MINUTE ITEM

12/79
Childress
SA 5626

21. AMENDMENT TO PROPOSED SALE OF SCHOOL LAND IN TRINITY COUNTY

During consideration of Calendar Item 21 attached, Commission-Alternate David Ackerman suggested that, in light of the long-standing uncooperative attitude of the Bureau of Land Management concerning exchanges with the State and the fact they have continually withheld acting on the Commission's requests for such exchanges, the Commission defer acting on this matter until the staff contacts BLM and conveys the Commission's displeasure with them. Acting Chairman Roy M. Bell agreed and the item was deferred.

Attachment: Calendar Item 21 (7 Pages).

CALENDER ITEM

21.

12/79
SA 5626
Childress

AMENDMENT TO PROPOSED SALE OF SCHOOL LAND
IN TRINITY COUNTY

APPLICANT: Bureau of Land Management
2800 Cottage Way, Room E2605
Sacramento, California 95825

BACKGROUND: The State Lands Commission on September 27, 1978 (Minute Item 23), approved the sale of a perpetual road easement for $1,050 cash, over 3.99 acres of State school land in Trinity County.

CURRENT SITUATION: The applicant, after reviewing a draft of the proposed patent, has requested that the document be changed from a perpetual easement, to fee acquisition. The Bureau of Land Management had assumed fee acquisition and had based their purchase price accordingly.

OTHER PERTINENT DATA:

1. The staff has reviewed Bureau of Land Management's request and has determined that the fee acquisition will have no adverse effect on the lands retained by the Commission. The parcel to be be sold comprises a 100-foot right of way containing 2.9± acres and two severed remainder parcels of 0.02 and 1.07±acres respectively, which would be rendered useless if not taken as a part of this acquisition. Staff feels the approval of the proposed sale is in the best interest of the State.

2. An EIR is not required. This transaction does not constitute a project and is exempt from CEQA pursuant to P.R.C. 21065, 14 Cal. Adm. 15037 and 2 Cal. Adm. Code 2903(d). The original authorization was issued based upon compliance with Section 6373 of the P.R.C., a general plan was circulated through the State Clearinghouse under SCH #78050894. No comments were received.

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A 1
S 1

3. The patent reserves to the State of California the right to cross the granted lands for the purpose of access to other lands of grantor through which this right-of-way passes, pursuant to Section 6210.5 of the PRC.

EXHIBIT: A. Minute Item 23, September 27, 1978.

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 PROVISIONS OF P.R.C. 21065, 14 CAL. ADM. CODE 15037 AND 2 CAL. ADM. CODE 2903(d).

2. AUTHORIZE THE AMENDMENT OF MINUTE ITEM 23 OF THE SEPTEMBER 27, 1978 MEETING TO ALLOW THE SALE OF THE ROADWAY IN FEE, INSTEAD OF THE PREVIOUSLY APPROVED PERPETUAL ROAD EASEMENT. SAID SALE RESERVING THE RIGHT OF INGRESS AND EGRESS IN FAVOR OF THE STATE FOR ACCESS TO THE REMAINING STATE LANDS.

MINUTE ITEM
endar Item No. 23
proved as Minute Item
by the State Lands
ion by a vote of 2
at its 9/27/78

CALENDAR ITEM

23.

9/78
SA 5626
Childress

SALE OF A PERPETUAL EASEMENT OVER
SCHOOL LAND, TRINITY COUNTY

On November 10, 1977, the Bureau of Land Management filed an application to purchase an easement over 3.99 acres, more or less, of State school land in the SW¼ of SE¼ of Section 16, T34N, R11W, M.D.M., in Trinity County. The parcel comprises a 100-foot right-of-way for Brock Gulch Road which contains 2.90± acres, and 2 severed remainder parcels of 0.02 and 1.07± acres respectively, which would be rendered useless if not taken as a part of this aquisition.

The Bureau of Land Management has submitted an offer of $265 per acre for the 3.99± acres for a total offer of $1,050.00. The offer is based upon the fee value, as determined by a Bureau of Land Management appraisal. Said appraisal has been reviewed and approved by staff.

A staff review shows that the land is not suitable for cultivation and therefore may be sold under the rules and regulations and at a price fixed by the Commission.

OTHER PERTINENT INFORMATION:

1. This project is situated on State school lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

   Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing road for which no adverse comments have been received.

2. In compliance with Section 6373 of the P.R.C., the general use plan has been circulated by the State Office of Planning and Research under SCH #78050894, for the review and comment by State agencies. No comments were received.

EXHIBITS: A. Land Description. B. Location Map.
C. Use Plan.

