MINUTE ITEM
This Calendar Item No. 12
was approved as Minute Item
No. 12 by the State Lands
Commission by a vote of 3
to 0 at its 9-23-87
meeting.

CALENDAR ITEM

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09/23/87
PRC 6194
Reese

AUTHORIZATION FOR ACCEPTANCE OF PAYMENT BY
SOUTHERN PACIFIC LAND COMPANY
FOR SETTLEMENT OF A TIMBER TRESPASS
ON SCHOOL LAND IN SHASTA COUNTY

APPLICANT: Southern Pacific Land Company
Attn: Mr. W. W. Ehri, Vice President
Pacific Gateway Building, 30th Floor
201 Mission Street
San Francisco, California 94105

BACKGROUND:

The timber trespass involved in this case occurred during the term of the Remote Timber Sale conducted by the Southern Pacific Land Company (SPLC) within Section 36, T36N, R5W, MDM. A timber sale contract was entered into on adjacent land on March 2, 1978 between the SPLC and Kimberly-Clark Corporation.

An investigation of Section 36, T36N, R5W, MDM began in the Spring of 1986. The State Lands Commission (SLC) staff was notified that the Bureau of Land Management had monumented the northeast corner of Section 36, several hundred feet southeast of where the SPLC had estimated it to be. In September 1986, a SLC survey crew surveyed, blazed, and painted the east line of Section 36. With this line established, it became evident that the Remote Timber Sale had, in fact, trespassed on State property and removed State timber.

The SLC forestry staff and the California Department of Forestry did a stump cruise and estimated that the volume removed was 3.3 MBF Ponderosa pine and 17.5 MBF Douglas-fir. Based on the terms of the timber sale contract, the SPLC received $80/MBF for the Douglas-fir and $130/MBF for the Ponderosa pine. This gives the State timber a value in 1978 of $429 for the Ponderosa pine and $1,400 for the Douglas-fir, for a total of $1,829.

CURRENT SITUATION:

Staff determined that the money owed to the State for the timber trespass, including interest at ten percent (10%) for eight years (1978 - 1986), is $3,921.38. SPLC was advised of the situation and a check for the amount of $3,921.38 was received on July 13, 1987.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

   Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

EXHIBIT: A. Location Map.

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 THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.

2. APPROVE AND AUTHORIZE THE COMMISSION'S STAFF TO ACCEPT THE SUM OF $3,921.38 FROM THE SOUTHERN PACIFIC LAND COMPANY AS FULL COMPENSATION FOR A TIMBER TRESPASS ON S16, T36N, R5W, MDM, SHASTA COUNTY.

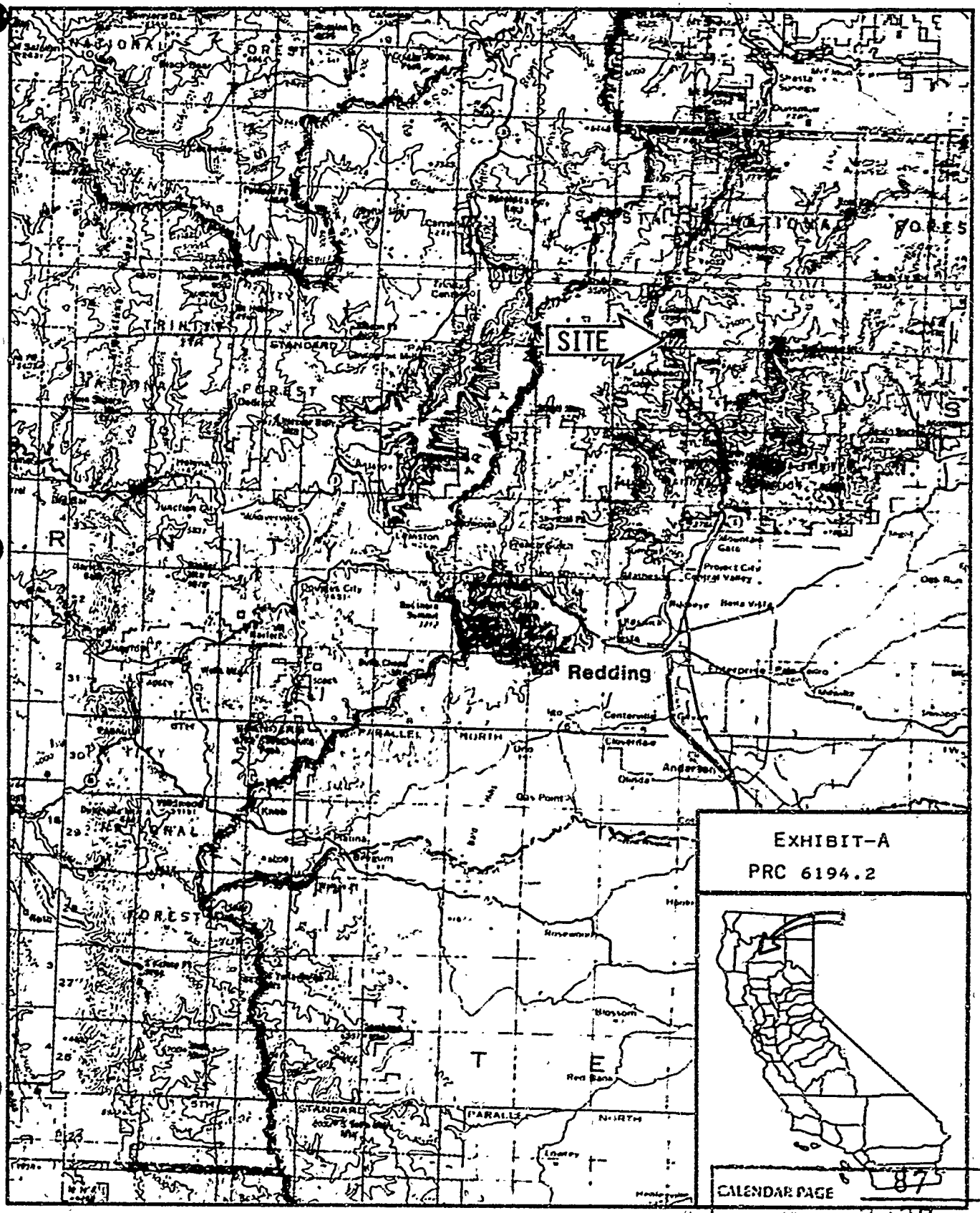
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EXHIBIT-A
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