

MINUTE ITEM

15. (CONFIRMATION OF SUSPENSION OF LIEU LAND AND EXCHANGE APPLICATION FILINGS - GEN. DATA, LIEU LAND.)

After presentation of Calendar Item 28 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION CONFIRMS THE ACTION OF THE EXECUTIVE OFFICER SUSPENDING FOR AN INDEFINITE PERIOD THE FILING OF INDEMNITY SELECTION APPLICATIONS AND EXCHANGE APPLICATIONS BY INDIVIDUALS, SUCH SUSPENSIONS NOT TO PRECLUDE THE FILING OF INDEMNITY SELECTION AND EXCHANGE APPLICATIONS WITH THE FEDERAL GOVERNMENT IN BEHALF OF THE STATE AND AT THE OPTION OF THE COMMISSION, OR ANY NECESSARY PROCEDURAL AMENDMENT TO EXISTING APPLICATIONS. FURTHER, THE ACTING EXECUTIVE OFFICER IS AUTHORIZED TO CONSUMMATE EXISTING EXCHANGE APPLICATIONS BASED UPON THE ORDER OF PROCESSING BY THE UNITED STATES BUREAU OF LAND MANAGEMENT, EACH TO BE WORKED OUT INDIVIDUALLY THROUGH NEGOTIATIONS BY THE ACTING EXECUTIVE OFFICER WITH THE UNITED STATES AND THE STATE APPLICANT, WITH THE STATE TO ACQUIRE AS MUCH OF THE SELECTED FEDERAL LAND AS POSSIBLE IN EACH APPLICATION CONSISTENT WITH THE VALUE OF BASE LANDS AVAILABLE TO THE STATE. APPLICATIONS SHALL BE CANCELLED AS TO THOSE FEDERAL LANDS THE STATE IS UNABLE TO ACQUIRE AS THE RESULT OF INSUFFICIENT BASE LANDS BEING AVAILABLE TO THE STATE.

Attachment

Calendar Item 28 (2 pages)

CALENDAR ITEM

SALE OF VACANT FEDERAL LAND

28.

(CONFIRMATION OF SUSPENSION OF LIEU LAND AND EXCHANGE APPLICATION FILINGS - GEN. DATA, LIEU LAND.)

Effective January 24, 1955, the Executive Officer issued a directive suspending, for a period of 30 days from said date, the acceptance and filing of lieu land applications. Subsequently, on February 7, 1955, the suspension was again extended and thereafter, on June 23, 1957, ~~the suspension was placed in effect for an indefinite period.~~

The reasons for the suspensions were the lack of the required type of State lands to be offered the United States as base, under the State indemnity selection application procedure. At the time of placing the suspension in effect, practically all base lands available to the State, in Death Valley and Joshua Tree National Monuments, had been used except for limited acreage desirable for retention and use in amending already existing applications. A further reason for the suspension was to provide time for a complete check of Federal land records, both in the Sacramento and Los Angeles offices of the Bureau of Land Management, to determine the various isolated parcels of State school lands which, pursuant to law, could be utilized as base in the filing of State indemnity selection applications with the United States.

As a result of the exhaustion of base lands referred to above, the only lands remaining, which the State could offer the Federal government under the indemnity selection procedure, were those situated within three military installations, embraced in Federal withdrawals, all of which were and still remain under lease for military purposes to the United States and provide a fair return to the State on a rental basis.

The Commission, at its meeting held April 28, 1955, authorized the filing of wholesale exchange applications with the Federal government. Accordingly, at the direction of the Executive Officer, applications received from individuals were assembled and held, with the understanding with each individual applicant, that upon receipt of a sufficient number, comprising substantial acreage, the State would in turn file a wholesale exchange application with the United States. The termination date for acceptance of applications under this latter procedure was the filing of the State's wholesale applications with the United States embracing lands in the several individual applications to the State. The last State wholesale exchange application was filed with the United States on September 23, 1955. Each applicant agreed in writing that in the event the State was successful in acquiring the lands, sale thereof would be conducted on a competitive bidding basis, with the original applicant having the right to meet the highest bid received.

Military lands leased to the United States by the State were offered to the Federal government as base under the latter applications.

SALE OF VACANT FEDERAL LAND 28. (CONTD.)

Several exchange applications have been processed by the United States to the point where the State has been advised that the value of the selected lands far exceeds the value of the offered State lands, in some instances by a ratio of 18 to 1. Inasmuch as such applications, pursuant to both Federal and State law, must be made on the basis of equal value, the State is required to offer additional land to bring the value of the base lands in line with the value of the selected land. With only raw desert lands available to the State, nominal in value, it appears that the State may not be able to consummate all exchanges for which applications have been filed.

~~IT IS RECOMMENDED THAT THE COMMISSION CONFIRM THE ACTION OF THE EXECUTIVE OFFICER SUSPENDING FOR AN INDEFINITE PERIOD THE FILING OF INDEMNITY SELECTION APPLICATIONS AND EXCHANGE APPLICATIONS BY INDIVIDUALS, SUCH SUSPENSIONS NOT TO PRECLUDE THE FILING OF INDEMNITY SELECTION AND EXCHANGE APPLICATIONS WITH THE FEDERAL GOVERNMENT IN BEHALF OF THE STATE AND AT THE OPTION OF THE COMMISSION, OR ANY NECESSARY PROCEDURAL AMENDMENT TO EXISTING APPLICATIONS. IT IS FURTHER RECOMMENDED THAT THE ACTING EXECUTIVE OFFICER BE AUTHORIZED TO CONSUMMATE EXISTING EXCHANGE APPLICATIONS BASED UPON THE ORDER OF PROCESSING BY THE UNITED STATES BUREAU OF LAND MANAGEMENT, EACH TO BE WORKED OUT INDIVIDUALLY THROUGH NEGOTIATIONS BY THE ACTING EXECUTIVE OFFICER WITH THE UNITED STATES AND THE STATE APPLICANT WITH THE STATE TO ACQUIRE AS MUCH OF THE SELECTED FEDERAL LAND AS POSSIBLE IN EACH APPLICATION CONSISTENT WITH THE VALUE OF BASE LANDS AVAILABLE TO THE STATE. APPLICATIONS SHALL BE CANCELLED AS TO THOSE FEDERAL LANDS THE STATE IS UNABLE TO ACQUIRE AS THE RESULT OF INSUFFICIENT BASE LANDS BEING AVAILABLE TO THE STATE.~~