

31. REQUEST FOR WITHDRAWAL OF STATE SCHOOL LANDS FROM PUBLIC SALE, STATE DEPARTMENT OF FISH AND GAME, SAN BERNARDINO COUNTY - S.W.O. 8127.

After consideration of Calendar Item 5 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE LANDS UNDER THE JURISDICTION OF THE COMMISSION, THE LEGAL DESCRIPTIONS OF WHICH ARE SET FORTH ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, ARE WITHDRAWN FOR A PERIOD OF TWO YEARS FROM JANUARY 1, 1966, EXCEPT FOR SECTION 16, T. 12 N., R. 15 E., AND SECTION 16, T. 13 N., R. 15 E., S.B.M., WHICH ARE PRESENTLY IN A WITHDRAWN STATUS AT THE REQUEST OF THE DEPARTMENT OF FISH AND GAME UNTIL MARCH 9, 1967, AND APRIL 21, 1967, RESPECTIVELY, PENDING PURCHASE OR LEASE BY THE DEPARTMENT, AND EXCEPT THAT THE S $\frac{1}{2}$ OF N $\frac{1}{2}$ AND N $\frac{1}{2}$ OF SE $\frac{1}{4}$ OF SECTION 16, T. 8 N., R. 13 E., AND THE N $\frac{1}{2}$ OF SE $\frac{1}{4}$, NE $\frac{1}{4}$ OF SW $\frac{1}{4}$ AND SE $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF SECTION 36, T. 9 N., R. 15 E., S.B.M., ARE TO BE WITHDRAWN PURSUANT TO THIS ORDER ONLY IF THE PRESENT SERIES OF PENDING PURCHASE APPLICATIONS THEREON DO NOT CULMINATE IN FINAL SALES. DURING THE WITHDRAWAL PERIOD, THE DEPARTMENT OF FISH AND GAME WILL BE EXPECTED TO SUBMIT FORMAL PROPOSALS FOR EXCHANGE TRANSACTIONS ON A COOPERATIVE BASIS WITH THE UNITED STATES BUREAU OF LAND MANAGEMENT.

Attachment

Calendar Item 5 (4 pages)

5.

REQUEST FOR WITHDRAWAL OF STATE SCHOOL LANDS FROM PUBLIC SALE, STATE DEPARTMENT OF FISH AND GAME, SAN BERNARDINO COUNTY - S.W.O. 8127.

The State Department of Fish and Game, by letter, has requested that the Commission withdraw from public sale approximately 23,500 acres of State school lands in San Bernardino County, the specific descriptions of which are set forth on Exhibit "A" attached hereto and made a part hereof. The Department states that the Commission has jurisdiction over a number of sections of land in the New York mountains--Mid Hills-Providence Mountain area--which are of considerable interest to the United States, with the further advice that the United States Bureau of Land Management plans to retain the public domain lands in this area in public ownership under the new multiple-use law for development as a resource management area. According to the Department, this is one of the most desirable sections of the southwestern desert for its scenic beauty, wildlife, and recreation. The Department, therefore, proposes that the Commission withdraw the land involved, for ultimate exchange for other lands of the United States.

The exchange, as proposed by the Department, would be for the sole purpose of eliminating ownership of the State Lands Commission in an area in which lands under the Commission's jurisdiction are intermingled with substantial acreage under the jurisdiction of the United States Bureau of Land Management. By an exchange as proposed, consolidation of federal holdings would be accomplished.

While the Department of Fish and Game has submitted a very general proposal for an exchange transaction, correspondence from representatives of the United States Bureau of Land Management indicates that that agency is not yet in a position to proceed with formal exchange transactions on a cooperative basis in the light of Public Law 88-607 (The Classification and Multiple Use Act), requiring the Bureau to follow specific criteria for the management or disposal of lands under its jurisdiction. Furthermore, the proposal submitted by the Department of Fish and Game is not consistent with the policy authorizing such exchanges on behalf of certain public agencies that was adopted by the Commission during its meeting of September 16, 1963, since it contemplates all costs incident thereto will be borne by the Commission. An exchange of the magnitude suggested will involve an expenditure of several thousand dollars for land appraisals alone, for the purpose of conducting negotiations with the United States for exchanges on an equal-value basis. The Commission does not have funds appropriated for this purpose, which is the basic reason for adoption of the policy in 1963 requiring funds to be made available prior to initiating transactions of this type with the United States.

In view of the foregoing, the staff considers it appropriate at this time to recommend to the Commission that the lands set forth on Exhibit "A" attached hereto be withdrawn (except for four parcels, two of which are already subject to a two-year hold request pending purchase or lease by the Department of Fish and Game, and two of which presently are the subject of

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pending private-purchase applications) for a maximum period of two years, pending formulation of management and disposal policies by the United States Bureau of Land Management and the submittal of a more formal exchange proposal by Fish and Game on a cooperative basis with the Bureau.

