

MINUTE ITEM

This Calendar Item No. 27
was approved as Minute Item
No. 27 by the State Lands
Commission by a vote of 2
to 0 at its 6/30/88
meeting.

CALENDAR ITEM

A 1
S 1

27

06/30/88
SA 5684
AD 77
Reese

AUTHORIZATION, AS BOTH STATE LANDS COMMISSION AND
SCHOOL LAND BANK TRUSTEE,
TO EXCHANGE STATE LAND FOR PRIVATE LAND (R. C. ROBERTS)
AND TO SELL AND SUBSEQUENTLY ISSUE A PATENT
FOR THE ACQUIRED PRIVATE LAND TO
THE WILDLIFE CONSERVATION BOARD

APPLICANTS: State Lands Commission
1807 13th Street
Sacramento, California 95814

Mr. Frank Giordano
Wildlife Conservation Board
1416 Ninth Street
Sacramento, California 95814

Mr. R. C. Roberts
801 "A" Street
San Rafael CA 94901

AREA, TYPE LAND AND LOCATION:
STATE LAND: 1,885.84 acres (five parcels) of
State school land approximately 35 miles north
of Honey Lake, Lassen County. PRIVATE LAND:
640 acres of private land adjacent to
Department of Fish and Game - Wildlife
Management Area, Dakin Unit, approximately
1-1/2 miles north of Honey Lake, Lassen County.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 7.7;
Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14,
Div. 6.

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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 as a statutory exempt project. The project is exempt because it involves an action taken pursuant to the School Land Bank Act, P.R.C. 8700, et seq.

Authority: P.R.C. 8710.
2. The Wildlife Conservation Board (WCB) has requested State Lands Commission assistance in expanding the Honey Lake Wildlife Area (Dakin Unit), Lassen County. Mr. R. C. Roberts is the owner of a 640-acre parcel, adjacent to the Dakin Unit, that the WCB would like to acquire. Mr. Roberts is not interested in selling his property to WCB, but would like to exchange his property for lands under the jurisdiction of the State Lands Commission. WCB proposes the State Lands Commission exchange its acreage for Mr. Roberts' property and then WCB would purchase the State Lands Commission's (Roberts) property at fair market value.
3. Staff has reviewed and approved the appraisal submitted by WCB, as to fair market value.
4. The consideration of \$448,000, plus accrued interest, will be deposited in the School Land Bank Fund for acquisition of lands, and to facilitate the management of school lands for the purpose of generating revenue and carrying out the goals of the School Land Bank Act, the State Lands Commission will be acting as trustee for the School Land Bank Fund pursuant to Division 7.7 of the P.R.C.

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5. Staff has filed a General Plan for this activity with the Legislature pursuant to P.R.C. 6373.
6. Pursuant to PRC Section 73.03.5, staff has determined that this equal value exchange of scattered school land parcels for land will be sold at fair market value to the Wildlife Conservation Board is in the best interests of the State and is in furtherance of the legislative findings and declarations of the School Land Bank Act of 1984 (PRC Section 8702), because it disposes of scattered school land parcels that are difficult to manage and provides cash to be deposited in the School Land Bank Fund that can be used to consolidate and assemble school lands at other more economically desirable locations.

EXHIBITS:

- A. Land Description - Private Property.
- B. Location Map - Private Property.
- C. Land Description - State Property.
- D. Location Map - State Property.
- E. General Plan.

