

51. DETERMINATION CONCERNING DISPOSITION OF CERTAIN LANDS UNDER EXCHANGE APPLICATION FILED WITH THE UNITED STATES BUREAU OF LAND MANAGEMENT; SAN LUIS OBISPO COUNTY (EXCHANGE NO. 68, S.W.O. 6184).

After consideration of Calendar Item 44 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION:

1. HONORS THE LONG-STANDING APPLICATION OF WILLIAM F. JACKSON AND AUTHORIZES THE SALE OF THE SW $\frac{1}{4}$ OF NW $\frac{1}{4}$ AND THE NW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SECTION 32, T. 29 S., R. 14 E., M.D.M., SAN LUIS OBISPO COUNTY, SUBJECT TO THE RULES AND REGULATIONS IN EFFECT AS OF 1955, AND SUBJECT TO THE PREFERENTIAL PURCHASE RIGHT PROVIDED TO THE COUNTY OF SAN LUIS OBISPO UNDER SECTION 6223 OF THE PUBLIC RESOURCES CODE; BUT,
2. SHOULD WILLIAM F. JACKSON DECLINE TO PURCHASE THE PARCEL, AUTHORIZES SALE OF THE PARCEL UNDER CURRENT REGULATIONS THAT WOULD ALLOW SAN LUIS OBISPO COUNTY THE RIGHT OF A TWO-YEAR WITHDRAWAL UNDER SECTION 2300 OF THE STATE ADMINISTRATIVE CODE.

Attachment

Calendar Item 44 (2 pages)

44.

DETERMINATION CONCERNING DISPOSITION OF CERTAIN LANDS UNDER EXCHANGE APPLICATION FILED WITH THE UNITED STATES BUREAU OF LAND MANAGEMENT; SAN LUIS OBISPO COUNTY (EXCHANGE NO. 68, S.W.O. 6184).

Pursuant to regulatory procedures whereunder members of the public could apply to the State Lands Commission for the acquisition of vacant federal land through the medium of a State exchange with the United States, applications were received during the early part of 1955 from numerous individuals. Upon receipt of the applications, the State, in December 1955, 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), filed its exchange application with the United States Bureau of Land Management, on behalf of such applicants, in an attempt to acquire title to the federal lands designated as the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 32, T. 29 S., R. 14 E., M.D.M., situated in San Luis Obispo County.

In connection with this long-pending exchange transaction, the Board of Supervisors of San Luis Obispo County adopted a resolution on January 23, 1967, requesting that the State retain in public ownership the 80 acres of federal land selected. A copy of said resolution is attached hereto as Exhibit "A". Attached hereto as Exhibit "B" is a map on which the 80 acres in question have been depicted in relation to a block of approximately 1400 acres of public domain in the immediate area under the jurisdiction of the United States Bureau of Land Management.

The view of the County is that the 80 acres should remain in public ownership "in order that the potential recreational value of this property may be fully utilized by the public." The County is objecting to any future disposal thereof into private ownership. Such private sale was, of course, originally contemplated by the State.

Exhibit "C" is a copy of a letter from the County Planning Department under date of November 30, 1966, inquiring as to the State's interest in the 80-acre parcel and indicating that there are no plans for acquisition by the County either now or in the future. Verification has been obtained from both the United States Bureau of Land Management and the State Division of Beaches and Parks that no use of the land is contemplated in the foreseeable future for a riding and hiking trail system. Exhibit "D" is a copy of the response to the County's inquiry. The Sierra Club (Los Padres Chapter), by letter of February 11, 1967 (Exhibit "E" attached), indicated its objection to the sale of the parcel into private ownership and asked that it be held by the State for eventual County purchase.

By Minute Item 32, page 291, of the Commission meeting of March 23, 1967, the staff was directed to proceed with negotiations to acquire the parcel, and, upon acquisition, to ask the Commission to make a finding regarding requests of the public agencies to retain the parcel in public ownership.

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On January 15, 1969, the State received the United States patent to the parcel. The present views of the County of San Luis Obispo and of the Santa Lucia Chapter of the Sierra Club have been solicited, and both bodies still feel that the land should not be sold into private ownership.

Under the provisions of Section 6223 of the Public Resources Code, the County will have the privilege of exercising its preferential purchase or lease right, which would have the effect of nullifying the private-purchase application. Under provisions of Section 6210.2 of the Public Resources Code, the Commission may withdraw from sale any public lands under its jurisdiction.

IT IS RECOMMENDED THAT THE COMMISSION:

1. HONOR THE LONG-STANDING APPLICATION OF WILLIAM F. JACKSON AND AUTHORIZE THE SALE OF THE SW $\frac{1}{4}$ OF NW $\frac{1}{4}$ AND THE NW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SECTION 32, T. 29 S., R. 14 E., M.D.M., SAN LUIS OBISPO COUNTY, SUBJECT TO THE RULES AND REGULATIONS IN EFFECT AS OF 1955, AND SUBJECT TO THE PREFERENTIAL PURCHASE RIGHT PROVIDED TO THE COUNTY OF SAN LUIS OBISPO UNDER SECTION 6223 OF THE PUBLIC RESOURCES CODE; BUT,
2. SHOULD WILLIAM F. JACKSON DECLINE TO PURCHASE THE PARCEL, AUTHORIZE SALE OF THE PARCEL UNDER CURRENT REGULATIONS THAT WOULD ALLOW SAN LUIS OBISPO COUNTY THE RIGHT OF A TWO-YEAR WITHDRAWAL UNDER SECTION 2300 OF THE STATE ADMINISTRATIVE CODE.