

MINUTE ITEM

This Calendar Item No. 34
was approved as Minute Item
No. 34 by the State Lands
Commission by a vote of 2
to 0 at its 8/26/76
meeting.

CALENDAR ITEM

34.

8/76
W 503.850
SCL

AUTHORIZATION FOR LITIGATION CONCERNING
THE EL DORADO COUNTY ORDINANCE PROHIBITING
RAFTING ON THE AMERICAN RIVER

The El Dorado County Board of Supervisors, at its August 10, 1976 meeting, passed a County Ordinance prohibiting rafting on the South Fork of the American River as it traverses through El Dorado County. This ordinance prohibits the public's lawful exercise of the public easement for commerce, navigation and fishery on this portion of the American River. The State Lands Commission is empowered, pursuant to Division 6 of the Public Resources Code, to protect the public easement for commerce, navigation and fishery. Without State Lands Commission action, the public's right to exercise the public easement for commerce, navigation and fishery on the South Fork of the American River, El Dorado County, cannot be adequately protected.

EXHIBIT: A, Location Map.

IT IS RECOMMENDED THAT THE STATE LANDS COMMISSION AUTHORIZE THE OFFICE OF THE ATTORNEY GENERAL AND STAFF COUNSEL TO TAKE WHATEVER STEPS NECESSARY, INCLUDING LITIGATION, TO DECLARE THE PUBLIC'S RIGHTS TO EXERCISE THE EASEMENT FOR COMMERCE, NAVIGATION AND FISHERY IN REGARD TO THE ORDINANCE PASSED BY THE EL DORADO COUNTY BOARD OF SUPERVISORS OVER THE SOUTH FORK OF THE AMERICAN RIVER, EL DORADO COUNTY.

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