

MINUTE ITEM

This Calendar Item No. C40 was approved as
Minute Item No. 40 by the California State Lands
Commission by a vote of 3 to 0 at its
8-17-04 meeting.

CALENDAR ITEM

C40

A 34

08/17/04

S 18

SA 5691

J. Porter

J. Frey

**AUTHORIZE, AS SCHOOL LAND TRUSTEE, THE SALE AND SUBSEQUENT
ISSUANCE OF A PATENT TO THE UNITED STATES OF AMERICA
FOR 1,920 ACRES MORE OR LESS OF STATE SCHOOL LANDS
IN SAN BERNARDINO COUNTY**

PURCHASER:

United States of America
U.S. Army Corps of Engineers
Los Angeles District, Real Estate Division
915 Wilshire Boulevard, 11th Floor
Los Angeles, CA 90017

AREA, LAND TYPE, AND LOCATION:

1,920 acres, more or less, of State School Land located within the proposed Fort
Irwin Military Reservation Expansion Project, northeast of Barstow, San
Bernardino County.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code Division 6, Parts 1 and 2; Division 7.7;
Division 13.
- B. California Code of Regulations Title 3, Division 3; Title 14, Division 6.

OTHER PERTINENT INFORMATION:

- 1. Pursuant to the Commission's delegation of authority and the State CEQA
Guidelines (Title 14, California Code of Regulations, sections 15061(b)(1)
and 15282), the staff has determined that this activity is statutorily exempt
from the requirements of the CEQA because it involves an action taken
pursuant to the School Land Bank Act, Public Resources Code,
section 8710.

Authority: Public Resources Code section 8710.

CALENDAR ITEM NO. **C40** (CONT'D)

2. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
3. The United States of America is proposing to purchase the State's land as part of the expansion of the Fort Irwin Military Reservation, northeast of Barstow in San Bernardino County. The Fort Irwin Land Expansion Project (Project) involves a total of over 110, 000 acres. The Project was authorized by legislation passed by the U.S. Congress and signed into law by the President in December 2000. The federal legislation mandates that the land expansion project be fully compliant with the requirements of the National Environmental Policy Act (NEPA) Mitigation measures for endangered species (e.g., desert tortoise, Lane Mountain milkvetch) within the expansion area include, among other things, the physical relocation of endangered animals and the purchase of new habitat suitable for the protection of the threatened species.
4. The purchase price of \$288,000 is within the range of fair market value for the subject property, supported by a staff review of the U.S. Army Corps of Engineer's Appraisal Summary Statement and other pertinent area sales data. In addition to the \$288,000 purchase price, the applicant also will pay a patent fee and other costs associated with the purchase.
5. The consideration of \$288,000 will be deposited into the School Land Bank to: 1) facilitate the management of school lands; 2) generate revenue, and 3) carry out the goals of the School Land Bank Act. The California State Lands Commission will be acting as trustee for the School Land Bank, pursuant to Division 7.7 of the Public Resources Code for this transaction.
6. The proposed sale to the United States of America is an all cash transaction at a price of \$288,000.
7. Staff has filed a general plan for this activity with the Legislature pursuant to the Public Resources Code section 6373.

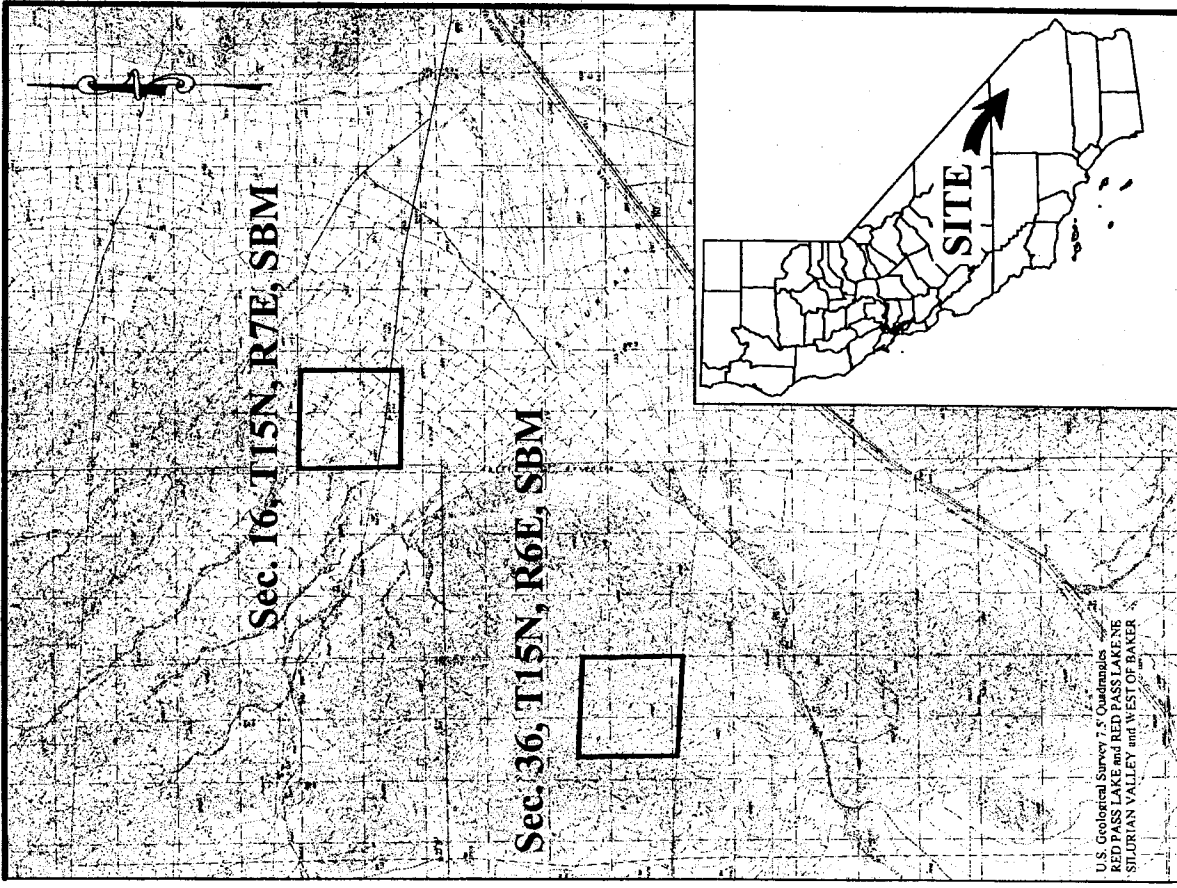
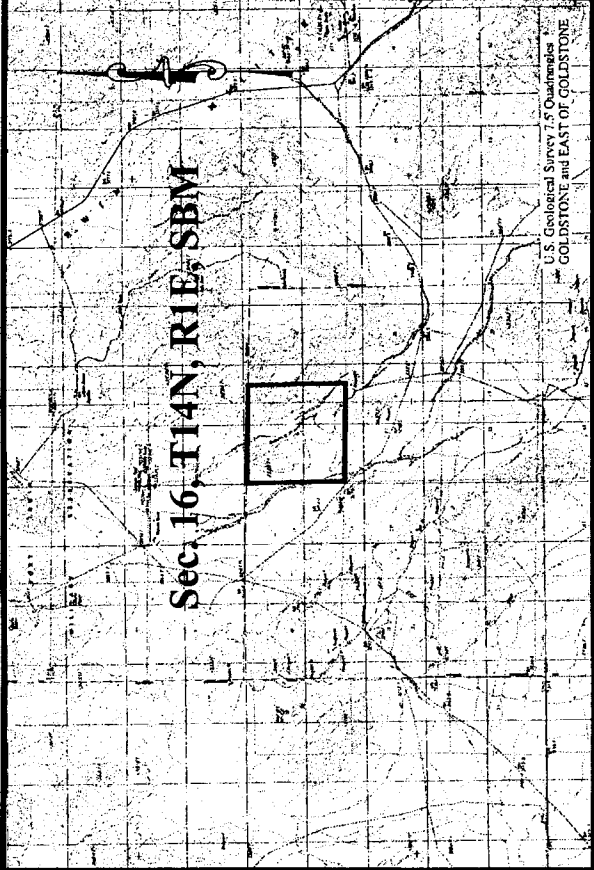
EXHIBITS:

- A. Site Map
- B. Land Description
- C. General Plan

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, 15061 AS A STATUTORILY EXEMPT PROJECT PURSUANT TO PUBLIC RESOURCES CODE SECTION 8710, AN ACTION TAKEN PURSUANT TO THE SCHOOL LAND BANK ACT, PUBLIC RESOURCES CODE SECTION 8710.
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURUSANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.
3. FIND THAT A GENERAL PLAN FOR THIS ACTIVITY WAS FILED WITH THE LEGISLATURE PURSUANT TO PUBLIC RESOURCES CODE SECTION 6373 AND THAT THE USE OF THE LAND SHOWN ON EXHIBIT A AND DESCRIBED IN EXHIBIT B WILL BE CONSISTENT WITH SUCH PLAN.
4. AUTHORIZE THE EXECUTIVE OFFICER, OR HIS DESIGNEE, TO EXECUTE, CONSISTENT WITH THE GENERAL PLAN, THAT CERTAIN DOCUMENT ENTITLED "OFFER TO PURCHASE REAL ESTATE AND ACCEPTANCE", IN SUBSTANTIALLY THE SAME FORM AS ON FILE WITH THE COMMISSION, AND ANY OTHER DOCUMENT NECESSARY TO COMPLETE THIS TRANSACTION.
5. AUTHORIZE ISSUANCE OF A PATENT TO THE UNITED STATES OF AMERICA, SUBJECT TO APPLICABLE STATUTORY AND CONSTITUTIONAL RESERVATIONS, FOR THE LAND SHOWN ON EXHIBIT A AND DESCRIBED IN EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.
6. AUTHORIZE THE DEPOSIT OF \$288,000 INTO THE SCHOOL LAND BANK FUND.



This Exhibit is solely for purposes of generally defining the sale area, and is not intended to be, nor shall it be construed as a waiver or limitation of any state interest in the subject or any other property.



**CALIFORNIA STATE
LANDS COMMISSION**

APN 0544-141-18
APN 0544-201-15
APN 0519-221-03

EXHIBIT A

DRAWN BY: DMC
DATE: 07/21/2004
FILE NO.: SA 5691
SCALE: No Scale

**Sale of State of California School Lands
to U.S. Army Corps of Engineers for the
Expansion of Ft. Irwin
San Bernardino County**

EXHIBIT "B"

SA 5691

LAND DESCRIPTION

Those certain three (3) parcels of state-owned school lands situate in San Bernardino County, State of California, more particularly described as follows:

PARCEL 1

Section 36, T15N, R6E, SBM, containing 640 acres more or less.

PARCEL 2

Section 16, T15N, R7E, SBM, containing 640 acres more or less.

PARCEL 3

Section 16, T14N, R1E, SBM, containing 640 acres more or less.

END OF DESCRIPTION

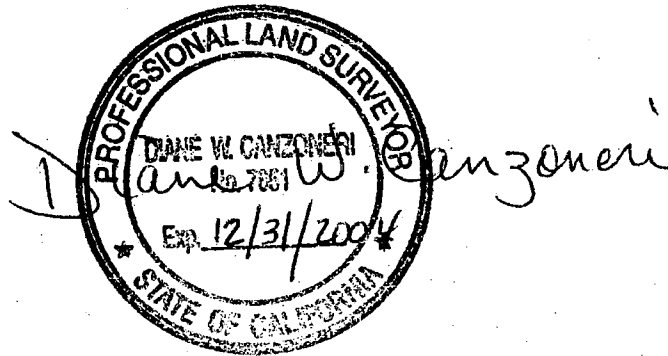


EXHIBIT C

GENERAL PLAN

PROPOSED TRANSACTION

The United States of America proposes to purchase 1,920 acres, more or less, of State School Land in San Bernardino County for the expansion of the Fort Irwin Military Reservation.

PROPERTY LOCATION/INFORMATION

The property proposed for acquisition lies within the boundary of State School Land identified as Section 36, T. 15 N., R. 6 E., Section 16, T. 15 N., R. 7 E., and Section 16, T. 14 N., R. 1 E., SBBM. The property is located along the east and west sides of Fort Irwin Military Reservation, northeast of Barstow.

LAND USE

The subject property is vacant land with a San Bernardino County Use Code of "Vacant" and a Land Type of "Public Facilities". There are no special zoning or other regulations attached to the parcels. The area is characterized by open desert, with very few private ownerships interspersed with federal and state owned properties. Uses surrounding the property appear to be consistent with zoning and include mostly undeveloped desert land. Fort Irwin Military Reservation borders the western-most subject parcel on the north and east. The two eastern-most subject parcels are located just to the east of the existing boundary of Fort Irwin.

PROPOSED USE

The United States of America is proposing to the property as part of the Fort Irwin Military Reservation Expansion Project. Fort Irwin Military Reservation is used for military training purposes.

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