

MINUTE ITEM

6/22/67

28. EXTENSION OF TIME WITHIN WHICH UTAH CONSTRUCTION & MINING CO. MAY OPEN THE MOUTH OF THE RUSSIAN RIVER UNDER THE TERMS OF MINERAL EXTRACTION LEASE P.R.C. 3502.1, SONOMA COUNTY - W.O. 6536 AND W.O. 6616.

After consideration of Calendar Item 29 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION EXTENDS TO JUNE 28, 1968, THE TIME WITHIN WHICH UTAH CONSTRUCTION & MINING CO. MAY OPEN THE MOUTH OF THE RUSSIAN RIVER UNDER THE TERMS OF MINERAL EXTRACTION LEASE P.R.C. 3502.1, ALL OTHER TERMS AND CONDITIONS OF SAID LEASE INCLUDING WITHOUT LIMITATION OF THE GENERALITIES OF THE FOREGOING, THE OBLIGATION TO PAY THE ANNUAL RENTAL AND MINIMUM ROYALTY SPECIFIED IN SAID LEASE SHALL REMAIN UNCHANGED, EXCEPT THAT LESSEE SHALL HAVE NO RIGHT TO RELINQUISH SAID LEASE OR ANY PORTION THEREOF UNTIL ON OR AFTER SEPTEMBER 28, 1968.

Attachment

Calendar Item 29 (2 pages)

29.

APPLICATION FOR EXTENSION OF TIME WITHIN WHICH UTAH CONSTRUCTION & MINING CO. MAY OPEN THE MOUTH OF THE RUSSIAN RIVER UNDER THE TERMS OF MINERAL EXTRACTION LEASE P.R.C. 3502.1, SONOMA COUNTY - W.O. 6536 AND W.O. 6616.

Paragraph 8(A), page 19, of the Utah Construction & Mining Co. Mineral Extraction Lease P.R.C. 3502.1 provides as follows:

"Within nine (9) months of the lease award, Lessee shall dredge an opening at the mouth of the Russian River to the hereinafter set forth standards. The aforesaid opening shall be at least fifteen (15) feet in depth at mean lower low water. The width of said opening shall be not less than one hundred fifty (150) feet at the river bottom. The aforesaid condition of navigability shall be maintained at least two hundred fifty (250) days of each year. The movement of all vessels through said opening shall be subject to standard navigational rules."

and paragraph 17 of said lease provides as follows:

"17. Lessee may relinquish a portion or all of its rights under this lease pursuant to the provisions of this paragraph at any date after one year after the effective date hereof...."

The Utah Construction & Mining Co. has made a sincere effort to carry out the above term by expending substantial sums of money and conducting extensive studies concerning the feasibility of various methods to open the mouth of the Russian River. The following are the primary alternatives that it has had under consideration:

1. Construction of permanent jetties.
2. Purchase of surplus naval ships, cutting off bow and stern sections, removal of machinery and superstructure, and sinking the hulls in sufficient quantity and pattern to perform as jetties.
3. Offshore loading techniques using a sunken pipeline through which material would be pumped into barges.
4. Offshore loading utilizing a trestle and conveying system.
5. Truck haul of gravel from the river to Bodega Bay, where it would be loaded into barges and transported to their Richmond plant.

None of the above alternatives has proven economically feasible. The applicant is continuing comprehensive hydrographic surveys of the ocean and river areas to determine a feasible method to keep the mouth of the river open. At the present time Utah is examining the possibility of erecting a Sauerman-type yarder with anchors out in the ocean approximately 1000 feet from shore. Utah

CALENDAR ITEM 29. (CONTD.)

has applied for an extension to June 28, 1968, in which to continue its studies and attempt to find a feasible means to keep the mouth of the river open.

IT IS RECOMMENDED THAT THE COMMISSION EXTEND TO JUNE 28, 1968, THE TIME WITHIN WHICH UTAH CONSTRUCTION & MINING CO. MAY OPEN THE MOUTH OF THE RUSSIAN RIVER UNDER THE TERMS OF MINERAL EXTRACTION LEASE P.R.C. 3502.1, ALL OTHER TERMS AND CONDITIONS OF SAID LEASE INCLUDING WITHOUT LIMITATION OF THE GENERALITIES OF THE FOREGOING, THE OBLIGATION TO PAY THE ANNUAL RENTAL AND MINIMUM ROYALTY SPECIFIED IN SAID LEASE SHALL REMAIN UNCHANGED, EXCEPT THAT LESSEE SHALL HAVE NO RIGHT TO RELINQUISH SAID LEASE OR ANY PORTION THEREOF UNTIL ON OR AFTER SEPTEMBER 28, 1968.