

34. (AMERICAN RIVER DISCLAIMER OF INTEREST BASED UPON NAVIGABILITY IN FEDERAL CONDEMNATION CASES U.S.D.C. (NO.-NO.) 6043, 6317, 6508, FOLSOM DAM, SACRAMENTO COUNTY - W.O. 503.)


On July 27, 1953, the Commission authorized the Executive Officer 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 might be included within the various Federal condemnation actions for Folsom Dam and Reservoir. This action was taken for the reason that investigation failed to disclose that the North and South Forks of the American River were navigable waters of the State. Further investigation now indicates that the area between the junction of the North and South Forks and the Pacific Gas and Electric Company Dam was not, in its natural condition, of the character which would allow a claim as sovereign lands of the State. This area of the main channel of the American River includes the site of the Folsom Dam and the Pacific Gas and Electric Company Dam upstream from which there has been no showing of any navigation.

It is in the interest of the State to have Folsom Dam and Reservoir constructed. The Attorney General has been asked to file disclaimers on behalf of the State in condemnation actions involving the bed of the river in this vicinity.

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 that portion of the American River extending from the junction of the North and South Forks downstream to the vicinity of the Pacific Gas and Electric Company Dam at the south line of Section 24, T. 10 N., R. 7 E., M.D.M., in condemnation actions brought by the United States or in any pending purchase by the United States for Folsom Dam and Reservoir project.

There being no further business to come before the Commission, the meeting was adjourned.

  
RUFUS W. PUTNAM  
Executive Officer