

MINUTE ITEM

5/23/68

57. STIPULATION FOR JUDGMENT IN THE MATTER OF PEOPLE OF THE STATE OF CALIFORNIA ACTING BY AND THROUGH THE DEPARTMENT OF PUBLIC WORKS V. DEPARTMENT OF FISH AND GAME, ET AL., LASSEN COUNTY SUPERIOR COURT CASE NO. 10719; LASSEN COUNTY - W.O. 503.558, W.O. 6869. → P.R.C. 3999.2

After consideration of Calendar Item 32 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE STATE LANDS COMMISSION AUTHORIZES THE ATTORNEY GENERAL TO ENTER INTO AN APPROPRIATE STIPULATION FOR JUDGMENT IN CONDEMNATION IN THE ACTION TITLED PEOPLE OF THE STATE OF CALIFORNIA V. DEPARTMENT OF FISH AND GAME, ET AL., LASSEN COUNTY SUPERIOR COURT CASE NO. 10719, AGREEING TO THE EXTRACTION OF 180,000 CUBIC YARDS OF MATERIAL SUBJECT TO THE FOLLOWING CONDITIONS:

1. PAYMENT TO THE STATE LANDS COMMISSION BY THE DIVISION OF HIGHWAYS OF SIX CENTS PER CUBIC YARD OF MATERIAL REMOVED.
2. COMPLIANCE BY DIVISION OF HIGHWAYS WITH NECESSARY CONDITIONS SPECIFIED BY THE DEPARTMENT OF FISH AND GAME FOR RESTORATION OF THE SURFACE OF THE REMOVAL OPERATIONS AREA.

Attachment

Calendar Item 32 (1 page)

PROPOSED STIPULATION FOR JUDGMENT IN THE MATTER OF PEOPLE OF THE STATE OF CALIFORNIA ACTING BY AND THROUGH THE DEPARTMENT OF PUBLIC WORKS V. DEPARTMENT OF FISH AND GAME, ET AL., LASSEN COUNTY SUPERIOR COURT CASE NO. 10719; LASSEN COUNTY - W.O. 503.558, W.O. 6869.

The Department of Public Works has filed an action against the Department of Fish and Game and the State Lands Commission in order to remove 180,000 cubic yards of material in connection with the construction of a State highway in Lassen County. The Department of Fish and Game is the owner of the surface area. However, the minerals have been reserved by the State and are under the jurisdiction of the State Lands Commission. The Division of Highways proposes to pay the State six cents per cubic yard for the material removed, and will comply with all necessary conditions specified by the Department of Fish and Game to restore the surface area to its original condition as far as possible. A proposed stipulation for judgment incorporates the foregoing understandings.

IT IS RECOMMENDED THAT THE STATE LANDS COMMISSION AUTHORIZE THE ATTORNEY GENERAL TO ENTER INTO AN APPROPRIATE STIPULATION FOR JUDGMENT IN CONDEMNATION IN THE ACTION TITLED PEOPLE OF THE STATE OF CALIFORNIA V. DEPARTMENT OF FISH AND GAME, ET AL., LASSEN COUNTY SUPERIOR COURT CASE NO. 10719, AGREEING TO THE EXTRACTION OF 180,000 CUBIC YARDS OF MATERIAL SUBJECT TO THE FOLLOWING CONDITIONS:

1. PAYMENT TO THE STATE LANDS COMMISSION BY THE DIVISION OF HIGHWAYS OF SIX CENTS PER CUBIC YARD OF MATERIAL REMOVED.
2. COMPLIANCE BY DIVISION OF HIGHWAYS WITH NECESSARY CONDITIONS SPECIFIED BY THE DEPARTMENT OF FISH AND GAME FOR RESTORATION OF THE SURFACE OF THE REMOVAL OPERATIONS AREA.