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 AS A STATUTORY EXEMPT PROJECT PURSUANT TO P.R.C. 8710, AN ACTION TAKEN PURSUANT TO THE SCHOOL LAND BANK ACT, P.R.C. 8700, ET SEQ.
2. FIND THAT A GENERAL PLAN FOR THIS ACTIVITY WAS PREPARED BY COMMISSION STAFF AND FILED WITH THE LEGISLATURE PURSUANT TO P.R.C. 6373.
3. FIND THAT THE EXCHANGE OF THE STATE LAND DESCRIBED IN EXHIBIT "C" FOR THE PRIVATE LAND DESCRIBED IN EXHIBIT "A" IS IN ACCORDANCE WITH PRC 7303.5, AND THAT THE SELECTED LANDS ARE OF EQUAL OR GREATER VALUE THAN THE OFFERED LANDS.
4. AUTHORIZE THE EXCHANGE AND ISSUANCE OF A PATENT OF STATE LANDS DESCRIBED IN EXHIBIT "C" INCLUDING MINERAL RIGHTS, SUBJECT TO APPLICABLE STATUTORY AND CONSTITUTIONAL RESERVATIONS, TO R. C. ROBERTS.

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5. AUTHORIZE ACCEPTANCE AND CONSENT TO RECORDATION OF TITLE TO THE PRIVATE LANDS (R. C. ROBERTS) DESCRIBED IN EXHIBIT "A" IN ACCORDANCE WITH PRC 7303.5
6. AUTHORIZE THE SALE AND SUBSEQUENT ISSUANCE OF A PATENT FOR THE ACQUIRED PRIVATE LAND TO THE WILDLIFE CONSERVATION BOARD AS DESCRIBED IN EXHIBIT "A", SUBJECT TO APPLICABLE STATUTORY AND CONSTITUTIONAL RESERVATIONS, INCLUDING, BUT NOT LIMITED TO, ALL MINERALS, RIGHT-OF-ENTRY, AND THE RIGHT OF THE PUBLIC TO FISH UPON.
7. AUTHORIZE THE DEPOSIT OF \$448,000 (PLUS ANY ACCRUED INTEREST) IN THE SCHOOL LAND BANK FUND FOR THE ACQUISITION OF LANDS TO FACILITATE THE MANAGEMENT OF SCHOOL LANDS FOR THE PURPOSE OF GENERATING REVENUE AND CARRYING OUT THE GOALS OF THE SCHOOL LAND BANK ACT.
8. AUTHORIZE THE STAFF TO WORK WITH THE WILDLIFE CONSERVATION BOARD, R. C. ROBERTS AND THE ATTORNEY GENERAL'S OFFICE TO TAKE WHATEVER STEPS ARE NECESSARY TO CONSUMMATE THE EXCHANGE AND SALE.

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EXHIBIT "A"

LAND DESCRIPTION

SA 5684

All that land in Lassen County, California, described as follows:

W 1/2 of Section 2, T28N, R14E, MDM.
E 1/2 of Section 3, T28N, R14E, MDM.

END OF DESCRIPTION

PREPARED MAY 16, 1988 BY BIU 1.

