

MINUTE ITEM

4. APPLICATION FOR DREDGING PERMIT, P.R.C. 2442.1, LEONARD ELSBREE AND ROLAND E. ELROD, SACRAMENTO RIVER, YOLO COUNTY - W.O. 3416.

After consideration of Calendar Item 16 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO LEONARD ELSBREE AND ROLAND E. ELROD, LESSEES UNDER TIDE AND SUBMERGED LANDS LEASE P.R.C. 2442.1, IN THE SACRAMENTO RIVER, YOLO COUNTY, A PERMIT TO EXCAVATE FROM THE LEASED AREA APPROXIMATELY 93,000 CUBIC YARDS OF MATERIAL AT A ROYALTY OF ONE CENT PER CUBIC YARD.

Attachment

Calendar Item 16 (1 page)

CALENDAR ITEM

16.

APPLICATION FOR DREDGING PERMIT, P.R.C. 2442.1, LEONARD ELSBREE AND ROLAND E. ELROD, SACRAMENTO RIVER, YOLO COUNTY - W.O. 3416.

On July 30, 1959 (Minute Item 20, page 5051), the Commission authorized the issuance of Lease P.R.C. 2442.1 to Roland E. Elrod and Leonard Elsbree for an area of tide and submerged lands along the right bank of the Sacramento River, approximately one mile upstream from the City of Sacramento, for the construction, use and maintenance of a marina with appurtenant structures.

Because of the low water level of the Sacramento River, the area proposed to be used for the marina is presently dry sand. An application has been received from Leonard Elsbree for a permit to dredge the accumulated sand (approximately 93,000 cubic yards) and any material which accumulates annually. The dredged material is to be deposited on the applicant's property and on adjacent State-owned property.

Section 6303 of the Public Resources Code provides in part: "When a contractor or a permittee has a contract with or a permit from the Federal Government or any authorized public agency to dredge navigable streams for the improvement of navigation, the commission may, when in the best interests of the State, allow such contractor or permittee to have sand, gravel, or other spoils dredged from the sovereign lands of the State located within the areas specified in such contract or permit without paying a royalty therefor. The amounts of sand, gravel or other spoils so removed from sovereign lands shall not exceed those specified in the contract or permit."

On October 24, 1951 (Minute Item 20, page 1472), the Commission directed: "Where dredging is done at private cost for the benefit of navigation, or where it is done so as to have concurrent benefits to navigation, flood control, and recreational interests, a minimum royalty rate of one cent per cubic yard is required. In these cases a favorable opinion from the U. S. Corps of Engineers to the effect that such benefits will result is a requisite."

It is the opinion of the U. S. Corps of Engineers that the proposed dredging will benefit navigation and assist in the maintenance of the river channel.

The \$5 statutory filing fee has been paid by the applicant.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO ISSUE TO LEONARD ELSBREE AND ROLAND E. ELROD, LESSEES UNDER TIDE AND SUBMERGED LANDS LEASE P.R.C. 2442.1, IN THE SACRAMENTO RIVER, YOLO COUNTY, A PERMIT TO EXCAVATE FROM THE LEASED AREA APPROXIMATELY 93,000 CUBIC YARDS OF MATERIAL AT A ROYALTY OF ONE CENT PER CUBIC YARD.