

MINUTE ITEM

This Calendar Item No. 22
was approved as Minute Item
No. 22 by the State Lands
Commission by a vote of 2
to 1 at its 3/6/86
meeting.

CALENDAR ITEM

22

02/27/86
LA 10411
Willard

A 61

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MODIFICATION OF STATE'S RIGHT OF SURFACE ENTRY

APPLICANT: Southern California Edison Company
P. O. Box 410
Long Beach, California 90801

AREA, TYPE LAND AND LOCATION:

A portion of the NW 1/4 of Section 16, T9N R1W, SBM, totaling 10.101 acres. The school land parcel was patented in 1948 with a 100 percent mineral reservation to the State and is situated within the city limits of Barstow in San Bernardino County.

PERTINENT INFORMATION:

1. The surface owner, Southern California Edison, acquired the property in March 1975 and constructed a combined service facility consisting of an office building, warehouse, garage and service yard to provide electrical service to the Barstow area. Edison has requested the State to modify its right of surface entry to a depth of 500 feet in order that the property qualify to be included in its Trust Identure and be a bondable asset.
2. Section 6401(b) of the Public Resources Code provides in part that... "upon a finding by the commission that there are no known deposits of commercially valuable minerals in and above a plane located 500 feet below the surface of any land sold...and wherein any...of the mineral deposits... are required by law to be reserved to the State, the Commission may

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by... appropriate instrument, modify the accompanying rights of the State to the use of the surface of such lands, including any right to enter such lands to a depth of 500 feet below the surface of such lands, as will permit the orderly use and development of all such sold or exchanged lands".

3. A geologic study completed by Southern California Edison Company, reports that the subject parcel does not contain commercially valuable mineralization. Further, an independent study made by the State Lands Commission's staff concurs with that finding.
4. Pursuant to the Commission's Guidelines (14 Cal. Adm. Code 15061) the staff has determined that this activity is exempt from the requirements of the CEQA because it is not a "project" as defined by CEQA and State CEQA guidelines.
5. The applicant has submitted the required filing fee and expense deposit.

EXHIBITS: A. Land Description.
 B. Location Map.

AB 884: N/A.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE IT IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. FIND THAT THERE ARE NO KNOWN DEPOSITS OF COMMERCIALY VALUABLE MINERALS IN AND ABOVE A PLANE LOCATED 500 FEET BELOW THE SURFACE OF THE SUBJECT PARCEL, AS DISCLOSED BY STUDIES BY THE APPLICANT AND THE COMMISSION'S STAFF.

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CALENDAR ITEM NO. 22 (CONT'D)

3. AUTHORIZE EXECUTION OF AN AGREEMENT WITH SOUTHERN CALIFORNIA EDISON COMPANY, MODIFYING ANY AND ALL RIGHT TO SURFACE ENTRY THAT THE STATE MAY HAVE TO ENTER UPON A PORTION OF THE NW 1/4 OF SECTION 16, T9N R1W, SBM, SAN BERNARDINO COUNTY, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, IN AND ABOVE A PLANE 500 FEET BELOW THE SURFACE; SAID AGREEMENT BEING ON FILE IN THE OFFICE OF THE COMMISSION AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

LA 10411

All that portion of Section 16, T9N, R1W, SBM, in the County of San Bernardino, State of California, described as follows:

BEGINNING at the northwest corner of said Section 16; thence East 800 feet along the north line thereof; thence South 550 feet, parallel with the west line thereof; thence West 800 feet, parallel with the north line thereof; thence North 550 feet along the west line thereof to the point of beginning.

END OF DESCRIPTION

REVIEWED JANUARY 15, 1986, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.



EXHIBIT "B"
LA 10411

