

MINUTE ITEM

This Calendar Item No. 65
was approved as Minute Item
No. 65 by the State Lands
Commission by a vote of 3
to 0 at its 3/27/90
meeting.

CALENDAR ITEM

A 34

65

S 16

03/27/90
W 503.1580
Hadly
Judson

AUTHORIZATION TO FILE DISCLAIMER RE:
UNITED STATES OF AMERICA V. 14.03 ACRES
OF LAND, MORE OR LESS, ET AL,
UNITED STATES DISTRICT COURT, EASTERN
DISTRICT OF CALIFORNIA, CIVIL NO. CV-F-88-386-REC,
KERN COUNTY

The State Lands Commission is a party to a United States condemnation action brought by the United States Attorney entitled, United States of America v. 14.03 Acres of Land, More or Less, etc., et al, filed in the United States District Court, Eastern District of California, Civil No. CV-F-88-386-REC involving land in Kern County to be used in connection with the construction of the Pacific Crest National Scenic Trail (PCNST).

Upon examination of the Commission's records pertinent to the area, it has been ascertained that there is no interest held by the State Lands Commission as to the tract of land described in the notice of condemnation.

Inasmuch as this suit involves land over which the Commission has no jurisdiction, it is recommended that a disclaimer be filed on behalf of the State Lands Commission disclaiming any compensable right, title, or interest in the tract of the subject condemnation.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.

CALENDAR ITEM NO. 55 (CONT'D)

2. AUTHORIZE THE ATTORNEY GENERAL TO FILE A DISCLAIMER ON BEHALF OF THE STATE LANDS COMMISSION IN THE CASE OF UNITED STATES OF AMERICA V. 14.03 ACRES OF LAND, MORE OR LESS, IN THE COUNTY OF KERN, STATE OF CALIFORNIA ETC., ET AL, UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF CALIFORNIA, CIVIL NO. CV-F-88-386-REC.

