

MINUTE ITEM

This Calendar Item No. 32  
was approved as Minute item  
No. 32 by the State Lands  
Commission by a vote of 2  
to 0 at its 4-27-78  
meeting.

CALENDAR ITEM

32.

4/78  
W 287.77  
De La Cruz

RESCISSION OF PRIOR AUTHORIZATION FOR SUIT FOR  
EJECTMENT AND COLLECTION OF BACK RENTALS

APPLICANT: Roy Rook  
Terwer Trailer Park  
Star Route, Box 260  
Klamath, California 95548

TYPE AND LOCATION:  
A parcel of submerged land in the Klamath  
River near Klamath Glen, Del Norte County.

OTHER PERTINENT INFORMATION:  
1. In Calendar Item Number 39, meeting  
of August 25, 1977, the State Lands  
Commission authorized Staff and/or  
the Office of the Attorney General  
to take all steps necessary in order  
to eliminate the continuing trespass  
in T13N, R1E, S13 HBM from the State-owned  
submerged lands in the Klamath River,  
Del Norte County and to collect just  
compensation for any prior unauthorized  
use.

Since 1967, Mr. Rook had been repeatedly  
advised that a permit would be required  
for the use of State-owned lands in  
the bed of the Klamath River, occupied  
by boat docks. Mr. Rook failed to respond  
to such notifications and the staff  
therefore recommended to the Commission  
that authorization for litigation be  
granted.

In September 1977, further investigation  
revealed that Mr. Rook was recently  
deceased and Mrs. Rook, ill herself,  
had leased the trailer park. Site inves-  
tigations disclosed that the boat docks  
had been removed and that the present  
managers of the trailer park do not  
intend to construct any facilities  
in or on the bed of the Klamath River.

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CALENDAR ITEM NO. 32. (CONTD)

Mrs. Rook and the present managers of the trailer park have been advised by letter dated March 14, 1978, that it will be necessary to secure a lease or permit from the State Lands Commission if and when any facilities are constructed in or on the State-owned submerged lands in the Klamath River.

Accordingly, staff recommends that the Commission rescind its prior authorization for suit for ejectment and collection of back rentals.

2. The proposed action is not a project and therefore not subject to environmental review under CEQA pursuant to Section 21065, Public Resources Code, and Section 15037, California Administrative Code.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. RESCIND ITS AUTHORIZATION OF AUGUST 25, 1977, MINUTE ITEM NO. 39, AUTHORIZING SUIT FOR EJECTMENT AND COLLECTION OF BACK RENTALS ON THE KLAMATH RIVER, DEL NORTE COUNTY.

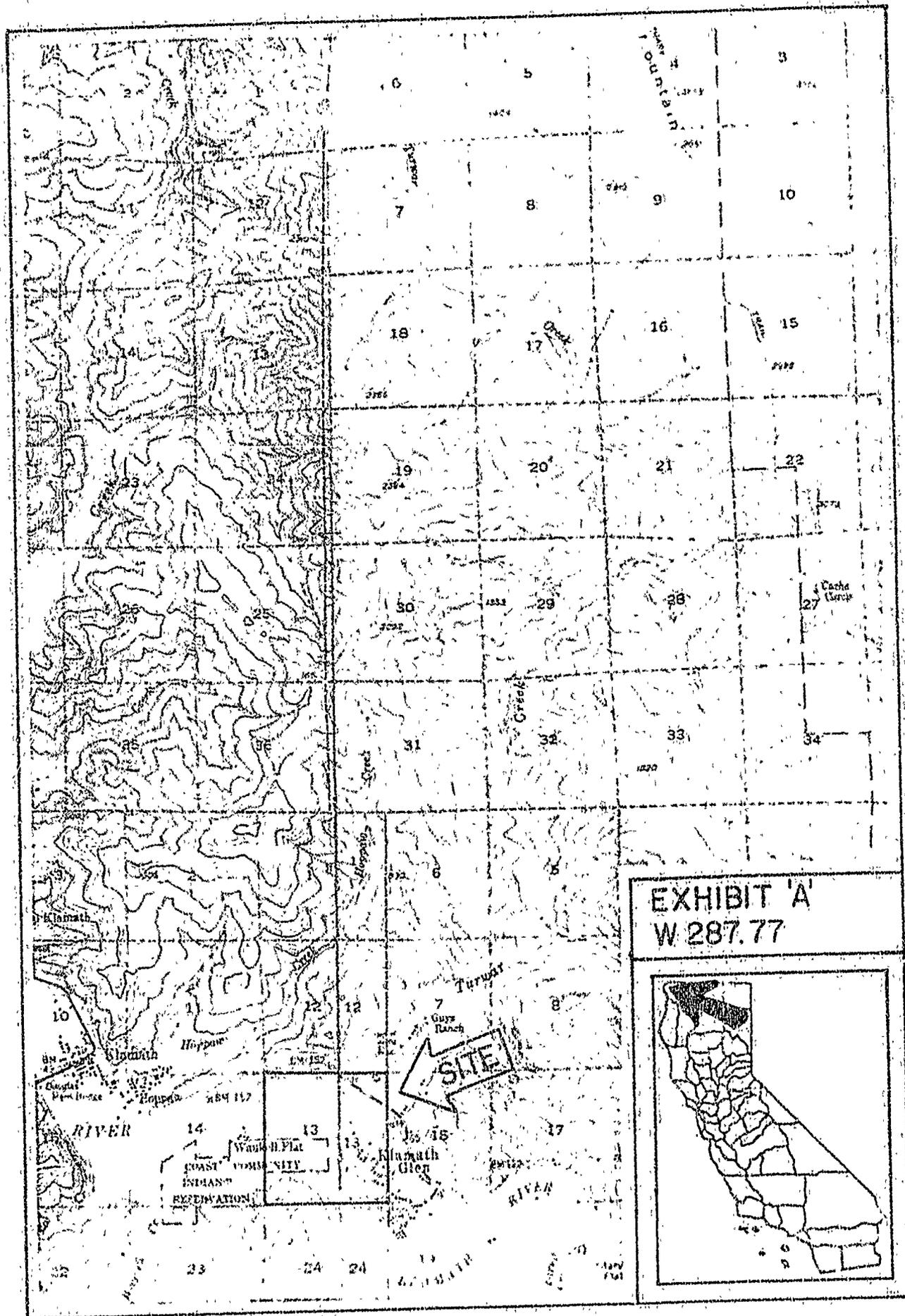


EXHIBIT 'A'  
W 287.77

