

This Calendar Item No. 31
was approved as Minute Item
No. 31 by the State Lands
Commission by a vote of 2
to 0 at its 10/28/76
meeting.

MINUTE ITEM

10/28/76

31. PERMIT TO REMOVE AN ADDITIONAL 5,000 CUBIC YARDS OF
DRIFT SAND AT COLEMAN PARK, MORRO BAY - W 9972. PRC 5150.1

During consideration of Calendar Item 31, attached, Mr.
William F. Northrop, Executive Officer, summarized the
item. Commission alternate Richard Thomson questioned
what the current price the contractor is receiving for
sand. Mr. Northrop advised it is higher than the 15¢
per cubic yard which the State charges.

Mr. D. J. Everitts, Manager, Energy and Mineral Resources
Development, then addressed the Commission. He stated he
had personally inspected the area, and the City is going
to have to pay about \$1.00 a yard to have the material
removed. He reported the Division is planning to work with
the contractor to remove the sand at no cost to the City.
However, the State is asking 15¢ a cubic yard which amounts
to about 10 percent royalty. The item was then moved for
approval.

Upon motion duly made and carried, Calendar Item 31, was
approved as presented by a vote of 2-0.

Attachment: Calendar Item 31 (2 pages)

CALENDAR ITEM

10/76
W 9972
DAG

31.

PERMIT TO REMOVE AN ADDITIONAL 5,000 CUBIC YARDS
OF DRIFT SAND AT COLEMAN PARK, MORRO BAY

APPLICANT: City of Morro Bay
595 Harbor Street
Morro Bay, California 93442

BACKGROUND: On May 24, 1976, the City of Morro Bay, San Luis Obispo County, applied to the State Lands Commission for an emergency sand removal permit to remove 500 cubic yards of sand from an area within Coleman Park in which the State Lands Commission has retained mineral interests. The emergency permit was needed in order to remove a hazardous sand drift condition at the Park. The spoils were to be disposed of at the discretion of the City and could be used by the City for normal maintenance or by allowing contractors under City supervision to remove sand for their uses. An emergency letter permit (PRC 5150.1) was issued to the City on June 4, 1976, by the Executive Officer. Upon Commission ratification of this emergency permit on June 24, they stipulated that in the event the spoils were sold or used for private commercial purposes, the grantee shall pay a royalty of \$0.15 per cubic yard on said material.

PURPOSE: A request dated September 13, 1976, from the City has been received to excavate an additional 5,000 cubic yards of sand. This additional sand removal is necessary to clear a corridor adjacent to park fences for effective equipment movement and truck loading.

The original intent to remove the hazardous drift sand condition still holds true. The drift sand can be removed only after an access corridor is developed.

OTHER PERTINENT DATA:

1. Staff has inspected the site and concurs with the need for the work if existing park facilities are to remain in a use-able condition.

2. Sand will be hauled away by contractor at no cost to the City. Further, the contractor will be required to pay the City

A 29

S 17

1437

CALENDAR ITEM NO. 31. (CONTD)

\$0.15 per cubic yard for all material removed. The City, in turn, will pay the State royalty on the sand removed at a rate of \$0.15 per cubic yard.

3. This project is exempt under Section 2903(d), Title 2, California Administrative Code.

EXHIBIT: A. Site Map.

IT IS RECOMMENDED THAT THE STATE LANDS COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISION OF 2 CAL. ADM. CODE 2903(d), (EMERGENCY PROJECTS).
2. AUTHORIZE THE ISSUANCE OF A PERMIT TO THE CITY OF MORRO BAY TO REMOVE 5,000 CUBIC YARDS OF DRIFT SAND AT COLEMAN PARK, MORRO BAY, SAN LUIS OBISPO COUNTY, AT A ROYALTY RATE OF \$0.15 PER CUBIC YARD ON MINERALS REMOVED FROM SOVEREIGN LAND. THE PERMIT WILL BE EFFECTIVE FROM OCTOBER 28, 1976, TO APRIL 30, 1977; SUCH PERMISSION TO BE SUBJECT TO THE ISSUANCE OF PERMITS AND/OR APPROVALS OF ALL CONCERNED AGENCIES, AND TO ALL OTHER REQUIREMENTS, RECOMMENDATIONS OR LIMITATIONS AS SET OR AS MAY BE SET BY STATE, FEDERAL OR LOCAL AGENCIES.