

MINUTE ITEM

28 APPLICATION FOR MINERAL EXTRACTION LEASE, MONTEREY BAY, MONTEREY COUNTY;
GRANITE ROCK COMPANY - W.O. 5064.

After consideration of Calendar Item 24 attached, and upon motion duly made and unanimately carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO OFFER FOR LEASE, PURSUANT TO COMPETITIVE BIDDING, FOR THE EXTRACTION OF SAND AT A MINIMUM ROYALTY OF \$0.06 PER CUBIC YARD FOR ALL SAND EXTRACTED, SUBJECT TO THE CONDITIONS (A) THAT THE MAXIMUM EXTRACTION SHALL NOT EXCEED 40,000 CUBIC YARDS A YEAR, AND (B) THAT THE COMMISSION WILL REVOKE THE LEASE IN THE EVENT IT IS DETERMINED THAT CONTINUED DREDGING ADVERSELY AFFECTS THE ADJOINING SHORELINE, AN AREA OF TIDE AND SUBMERGED LANDS IN MONTEREY BAY, MONTEREY COUNTY, DESCRIBED AS FOLLOWS:

THAT CERTAIN PARCEL SITUATE IN THE COUNTY OF MONTEREY, STATE OF CALIFORNIA:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 86 AS SAID LOT IS DELINEATED AND DESIGNATED (WITHOUT REGARD TO THE SHORE LINE) UPON THAT CERTAIN MAP ENTITLED "LOCKE-PADDON COMPANY'S BAYSIDE SUBDIVISION OF MONTEREY CITY LANDS", FILED FEBRUARY 8, 1916, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, AND NOW ON FILE IN SAID OFFICE IN MAP BOOK TWO, MAPS AND GRANTS (OUTSIDE LANDS), AT PAGE 15 THEREIN; THENCE DUE WEST 225 FEET TO A POINT; THENCE SOUTH 6° 53' WEST A DISTANCE OF 1,161 FEET TO A POINT WHICH IS DUE WEST OF THE SOUTHWEST CORNER OF LOT 91 AS SAID LOT IS DELINEATED AND DESIGNATED ON THE AFORESAID MAP; THENCE DUE EAST 225.79 FEET TO THE SAID SOUTHWEST CORNER OF LOT 91; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 91 SOUTH 63° 42' EAST A DISTANCE OF 50 FEET MORE OR LESS TO THE ORDINARY HIGH WATER MARK OF MONTEREY BAY; THENCE IN A NORTHERLY DIRECTION ALONG SAID ORDINARY HIGH WATER MARK A DISTANCE OF 1,161 FEET MORE OR LESS TO THE INTERSECTION OF SAID ORDINARY HIGH WATER MARK WITH THE NORTHERLY LINE OF SAID LOT 86; THENCE ALONG SAID NORTHERLY LINE OF LOT 86 NORTH 67° 02' WEST A DISTANCE OF 50 FEET MORE OR LESS TO THE POINT OF COMMENCEMENT, CONTAINING APPROXIMATELY 7.33 ACRES.

THE BID-LEASE FORM AUTHORIZED AND ADOPTED BY THE COMMISSION ON MAY 23, 1963 (MINUTE ITEM 25, page 8882), SHALL BE USED FOR THIS PARCEL.

Attachment
Calendar Item 24 (2 pages)

CALENDAR ITEM

24.

APPLICATION FOR MINERAL EXTRACTION LEASE, MONTEREY BAY, MONTEREY COUNTY;
GRANITE ROCK COMPANY - W.O. 5064.

An application has been received from Granite Rock Company, a California corporation, requesting that an area of approximately 7.33 acres of tide and submerged lands in the vicinity of Marina, Monterey Bay, Monterey County, be offered for lease for the extraction of sand pursuant to competitive public bidding in accordance with Division 6 of the Public Resources Code (see Exhibits "A" and "B").

The Department of Fish and Game has stated that the project would not be detrimental to fish and wild life resources of the area, and that it does not oppose the issuance of the proposed lease.

