

MINUTE ITEM

22. APPLICATION FOR DREDGING PERMIT, FEATHER RIVER, SUTTER COUNTY; GRANITE CONSTRUCTION COMPANY - W.O. 5484, P.R.C. 3271.1.

Following presentation of Calendar Item 26 attached, Mr. Richard Solari appeared on behalf of the Granite Construction Company, and appealed to the Commission to reduce the royalty rate to a lower figure than 9¢ a cubic yard, on the basis that there would be a certain amount of beneficial accomplishment and that it would be to the good of the public need to remove the material.

The Executive Officer explained that 9¢ was a very low value for commercially effective fill, and that in setting this figure the public benefit already had been taken into consideration.

Following further discussion, it was decided that the permit should be issued on the 9¢ basis, but with the understanding that the pricing provisions could be reviewed at a later date if the Granite Construction Company could present valid reasons for a review.

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

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE A PERMIT TO GRANITE CONSTRUCTION COMPANY TO DREDGE APPROXIMATELY 150,000 CUBIC YARDS OF MATERIAL FROM THE BED OF THE FEATHER RIVER, SUTTER COUNTY, AT A ROYALTY OF \$0.09 PER CUBIC YARD FOR ALL MATERIAL EXTRACTED. THE AREA TO BE INCLUDED IN THE PERMIT IS DESCRIBED IN EXHIBIT "B".

Attachment
Calendar Item 26 (3 pages)

CALENDAR ITEM

26.

APPLICATION FOR DREDGING PERMIT, FEATHER RIVER, SUTTER COUNTY; GRANITE CONSTRUCTION COMPANY - W.O. 5484.

An application has been received from Granite Construction Company for a permit to dredge approximately 150,000 cubic yards of material from the bed of the Feather River in the area extending from its mouth near Verona, to approximately 8,000 feet upstream, Sutter County. The material is to be used as subbase on the new Sacramento Metropolitan Airport, which the applicant has a contract to construct.

Section 6303 of the Public Resources Code provides, in part, that "When a contractor or permittee has a contract with, or a permit from the Federal government, or any authorized public agency, to dredge...beds of navigable streams for the improvement of navigation, reclamation, or flood control, the Commission may, when in the best interests of the State, allow such contractor or permittee to have sand, gravel, or other spoils dredged from the sovereign lands of the State located within the areas specified in such contract or permit upon such terms and conditions and for such consideration as will be in the best interests of the State....".

The U. S. Corps of Engineers has issued a Department of the Army permit authorizing the conduct of dredging operations at the location described in the application. The Division of Beaches and Parks has reported that the proposed operation would not interfere with any of its program in the area. The Department of Fish and Game has reviewed the application and has recommended that specific provisions be included in the permit (see Exhibit "A"). The applicant has received a Board Order from the Reclamation Board authorizing the work.

The \$5 filing fee has been submitted by the applicant.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE A PERMIT TO GRANITE CONSTRUCTION COMPANY TO DREDGE APPROXIMATELY 150,000 CUBIC YARDS OF MATERIAL FROM THE BED OF THE FEATHER RIVER, SUTTER COUNTY, AT A ROYALTY OF \$0.09 PER CUBIC YARD FOR ALL MATERIAL EXTRACTED. THE AREA TO BE INCLUDED IN THE PERMIT IS DESCRIBED IN EXHIBIT "B".

Attachment
Exhibit "A"
Exhibit "B"

EXHIBIT "A"

- (1) No trees or vegetation shall be removed from west levee berm.
- (2) Removal of trees or shrubs from the east levee berm shall be confined to the rights-of-way for two proposed entrance and exit ramps. If additional vegetation is to be removed, the State Lands Commission must be notified at least one week in advance of the work so that arrangements can be made for supervision of the proposed vegetation removal.
- (3) All material removal activity in the Feather River flood plain after August 1, 1965, shall be isolated from the flowing river by a system of dikes.
- (4) Free passage for fish shall be maintained at all times past the work area.
- (5) Upon determination by the State Lands Commission that the conduct of dredging operations is detrimental to fish, wild life, or the recreational use of the lower Feather River or the Sacramento River, operations will be discontinued until remedial measures have been adopted.

EXHIBIT "B"

A parcel of land in the bed of the Feather River in Sections 15 and 22, T. 11 N., R. 3 E., M.D.B.& M., Sutter County, California, approximately 22 miles northwesterly of the City of Sacramento; being bounded on the north by the north line of Section 15, on the east by the Low Water Mark of the Feather River, on the south by the mouth of the Feather River at its junction with the Sacramento River and bounded on the west by the Low Water Mark of the west bank of the Feather River; containing 100 acres more or less.