

MINUTE ITEM

5/27/75
LHG

21. AUTHORIZATION TO COLLECT MONIES, APPLICABLE INTEREST AND PENALTIES ON TIMBER TRESPASS; U. S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE AND SIERRA PACIFIC INDUSTRIES; PLUMAS COUNTY - W 20777.

After consideration of Calendar Item 19 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE STATE LANDS DIVISION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE WHATEVER STEPS MAY BE NECESSARY, INCLUDING LITIGATION, TO COLLECT MONIES DUE, INTEREST AND PENALTIES FROM THE U. S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE, AND SIERRA PACIFIC INDUSTRIES RESULTING FROM TRESPASS ON THE SE-1/4 OF SECTION 16, T 23 N, R 8 E, MDM; PLUMAS COUNTY.

Attachment:

Calendar Item 19 (1 page)

AUTHORIZATION TO COLLECT MONIES, APPLICABLE INTEREST
AND PENALTIES ON TIMBER TRESPASS;
PLUMAS COUNTY

In 1968 the U. S. Forest Service marked out the Red Ridge timber sale in the Plumas National Forest. At that time the Forest Service discovered a portion of the timber marked was on State-owned land within the National Forest. The mistakenly-marked State land was replaced by another block of timber, entirely on U. S. Forest Service land. However, in the Spring of 1974 when the logger, Sierra Pacific Industries, entered the sale area, a representative of the U. S. Forest Service pointed out the block marked on State land as one of the areas to be cut. Relying on this information, the contractor proceeded to cut timber on the State land.

In early June of 1974 the State Lands Division became aware of the trespass and began work to determine the value of State timber harvested. Along with the valuation work, negotiations were begun with the U. S. Forest Service and Sierra Pacific Industries to recover the value of the timber harvested. The appraisal was completed on November 27, 1974. However, to this date the negotiations for payment of the trespass have not been concluded. The amount of timber harvested is valued at \$75,997.

The U. S. Forest Service has been paid for the timber by the logger. However, there is some difficulty with the U. S. Forest Service in getting the money to the Division. It appears that litigation may be necessary to effect the transfer of funds.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE STATE LANDS DIVISION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE WHATEVER STEPS MAY BE NECESSARY, INCLUDING LITIGATION, TO COLLECT MONIES DUE, INTEREST AND PENALTIES FROM THE U. S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE, AND SIERRA PACIFIC INDUSTRIES RESULTING FROM TRESPASS ON THE SE 1/4 OF SECTION 16, T 23 N, R 8 E, MDM; PLUMAS COUNTY.