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IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A GENERAL PLAN FOR USE OF THE SUBJECT LANDS HAS BEEN PREPARED BY THE COMMISSION'S STAFF AND CIRCULATED THROUGH THE STATE CLEARINGHOUSE UNDER SCH#78050894. APPROVE THE GENERAL PLAN FOR THE PROPOSED USE OF THE LANDS AND AUTHORIZE THE TRANSMITTAL OF SAID REPORT TO THE LEGISLATURE PURSUANT TO P.R.C. 6373.

2. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.

3. FIND THAT GRANTING OF THE PATENT FOR A PERPETUAL EASEMENT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.

4. FIND THAT THE STATE SCHOOL LAND DESCRIBED IN EXHIBIT A ATTACHED HERETO, IS NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION.

5. AUTHORIZE THE SALE OF A PERPETUAL ROAD EASEMENT OVER LANDS DESCRIBED IN EXHIBIT A ATTACHED AND BY REFERENCE MADE A PART HEREOF TO THE UNITED STATES BUREAU OF LAND MANAGEMENT; SUBJECT TO ALL STATUTORY AND CONSTITUTIONAL RESERVATIONS, INCLUDING RESERVATION OF ALL GEOTHERMAL AND MINERAL RESOURCES FOR $1,050,00 CASH, WITHOUT ADVERTISING.

EXHIBIT "A"

LAND DESCRIPTION

SA 5626

All that portion of the southwest quarter of the southeast quarter of Section 16, T34N, R11W, MDM, as said Section 16 is shown upon the plat of Dependent Resurvey and Subdivision of Sections approved by the Bureau of Land Management April 8, 1976, County of Trinity, State of California, described as follows:

BEGINNING at the quarter corner common to Sections 16 and 21 of said Township and Range; thence North 06° 22' East 273.73 feet along the west line of said southeast quarter; thence South 28° 44' 34" East 164.35 feet to the beginning of a tangent curve to the left having a radius of 10.00 feet; thence easterly along said curve through a central angle of 100° 35' 11" an arc length of 17.56 feet; thence North 50° 40' 15" East 64.32 feet to the beginning of a tangent curve to the right having a radius of 350.00 feet; thence easterly along said curve through a central angle of 42° 45' 46" an arc length of 261.22 feet; thence South 86° 33' 59" East 19.54 feet to the beginning of a tangent curve to the left having a radius of 50.00 feet; thence easterly along said curve through a central angle of 15° 06' 50" an arc length of 13.19 feet; thence North 78° 19' 11" East 49.60 feet to the beginning of a tangent curve to the right having a radius of 225.00 feet; thence easterly along said curve through a central angle of 27° 48' 53" an arc length of 109.23 feet; thence South 73° 51' 56" East 90.20 feet to the beginning of a tangent curve to the left having a radius of 80.00 feet; thence easterly along said curve through a central angle of 10° 43' 42" an arc length of 14.98 feet; thence South 84° 35' 38" East 129.74 feet to the beginning of a tangent curve to the left having a radius of 50.00 feet; thence easterly along said curve through a central angle of 19° 34' 55" an arc length of 17.09 feet; thence North 75° 49' 27" East 167.83 feet to the beginning of a tangent curve to the right having a radius of 180.00 feet; thence easterly along said curve through a central angle of 52° 25' 13" an arc length of 164.68 feet; thence South 51° 45' 20" East 9.62 feet to the beginning of a tangent curve to the left having a radius of 150.00 feet; thence easterly along said curve through a central angle of 31° 04' 57" an arc length of 81.37 feet; thence South 82° 50' 17" East to the South line of said Section 16; thence Westerly along said south line to the point of beginning.

