MINUTE ITEM
This Calendar Item No. C5
was approved as Minute Item
No. 5 by the State Lands
Commission by a vote of 3
to 0 at its 2/22/79
meeting.

CALENDAR ITEM

C5.

2/79
PRC 3189.9
Childress

TERMINATION OF A 49-YEAR
RIGHT-OF-WAY EASEMENT

PERMITTEE: California Department of Forestry
1416 Ninth Street, 15th Floor
Sacramento, California 95814

AREA, TYPE LAND AND LOCATION:
A 1.84± acre parcel of State school land in the NW¼ of SE¼ of Section 16, T15N, R10E, MDM, approximately ½ mile southerly of Gold Run in Placer County.

LAND USE: The construction and maintenance of a firebreak.

TERMS OF ORIGINAL PERMIT:
Initial period: 49 years from September 24, 1964.

Consideration: Public benefit.

OTHER PERTINENT INFORMATION:

1. The State Lands Commission approved the above permit by Minute Item 19 on September 24, 1964. Paragraph 4 of the permit provides that it shall remain in force only so long as used for the purpose specified, and that upon non-use for a period of 365 days, the permit can be terminated upon written notice to the permittee and the State shall have the option to enter and take possession of said land.

2. On October 16, 1978, a staff inspection revealed the subject site was not being maintained as specified by the permit.

3. On November 2, 1978 the permittee advised staff that the subject lands had never been used for the intended purpose and that it was unlikely that they would ever be used as a firebreak. The applicant has no objection to the termination of the permit.

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4. By letter dated January 25, 1979, the permittee was notified that the State was exercising the option to terminate the permit. Said letter requested that the applicant sign and return the letter if they concur with the termination.

5. The permittee has concurred with said termination.

6. This action is exempt from CEQA because the proposed action is not a project and therefore not subject to environment review.

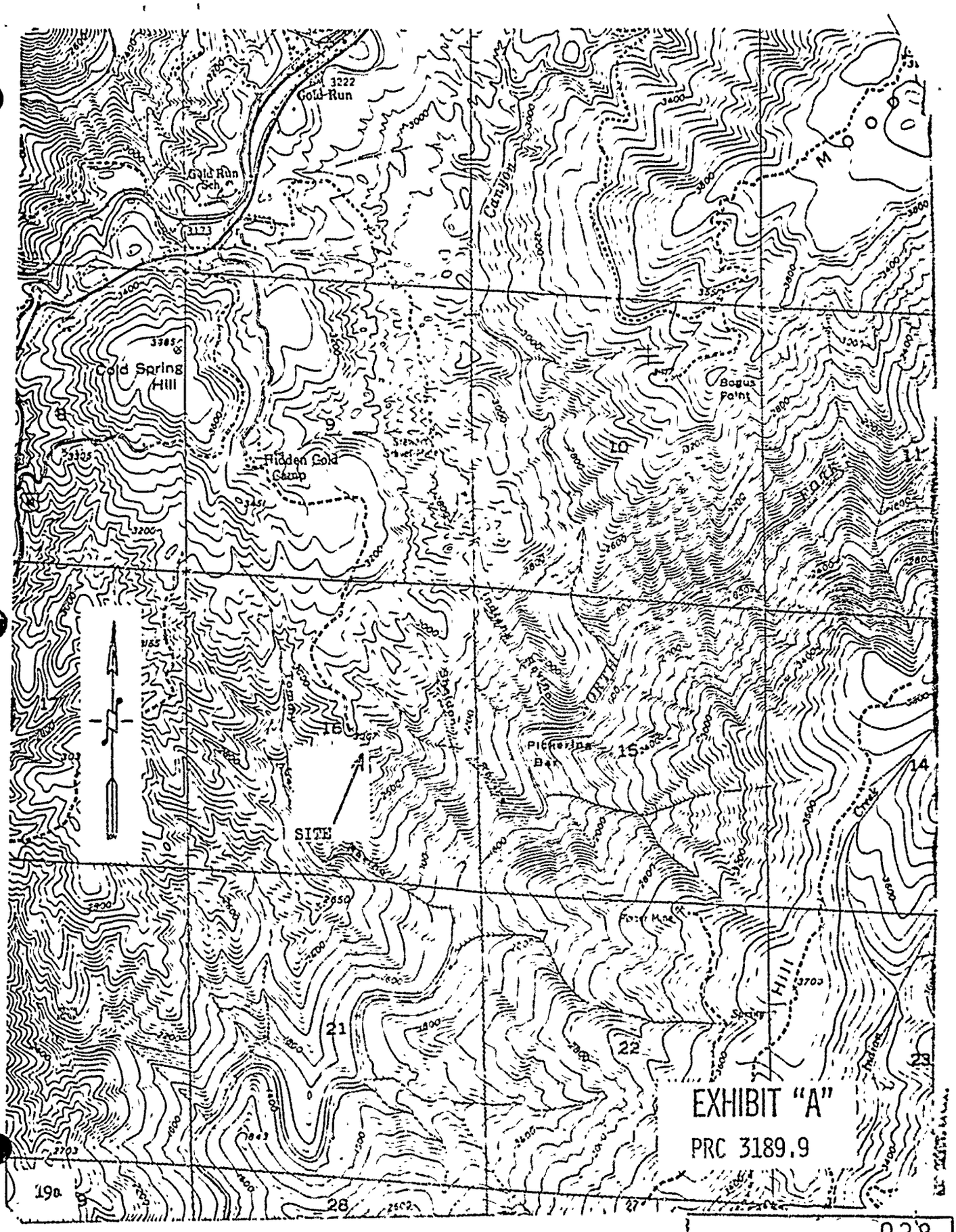
EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21065, 14 CAL. ADM. CODE 15037 AND 2 CAL. ADM. CODE 2903(d).

2. TERMINATE, FOR NON-USE, THE PERMIT APPROVED BY MINUTE ITEM 19 ON SEPTEMBER 24, 1964, FOR THE CONSTRUCTION AND MAINTENANCE OF A FIREBREAK.

3. AUTHORIZE ACCEPTANCE AND RECORDATION OF THE TERMINATION OF PRC 3189.9, EFFECTIVE FEBRUARY 1, 1979.



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