The Executive Officer informed the Commission that the Bolinas Harbor District is going to ask for a legislative grant of the area in question.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO THE BOLINAS HARBOR DISTRICT A LEASE COVERING APPROXIMATELY 500 ACRES OF TIDE AND SUBMERGED LANDS IN BOLINAS LAGOON, MARIN COUNTY, FOR A PERIOD OF FIFTEEN YEARS AT AN ANNUAL RENTAL OF $200, FOR THE DEVELOPMENT, CONSTRUCTION AND USE OF A SMALL CRAFT HARBOR. FURTHER, THE PROPOSED LEASE PROVIDES THAT ALL NECESSARY WORK FOR THE DEVELOPMENT, MAINTENANCE AND OPERATION OF A SMALL CRAFT HARBOR BE AUTHORIZED AT NO COST TO THE STATE, NO BOND BEING REQUIRED, SUBJECT TO THE PROVISION, HOWEVER, THAT SHOULD THE LEGISLATURE APPROVE A COUNTY-WIDE PLAN INVOLVING THIS PARTICULAR HARBOR AND PROVIDING FOR CERTAIN EXPENDITURES BY THE STATE, SAID LEASE WILL BE AMENDED ACCORDINGLY.

13. (BOUNDARY PROBLEM BETWEEN CITY OF LONG BEACH AND LONG BEACH AMUSEMENT COMPANY - W. O. 2064.2.) The following report was presented to the Commission:

"A negotiated instrument involving a property line determination between tidelands granted to the City of Long Beach and private property owned by the Long Beach Amusement Company, located between Pine and Alamitos Avenues in Long Beach, has been presented by the City of Long Beach to the State Lands Commission for approval, or at least for acquiescence by the State. This proposition would seem to be involved in the provisions of Chapter 29 of the Statutes of 1956.

"A preliminary investigation by the staff of the State Lands Commission indicates that the suggested boundary should be resolved either through a court proceedings or through the operation of Sections 6357 et seq. of the Public Resources Code, whereunder the Commission has been authorized to establish the ordinary high water mark either by arbitration or through quiet title proceedings, and may survey and plat tide and submerged lands upon request of the legislative body of the city involved. This latter procedure was suggested to the City Attorney of Long Beach in a letter dated August 23, 1956, to which letter no reply had been received as of September 19, 1956.

"On September 11, 1956, the City Attorney of Long Beach advised that the City Council had passed a resolution directing the City Manager to execute the negotiated instrument on October 1, 1956. A copy of that letter and of the proposed agreement were immediately forwarded to the office of the Attorney General. The Attorney General's office advised verbally that they had talked to the City Attorney of Long Beach and suggested that the boundary should be settled by court proceedings. Also, they suggested that the State Lands Commission acknowledge receipt of the letter and of the copy of the proposed agreement, and again suggest to the City of Long Beach that the problem be resolved by having the State Lands Commission make a determination of the ordinary high water mark as set forth above, or, alternatively, through a court proceedings. Such

a letter was directed to the City of Long Beach on September 19, 1956. It would appear that the problem is more legal than administrative, and may involve the legal principle of the ability of the City of Long Beach to make a negotiated settlement of the boundary without the consent of the State since the City of Long Beach certainly has a grant covering the area. However, since the passage of Chapter 29 of the Statutes of 1956 the State has a fifty percent interest in any revenue that might accrue from the tidelands in question, and such tidelands may possibly be productive of oil as they are not remote from present production. It is therefore believed that this boundary question should be resolved in such a manner as to protect any possible interest of the State."

Mr. Walhfred Jacobson, City Attorney of Long Beach, was present and indicated that he had no objection to the report presented and the recommendation made by the staff.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

THE EXECUTIVE OFFICER IS AUTHORIZED TO REFER TO THE ATTORNEY GENERAL THE PROBLEM OF THE PROPERTY LINE DETERMINATION BETWEEN TIDELANDS GRANTED TO THE CITY OF LONG BEACH AND PRIVATE PROPERTY OWNED BY THE LONG BEACH AMUSEMENT COMPANY, FOR SUCH LEGAL ACTION AS MAY BE NECESSARY TO PROTECT THE INTEREST OF THE STATE; AND FURTHER, THE EXECUTIVE OFFICER IS AUTHORIZED TO OFFER TO THE ATTORNEY GENERAL OR TO THE CITY OF LONG BEACH ANY TECHNICAL SERVICES NECESSARY FOR THE DETERMINATION OF THE ORDINARY HIGH WATER MARK, IN ACCORDANCE WITH THE PROVISIONS OF THE PUBLIC RESOURCES CODE, BETWEEN PINE AND ALAMITOS AVENUES, LONG BEACH; AND FURTHER, THE EXECUTIVE OFFICER IS AUTHORIZED TO CONTRACT FOR SUCH EXPERT SERVICES AS MIGHT BE REQUIRED, IN AN AMOUNT NOT TO EXCEED $5,000.

14. (CONSIDERATION OF SUBSIDENCE COST PROJECTS, LONG BEACH - W. O. 10,001.) The following report was presented to the Commission:

"On July 2, 1956 the Office of the City Engineer, City of Long Beach, submitted plans and specifications for the construction of a hydraulic fill embankment south of Seaside Boulevard, between Rainbow Pier and 1st Place in the City of Long Beach, with the request that the project be considered for approval by the State Lands Commission so that partial costs of the remedial and protective work required by the subsidence element in the contract would be borne by the State in accordance with the provisions of Chapter 29 of the Statutes of 1956, 1st E.S.

"The project was reviewed by the staff and considered to include some 'subsidence costs' as defined in Section 1(f) of Chapter 29. Thereupon a recommendation for Commission approval of the project was included in the agenda for the August 15, 1956 meeting of the Commission.

"On August 14, 1956, by letter dated August 13, 1956, the City Manager of the City of Long Beach requested that consideration of approval of the subject project be set over to a later date.