

41. OFFER OF LEASE FOR SAND AND GRAVEL EXTRACTION, RUSSIAN RIVER, SONOMA COUNTY - W.O. 5293.

The Executive Officer called to the attention of the Commission that in the last paragraph on page 2 of Calendar Item 39 attached, the reference should be to Exhibit "B-1" instead of "B".

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

THE COMMISSION:

1. FINDS THAT IT IS IN THE BEST INTERESTS OF THE STATE TO LEASE FOR THE EXTRACTION OF SAND AND GRAVEL CERTAIN SOVEREIGN LANDS OF THE STATE OF CALIFORNIA IN THE RUSSIAN RIVER, SONOMA COUNTY, STATE OF CALIFORNIA.
2. AUTHORIZES THE EXECUTIVE OFFICER TO PROCEED WITH THE PUBLICATION OF A NOTICE AS REQUIRED BY LAW THAT THE COMMISSION INTENDS TO OFFER A LEASE FOR THE EXTRACTION OF SAND AND GRAVEL FROM APPROXIMATELY 325 ACRES OF SOVEREIGN LANDS OF THE STATE OF CALIFORNIA IN THE RUSSIAN RIVER, SONOMA COUNTY, BEING ALL OF THAT CERTAIN REAL PROPERTY RUNNING FROM THE MOUTH OF THE RUSSIAN RIVER TO A POINT APPROXIMATELY FOUR MILES UPSTREAM AND BEING ALL OF THAT PORTION OF THE BED OF THE RUSSIAN RIVER LYING BETWEEN THE LINES OF ORDINARY HIGH WATER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE LINE OF ORDINARY HIGH WATER, AT THE NORTHWEST TIP OF AN EXISTING JETTY, AT THE MOUTH OF THE RUSSIAN RIVER, SAID POINT HAVING THE COORDINATES X = 1,676,667.00 FEET, Y = 287,562.00 FEET, BASED UPON THE CALIFORNIA COORDINATE SYSTEM, ZONE 2, FROM WHICH POINT THE U. S. COAST AND GEODETIC SURVEY MONUMENT "PEAKED HILL", HAVING THE COORDINATES X = 1,679,864.88 FEET, Y = 280,427.18 FEET, BEARS S. 24° 08' 32" E., 7,818.70 FEET; THENCE FROM SAID POINT OF BEGINNING AND FOLLOWING THE LEFT AND SOUTHERLY BANK OF THE RUSSIAN RIVER ALONG THE LINE OF ORDINARY HIGH WATER TO A POINT HAVING THE COORDINATES X = 1,693,419.00 FEET, Y = 283,723.00 FEET; THENCE LEAVING THE LEFT OR SOUTHERLY BANK OF THE RUSSIAN RIVER AND CROSSING TO THE RIGHT OR NORTHERLY BANK OF SAID RIVER N. 21° 44' W., 345.58 FEET, TO A POINT HAVING THE COORDINATES X = 1,693,291.00 FEET, Y = 284,044.00 FEET; THENCE FOLLOWING THE RIGHT OR NORTHERLY BANK OF THE RUSSIAN RIVER ALONG THE LINE OF ORDINARY HIGH WATER TO A POINT ON THE EAST SIDE OF A LARGE PINNACLE ROCK; THENCE CROSSING THE MOUTH OF THE RUSSIAN RIVER S. 0° 56' W. 492.94 FEET TO THE POINT OF BEGINNING, AND EXCLUDING THEREFROM PENNY ISLAND AND CRAB ISLAND.

BEARINGS, DISTANCES AND COORDINATES IN THIS DESCRIPTION ARE BASED UPON CALIFORNIA COORDINATE SYSTEM, ZONE 2.

AND WHICH LANDS ARE DESCRIBED IN DETAIL BY METES AND BOUNDS IN THE FORM OF BID-LEASE, EXHIBIT "A", ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF.

PUBLICATION OF NOTICE OF INTENTION AND PROPOSAL IN CONNECTION THEREWITH ARE TO BE IN THE FORM OF EXHIBITS "B" AND "C" ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF.

Attachment

Calendar Item 39 (2 pages)

39.

OFFER OF LEASE FOR SAND AND GRAVEL EXTRACTION, RUSSIAN RIVER, SONOMA COUNTY -  
W.O. 5293.

Section 6303.2 and Section 5006.4 of the Public Resources Code were added by Chapter 1858, Statutes of 1965. Section 6303.2 provides in part that the State Lands Commission in order to improve navigation . . . protect, preserve or restore public resources . . . may lease to a lessee the privilege to remove sand, gravel or other related materials from the bed of the Russian River, Sonoma County, in accordance with such terms and conditions as will be in the best interests of the State. Such lease shall be made with the advice of the Administrator of the Resources Agency. The awarding of the lease is to be accomplished by the Commission by competitive bidding to the highest responsible bidder pursuant to Section 6890 to 6900 of the Public Resources Code under general regulations adopted by the Commission.

Section 5006.4 provides in part that when it is found by the Director of Parks and Recreation and the Administrator of the Resources Agency that the acquisition by the State of any real property owned by the lessee within a distance of not more than ten miles from the mouth of the Russian River would be of substantial benefit as recreational land the State Lands Commission may include as a condition of the lease . . . that such real property may be offered in lieu or in addition to monetary royalty.

The proposed lease will be for a period of twenty years, at a minimum royalty of six cents per cubic yard. Provision is made for acceptance of real property in lieu of monetary royalty. Any lease issued will be without warranty of title by the State, and the lessee will be required to indemnify and save harmless the State and its officers from any liability arising out of issuance of the lease because of failure of title or violation of property or contractual rights of third persons in the leased lands. Provisions have been included for protection against erosion and water pollution. Two bonds will be required; one to insure performance of the general terms of the lease, and the other as required by the Department of Public Works to protect against possible damage to the bridge and highways in the vicinity of the lease area. The lease will also contain provisions for the protection of the State Division of Highways bridge and highway in the area.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT IT IS IN THE BEST INTERESTS OF THE STATE TO LEASE FOR THE EXTRACTION OF SAND AND GRAVEL CERTAIN SOVEREIGN LANDS OF THE STATE OF CALIFORNIA IN THE RUSSIAN RIVER, SONOMA COUNTY, STATE OF CALIFORNIA.
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SUPPLEMENTAL CALENDAR ITEM 39. (CONTD.)

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