MINUTE ITEM

This Calendar Item No. 20
was approved as Minute Item
No. 20 by the State Lands
Commission by a vote of 2
to 0 at its 2-28-80
meeting.

MINUTE ITEM

2/28/80
Childress

20. PARTIAL REMOVAL OF SALES MORATORIUM ON STATE-OWNED SCHOOL LANDS - W 21883, W 21738.

During consideration of Calendar Item 20 attached, Commission-Alternate David Ackerman questioned whether this policy only applies to school lands or does it include other types of lands. The staff assured the Commission that it only involved school lands; however, in the event sovereign lands may be involved, the staff will seek the Commission's approval.

Upon motion duly made and carried, the resolution, as presented in Calendar Item 20, was approved by a vote of 2-0 on the condition that if there are similar problems on other than school lands, the staff will return the matter to the Commission for its approval.

Attachment:
Calendar Item 20

CALENDAR ITEM

20.

2/80
W 21883
W 21738
Childress

PARTIAL REMOVAL OF SALES MORATORIUM
ON STATE-OWNED SCHOOL LANDS

BACKGROUND:

In 1970 the State Lands Commission directed the continuation a moratorium on the sale of State school land, except for public agencies and utility company rights of way. The moratorium was to be in effect until an inventory and management plan for the school lands was completed. However, in the interim programs of higher priority have prevented allocating the requisite staff time to complete this project. Also, the reluctance of the Federal Government to cooperate in finalizing land exchanges has hampered the development of long range land management planning.

CURRENT SITUATION:

Staff investigation indicates that the public interest would best be served by removal of the sales moratorium in certain instances, such as access strips across lands under State Lands Commission's jurisdiction. There have been requests from the public to acquire access corridors across State school lands to privately-owned landlocked parcels. The current moratorium on the disposal of such access routes, in many cases, imposes an undue hardship, since counties now require legal access as a prequisite to development or disposal of private property. The development of access to the landlocked parcels will also create additional value in the adjacent school land parcels.

Listed below are two examples:

1) In 1964, the State Lands Commission sold a 160 acre landlocked parcel of school land at its appraised value. The property is located in Lucerne Valley, San Bernardino County. The County has denied the owner's request to develop the property until such time as the owner can furnish proof of legal access. The land owner and Commission Staff have investigated this matter and it appears that the most practical and direct access to the property is across one-half mile of State school land from Meridian Road which is a paved County road.

2. Another example is a 354.25 acre parcel near Desert Center, Riverside County, that was patented in 1958. The most practical access to this parcel includes crossing one-quarter mile of State school land from the Rice-Parker Highway.

The owners of both these landlocked properties have requested that access be made available through purchase of corridors from the State Lands Commission.

If this proposal is approved by the Commission, the Staff will proceed with appraisals and offer the lands at fair market value. The access corridors offered for sale to the landlocked parcels shall contain the standard reservations, including public use of the routes to reach other State lands. This Calendar Item only authorizes the staff to accept applications for the purchase of access corridors and in no way obligates the Commission to authorize the future sale of any specific parcel of land.

The modification of the sales moratorium policy as recommended by staff does not constitute a project under CEQA and the State EIR guidelines. However, individual applications to purchase such lands will be subject to CEQA and Section 6373 of the P.R.C.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE STAFF TO ACCEPT PURCHASE APPLICATIONS FOR ACCESS CORRIDORS ACROSS STATE SCHOOL LANDS AND TO OFFER SUCH CORRIDORS FOR SALE AT FAIR MARKET VALUE TO THE OWNERS OF LANDLOCKED PARCELS. EACH SALE SHALL BE SUBJECT TO SUBSEQUENT COMMISSION APPROVAL AND SHALL CONTAIN ALL THE NECESSARY CONDITIONS AND RESERVATIONS, INCLUDING THE RIGHT OF THE PUBLIC TO USE THE ROUTES TO REACH OTHER STATE LANDS.