

MINUTE ITEM

This Calendar Item No. 35 was approved as Minute Item No. 35 by the State Lands Commission by a vote of 2 to 0 at its 8/26/76 meeting.

CALENDAR ITEM

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35.

SALE OF VACANT SCHOOL LAND, APPLICATION NO. 167,
RIVERSIDE LAND DISTRICT, SAN BERNARDINO COUNTY,
STATE PUBLIC WORKS BOARD FOR THE
DEPARTMENT OF PARKS AND RECREATION

On October 2, 1969, an offer was received from the State Public Works Board for the Department of Parks and Recreation to purchase State school land described as Section 16, T 10 N, R 14 E, S.B.M., containing 640 acres, more or less, in San Bernardino County.

The applicant, in writing, offered \$5 per acre, the minimum offer acceptable, for a total amount of \$3,200.

A staff appraisal of the subject property, as of April 22, 1970, indicated a unit value of \$37.50 per acre and a total value of \$24,000. The applicant amended the original offer to equal the appraised value of \$24,000. A State warrant for \$24,014, representing the applicant's deposit on account of offer together with patent and Secretary of State fees was received by the Division immediately. A disagreement as to mineral reservations on the property has caused the delay in bringing the matter before the Commission.

THE PROPERTY

LOCATION:

Twenty-one and a half airline miles northwest of Essex at U.S. Highway Route 66, on east slope of Providence Mountains, vicinity of Mitchell Caverns.

ACCESS:

No public access.

WATER:

None.

TERRAIN:

Mountainous, steep rocky slopes for major portion of area with some moderate slopes along east boundary.

MINERALS:

Physical evidence of substantial prospecting and mineral extraction activities in the east one half of the property. The land has been classified as mineral in character by the Bureau of Land Management.

ELEVATION:

High - 6,800 feet. Low - 4,190 feet.

VEGETATION:

Open to sparse cover of greasewood, yucca and other cacti and a few pinon pine.

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HIGHEST AND BEST USE:

Mountainous desert recreation, limited cabin sites.

The land is not suitable for cultivation without artificial irrigation.

OTHER PERTINENT INFORMATION:

1. In accordance with the State Guidelines for Implementation of the California Environmental Quality Act of 1970, a Negative Declaration on the sale of school lands for Providence State Recreational Area (SCH 76062152), was prepared by the State Lands Division, pursuant to Section 15083, California Administrative Code, Title 14, Division 6. This document supersedes one prepared by the Department of Parks and Recreation two years ago (SCH 74121032). No comments were received on the environmental document, following its review by numerous State agencies. A copy is on file with the office of the State Lands Commission and by reference made a part hereof.
2. The above-referenced Negative Declaration was considered as the required general plan of use for the land, that is required under Section 6373 of the Public Resources Code. Upon action by the State Lands Commission, staff will transmit a copy of the Negative Declaration, together with supporting data to the Legislature.
3. Pursuant to Section 6370.1, of the Public Resources Code, this parcel has been identified as possessing significant environmental values.

Staff believes that the transfer of this school land into the State Park System will help assure the permanent protection of the identified significant environmental values.

4. Due to the early mining activities and claims and subsequent transfers of interests, a question still exists concerning the State's legal ability to prove title in portions of the E 1/2 of Section 16. The Department of Parks and Recreation has agreed to take title to Section 16, T 10 N, R 14 E, S.B.M., subject to existing mining claims.

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5. A Division report entitled Geological Evaluation of Section 16, T 10 N, R 14 E, S.B.M., San Bernardino County, September 30, 1971, provides the bases for an estimate of 100,000 tons of metallic mineral ore within Section 16 that possesses estimated potential future royalty to the State in excess of \$975,000. The conveyance of Section 16 to the Department of Parks and Recreation will reserve to the State all mineral deposits in the land, pursuant to Section 6401 et seq., of the Public Resources Code. To insure that ingress and egress to the reserved minerals in Section 16 will be available in the future, the Department of Parks and Recreation has agreed to grant the Commission a 40 foot total width road easement across the Providence Mountains State Recreation Area to the NE 1/4 of Section 16. This road easement agreement will be finalized in the near future.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code: Div. 6, Part 3,
Chap. 1 & 2,
Section 7301.

B. Administrative Code: Title 2, Div. 3,
Article 5,
Sections 2300 - 2302.

EXHIBITS: A. Location Map. B. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY THE DIVISION.
2. CERTIFY THAT THE NEGATIVE DECLARATION #196 HAS BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED, AND THE STATE GUIDELINES, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. FIND THAT GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ., OF THE PUBLIC RESOURCES CODE.

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5. FIND THAT SECTION 16, T 10 N, R 14 E, S.B.M., IS NOT SUITABLE FOR CULTIVATION WITHOUT ARTIFICIAL IRRIGATION.
6. AUTHORIZE THE SALE OF SECTION 16, T 10 N, R 14 E, S.B.M. CONTAINING 640 ACRES, MORE OR LESS, TO THE DEPARTMENT OF PARKS AND RECREATION AT THE TOTAL APPRAISED CASH PRICE OF \$24,000, WITHOUT COMPETITIVE BIDDING, SUBJECT TO ALL STATUTORY AND CONSTITUTIONAL RESERVATIONS INCLUDING MINERALS AND GEOTHERMAL RESOURCES, AND SUBJECT TO RESERVATIONS SET FORTH IN UNITED STATES PATENT TO THE STATE OF CALIFORNIA, DATED MARCH 4, 1965.

Attachment: Exhibit "A"