

MINUTE ITEM  
This Calendar Item No. C25  
was approved as Minute Item  
No. 25 by the State Lands  
Commission by a vote of 3  
to 0 at its 8/10/88  
meeting.

CALENDAR ITEM

C25

08/10/88  
SA 5684 AD 77  
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MODIFICATION OF STATE'S RIGHT-OF-SURFACE ENTRY

APPLICANT: Wildlife Conservation Board  
1416 Ninth Street  
Sacramento, California 95814

AREA, TYPE LAND AND LOCATION:  
A 640-acre parcel of State land, W1/2 of  
Section 2, E1/2 of Section 3, T28N, R14E MDM,  
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.

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  
statutorily 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.

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(ADDED 8/9/88 pgs. 231-231.4)  
(Non-substantive Revision; 4-5-89)

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2. On June 30, 1988, the Commission authorized the exchange of State land for private land and to sell and subsequently issue a patent, reserving all minerals to the State, for the acquired private land to the Wildlife Conservation Board (WCB). This action was in response to a request from the WCB for assistance in their efforts to expand the Honey Lake Wildlife Area (Dakin Unit), Lassen County.
3. The WCB has requested the State to modify its right-of-surface entry to a depth of 500 feet in order to insure the integrity of their management plan for the property. In consideration of the modification, WCB has agreed to a floating five-acre drill site and an easement for access, utilities, and pipelines.
4. 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 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".
5. A geologic study, completed by the State Lands Commission staff, reports that the subject parcel does not contain commercially valuable mineralization.

EXHIBITS:

- A. Land Description.
- B. Location Map.

CALENDAR ITEM NO. C25 (CONT'D)

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 STATUTORILY 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 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 COMMISSION'S STAFF.
3. AUTHORIZE MODIFYING ANY AND ALL RIGHT-TO-SURFACE ENTRY THAT THE STATE MAY HAVE TO ENTER UPON THE W1/2 OF SECTION 2, E1/2 OF SECTION 3, T28N, R14E MDM, LASSEN COUNTY, IN AND ABOVE A PLANE 500 FEET BELOW THE SURFACE; AND RESERVING TO THE STATE LANDS COMMISSION A FLOATING FIVE- (5) ACRE DRILL SITE AND AN EASEMENT FOR ACCESS, UTILITIES, AND PIPELINES ON THE LAND DESCRIBED IN EXHIBIT "A" AND BY REFERENCE MADE A PART HEREOF.

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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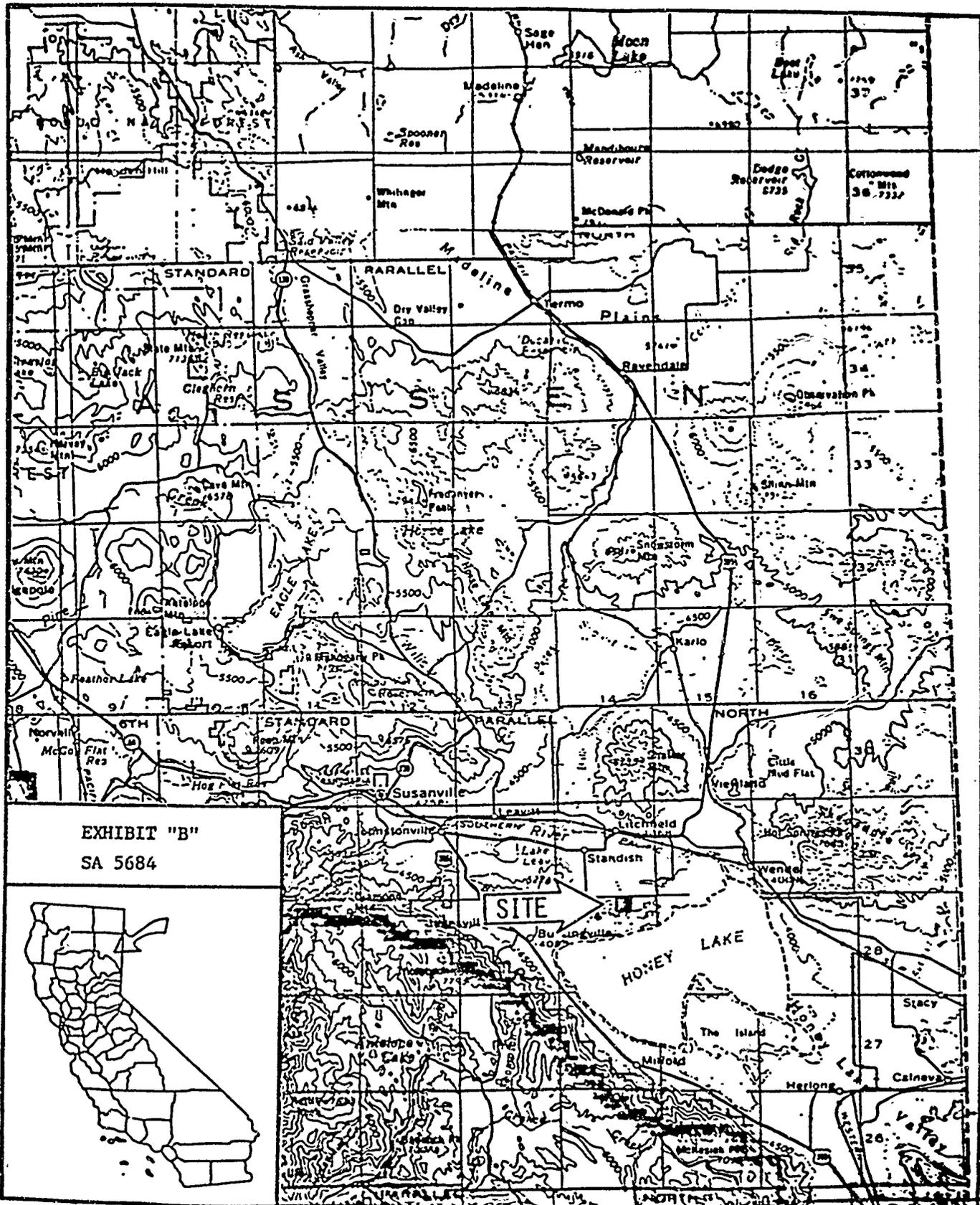


EXHIBIT "B"  
SA 5684

