

MINUTE ITEM

36. APPLICATION FOR MINERAL EXTRACTION LEASE, AMERICAN RIVER, SACRAMENTO COUNTY, MCGILLIVRAY CONSTRUCTION CO. - W.O. 3174.

Assemblyman Thomas J. MacBride appeared personally in connection with the presentation of Calendar Item 47 attached, and informed the Commission that it was his understanding that the McGillivray Construction Co. no longer had access rights for the extraction of minerals in the area, and therefore probably had no interest in pursuing its application. The Executive Officer stated that there had been no actual notice of withdrawal of the application, and suggested that an expression would be obtained from McGillivray Construction Co. to the effect that it does not wish to proceed with their application.

Two representatives were present from the California Department of Fish and Game, Robert D. Montgomery, Regional Manager, Region II, and George H. Warner, Fisheries Management Supervisor, but they made no presentation.

UPON MOTION DULY MADE, SECONDED, AND UNANIMOUSLY CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED:

THE EXECUTIVE OFFICER IS DIRECTED TO CONTACT THE MCGILLIVRAY CONSTRUCTION CO. TO DETERMINE IF IT WISHES TO WITHDRAW ITS APPLICATION FOR LEASE, AND, IF SO, TO OBTAIN A WRITTEN STATEMENT TO THIS EFFECT.

Attachment

Calendar Item 47 (2 pages)

CALENDAR ITEM

47.

APPLICATION FOR MINERAL EXTRACTION LEASE, AMERICAN RIVER, SACRAMENTO COUNTY,
MCGILLIVRAY CONSTRUCTION CO. - W.O. 3174.

On August 27, 1959 (Minute Item 23, page 5204) the Commission deferred consideration of the application of the McGillivray Construction Company for a mineral extraction lease on the American River in the vicinity of Sacramento to the October meeting to be held in Sacramento.

Action was deferred at the request of Assemblyman Thomas J. MacBride, representing local agencies and adjoining property owners. A letter has also been received from Robert D. Montgomery, Regional Manager, Region II of the Department of Fish and Game, stating that the proposed operations may have an adverse effect on the fish productivity of the river.

The deferred calendar item is attached for Commission consideration.

Attachment

Calendar Item 47

CALENDAR ITEM

47.

APPLICATION FOR MINERAL EXTRACTION LEASE, AMERICAN RIVER, SACRAMENTO COUNTY, MCGILLIVRAY CONSTRUCTION CO. - W.O. 3174.

An application has been received from the McGillivray Construction Co., a California corporation, requesting that an area of approximately 1.53 acres of the bed of the American River in the vicinity of the "H" Street Bridge near Sacramento, Sacramento County, 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.

A letter has been received from the upland owner stating that an agreement relative to the proposed operations has been entered into with the applicant. The Reclamation Board has approved the proposed operation subject to specified conditions and during specified periods. The U. S. Army Corps of Engineers has issued a statement that the operation will be beneficial to navigation in the Sacramento River. The American River is a heavy contributor of shoal building material. 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 TWELVE CENTS PER CUBIC YARD FOR ALL SAND AND GRAVEL EXTRACTED, THE FOLLOWING DESCRIBED AREA IN THE VICINITY OF SACRAMENTO, SACRAMENTO COUNTY:

THAT CERTAIN BAR IN THE CHANNEL OF THE AMERICAN RIVER LOCATED APPROXIMATELY 4,500 FEET NORTH OF THE "H" STREET BRIDGE, SECTION 64, RANCHO DEL PASO, T. 3 N., R. 5 E., SACRAMENTO COUNTY; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT POINT WHICH IS LOCATED NORTH $0^{\circ} 00'$, 2,200 FEET; THENCE NORTH $90^{\circ} 00'$ WEST, 1,480 FEET, FROM THE INTERSECTION OF THE CENTERLINES OF FAIR OAKS BOULEVARD AND HOWE AVENUE; THENCE FROM SAID POINT OF BEGINNING NORTH $45^{\circ} 00'$ WEST, 120 FEET; THENCE NORTH $5^{\circ} 00'$ WEST, 650 FEET; THENCE SOUTH $45^{\circ} 00'$ EAST, 200 FEET; THENCE SOUTH $0^{\circ} 00'$, 591 FEET TO THE POINT OF BEGINNING, CONTAINING 1.53 ACRES, MORE OR LESS.