29. APPLICATION FOR MINERAL EXTRACIION LEASE, NOYO RIVER, MENDOCINO COUNTY, BAXMAN GRAVEL COMPANY - W.O. 3646.

After consideration of Calendar Item 9 attached, and upon motion duly made and cerried, the following resolution was adopted:

TTE EXECUIIVE OFFICER IS AUTHORIZED TO OFFER FOR IEASE, PURSUANT TO COMPEIITTIVE PUBLIC BIDDING, FOR THE EXTRACIION OF SAND AND GRAVEL AT A MINIMMM ROYALTY OF SIX CENTS PER CUBIC YARD FOR ALI, SAND AND GRAVEL EXTRACIED, THE FOLIDWING AREA OF TIDE AND SUBMERGED LANDS IN THE BED OF THE NOYO RIVER, MENDOCINO COUNTY:
bEGINNING AT A POINT IN THE LINE OF MEAN HICH WAMER ON THE ITRET SIDE OF NOYO RIVER FROM WHICH THE SECITON CORNER COMMON TO SECTIONS 18 AND 19, TOWNSHIP 18 NORITH, RANGE 17 WEST, MOUNT DIABIO NERIDIAN, AFD SECTIONS 13 AND 24, TOWNSHIP 18 NORTH, RANGE 18 WEST, MOUNT DIABLO MERTDIAN, BEARS SOUTH $27^{\circ} 43^{\prime} 20^{\prime \prime}$ yest, $3,675.92$ FItir distanm; thence AIong the line of mein high VIATER IN A NORTHEASIERLY DIRECTION, 1,889 FEEE, MORE OR LESS, to the MOST NORTIERLY CORNER OF LANDS OF SMITH; THENCE LEAVING TEE LINE OF MEAN HIGH WATER, NORTH $47^{\circ} 00^{\prime}$ WEST, 30.00 FEET; THENCE IN A NORTHERLY DIRECTION AND PARALIEL WITH SAID LINE OF MeAN hIGH WATER, 500 FEET; THENCE SOUTH $72^{\circ} 45^{\circ}$ WEST, 160 FEET, NORE OR IESS, TO the line of mean high water on the rigit bank OF NOYO RIVER; THENCE ALONG THE LINE OF MEAN HIGH WATER IN A SOUTHERLY AND SOUTHWESTERLY DIRECTION 800 FEET, MORE OR IESS, TO THE MOST EASTERLY CORNER OF LATDS OF BENEDEITI; THENCE SOUTH $38^{\circ} 00^{\prime}$ EAST, 130 FEET, MORE OR LIESS, TO THE THREAD OF NOYO RIVER; THENCE SOUTHVESTERLY ALONG SAID THREAD OF NOYO RIVER 870 FEET, MORE OR LESS, TO A FOTNT FROM WHICH THE MOST SOUTHERLY CORNIRR OF LANDS OF COONEY BEARS NORTH $34^{\circ} 43^{\prime}$ WEST; THENCE NORTH $34^{\circ} 43^{\prime}$ WEST TO A FOINT 50 FEET DISTANT SOUTHEASTERLY FROM SAID MOST SOUTHERLY CORNER OF LandS OF COONEY; THENCE IN A SOUTHWESTERLY DIRECTION AND PARALLEL WITH THE LINE OF MEAN HIGH WAITR ON SAID RIGHT BANK OF NOYO RIVER 740 FEETT, MORE OR LESS, TO A POINI FROM WHICH THE POINT OF BEGINNING BEARS SOUTH $37^{\circ} 15^{\prime} 20^{\prime \prime}$ EAST; THENCE SOUTH $37^{\circ} 15^{\prime} 20^{\prime \prime}$ EAST, 170 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, BETNG A PORTION OF SECTION 18, TOWNSHETP 18 NORTH, RANGE 17 WEST, MOUNT DIABLO MERTDIAR.

Attachment
Calendar Item 9 (2 pages)

## CALENDAR ITEM

## 9.

APPLICATION FOR MINERAL EXTRACTION LEASE, NOYO RIVER, MENDOCINO COUNYY, BAXMAN GRAVEL COMPANY - W.O. 3646.