END OF DESCRIPTION

Prepared W. W. Kunnecke Checked Carlos Najera

Reviewed Garry A. Weldon Date 8/29/78

Roy Mark

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1827

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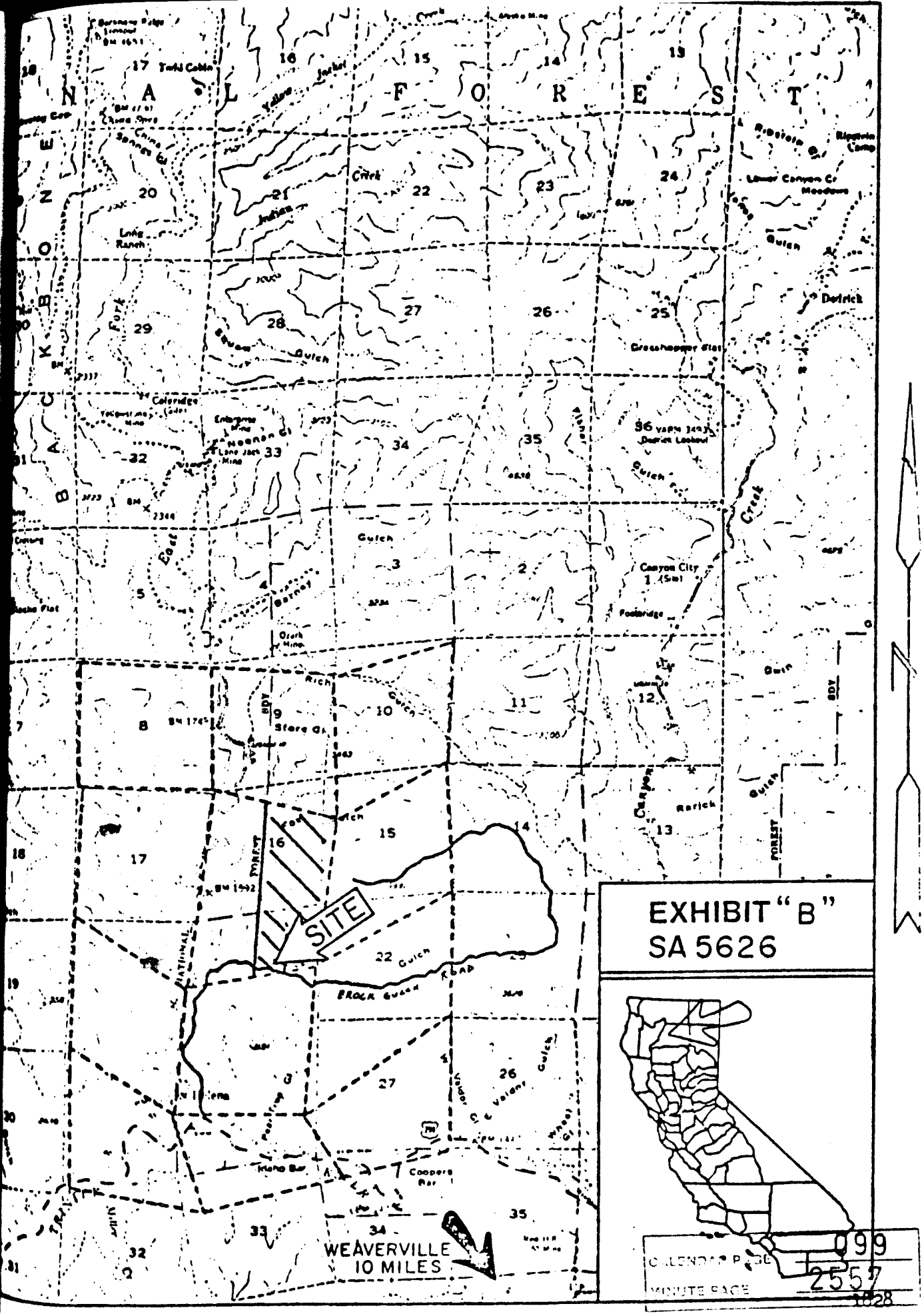

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EXHIBIT "C" SA-5626

USE PLAN

GENERAL PLAN FOR USE OF THE LAND LOCATED
IN SECTION 16, T34N, R11W, M.D.M. TRINITY COUNTY
PURSUANT TO SECTION 6373 OF THE PUBLIC RESOURCES CODE

The United States of America, through the Bureau of Land Management, proposes to acquire a 100-foot right-of-way, 50 feet on each side of the centerline, across the SW¼SE¼ of Section 16, T34N, R11W, M.D.M. This right-of-way is an existing road (see attached Exhibit A).

The subject Brock Gulch Road was constructed by the Bureau of Land Management in 1963. At that time the location of the road was based upon valid land surveys which indicated the road was being constructed on public lands. In 1965 a dependent survey and subdivision of sections survey was initiated. This was necessary to define the exterior boundaries of the public land and to reconfirm the location of several mining claims scattered throughout the Federal ownership. This information was also needed for planning and multiple-use management.

During this survey, unexpected problems occurred. Several original section and quarter corners were found which dictated a change in the existing section boundaries. This survey was approved in 1976, and as a result, approximately 123[illegible] feet of the Brock Gulch Road now traverses a portion of Section 16, State of California property.

The road is 14-feet wide and has not been surfaced. Maintenance includes annual grading. This road serves as a public and multiple-use access route to approximately 6200 acres of public land. One of these multiple use includes the removal of forest products. The area consists of rugged terrain with intermittent forest cover.

No commercial timber exists within the proposed right-of-way. Other than the road, there are no other developments and/or improvements on the 260-acre parcel of state land.

Future usage of this road will include its continued use as an access route for the general public of the United States, and for administration of public lands.

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