Pursuant to Section 6818 of the Public Resources Code, the application was referred to the Resources Agency and to the office of the Attorney General for review. The Resources Agency, Department of Parks and Recreation, Division of Beaches and Parks, states that the granting of the lease will not effect its present ownerships or proposed projects in the area; however, it urges that consideration be given to the effect of removal of this material as it may relate to the erosion of beaches in that vicinity. The Department of Water Resources has recommended either a denial of the permit or conditional approval by limiting the extraction of mineral deposits to not more than 100,000 tons per year and cessation of operations if, at the completion of United States Corps of Engineers study, results appear to the State to be detrimental to adjoining shore lines.

The Corps of Engineers has issued a Department of the Army permit authorizing extraction operations by the applicant in the described area. Said permit limits extraction to 40,000 cubic yards per year. The adjacent upland property is owned by the applicant. A performance bond is to be deposited by the lessee to guarantee the faithful performance and observance of all of the terms and conditions of the lease. The office of the Attorney General has stated that, when conditioned as outlined above, the application will comply with the provisions of the Public Resources Code and of the Rules and Regulations of the State Lands Commission.

The statutory filing fee and the required expense deposit have been submitted.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO OFFER FOR LEASE, PURSUANT TO COMPETITIVE BIDDING, FOR THE EXTRACTION OF SAND AT A MINIMUM ROYALTY OF \$0.06 PER CUBIC YARD FOR ALL SAND EXTRACTED, SUBJECT TO THE CONDITIONS (A) THAT THE MAXIMUM EXTRACTION SHALL NOT EXCEED 40,000 CUBIC YARDS A YEAR, AND (B) THAT THE COMMISSION WILL REVOKE THE LEASE IN THE EVENT IT IS DETERMINED THAT CONTINUED DREDGING ADVERSELY AFFECTS THE ADJOINING SHORELINE, AN AREA OF TIDE AND SUBMERGED LANDS IN MONTEREY BAY, MONTEREY COUNTY, DESCRIBED AS FOLLOWS:

CALENDAR ITEM 24. (CONTD.)

THAT CERTAIN PARCEL SITUATE IN THE COUNTY OF MONTEREY, STATE OF CALIFORNIA:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 86 AS SAID LOT IS DELINEATED AND DESIGNATED (WITHOUT REGARD TO THE SHORE LINE) UPON THAT CERTAIN MAP ENTITLED "LOCKE-PADDON COMPANY'S BAYSIDE SUBDIVISION OF MONTEREY CITY LANDS", FILED FEBRUARY 8, 1916, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, AND NOW ON FILE IN SAID OFFICE IN MAP BOOK TWO, MAPS AND GRANTS (OUTSIDE LANDS), AT PAGE 15 THEREIN; THENCE DUE WEST 225 FEET TO A POINT; THENCE SOUTH $6^{\circ} 53'$ WEST A DISTANCE OF 1,161 FEET TO A POINT WHICH IS DUE WEST OF THE SOUTHWEST CORNER OF LOT 91 AS SAID LOT IS DELINEATED AND DESIGNATED ON THE AFORESAID MAP; THENCE DUE EAST 225.79 FEET TO THE SAID SOUTHWEST CORNER OF LOT 91; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 91 SOUTH $63^{\circ} 42'$ EAST A DISTANCE OF 50 FEET MORE OR LESS TO THE ORDINARY HIGH WATER MARK OF MONTEREY BAY; THENCE IN A NORTHERLY DIRECTION ALONG SAID ORDINARY HIGH WATER MARK A DISTANCE OF 1,161 FEET MORE OR LESS TO THE INTERSECTION OF SAID ORDINARY HIGH WATER MARK WITH THE NORTHERLY LINE OF SAID LOT 86; THENCE ALONG SAID NORTHERLY LINE OF LOT 86 NORTH $67^{\circ} 02'$ WEST A DISTANCE OF 50 FEET MORE OR LESS TO THE POINT OF COMMENCEMENT, CONTAINING APPROXIMATELY 7.33 ACRES.

THE BID-LEASE FORM AUTHORIZED AND ADOPTED BY THE COMMISSION ON MAY 23, 1963 (MINUTE ITEM 25, PAGE 8882), SHALL BE USED FOR THIS PARCEL.