

MINUTE ITEM

5/29/69

39. ACQUISITION BY THE STATE FROM THE DEPARTMENT OF ARMY, CORPS OF ENGINEERS, OF PARCELS OF SUBMERGED LAND IN THE PETALUMA RIVER - W.O. N-0336.

After consideration of Calendar Item 15 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE DIVISION TO PROCEED WITH NEGOTIATIONS FOR THE ACQUISITION OF PARCELS IN THE PETALUMA RIVER FROM THE DEPARTMENT OF ARMY, CORPS OF ENGINEERS. FINAL ACQUISITION AGREEMENTS WILL BE SUBMITTED FOR COMMISSION REVIEW AND APPROVAL.

Attachment

Calendar Item 15 (1 page)

15.

PROPERTY ACQUISITION, PETALUMA RIVER

The Department of Army, Corps of Engineers, is owner in fee of many parcels of submerged land throughout California waterways. Most of such parcels were acquired during past decades for navigational purposes. Several such parcels (see Exhibit "A") are located contiguous to submerged lands under jurisdiction of the State Lands Commission within the Petaluma River.

The Corps of Engineers has proposed to convey the fee ownership of these parcels to the State of California at no cost, retaining the right to maintain an easement for navigation.

Preliminary investigation indicates the following:

1. The parcels are valuable for fishing, recreation, and commerce, and should remain in public ownership.
2. The rights retained by the Corps would be consistent with the responsibilities of the Commission.
3. Acquisition of the parcels would save the State costs and litigation in fixing the boundaries of the affected sections of the Petaluma River.
4. If the State doesn't accept these parcels, they eventually will be sold into private ownership for development.
5. Upon acquisition, the parcels will fall within the exclusive jurisdiction of the Commission, pursuant to Section 6301 of the Public Resources Code.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE DIVISION TO PROCEED WITH NEGOTIATIONS FOR THE ACQUISITION OF PARCELS IN THE PETALUMA RIVER FROM THE DEPARTMENT OF ARMY, CORPS OF ENGINEERS. FINAL ACQUISITION AGREEMENTS WILL BE SUBMITTED FOR COMMISSION REVIEW AND APPROVAL.