

MINUTE ITEM

5/25/67

48. DREDGING PERMIT, NOYO RIVER, MENDOCINO COUNTY; EVERETT S. HAMMAN -
W.O. 6320, P.R.C. 3776.1.

After consideration of Calendar Item 51 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO EVERETT S. HAMMAN A PERMIT TO DREDGE APPROXIMATELY 4500 CUBIC YARDS OF MATERIAL FROM THE BED OF THE NOYO RIVER, MENDOCINO COUNTY, AT A ROYALTY OF \$0.06 PER CUBIC YARD FOR ALL MATERIAL REMOVED, AND TO DEPOSIT THE MATERIAL ON ADJACENT PROPERTY OWNED BY THE APPLICANT. THE PORTION OF THE NOYO RIVER TO BE DREDGED IS WITHIN THE FOLLOWING-DESCRIBED AREA:

A PARCEL OF TIDE AND SUBMERGED LAND IN THE BED OF THE NOYO RIVER LYING NORTHWESTERLY OF THE PROPERTY, NOW OWNED OR FORMERLY OWNED BY W. A. SMITH, SITUATE NEAR THE CITY OF FORT BRAGG, MENDOCINO COUNTY, CALIFORNIA; BEING FURTHER DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment

Calendar Item 51 (3 pages)

51.

APPLICATION FOR DREDGING PERMIT, NOYO RIVER, MENDOCINO COUNTY; EVERETT S. HAMMAN - W.O. 6320.

An application has been received from Everett S. Hamman for a permit to dredge approximately 4500 cubic yards of material for the improvement of navigation from the bed of the Noyo River near Fort Bragg, Mendocino County, to be deposited on adjacent upland property owned by the applicant.

Section 6303 of the Public Resources Code provides that when a permittee has a contract with or a permit from the Federal Government or any authorized public agency to dredge beds of navigable streams for the improvement of navigation, reclamation, or flood control, the Commission may allow such 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 upon such terms and conditions and for such consideration as will be in the best interests of the State.

The United States Army Corps of Engineers has issued a Department of the Army permit through December 31, 1968, authorizing the conduct of dredging operations at the location described in the application, and has stated that removal of the shoals would be a benefit to navigation.

The Division of Beaches and Parks has reported that there are no known recreational activities on these lands or on lands littoral that would be adversely affected by the permit.

The Department of Water Resources states that the proposed work would not adversely affect possible subsurface waters of value.

The Department of Fish and Game has reviewed the application and, in adherence to its policy to protect the salmon and steelhead resources of such streams as the Noyo River, has listed the following requirements to be included as a part of any permit issued in the area: (1) That dredging operations be limited to the period from June 1 to September 30; (2) that precautions be taken to prevent spoil materials from entering the river; and (3) that dredging operations adhere to water quality requirements for the Noyo River Basin as established by the North Coastal Regional Water Quality Control Board.

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

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE TO EVERETT S. HAMMAN A PERMIT TO DREDGE APPROXIMATELY 4500 CUBIC YARDS OF MATERIAL FROM THE BED OF THE NOYO RIVER, MENDOCINO COUNTY, AT A ROYALTY OF \$0.06 PER CUBIC YARD FOR ALL MATERIAL REMOVED, AND TO DEPOSIT THE MATERIAL ON ADJACENT PROPERTY OWNED BY THE APPLICANT. THE PORTION OF THE NOYO RIVER TO BE DREDGED IS WITHIN THE FOLLOWING-DESCRIBED AREA:

A PARCEL OF TIDE AND SUBMERGED LAND IN THE BED OF THE NOYO RIVER LYING NORTHWESTERLY OF THE PROPERTY, NOW OWNED OR FORMERLY OWNED BY W. A. SMITH,

CALENDAR ITEM 51. (CONTD.)

SITUATE NEAR THE CITY OF FORT BRAGG, MENDOCINO COUNTY, CALIFORNIA;
BEING FURTHER DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE
MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 7, T. 18 N., R. 17 W., M.D.B. & M., SAID CORNER HAVING CALIFORNIA ZONE 2 COORDINATES OF $X = 1,489,821.81$, $Y = 647,561.32$, AND BEING SHOWN ON SHEET 4 OF 9 OF A SERIES OF MAPS OF THE "ORDINARY HIGH WATER MARK ON THE BANKS OF THE NOYO RIVER" FILED IN MAP CASE 1, DRAWER 10 AT PAGE 42, SERIES 12590; THENCE S. $61^{\circ} 28' 10''$ E. 2,952.76 FEET MORE OR LESS TO A POINT ON THE ORDINARY HIGH WATER MARK OF THE LEFT BANK OF THE NOYO RIVER, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE LEAVING THE ORDINARY HIGH WATER MARK N. $36^{\circ} 15' 00''$ W. 70.00 FEET, N. $53^{\circ} 45' 00''$ E. 556.41 FEET AND S. $36^{\circ} 15' 00''$ E. 87.38 FEET TO THE ORDINARY HIGH WATER MARK; THENCE ALONG SAID ORDINARY HIGH WATER MARK S. $60^{\circ} 37' 10''$ W. 136.56 FEET, S. $52^{\circ} 02' 17''$ W. 115.42 FEET, S. $43^{\circ} 40' 04''$ W. 91.24 FEET AND S. $59^{\circ} 10' 20''$ W. 216.60 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THE SOUTHERLY 25 FEET OF SAID PARCEL LYING ADJACENT TO AND NORTHWESTERLY OF THE ORDINARY HIGH WATER MARK OF THE LEFT BANK OF THE NOYO RIVER; LEAVING A REMAINING ACREAGE OF 0.686 ACRE MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM ZONE 2.