

42. ACQUISITION OF VACANT FEDERAL LANDS THROUGH EXCHANGE PROCEDURE, GLENN COUNTY, EXCHANGE NO. 80 - S.W.O. 7112.

After consideration of Calendar Item 21 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

- (1) FINDS THAT IT IS TO THE ADVANTAGE OF THE STATE TO EXCHANGE WITH THE UNITED STATES THE STATE LANDS HEREINAFTER DESCRIBED;
- (2) AUTHORIZES EXECUTION, ON BEHALF OF THE STATE LANDS COMMISSION, OF THE CERTIFICATE PROVIDED FOR UNDER SECTION 6444 OF THE PUBLIC RESOURCES CODE, CERTIFYING TO THE GOVERNOR THAT IT IS TO THE ADVANTAGE OF THE STATE TO EXCHANGE WITH THE UNITED STATES THOSE LANDS OF APPROXIMATELY EQUAL VALUE IN GLENN COUNTY, DESCRIBED AS FOLLOWS:

OFFERED STATE LAND

<u>Subdivision</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Mer.</u>	<u>Acres</u>
E $\frac{1}{2}$ of NE $\frac{1}{4}$	16	20 N.	6 W.	M.D.	80.00

FOR SELECTED FEDERAL LANDS

<u>Subdivision</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Mer.</u>	<u>Acres</u>
Lots 11 and 12	10	18 N.	6 W.	M.D.	69.58
NW $\frac{1}{4}$ of SW $\frac{1}{4}$	17	18 N.	6 W.	M.D.	40.00
SE $\frac{1}{4}$ of SW $\frac{1}{4}$	17	18 N.	6 W.	M.D.	40.00
				Total	149.58

Attachment
Calendar Item 21 (2 pages)

21.

PROPOSED ACQUISITION OF VACANT FEDERAL LANDS THROUGH EXCHANGE PROCEDURE, GLENN COUNTY, EXCHANGE NO. 80 - S.W.O. 7112.

In January 1959, pursuant to the provisions of Sections 6443 and 8552 of the Public Resources Code and Section 8 of the Taylor Grazing Act (Act of Congress approved June 28, 1934, as amended), the State filed an exchange application with the United States Bureau of Land Management in an attempt to acquire title to the federal lands designated in the application. Pursuant to the most recent amendment, dated May 24, 1966, the State is now selecting 149.58 acres of federal land and offering in exchange therefor, on an equal-value basis, 80 acres in the Stoney Gorge Reservoir Project. The selected federal lands are situated within the County of Glenn and close to the southerly boundary thereof which divides Glenn and Colusa Counties. The town of Stonyford, situated just inside the County of Glenn, is approximately two to five miles southerly of the parcels in question. The State school lands offered in exchange therefor are situated within the Stoney Gorge Reservoir Project, which project was initially under the jurisdiction of the United States Corps of Engineers at the time of construction in 1928. An inspection by the staff determined that the Reservoir encroaches upon a portion of the State's 80-acre parcel, to the extent that approximately three acres are flooded at high-water stage and approximately one acre at low-water stage. In addition, the dam also encroaches on the land through borings and anchorages at its base. In view of this, the United States Department of the Interior, Bureau of Reclamation, by letter dated May 2, 1957, requested the land be exchanged for other lands of the United States, the net result of which would place title to the 80 acres under United States' jurisdiction. Accordingly, the State Lands Commission, at its meeting of May 13, 1957, adopted a resolution withdrawing the land from any disposition into private ownership and authorized the Executive Officer to undertake negotiations with appropriate federal agencies to work out an exchange.

Pursuant to a request from the Resources Agency, the Commission adopted a resolution in January 1966, withdrawing the subject 80-acre parcel from private sale for a two-year period expiring December 28, 1967. This withdrawal request was for the purpose of protecting the Reservoir Project, and the Commission's January 1966 action withdrew the land subject to the outcome of the then pending exchange application between the Commission and the United States Bureau of Land Management.

By formal decision issued under date of June 28, 1967, the Bureau of Land Management advised that the selected lands are available for exchange and that the values of the selected and offered lands are approximately equal for the purpose of exchange; that there are no outstanding contests or protests of record; that the requirements pertaining to the application have been met, and that publication of the exchange is authorized. The fact that values are approximately equal has been fully confirmed by staff appraisals.

In accordance with instructions from the Bureau, notice of the exchange application, describing both the Federal and State lands, was published as required by regulations of the Department of the Interior.

CALENDAR ITEM 21. (CONTD.)

It is now necessary for the State to relinquish to the United States, by an appropriate instrument of conveyance duly executed by the Governor, all right, title and interest of the State in and to the 80 acres of State land offered in exchange, and to authorize execution of a certificate indicating to the Governor that the exchange, in the judgment of the Commission, is to the advantage of the State, as provided by Section 6444 of the Public Resources Code.

The exchange of the subject land is considered to be to the advantage of the State for the reason that the State school land is embraced within the Stoney Gorge Reservoir Project, Glenn County, and, as such, is not subject to normal sale or administration by the Commission. This is particularly true in view of its partly flooded condition and the fact that the face of the dam is partly anchored thereon. The transfer of title of this 80-acre parcel from the State to the United States under the exchange procedure, on an equal-value basis, will, in turn, result in the transfer of title from the United States to the State of three parcels comprising 149.58 acres that will be unencumbered and subject to sale or administration as the Commission so determines.

IT IS RECOMMENDED THAT THE COMMISSION:

- (1) FIND THAT IT IS TO THE ADVANTAGE OF THE STATE TO EXCHANGE WITH THE UNITED STATES THE STATE LANDS HERETINAFTER DESCRIBED;
- (2) AUTHORIZE EXECUTION, ON BEHALF OF THE STATE LANDS COMMISSION, OF THE CERTIFICATE PROVIDED FOR UNDER SECTION 6444 OF THE PUBLIC RESOURCES CODE, CERTIFYING TO THE GOVERNOR THAT IT IS TO THE ADVANTAGE OF THE STATE TO EXCHANGE WITH THE UNITED STATES THOSE LANDS OF APPROXIMATELY EQUAL VALUE IN GLENN COUNTY, DESCRIBED AS FOLLOWS:

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