

MINUTE ITEM

30. APPLICATION FOR MINERAL EXTRACTION LEASE, NOYO RIVER, MENDOCINO COUNTY, CLARENCE J. PONTS - W.O. 3667.

After consideration of Calendar Item 10 attached, and upon motion duly made and carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO OFFER FOR LEASE, PURSUANT TO COMPETITIVE PUBLIC BIDDING, FOR THE EXTRACTION OF SAND AND GRAVEL AT A MINIMUM ROYALTY OF SIX CENTS PER CUBIC YARD FOR ALL SAND AND GRAVEL EXTRACTED, THE FOLLOWING AREA OF TIDE AND SUBMERGED LANDS IN THE BED OF THE NOYO RIVER, MENDOCINO COUNTY:

COMMENCING AT THE NORTHEAST CORNER OF THE FORT BRAGG RACECOURSE SUBDIVISION AS SHOWN ON MAP ON FILE IN THE OFFICE OF THE COUNTY RECORDER IN MAP CASE 1, DRAWER 7, PAGE 4, MENDOCINO COUNTY RECORDS; THENCE SOUTH $16^{\circ} 56'$ WEST, 647.5 FEET; THENCE SOUTH $73^{\circ} 45'$ EAST, 622.7 FEET TO THE RIGHT BANK OF NOYO RIVER AND THE TRUE POINT OF BEGINNING; THENCE ALONG SAID RIGHT BANK OF NOYO RIVER, NORTH $48^{\circ} 32'$ EAST, 343.3 FEET; THENCE NORTH $50^{\circ} 33'$ EAST, 266.3 FEET; THENCE LEAVING SAID BANK OF NOYO RIVER, SOUTH $38^{\circ} 00'$ EAST, 130 FEET, MORE OR LESS, TO THE THREAD OF NOYO RIVER; THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID THREAD OF NOYO RIVER 610 FEET, MORE OR LESS, TO A POINT WHICH IS SOUTH $41^{\circ} 28'$ EAST OF THE TRUE POINT OF BEGINNING; THENCE NORTH $41^{\circ} 28'$ WEST, 105 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING, BEING A PORTION OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 17 WEST, MOUNT DIABLO MERIDIAN.

Attachment

Calendar Item 10 (1 page)

CALENDAR ITEM

10.

APPLICATION FOR MINERAL EXTRACTION LEASE, NOYO RIVER, MENDOCINO COUNTY,
CLARENCE J. PONTS - W.O. 3667.

An application has been received from Clarence J. Pons, requesting that an area of approximately 1.72 acres of tide and submerged lands near Fort Bragg, in the bed of the Noyo River, Mendocino County (see Exhibits "A" and "B" attached), be offered for lease for the extraction of sand and gravel pursuant to competitive public bidding, in accordance with the provisions of Division 6 of the Public Resources Code.

The application was referred to the Department of Natural Resources and to the office of the Attorney General, as required under Section 6818 of the Public Resources Code. The Department of Natural Resources reported that an examination of this application indicates no possible interference with the recreational use of the lands littoral to the tide and submerged lands involved. The office of the Attorney General advised that the application complies with applicable laws and the rules and regulations of the Commission.

The Corps of Engineers has authorized the proposed dredging operation. A letter of nonobjection to the proposed operation has been submitted by the adjacent upland property owner. The Department of Fish and Game and the Regional Water Pollution Control Board have reviewed the application and have submitted specific conditions relative to the conduct of operations and to the months of the year during which operations may be conducted, with the request that these conditions be included in the lease. The conditions specified are acceptable to the applicant.

The statutory filing fee has been paid and the required expense deposit has been made.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO OFFER FOR LEASE, PURSUANT TO COMPETITIVE PUBLIC BIDDING, FOR THE EXTRACTION OF SAND AND GRAVEL AT A MINIMUM ROYALTY OF SIX CENTS PER CUBIC YARD FOR ALL SAND AND GRAVEL EXTRACTED, THE FOLLOWING AREA OF TIDE AND SUBMERGED LANDS IN THE BED OF THE NOYO RIVER, MENDOCINO COUNTY:

COMMENCING AT THE NORTHEAST CORNER OF THE FORT BRAGG RACECOURSE SUB-DIVISION AS SHOWN ON MAP ON FILE IN THE OFFICE OF THE COUNTY RECORDER IN MAP CASE 1, DRAWER 7, PAGE 4, MENDOCINO COUNTY RECORDS; THENCE SOUTH $16^{\circ} 56'$ WEST, 647.5 FEET; THENCE SOUTH $73^{\circ} 45'$ EAST, 622.7 FEET TO THE RIGHT BANK OF NOYO RIVER AND THE TRUE POINT OF BEGINNING; THENCE ALONG SAID RIGHT BANK OF NOYO RIVER, NORTH $48^{\circ} 32'$ EAST, 343.3 FEET; THENCE NORTH $50^{\circ} 33'$ EAST, 266.3 FEET; THENCE LEAVING SAID BANK OF NOYO RIVER, SOUTH $38^{\circ} 00'$ EAST, 130 FEET MORE OR LESS TO THE THREAD OF NOYO RIVER; THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID THREAD OF NOYO RIVER 610 FEET MORE OR LESS TO A POINT WHICH IS SOUTH $41^{\circ} 28'$ EAST OF THE TRUE POINT OF BEGINNING; THENCE NORTH $41^{\circ} 28'$ WEST, 105 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING, BEING A PORTION OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 17 WEST, MOUNT DIABLO MERIDIAN.