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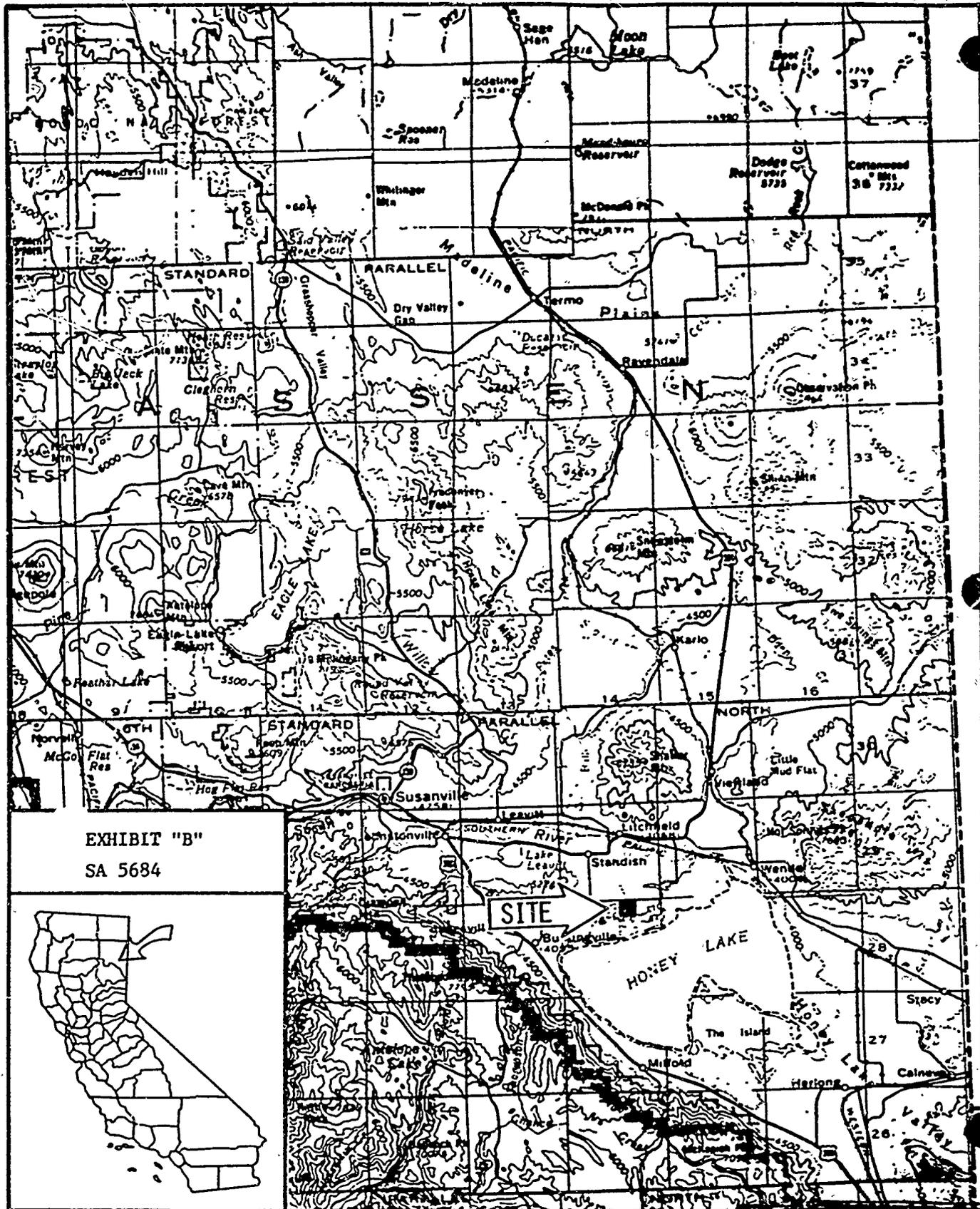


EXHIBIT "B"
SA 5684



EXHIBIT "C"

LAND DESCRIPTION

SA 5684

Five parcels of California State school land and lieu land in Lassen County, California, described as follows:

Parcel 1
W 1/2 and the W 1/2 NE 1/4 of Section 36, T36N, R15E, MDM.

Parcel 2
E 1/2 E 1/2 and the NW 1/4 NE 1/4 of Section 16, T35N, R15E, MDM.

Parcel 3
NW 1/4 NW 1/4 of Section 36, T35N, R14E, MDM.

Parcel 4
Section 16, T34N, R15E, MDM.

Parcel 5
Lots 2-7, SE 1/4 NW 1/4, S 1/2 NE 1/4, SE 1/4, and the E 1/2 SW 1/4 of Section 6, T34N, R13E, MDM.

END OF DESCRIPTION

PREPARED MAY 16, 1988, BY BIU 1.