An application has been received from the Baxman Gravel Company, E. T. Baxman, owner, requesting that an area of approximately 9.45 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 Cormission.

The Corps of Engineers tas authorized the proposed dredging operation. A letter of nonobjection to the proposed operation has been submitted by an 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 COMMISSICN AUTHORIZE THE EXECUIIVE OFFICER TO OFFER FOR LEASE, PURSUANT TO COMPETITIVE PUBLIC BIDDING, FOR THE EXTRACTTON OF SAND AND GRAVEL AT A MINIMUM ROYALIY OF SIX CENIS PER CUBIC JARD FOR ALL SAND AND GRAVEL EXTRACTED, THE FOLLOM...A AREA OF TIDE AND SUBMERGED LANDS IN THE BED OF THE NOYO RIVER, MENDOCINO COUNTY:

BEGINNING AT A POINT IN THE LINE OF MEAN HICH WATER ON THE LEFT SIDE OF NOYO RIVER FROM WHICH THE SECTION CORNER COMMON TO SECTIONS 18 AND 19, TOWNSHIP 18 NORIH, RANGE 17 WEST, MOUNT DIAB., MERIDIAN AND SECTIONS 13 AND 24, TOWNSHIP 18 NORTH, RANGE 18 WEST, MOUNT DIABLO MERIDIAN, BEARS SOUTH $27^{\circ} 43^{\prime} 20^{\prime \prime}$ WEST, 3675.92 FEET DISTANT; THENCE ALONG THE LINE OF MEAN HIGM WATER IN A NORTHEASTERLY DIRECMION, 1889 FIEET MOFT OR LESS TO THE MOST NORIHERLY CORNER OF LANDS OF SMITH; THENCE LEAVING THE LINE OF MEAN HIGH WATER, NORIH $47^{\circ} 00^{\circ}$ WEST, 30.00 FEEI; THENCE IN A NORTHERLY DIRECTION AND PARALLEL WITH SAID LINE OF MEAN HIGH WATER, 500 FEET; THENCE SOUTH $72^{\circ} 45^{\prime}$ WEST, 160 FEES MORE OR LESS TO THE LIME OF MEAN HIGH WATER ON THE RIGHT BANK OF NOYO RTVER; THENCE ALONG THE LINE OF WEAN HIGH WATER IN A SOUMHERLY AND SOUTHWESTERLY DIRECTION 800 TEET MORE OR LESS TO THE MOST EASTERLY

## CAIENDAR ITEM 9. (CONTD.)

CORNER OF LANDS OF BENEDETTI; THENCE SOUTH $38^{\circ} 00^{\prime}$ EAST, 130 FEET MORE OR LESS TO THE THREAD OF NOYO RIVER; THENCE SOUTHWESTERLY ALONG SAID THREAL OF MOYO RIVER 870 FEET MORE OR LESS TO A POINT FROM WHICH THE MOST SOUTHERLY CORNER OF LANLS OF COONEY BEARS NORTH $34^{\circ} 43^{\prime}$ WEST; THENCE NORTH $34^{\circ} 43^{\prime}$ WEST TO A POIND 50 FEET DISTANT SOUTHEASTERLY FROM SAID MOST SOUTHERLY CORNER OF LANDS OF COONEY; THENCE IN A SOUTHWESTERLY DIRECTION AND PARALIEL WITH THE LINE OF MEAN HIGH WATER ON SAID RIGHT BANK OF NOYO RIVER 740 FEES MORE OR LESS TO A POINI FROM WHICH THE POITP OF BEGINNING BEARS SOUTH $37^{\circ} 15^{\prime} 20^{\prime \prime}$ EAST; THENCE SOUTH $37^{\circ} 15^{\prime} 20^{\prime \prime}$ EAST, 170 FEET MORE OR LESS TO THE POINT OF BEGINNING, BEING A FORMION OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 1.7 WEST, MOUFI DIABLO MERIDTAIN.

