

MINUTE ITEM

This Calendar Item No. C41
was approved as Minute Item
No. 41 by the State Lands
Commission by a vote of 3
to 0 at its 5/26/94
meeting.

CALENDAR ITEM

C41

A 34
S 17

05/26/94
SA 5714
Reese

**AUTHORIZE, AS SCHOOL LAND TRUSTEE
ACCEPTANCE OF THE HIGHEST BID AND SUBSEQUENT ISSUANCE
FOR A 640 ACRE PARCEL OF STATE SCHOOL LAND
IN SAN BERNARDINO COUNTY**

APPLICANT:

Pergola Properties
10470 Foothill Boulevard, Suite 200
Rancho Cucamonga, California 91730

At the November 9, 1993 Commission meeting, the Commission approved offering a parcel of State School Land in San Bernardino County for sale by sealed bid. The minimum bid was set at \$54,400.00. Sealed bids were solicited by newspaper advertisements and direct mail to parties on the School Land Sales list.

The bid opening was on April 13, 1994 at 3:00 p.m. The highest bid offer of \$64,960.00 was received and accepted from Pergola Properties. The required ten percent deposit in the amount of \$6,496.00 accompanied the bid. Patent fees, staff costs, and award costs are also to be paid by the successful bidder.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

N/A

OTHER PERTINENT INFORMATION:

- 1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because it involves an action taken pursuant to the School Land Bank Act, P.R.C. 8700, et seq.

Authority: P.R.C. 8710.

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CALENDAR ITEM NO. C41 (CONT'D)

2. The consideration of \$64,960.00 will be deposited into the School Land Bank to: 1) facilitate the management of school lands, 2) generate revenue, and 3) carry out the goals of the School Land Bank Act. The State Lands Commission will be acting as trustee for the School Land Bank, pursuant to Division 7.7 of the P.R.C., for this transaction.
3. Staff has filed a General Plan for this activity with the Legislature pursuant to the P.R.C. Section 6373.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. General Plan.

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 P.R.C. 8631, AN ACTION TAKEN PURSUANT TO THE SCHOOL LAND BANK ACT, P.R.C. 8700, ET SEQ.
2. FIND THAT A GENERAL PLAN FOR THIS ACTIVITY WAS FILED WITH THE LEGISLATURE PURSUANT TO P.R.C. 6373.
3. AUTHORIZE ISSUANCE OF A PATENT SUBJECT TO APPLICABLE STATUTORY AND CONSTITUTIONAL RESERVATIONS, FOR THE LAND DESCRIBED IN EXHIBIT A; TO PERGOLA PROPERTIES UPON RECEIPT OF \$58,464.00, THE AMOUNT REMAINING TO BE PAID FOR THE LAND, PLUS ALL COSTS ASSOCIATED WITH THE SALE.
4. AUTHORIZE THE DEPOSIT OF ALL SALE REVENUES (\$64,960.00) INTO THE SCHOOL LAND BANK.

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EXHIBIT "A"

LAND DESCRIPTION

A parcel of California State School Lands in San Bernardino County, described as follows:

Section 36, T3N, R18E, S.B.M.

END DESCRIPTION

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"EXHIBIT "B"
SA 5714



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EXHIBIT "C"

GENERAL PLAN

PROPOSED TRANSACTION

The State Lands Commission proposes to sell 640± acres of State School Land to Cadiz Land Company, Inc.

PROPERTY LOCATION/INFORMATION

The parcel is located in eastern San Bernardino County, northeast of Danby Lake, southeast of the town of Cadiz, and northeast of Milligan in Ward Valley. The land is flat desert, and plant life is represented mainly by creosote bush, annual grasses, and some cactus. The area is known habitat for desert tortoise and the federal BLM lands completely surrounding the sale parcel are classified as Category II, having between 50-100 desert tortoise per square mile.

LAND USE

The County of San Bernardino General Plan Land Use designation is Resource Conservation, allowing for row, field, tree, and nursery crop cultivation.

PROPOSED USE

The acquisition is to be used as mitigation for impacts that may be caused to certain threatened and endangered species; e.g. the desert tortoise, by future development plans of the purchaser, specifically to provide replacement habitat for that species.

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