

2/29/68

8. CONDEMNATION OF MINERALS BY THE STATE DIVISION OF HIGHWAYS AND ISSUANCE OF RIGHT-OF-ENTRY PERMIT IN CONNECTION THEREWITH, LASSEN COUNTY - W.O. 6869, P.R.C. 3902.9.

After consideration of Calendar Item 25 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES:

1. ISSUANCE TO THE STATE DIVISION OF HIGHWAYS, UPON THE FILING OF A CONDEMNATION ACTION FOR THE REMOVAL OF MINERALS FROM A PARCEL OF LAND DESCRIBED AS THE NW $\frac{1}{4}$  OF THE NW $\frac{1}{4}$  OF SECTION 27, T. 26 N., R. 16 E., M.D.M., LASSEN COUNTY, A RIGHT-OF-ENTRY PERMIT TO SAID PARCEL FOR SUCH REMOVAL, SUBJECT TO THE CONDITIONS THAT THE STATE DIVISION OF HIGHWAYS SHALL:
  - A. REPLACE OR CAUSE TO BE REPLACED AS NEARLY AS REASONABLY POSSIBLE IN THE ORIGINAL LOCATIONS ANY AND ALL ROADWAYS WHICH IT SHALL FIND NECESSARY TO REMOVE OR RELOCATE IN SECURING MATERIAL OR IN TRANSPORTING SAME AFTER EXCAVATION.
  - B. CLOSE OR CAUSE TO BE CLOSED AT THE DESIRE OF THE OWNER ANY ROADWAYS WHICH HAVE BEEN CREATED FOR THE PURPOSE OF REMOVING MATERIAL FROM THE EXCAVATION SITE.
  - C. UPON COMPLETION OF EXCAVATION DO OR CAUSE TO BE DONE THE FOLLOWING: SLOPE ALL EXCAVATION BANKS TO APPROXIMATELY A 2-TO-1 SLOPE; FILL ANY DEEP HOLES, PITS, WELLS OR TRENCHES; REMOVE ALL EQUIPMENT USED TO HANDLE, SORT, OR TRANSPORT EXCAVATED MATERIAL; LEAVE THE AREA IN A GENERALLY NEAT-APPEARING CONDITION AND FREE OF ANY SAFETY HAZARDS FOR PUBLIC USE.
  - D. PLANT THE AREA DENuded BY THE MATERIAL OPERATIONS TO PERMANENT GRASSES AND/OR FORBS OF A TYPE SPECIFIED BY THE DEPARTMENT OF FISH AND GAME. THIS COVER ESTABLISHMENT IS DESIGNED TO REDUCE THE EROSION HAZARD AND TO COMPENSATE FOR THE LOSS OF WILDLIFE COVER CAUSED BY THE MATERIAL REMOVAL.

Attachment  
Calendar Item 25 (1 page)

25.

PROPOSED CONDEMNATION OF MINERALS BY THE STATE DIVISION OF HIGHWAYS AND ISSUANCE OF RIGHT-OF-ENTRY PERMIT IN CONNECTION THEREWITH, NW $\frac{1}{4}$  OF THE NW $\frac{1}{4}$  OF SECTION 27, T. 26 N., R. 16 E. M.D.M., LASSEN COUNTY - W.O. 6869.

The State Division of Highways has informed the State Lands Commission and the Department of Fish and Game that it requires approximately 180,000 tons of gravel from the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 27, T. 26 N., R. 16 E., M.D.M., Lassen County, in connection with State Highway 02-LAS-395. The parcel of land was patented to the Department of Fish and Game on March 10, 1948, with the 100% of the minerals reserved by the State. The State Division of Highways proposes to condemn the necessary minerals upon payment of just compensation to the State and requires a right-of-entry permit to the parcel in order to remove the material. The Department of Fish and Game has no objection except that it has requested that certain conditions be imposed to protect the surface. The State Division of Highways is agreeable to the conditions.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO:

1. ISSUE TO THE STATE DIVISION OF HIGHWAYS, UPON THE FILING OF A CONDEMNATION ACTION FOR THE REMOVAL OF MINERALS FROM A PARCEL OF LAND DESCRIBED AS THE NW $\frac{1}{4}$  OF THE NW $\frac{1}{4}$  OF SECTION 27, T. 26 N., R. 16 E., M.D.M., LASSEN COUNTY, A RIGHT-OF-ENTRY PERMIT TO SAID PARCEL FOR SUCH REMOVAL, SUBJECT TO THE CONDITIONS THAT THE STATE DIVISION OF HIGHWAYS SHALL:
  - A. REPLACE OR CAUSE TO BE REPLACED AS NEARLY AS REASONABLY POSSIBLE IN THE ORIGINAL LOCATIONS ANY AND ALL ROADWAYS WHICH IT SHALL FIND NECESSARY TO REMOVE OR RELOCATE IN SECURING MATERIAL OR IN TRANSPORTING SAME AFTER EXCAVATION.
  - B. CLOSE OR CAUSE TO BE CLOSED AT THE DESIRE OF THE OWNER ANY ROADWAYS WHICH HAVE BEEN CREATED FOR THE PURPOSE OF REMOVING MATERIAL FROM THE EXCAVATION SITE.
  - C. UPON COMPLETION OF EXCAVATION DO OR CAUSE TO BE DONE THE FOLLOWING: SLOPE ALL EXCAVATION BANKS TO APPROXIMATELY A 2-TO-1 SLOPE; FILL ANY DEEP HOLES, PITS, WELLS OR TRENCHES; REMOVE ALL EQUIPMENT USED TO HANDLE, SORT, OR TRANSPORT EXCAVATED MATERIAL; LEAVE THE AREA IN A GENERALLY NEAT-APPEARING CONDITION AND FREE OF ANY SAFETY HAZARDS FOR PUBLIC USE.
  - D. PLANT THE AREA DENUDED BY THE MATERIAL OPERATIONS TO PERENNIAL GRASSES AND/OR FORBS OF A TYPE SPECIFIED BY THE DEPARTMENT OF FISH AND GAME. THIS COVER ESTABLISHMENT IS DESIGNED TO REDUCE THE EROSION HAZARD AND TO COMPENSATE FOR THE LOSS OF WILDLIFE COVER CAUSED BY THE MATERIAL REMOVAL.