

MINUTE ITEM

7/24/75
EPW

39. AUTHORIZATION FOR SUIT FOR EJECTMENT AND COLLECTION OF BACK RENTALS, TIDE AND SUBMERGED LANDS IN THE SACRAMENTO RIVER, SACRAMENTO COUNTY; HARRY W. ERICKSON - W 20023.

After consideration of Calendar Item 37 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE STAFF OF THE STATE LANDS DIVISION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY, INCLUDING LITIGATION, IN ORDER TO REMOVE THE IMPROVEMENTS, INCLUDING FLOAT(S) AND BOATHOUSE(S), AND TO COLLECT BACK RENTALS AND EJECT HARRY W. ERICKSON FROM STATE-OWNED TIDE AND SUBMERGED LANDS IN THE SACRAMENTO RIVER, SACRAMENTO COUNTY.

Attachment:
Calendar Item 37 (2 pages)

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AUTHORIZATION FOR SUIT FOR EJECTMENT
AND COLLECTION OF BACK RENTALS

APPLICANT: Harry W. Erickson
1957 Garden Highway
Sacramento, California 95833

AREA, TYPE LAND AND LOCATION:
Tide and submerged lands in the Sacramento River,
Mile 52.2, Sacramento County.

LAND USE: Trespass.

BACKGROUND: The Division received Department of the Army,
Corps of Engineers, Public Notice 4803, dated
April 30, 1971, relative to an existing 130-foot
float and a boathouse in the Sacramento River
at Assessor's Parcel #274-021-09, Sacramento
County.

On May 14, 1971, the Division interposed an
objection to the issuance of this permit on the
grounds that no permit had been issued by the
State Lands Commission. A copy of this letter,
together with an application, was sent to
Mr. Erickson.

On June 11, 1971, Mr. Erickson came to the State
Lands Division office and was given another
application. In addition, he was given
information on how to submit an Environmental
Data Statement, along with a sample environmental
statement.

The Secretary for Resources, by letter dated
June 23, 1971, advised the Corps of Engineers
"The State Lands Division states that a lease
or permit will be required . . ." and ". . .
trusting that these requirements will be
complied with, the State of California inter-
poses no objection to your issuance of the
permit requested."

By letters dated July 21, 1971, and April 1,
1975, the latter by certified mail--return
receipt requested--Mr. Erickson was advised
that the erection or maintenance of structures
on State-owned land under jurisdiction of the
State Lands Commission, without written authori-
zation, was (and is) a violation of the Public
Resources Code.

CALENDAR ITEM NO. 37 . (CONTD)

On March 27, 1975, the Division conducted a field investigation which revealed:

1. an upland residence situated at 1957 Garden Highway, Sacramento, Sacramento County;
2. a long float (length not determined); and
3. two cabin cruisers and one large seagoing yacht tied up to float(s).

Since June 11, 1971, Mr. Erickson has not communicated with nor responded to the communications of the State Lands Division. His pattern of conduct suggests an indifferent and flagrant trespasser.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE STAFF OF THE STATE LANDS DIVISION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY, INCLUDING LITIGATION, IN ORDER TO REMOVE THE IMPROVEMENTS, INCLUDING FLOAT(S) AND BOATHOUSE(S), AND TO COLLECT BACK RENTALS AND EJECT HARRY W. ERICKSON FROM STATE-OWNED TIDE AND SUBMERGED LANDS IN THE SACRAMENTO RIVER, SACRAMENTO COUNTY.