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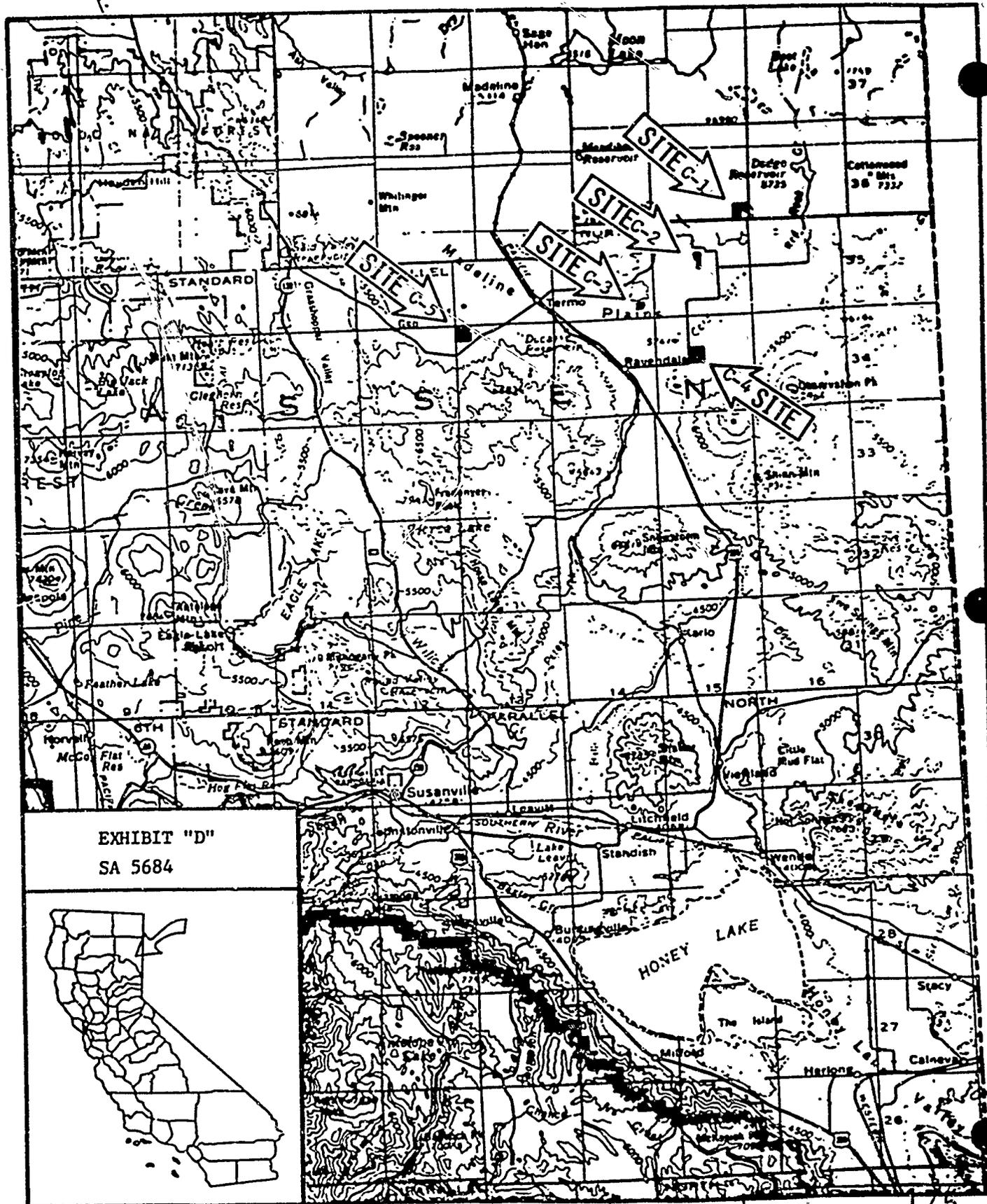


EXHIBIT "D"
SA 5684



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EXHIBIT "E"
GENERAL PLAN
SA 5684

The State Lands Commission proposes to sell 640 acre parcel of State land to the Wildlife Conservation Board. The parcel is located near Honey Lake, Lassen County. The Wildlife Conservation Board wishes to acquire the parcel in order to expand the Honey Lake Wildlife Area (Dakin Unit).

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