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1126178 CALENDAR ITEM

44.

CUTTING LINE AND ACCESS AGREEMENTS

1/78
W 21679
Shimer
PRC 5478

The staff has examined school land supporting a small volume of merchantable timber located about 10 miles northeast of Upper Lake, Lake County. The examination was requested by Louisiana Pacific Corporation (LP) which is currently logging on adjacent lands. LP is interested in a cutting line agreement that would establish a boundary for current logging purposes but would not bind either party to a permanent property boundary. The irregularity of past surveys in the vicinity would require prohibitively expensive surveys to resolve a permanent boundary. Also, because of the irregularities of the past surveys, there is some doubt that the lands (NW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 36, T16N R9W, MDM) are school lands. Clearance No. 899 dated May 20, 1881, confirmed to the State the portion of Section 36 that includes this parcel. It has been noted however, that the original surveys did not close. A subsequent plat approved in 1914 did close the section, but because of the irregular dimensions, there is some doubt as to the accuracy of the survey upon which the plat is based. It appears the State may have grounds for obtaining indemnification for this land from the U. S. A. The indemnification process would be time consuming and additional survey work would be very costly as well. The cutting lines proposed by LP are the lines that have apparently been accepted as the property boundaries for many years. For example, Fibreboard Corporation made a payment of \$118.50 to the Staff of the Commission in 1966, as settlement for trespass timber cutting on this parcel, based on these lines.

The timber, occupying about 30 acres, consists of an overstory of overmature Ponderosa and Sugar Pine and Douglas-fir and a generally abundant and vigorous understory of pine reproduction and saplings. Merchantable volume is estimated at 145 MBF, with an estimated current value of \$15,000 to \$20,000. The merchantable timber, being overmature, is particularly susceptible to loss through insects and disease and evidence of pine beetle infestation has been noted. Two of the larger trees have apparently been beetle killed within the last two years. The staff recommends harvesting at the earliest possible date to forestall spread of the infestation and to salvage the timber before its merchantability deteriorates. Removal of the overstory will also provide for accelerated growth of the younger trees and reproduction on the site.

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CALENDAR ITEM NO. 44. (CONTD)

The parcel is landlocked and would require acquisition of access rights over approximately $\frac{1}{2}$ mile of existing private road and perhaps another $\frac{1}{2}$ mile of new spur road over adjacent private lands.

IT IS RECOMMENDED THAT THE COMMISSION:

AUTHORIZE THE STAFF TO PROCEED WITH NEGOTIATIONS WITH LOUISIANA PACIFIC LEADING TO A CUTTING LINE AND ACCESS AGREEMENTS WITH ADJACENT OWNERS OF STATE SCHOOL LAND IN $N\frac{1}{2}$ $NW\frac{1}{2}$ and $NW\frac{1}{2}$ $NE\frac{1}{2}$, SECTION 36, T16N R9W, MDM AND FOR PREPARATION AND ADVERTISEMENT FOR SALE AND HARVEST OF TIMBER THEREON IN ACCORDANCE WITH STATE FOREST PRACTICE RULES AND ANY OTHER SAFEGUARDS FOUND TO BE NECESSARY TO PROTECT THE ENVIRONMENT, SUBJECT TO THE COMMISSION'S APPROVAL OF THE TIMBER SALE TO THE HIGHEST QUALIFIED BIDDER. THIS AGREEMENT DOES NOT CONSTITUTE A PROJECT UNDER THE PROVISIONS OF PRC 21065, 14 CAL. ADM. CODE 15037 AND 2 CAL. ADM. CODE 2903(d).

EXHIBIT "A"

W 21679

A parcel of land in Lake County, State of California, described as follows:

The NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 26, T16N, R6W, NEM as shown on the Official Township Plat approved by the U.S. Surveyor General on December 10, 1914.

END OF DESCRIPTION

Prepared

[Signature]

Checked

[Signature]

Reviewed

[Signature]

Date

1/11/78