

11. (APPROVAL OF PERMIT BY CALIFORNIA & HAWAIIAN SUGAR REFINING CORPORATION TO SEA SCOUTS, CONTRA COSTA COUNTY - P.R.C. 220.) The California & Hawaiian Sugar Refining Corporation has requested approval of a permit or license from that Company to the Crockett Sea Scout Ship No. 174 to occupy approximately 9400 square feet of tide and submerged lands within the area presently under lease to that Company, for the purpose of constructing a platform and placing thereon the Sea Scout Clubhouse. This is a civic good will proposal, the Company making no charge for the area occupied, and is supported by Mr. Dowrelis, a sublessee of the Company within the same area.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO APPROVE A PERMIT OR LICENSE FROM CALIFORNIA & HAWAIIAN SUGAR REFINING CORPORATION TO CROCKETT SEA SCOUT SHIP NO. 174 TO OCCUPY APPROXIMATELY 9400 SQUARE FEET OF TIDE AND SUBMERGED LANDS NOW UNDER LEASE P.R.C. 220 FOR THE PURPOSE OF CONSTRUCTING A PLATFORM AND CLUBHOUSE THEREON, CALIFORNIA & HAWAIIAN TO MAKE NO CHARGE FOR SUCH PERMIT OR LICENSE, PERMIT TO EXTEND NO LONGER THAN THE EXPIRATION DATE OF LEASE P.R.C. 220.

12. (LEASE OF TIDE AND SUBMERGED LANDS, SAN MATEO COUNTY, THE ROMEO COMPANY - W.O. 248, P.R.C. 720.) Lease P.R.C. 138 was issued to The Romeo Company on May 5, 1944, at an annual rental of \$360, plus royalty on certain tonnages of fish passing over the wharf if such royalty exceeded the annual rental payable quarterly. The twenty-third quarterly rental, due November 5, 1949, and the succeeding quarterly rentals were not paid, due to The Romeo Company's contention that the rental was excessive. Similar leases for identical purposes in the near vicinity have, at later dates, been issued at an annual minimum rental of \$50.

On October 5, 1950, Pages 1210 and 1211 of the Minutes, the Commission was informed of the situation, and a resolution was adopted authorizing the Executive Officer to cancel, effective November 5, 1949, for nonpayment of rent, Lease P.R.C. 138 issued to The Romeo Company, and directing that the Executive Officer notify the Office of the Attorney General of this action and request the Attorney General to take the necessary steps to effect surrender of the demised premises.

Subsequently, by a field survey which the Division of State Lands conducted, it was found that the area described in Lease P.R.C. 138 was erroneous. The Office of the Attorney General advised that Lease P.R.C. 138, describing the area incorrectly, was, because of such incorrect description, invalid. In order to resolve the whole problem (and to conform with the rental schedule at the time), a new lease was negotiated with The Romeo Company for the area actually occupied by that Company's wharf as that area was determined by a precise field survey; the annual rental to be \$50, retroactive to November 5, 1949, the date on which rental payment under terms of Lease P.R.C. 138 ceased. Rental at the rate of \$50 annually since that date, together with the fifteenth year under terms of a new agreement, amounts to \$200.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE TO THE ROMEO COMPANY A LEASE FOR APPROXIMATELY 1.2 ACRES OF TIDE AND SUBMERGED LAND IN THE PACIFIC OCEAN IN SAN MATEO COUNTY FOR A PERIOD OF FIFTEEN YEARS AT AN ANNUAL RENTAL OF \$50, EFFECTIVE NOVEMBER 5, 1949; RENTAL FROM THAT DATE TO NOVEMBER, 1952, AND FOR THE FIFTEENTH YEAR, A TOTAL OF \$200, TO BE PAID UPON EXECUTION OF THE LEASE;

WITH RIGHT OF RENEWAL FOR AN ADDITIONAL PERIOD OF TEN YEARS UPON SUCH TERMS AND CONDITIONS AS MAY BE DETERMINED PRIOR TO RENEWAL; PERFORMANCE BOND IN THE AMOUNT OF \$5000 TO BE FURNISHED BY THE LESSEE.

13. (APPROVAL OF ADDITIONAL CONSTRUCTION, OIL TERMINALS COMPANY, CRESCENT CITY HARBOR, DEL NORTE COUNTY, LEASE P.R.C. 541 - W.O. 637.) Oil Terminals Company, on November 20, 1950, was issued a lease of certain tide and submerged lands in Crescent City Harbor for the installation and maintenance of a pipe line and two dolphins. Experience has shown that the two dolphins are inadequate for proper safety; therefore, a request has been made for approval of an increase in the number of dolphins to five. No increase in lease area is necessary.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO APPROVE THE INCREASE OF THE NUMBER OF DOLPHINS PERMITTED UNDER TERMS OF LEASE P.R.C. 541 FROM TWO TO FIVE.

14. (APPLICATION FOR REVISION OF RIGHT-OF-WAY EASEMENT, P.R.C. 652, PACIFIC GAS AND ELECTRIC COMPANY, ALAMEDA-SAN MATEO COUNTIES - W.O. 1088.) On September 20, 1951 (Minute Item 10, Pages 1446 and 1447), the Commission authorized the issuance of a right-of-way easement to Pacific Gas and Electric Company, for an overhead transmission line 150 feet in width and 10,585 feet in length, across South San Francisco Bay adjacent to the San Mateo Bridge, at an annual rental of \$251.70. On February 14, 1952 (Minute Item 16, Page 1523), the Commission authorized the revision of the easement previously authorized, changing the width to 100 feet, the length to 11,175 feet, and the annual rental to \$263.50.

In its original application of July 11, 1951, Pacific Gas and Electric Company asked that it be given the "right to convert ... to a lease embracing the conditions provided in the new rules and regulations covering rights of way now under consideration by the State Lands Commission".

Due to a change in alignment, the original application was cancelled and a new one filed by letters from the applicant dated December 28, 1951, and January 11, 1952. Meanwhile the new terms and rates adopted by the Commission on October 24, 1951, had become effective. Applied to this case, the annual rental of \$263.50 would become a lump-sum payment of \$1,676.25, and the term of the easement would be changed from a period of 15 years (with three renewal periods of ten years each) to 49 years.

Through inadvertence, the staff was not fully cognizant of the original and renewed request of the applicant to have the new rates and terms apply to this case; as a result, the action recommended to and taken by the Commission was without benefit of a complete statement of facts.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED RESCINDING THE COMMISSION'S ACTIONS OF SEPTEMBER 20, 1951, AND OF FEBRUARY 14, 1952 (MINUTE ITEM 10, PAGES 1446 AND 1447, AND MINUTE ITEM 16, PAGE 1523), AND AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE TO THE PACIFIC GAS AND ELECTRIC COMPANY A 49-YEAR, 100-FOOT WIDE RIGHT-OF-WAY EASEMENT, 11,175 FEET IN LENGTH, ACROSS STATE TIDE AND SUBMERGED LAND IN SECTIONS 4 AND 9, T. 4 S., R. 3 W., AND SECTIONS 13 AND 24, T. 4 S., R. 4 W., M.D.M., ADJACENT TO THE SAN MATEO BRIDGE IN SAN FRANCISCO BAY, FOR CONSTRUCTION, INSTALLATION AND OPERATION OF A 220 KV TRANSMISSION LINE, AT A TOTAL CONSIDERATION OF \$1,676.25; UNDER THE CONDITION THAT A PERFORMANCE BOND BE FILED IN THE