

MINUTE ITEM

5/28/70
EWC

39. 49-YEAR PUBLIC AGENCY PERMIT, SOVEREIGN LAND IN SAN JOAQUIN RIVER, STANISLAUS COUNTY; STATE DEPARTMENT OF FISH AND GAME - W-8712, P.R.C. 4459.9.

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

THE COMMISSION AUTHORIZES THE ISSUANCE TO THE STATE DEPARTMENT OF FISH AND GAME OF A 49-YEAR PUBLIC AGENCY PERMIT FROM MAY 1, 1970, IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT FOR THE CONSTRUCTION AND MAINTENANCE OF A FISH SCREEN ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 37 (2 pages)

CALENDAR ITEM

5/70
W-8712
EWC

37.

PUBLIC AGENCY PERMIT

APPLICANT: State Department of Fish and Game.

LOCATION: A 0.32-acre parcel of sovereign land in the bed of San Joaquin River at Mile 77.3, Stanislaus County.

LAND USE: The construction and maintenance of a fish screen.

TERMS: 49 years, from May 1, 1970.

CONSIDERATION: No charge at this time. The Division is investigating the practice of allowing rent-free permits and leases. This permit reserves the right to set a reasonable rental consistent with policy changes necessitated by the study.

PREREQUISITE ITEMS:
U. S. A. Corps of Engineers Permit being applied for concurrently.
Applicant is permittee of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-6509.
- b. Administrative Code: Title 2, Div. 3, Arts. 1 & 2 as amended effective May 10, 1969.

EXHIBITS: A. Land description. B. Location map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO THE STATE DEPARTMENT OF FISH AND GAME OF A 49-YEAR PUBLIC AGENCY PERMIT FROM MAY 1, 1970, IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT FOR THE CONSTRUCTION AND MAINTENANCE OF A FISH SCREEN ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

All the tide and submerged land in the bed of the San Joaquin River, Stanislaus County, California, within the following described boundary:

A portion of Rancho El Pescadero, State of California, located in Section 29, T. 3 S., R. 7 E., M.D.M., according to the map thereof filed in Volume 1 of Maps, page 69, records of Stanislaus County Recorder, and more particularly described as follows:

COMMENCING at Post No. P 35, Rancho El Pescadero, also shown on the above mentioned map as the southwest corner of Section 36, T. 3 S., R. 6 E., M.D.M.; thence N. $0^{\circ} 24' 40''$ W. along the west line of said Section 36, a distance of 5,261.27 feet; thence N. $85^{\circ} 26' 25''$ E. and along the southerly line of California State Highway, a distance of 2,958.79 feet; thence N. $85^{\circ} 24' 50''$ E. and continuing along said southerly line of said State Highway, a distance of 7,993.76 feet; thence S. $61^{\circ} 17' 48''$ E., a distance of 758.86 feet to the TRUE POINT OF BEGINNING; thence N. $73^{\circ} 30'$ E., a distance of 80.00 feet; thence S. $16^{\circ} 30'$ E., a distance of 200.00 feet; thence S. $73^{\circ} 30'$ W., a distance of 80.00 feet; thence N. $16^{\circ} 30'$ W., a distance of 200.00 feet to the point of beginning.