

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

THE EXECUTIVE OFFICER IS AUTHORIZED TO EXECUTE AND ISSUE TO MR. EMERSON A. RAY A PREFERENTIAL MINERAL LEASE IN THE STANDARD FORM AUTHORIZED UNDER THE PUBLIC RESOURCES CODE, COVERING 150 ACRES IN THE SW $\frac{1}{4}$ OF SECTION 16, T. 14 N., R. 12 E., S.B.B. & M., SAN BERNARDINO COUNTY, HERETOFORE INCLUDED IN PROSPECTING PERMIT P.R.C. 1313.2, AT THE ROYALTY RATE SPECIFIED IN THE SUBJECT PROSPECTING PERMIT, AND AT AN ANNUAL RENTAL OF \$160, SUBJECT TO THE DEPOSIT BY THE LESSEE OF A PERFORMANCE BOND IN THE AMOUNT OF \$1,000.

7. (APPLICATION FOR PROSPECTING PERMIT, B. A. TUNISON, SAN LUIS OBISPO COUNTY - W.O. 1682.) The Commission's staff reported as follows:

"On July 28, 1954, the Commission directed that the application of B. A. Tunison, requesting authorization for the removal of gravel from tide and submerged lands, San Luis Obispo County, be submitted to the Division of Beaches and Parks in accordance with Section 5901, Public Resources Code, for examination and report as to whether the proposed operations would unreasonably interfere with the maintenance and use of the littoral lands for recreational purposes or protection of shore property (Minute Item 6, page 2108).

"The Division of Beaches and Parks has reported as follows:

'As these lands are potential State park areas, and as the question of carrying out the Beach Master Plan in San Luis Obispo County will depend upon the disposition of the oil royalties, we are hopeful that action on this matter may be deferred.

'If this is not considered desirable by the State Lands Commission, we recommend that periodical surveys be made to determine the effect of the proposed sand removal on the existing beaches and bluffs up and down coast from the proposed removal area.'

"Section 6403 (2nd) Public Resources Code provides that mineral deposits reserved to the State include, among others, sand and gravel. Field inspection by this Division and the Division of Mines has shown the existence of deposits of beach gravel at the location proposed for operation by applicant Tunison. No prospecting would be required to establish the existence of these deposits, and the only operations required to render the material saleable would be excavation, grading and washing. Two letters in favor of the operation have been received from potential buyers of the product indicating its commercial feasibility. Section 6891, Public Resources Code, provides in part that 'Upon receipt of an application for a permit, (prospecting permit) 'the commission shall determine whether the lands described therein are known mineral lands. If it determines that the lands are known mineral lands, it shall thereupon so classify them and shall reject the application for a prospecting permit.'

"Two individual letters and two organization petitions protesting any proposed gravel extraction operations in the subject area have been received, as well as one letter from a resident of the vicinity and a petition with 75 signatures submitted in support of the project. The majority of these petition signatures are from residents of the Cambria area, approximately 15 miles south of the location of the proposed operation."

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

1. THE COMMISSION CLASSIFIES THE AREA DESCRIBED IN PROSPECTING PERMIT APPLICATION, W.O. 1682, SAN LUIS OBISPO COUNTY, AS KNOWN MINERAL LAND FOR SAND AND GRAVEL EXTRACTION.
2. THE EXECUTIVE OFFICER IS AUTHORIZED TO REJECT APPLICATION, W.O. 1682, FROM MR. BASIL A. TUNISON, FOR PROSPECTING PERMIT ON TIDE AND SUBMERGED LANDS, APPROXIMATELY 7 MILES NORTH OF SAN SIMEON, SAN LUIS OBISPO COUNTY.
3. THE EXECUTIVE OFFICER IS FURTHER AUTHORIZED TO OFFER THE FOLLOWING DESCRIBED TIDE AND SUBMERGED LANDS FOR MINERAL EXTRACTION LEASE PURSUANT TO COMPETITIVE PUBLIC BIDDING IN ACCORDANCE WITH DIVISION 6 OF THE PUBLIC RESOURCES CODE:
 - A. THOSE TIDE AND SUBMERGED LANDS EXTENDING 600 FEET SEAWARD FROM THE ORDINARY HIGH-WATER MARK, EXTENDING NORTHWESTERLY ALONG THE ORDINARY HIGH-WATER MARK 1/2 MILE FROM THE NORTH LINE OF THE DAVID E. EVANS PROPERTY, AND SOUTHEASTERLY ALONG THE ORDINARY HIGH-WATER MARK ONE MILE FROM THE NORTH LINE OF THE DAVID E. EVANS PROPERTY. SAID DAVID E. EVANS PROPERTY IS DESCRIBED AS "THAT CERTAIN PARCEL OF REAL PROPERTY SITUATED IN THE COUNTY OF SAN LUIS OBISPO, SITUATED APPROXIMATELY SEVEN (7) MILES NORTH OF SAN SIMEON, AND BEING THAT PART OF THE PIEDRA BLANCA RANCHO WHICH LIES WESTERLY OF CALIFORNIA STATE HIGHWAY #1, AND WHICH SAID PARCEL OF LAND EXTENDS TO THE PACIFIC OCEAN AND CONTAINS 20 ACRES, MORE OR LESS."

THE LEASE IS TO BE LIMITED TO SUCH PORTIONS OF THE HEREINBEFORE DESCRIBED TIDE AND SUBMERGED LANDS AS ADJOIN UPLANDS OWNED BY THE SUCCESSFUL BIDDER, OR FOR WHICH THE SUCCESSFUL BIDDER POSSESSES WRITTEN CONSENT FROM THE UPLAND OWNER FOR THE CONDUCT OF THE GRAVEL EXTRACTION OPERATIONS ON THE ADJOINING TIDE AND SUBMERGED LANDS. THE LEASE OFFER SHALL PROVIDE THAT THE MINIMUM ACCEPTABLE ROYALTY WILL BE 3¢ PER TON OF GRAVEL REMOVED FROM THE STATE LANDS. THE LEASE SHALL PROVIDE THAT EXTRACTION MAY NOT EXCEED 2,000 TONS A MONTH, AND THAT THE LEASE MAY BE CANCELLED BY THE STATE UPON 30 DAYS' NOTICE SHOULD IT BE DETERMINED BY THE STATE THAT THE REMOVAL OF GRAVEL IS INTERFERING UNREASONABLY WITH THE MAINTENANCE AND USE OF BEACHES OR LITTORAL LANDS IN THE AREA.

8. (SALE OF VACANT SCHOOL LAND, APPLICATION NO. 1897, SACRAMENTO LAND DISTRICT, LAKE COUNTY, J. D. CHILCOTE - S.W.O. 5763.) The Commission's staff reported as follows: