

MINUTE ITEM

15. CONSIDERATION OF REPORTS TO STATE LANDS COMMISSION - W.O. 3590,
GEN. DATA.

After consideration of Calendar Item 1 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION:

1. WITH RESPECT TO SCHOOL AND SWAMP AND OVERFLOWED LANDS - REPORT NO. 1
 - A. REVOKES THE JANUARY 26, 1961, COMMISSION DIRECTIVE ORDERING DEFERMENT OF FURTHER PROCESSING OF ALL PENDING PURCHASE APPLICATIONS AND DIRECTS THE STAFF TO PROCEED WITH PROCESSING OF SUCH APPLICATIONS IN THE SAME MANNER AS HERETOFORE;
 - B. DIRECTS THE STAFF TO CONTINUE TO OBTAIN CLEARANCE FROM ALL STATE AGENCIES HAVING LAND ACQUISITION PROGRAMS, FOLLOWING SUBSTANTIALLY THE PROCEDURE IN EFFECT PRIOR TO JANUARY 26, 1961, AND, UPON EXPRESSION OF AN INTEREST BY ANY STATE AGENCY IN ANY LANDS, REFER THE TRANSACTION TO THE COMMISSION FOR SUCH ACTION AS MAY BE IN THE PUBLIC INTEREST.

2. WITH RESPECT TO INDEMNITY (LIEU LAND) SELECTIONS - REPORT NO. 2
 - A. REVOKES THE JANUARY 26, 1961, COMMISSION DIRECTIVE ORDERING DEFERMENT OF FURTHER PROCESSING OF ALL PENDING INDEMNITY SELECTION APPLICATIONS AND DIRECTS THE STAFF TO CONTINUE WITH PROCESSING OF ALL SUCH APPLICATIONS IN ACCORDANCE WITH APPLICABLE STATUTES AND REGULATIONS, INCLUDING THOSE UNDER WHICH APPLICANTS HAVE EITHER WITHDRAWN OR BEEN CANCELLED OUT;
 - B. DIRECTS THE STAFF TO OBTAIN CLEARANCE FROM STATE AGENCIES ON ALL LANDS EMBRACED IN STATE INDEMNITY SELECTION APPLICATIONS AS IS SET FORTH IN PARAGRAPH 1, ITEM B, AND REFER THE MATTER TO THE COMMISSION FOR APPROPRIATE ACTION, UNDER SECTION 1907(a) OF TITLE 2, DIVISION 3 OF THE CALIFORNIA ADMINISTRATIVE CODE;
 - C. DIRECTS THE STAFF TO UNDERTAKE A PROGRAM AT THE EARLIEST PRACTICAL DATE, IN COOPERATION WITH REPRESENTATIVES OF THE UNITED STATES BUREAU OF LAND MANAGEMENT, TO INVESTIGATE FEDERAL LANDS THROUGHOUT THE STATE, AND IN PARTICULAR TIMBERED LANDS, TO THE END THAT THE COMMISSION MAY FILE INDEMNITY SELECTION APPLICATIONS THEREON FOR THE PURPOSE OF SATISFYING THE ENTIRE DEFICIENCY UNDER THE SCHOOL LAND GRANT, EXCEPT FOR 976.63 ACRES REQUIRED TO BE HELD ASIDE TO SATISFY HOLDERS OF OUTSTANDING CERTIFICATES OF SCRIP.

3. WITH RESPECT TO EXCHANGE APPLICATIONS - REPORT NO. 3
 - A. REVOKES THE JANUARY 26, 1961, COMMISSION DIRECTIVE ORDERING DEFERMENT OF FURTHER PROCESSING OF ALL PENDING EXCHANGE APPLICATIONS AND DIRECTS THE STAFF TO CONTINUE WITH PROCESSING OF ALL

SUCH APPLICATIONS TO THE END THAT THE TEST CASE ON THREE EXCHANGE APPLICATIONS WILL REACH A FINAL DETERMINATION BY THE SECRETARY OF THE INTERIOR.

B. FURTHER DIRECTS THE STAFF TO:

- (1) WITHDRAW FROM ALL EXCHANGE APPLICATIONS THE OFFER OF MILITARY BASE LANDS, IF THE FINAL DECISION ON THE TEST CASE REFERRED TO IN RECOMMENDATION 3A ABOVE IS ADVERSE TO THE STATE, AND, IN ACCORDANCE WITH THE PRIORITY-OF-PROCESSING DIRECTIVE OF THE COMMISSION ON SEPTEMBER 13, 1957, SUBSTITUTE THEREFOR ACREAGE OF THE CLASSES OF LANDS HERETOFORE MENTIONED, NAMELY, LANDS DANGEROUS DUE TO UNCLEARED AMMUNITION AND BOMBS AND LANDS INVOLVED IN SUSPENDED OR CANCELLED UNITED STATES TOWNSHIP SURVEYS;
- (2) CONTINUE WITH THE PROCESSING OF ALL PENDING EXCHANGE APPLICATIONS, IN THE EVENT OF A DECISION FAVORABLE TO THE STATE IN THE TEST CASE REFERRED TO IN RECOMMENDATION 3A ABOVE, TO THE END THAT ALL MILITARY BASE LANDS WILL BE USED UNDER THE PENDING EXCHANGES, TOGETHER WITH LANDS NOW DANGEROUS DUE TO UNCLEARED AMMUNITION AND BOMBS AND LANDS IN SUSPENDED OR CANCELLED UNITED STATES TOWNSHIP SURVEYS, SUCH PROCESSING TO BE IN ACCORDANCE WITH THE PRIORITY DIRECTIVE OF THE COMMISSION ON SEPTEMBER 13, 1957;
- (3) CANCEL THOSE APPLICATIONS FOR WHICH INSUFFICIENT STATE ACREAGE EXISTS TO CONSUMMATE SUCH EXCHANGES ON AN EQUAL VALUE BASIS, IN ACCORDANCE WITH THE COMMISSION'S PRIORITY DIRECTIVE OF SEPTEMBER 13, 1957, AS AMENDED ON JULY 25, 1958;
- (4) EXCLUDE FROM ANY POSSIBLE POLICY DETERMINATION RELATIVE TO CANCELLATION OF EXCHANGE APPLICATIONS THOSE PENDING APPLICATIONS INVOLVING LANDS IN TRINITY AND SISKIYOU COUNTIES;
- (5) AMEND THOSE EXCHANGE APPLICATIONS REFERRED TO IN RECOMMENDATION NO. 3 WHEREIN, THE VALUES BEING EQUAL, THE AREA OF THE OFFERED STATE LAND IS DISPROPORTIONATE TO THE AREA OF THE SELECTED FEDERAL LAND, TO PROVIDE FOR THE RESERVATION OF THE MINERALS BY THE STATE IN THE OFFERED STATE LANDS.

Attachment
Calendar Item 1 (2 pages)

CALENDAR ITEM

1.

CONSIDERATION OF REPORTS TO STATE LANDS COMMISSION - W.O. 3590.

On January 26, 1961 (Minute Item 18, page 6667), the Commission directed suspension of the processing of all pending applications for purchase of lands from the State and requested the preparation of a report on the number and status of such applications and specific descriptive data as to the lands involved.

The report, in three parts, was submitted to the Commission with the calendar for the meeting of April 12, 1961. At that meeting, the Commission deferred consideration of the report until the May meeting. Accordingly, the item is now calendared for the purpose of discussing and considering the report. The staff recommendations herein outlined are substantially those which are individually contained in each of the three portions of the report.

IT IS RECOMMENDED THAT THE COMMISSION:

1. WITH RESPECT TO SCHOOL AND SWAMP AND OVERFLOWED LANDS - REPORT NO. 1
 - A. REVOKE THE JANUARY 26, 1961, COMMISSION DIRECTIVE ORDERING DEFERMENT OF FURTHER PROCESSING OF ALL PENDING PURCHASE APPLICATIONS AND DIRECT THE STAFF TO PROCEED WITH PROCESSING OF SUCH APPLICATIONS IN THE SAME MANNER AS HERETOFORE;
 - B. DIRECT THE STAFF TO CONTINUE TO OBTAIN CLEARANCE FROM ALL STATE AGENCIES HAVING LAND ACQUISITION PROGRAMS, FOLLOWING SUBSTANTIALLY THE PROCEDURE IN EFFECT PRIOR TO JANUARY 26, 1961, AND, UPON EXPRESSION OF AN INTEREST BY ANY STATE AGENCY IN ANY LANDS, REFER THE TRANSACTION TO THE COMMISSION FOR SUCH ACTION AS MAY BE IN THE PUBLIC INTEREST.
2. WITH RESPECT TO INDEMNITY (LIEU LAND) SELECTIONS - REPORT NO. 2
 - A. REVOKE THE JANUARY 26, 1961, COMMISSION DIRECTIVE ORDERING DEFERMENT OF FURTHER PROCESSING OF ALL PENDING INDEMNITY SELECTION APPLICATIONS AND DIRECT THE STAFF TO CONTINUE WITH PROCESSING OF ALL SUCH APPLICATIONS IN ACCORDANCE WITH APPLICABLE STATUTES AND REGULATIONS, INCLUDING THOSE UNDER WHICH APPLICANTS HAVE EITHER WITHDRAWN OR BEEN CANCELLED OUT;
 - B. DIRECT THE STAFF TO OBTAIN CLEARANCE FROM STATE AGENCIES ON ALL LANDS EMBRACED IN STATE INDEMNITY SELECTION APPLICATIONS AS IS SET FORTH IN PARAGRAPH 1, ITEM B, AND REFER THE MATTER TO THE COMMISSION FOR APPROPRIATE ACTION, UNDER SECTION 1907(a) OF TITLE 2, DIVISION 3 OF THE CALIFORNIA ADMINISTRATIVE CODE;
 - C. DIRECT THE STAFF TO UNDERTAKE A PROGRAM AT THE EARLIEST PRACTICAL DATE, IN COOPERATION WITH REPRESENTATIVES OF THE UNITED STATES BUREAU OF LAND MANAGEMENT, TO INVESTIGATE FEDERAL LANDS THROUGHOUT

CALENDAR ITEM 1. (CONTD.)

THE STATE, AND IN PARTICULAR TIMBERED LANDS, TO THE END THAT THE COMMISSION MAY FILE INDEMNITY SELECTION APPLICATIONS THEREON FOR THE PURPOSE OF SATISFYING THE ENTIRE DEFICIENCY UNDER THE SCHOOL LAND GRANT, EXCEPT FOR 976.63 ACRES REQUIRED TO BE HELD ASIDE TO SATISFY HOLDERS OF OUTSTANDING CERTIFICATES OF SCRIP.

3. WITH RESPECT TO EXCHANGE APPLICATIONS - REPORT NO. 3

A. REVOKE THE JANUARY 26, 1961, COMMISSION DIRECTIVE ORDERING DEFERMENT OF FURTHER PROCESSING OF ALL PENDING EXCHANGE APPLICATIONS AND DIRECT THE STAFF TO CONTINUE WITH PROCESSING OF ALL SUCH APPLICATIONS TO THE END THAT THE TEST CASE ON THREE EXCHANGE APPLICATIONS WILL REACH A FINAL DETERMINATION BY THE SECRETARY OF THE INTERIOR.

B. FURTHER DIRECT THE STAFF TO:

- (1) WITHDRAW FROM ALL EXCHANGE APPLICATIONS THE OFFER OF MILITARY BASE LANDS, IF THE FINAL DECISION ON THE TEST CASE REFERRED TO IN RECOMMENDATION 3A ABOVE IS ADVERSE TO THE STATE, AND, IN ACCORDANCE WITH THE PRIORITY-OF-PROCESSING DIRECTIVE OF THE COMMISSION ON SEPTEMBER 13, 1957, SUBSTITUTE THEREFOR ACREAGE OF THE CLASSES OF LANDS HERETOFORE MENTIONED, NAMELY, LANDS DANGEROUS DUE TO UNCLEARED AMMUNITION AND BOMBS AND LANDS INVOLVED IN SUSPENDED OR CANCELLED UNITED STATES TOWNSHIP SURVEYS;
- (2) CONTINUE WITH THE PROCESSING OF ALL PENDING EXCHANGE APPLICATIONS, IN THE EVENT OF A DECISION FAVORABLE TO THE STATE IN THE TEST CASE REFERRED TO IN RECOMMENDATION 3A ABOVE, TO THE END THAT ALL MILITARY BASE LANDS WILL BE USED UNDER THE PENDING EXCHANGES, TOGETHER WITH LANDS NOW DANGEROUS DUE TO UNCLEARED AMMUNITION AND BOMBS AND LANDS IN SUSPENDED OR CANCELLED UNITED STATES TOWNSHIP SURVEYS, SUCH PROCESSING TO BE IN ACCORDANCE WITH THE PRIORITY DIRECTIVE OF THE COMMISSION ON SEPTEMBER 13, 1957;
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