IT IS RECOMMENDED THAT THE LANDS UNDER THE JURISDICTION OF THE COMMISSION, THE LEGAL DESCRIPTIONS OF WHICH ARE SET FORTH ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, BE WITHDRAWN FOR A PERIOD OF TWO YEARS FROM JANUARY 1, 1966, EXCEPT FOR SECTION 16, T. 12 N., R. 15 E., AND SECTION 16, T. 13 N., R. 15 E., S.B.M., WHICH ARE PRESENTLY IN A WITHDRAWN STATUS AT THE REQUEST OF THE DEPARTMENT OF FISH AND GAME UNTIL MARCH 9, 1967, AND APRIL 21, 1967, RESPECTIVELY, PENDING PURCHASE OR LEASE BY THE DEPARTMENT, AND EXCEPT THAT THE $S\frac{1}{2}$ OF $N\frac{1}{2}$ AND $N\frac{1}{2}$ OF $SE\frac{1}{4}$ OF SECTION 16, T. 8 N., R. 13 E. AND THE $N\frac{1}{2}$ OF $SE\frac{1}{4}$, $NE\frac{1}{4}$ OF $SW\frac{1}{4}$ AND $SE\frac{1}{4}$ OF $SE\frac{1}{4}$ OF SECTION 36, T 9 N., R. 15 E., S.B.M., ARE TO BE WITHDRAWN PURSUANT TO THIS ORDER ONLY IF THE PRESENT SERIES OF PENDING PURCHASE APPLICATIONS THEREON DO NOT CULMINATE IN FINAL SALES. DURING THE WITHDRAWAL PERIOD, THE DEPARTMENT OF FISH AND GAME WILL BE EXPECTED TO SUBMIT FORMAL PROPOSALS FOR EXCHANGE TRANSACTIONS ON A COOPERATIVE BASIS WITH THE UNITED STATES BUREAU OF LAND MANAGEMENT.

Attachment
Exhibit "A"

EXHIBIT "A"

State Lands Requested to be Withheld from Public Sale -
Pending Exchange with the U.S. Bureau of Land Management

The following State lands are of interest to the United States and would be used as a base by the State to select United States lands:

Priority Group No. 1

<u>Twp.</u>	<u>Range</u>	<u>Section</u>	<u>Portion</u>	<u>Acreage</u>
13 N	16 E	16	ALL	640.00
14 N	15 E	36	ALL	640.00
14 N	16 E	16	ALL	633.75
14 N	16 E	27	NE $\frac{1}{4}$, NE $\frac{1}{4}$	40.00
14 N	18 E	16	ALL	640.00
15 N	16 E	36	ALL	640.00

3,233.75

Priority Group No. 2

11 N	15 E	Tract 44 (36)	ALL	640.00
11 N	16 E	Tract 47 (36)	ALL	640.00
12 N	13 E	36	ALL	640.00
12 N	14 E	Tract 37 (16)	ALL	640.00
12 N	14 E	36	ALL	640.00
12 N	15 E	16	ALL	640.00
12 N	16 E	36	ALL	640.00
13 N	15 E	16	ALL	640.00

5,120.00

Priority Group No. 3

9 N	12 E	36	ALL	647.51
9 N	13 E	16	ALL	640.11
9 N	13 E	36	ALL	638.27
10 N	13 E	16	ALL	590.66
10 N	13 E	36	ALL	624.46
10 N	14 E	16	ALL	640.00
10 N	14 E	36	ALL	639.51
11 N	14 E	16	ALL	640.00

5,060.52

Priority Group No. 4

8 N	12 E	16	ALL	635.84
8 N	12 E	36	ALL	640.00
8 N	13 E	16	ALL	640.00
8 N	14 E	16	ALL	640.00
9 N	14 E	36	ALL	640.00
9 N	15 E	16	ALL	640.00
9 N	15 E	36	ALL	640.00

4,475.84

EXHIBIT "A" (CONTD.)

State Lands Requested to be)
Withheld from Public Sale) Contd.

Priority Group No. 5

<u>Twp.</u>	<u>Range</u>	<u>Section</u>	<u>Portion</u>	<u>Acreage</u>	
10 N	15 E	16	All	640.00	
10 N	15 E	36	All	640.00	
10 N	16 E	16	All	640.00	
10 N	16 E	36	All	640.00	
10 N	17 E	16	All	640.00	
11 N	18 E	Tract 41 (16)	N $\frac{1}{2}$, SW $\frac{1}{4}$	480.00	
11 N	19 E	Tract 41 (16)	All	640.00	
12 N	18 E	36	All	640.00	
12 N	19 E	Tract 38 (portions of Sections 11, 12, 13, 14)		<u>640.00</u>	5,600.00