerald Jones, Consulting Engineer. In addition, Mr. Jones appeared at the second meeting and expressed his views of the problem. Mr. Basye has also presented a written brief, setting forth the Clydes' contentions.

The Division and the Office of the Attorney General in conjunction with the engineers for the Department of Water Resources, are continuing to investigate and analyze all matters which have been presented.

Based on the present status of review, the Division and the Office of the Attorney General remain of the opinion that there is insufficient evidence to justify or permit a waiver by the Commission of the State's claims of interest in the Hidden Harbor area. Therefore, the boundary line agreement requested by the Clydes cannot be recommended at this time.