

MINUTE ITEM

This Calendar Item No. 34
was approved as Minute Item
No. 34 by the State Lands
Commission by a vote of 3
0 at its 4/29/77
meeting.

CALENDAR ITEM

34.

4/77
JFF
W 20704

APPROVAL OF NEGATIVE DECLARATION
EXCHANGE OF LANDS
BETWEEN ERICKSON LUMBER COMPANY AND THE
STATE LANDS COMMISSION, AKA DE LA CRUZ EXCHANGE

BACKGROUND:

The State Lands Commission has been authorized pursuant to Chapter 973, Statutes of 1973, to exchange vacant State school lands under its jurisdiction for the expansion of programs of various State departments.

On April 4, 1974, the State Lands Commission authorized the exchange of school lands located in Riverside County for 640 acres owned by Kaiser Steel Corporation which satisfied the Department of Fish and Game program of expanding Big Horn Sheep habitat.

The State Department of Parks and Recreation has requested that acquisition of coastal beach and uplands in Santa Cruz County be the next priority.

PROPOSED EXCHANGE:

Through considerable discussions between staff of the State Departments of General Services and Parks & Recreation, and the State Lands Division, along with the owner of Santa Cruz County beach property, it was determined to exchange two school land parcels located in Plumas and Placer Counties for the property. The exchanges are between the State Lands Division and Erickson Lumber Company, with the State receiving lands of equal or greater value.

The State will receive title to approximately 950 acres of ocean front and upland property located west of the City of Santa Cruz, referred to as the Del La Cruz property. Erickson Lumber Company will receive conditional title to all or a portion of the following described school land: Section 8, T 15 N, R 14 E, MDM, and the N-1/2, the SE-1/4, and the N-1/2 of the SW-1/4 of Section 16, T 22 N, R 9 E, MDM.

ENVIRONMENTAL PROCESS:

Pursuant to the Secretary for Resources Guidelines, an Initial Study was prepared with the State Lands Division as the lead agency. Comments on the Initial Study were received from the Counties of Plumas and Santa Cruz, the Plumas and

Tahoe National Forest offices of the United States Forest Service, the Mother Lode Chapter of the Sierra Club, and Erickson Lumber Company.

Based upon the circulated Initial Study, and the responses received from the responsible agencies, staff determined the exchange would not have a significant effect on the environment. In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Negative Declaration was prepared and circulated through the State Clearinghouse. Only the County of Placer, the Mother Lode Chapter of the Sierra Club, and the Central Valley Region of the California Regional Water Quality Control Board responded to the Negative Declaration.

ENVIRONMENTAL CONCERNS:

Only one substantial controversy has resulted from the circulation of the Initial Study and the Negative Declaration. The parcel of State school land located in Placer County is within an uninventoried roadless area, which the Sierra Club is arguing should be inventoried by the United States Forest Service.

The State Lands Division applied for, and was granted a special use road permit by the U.S. Forest Service. That permit was issued by the Forest Service following their environmental analysis report. The permit was executed by Division staff following authorization by the State Lands Commission at its October 28, 1976, meeting.

Because of the concern that the integrity of the uninventoried roadless area may be jeopardized, staff prepared a mitigating measure within the Negative Declaration, a procedure now allowed by the new Guidelines for CEQA.

The Negative Declaration states that a one-year moratorium will be established during which no road can be constructed, and no logging of the school land parcel in question will be allowed. This would allow the U.S. Forest Service time to decide whether to preserve the roadless area by exchanging lands with Erickson Lumber Company. The decision as to the integrity of the roadless area will then rest with the appropriate agency; the Federal Government, and not the State of California, which owns only 640 acres of the 7,500 acre, uninventoried roadless area.

The Forest Service has stated the exchange cannot be completed until after July 1979 when their Forest Hill-Hell Hole Land Use Plan is completed. Staff feels no other mitigating measure is applicable.

OTHER PERTINENT INFORMATION:

1. Section 6373 of the Public Resources Code requires the filing of a General Use Plan with the Legislature as well as the comments generated from its review. In that the intended use is outlined in the Negative Declaration, and its Initial Study, staff will forward this to the Legislature following approval by the Commission.
2. The environmental documentation for this project has been delayed because of the uncertainty of other aspects of the project, including agreement on appraisals, and escrow instructions. Because of the work invested in the project to this point, staff recommends the document be approved at this time.
3. The Mother Lode Chapter of the Sierra Club has been advised staff would recommend that the State Lands Commission encourage and assist the Resources Agency in working with the U.S. Forest Service on an exchange of lands with Erickson Lumber Company within the one year moratorium period.

EXHIBITS:

- A. Map of Property.
- B-1 and B-2. Location Maps.
- C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT NEED NOT BE PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION (EIR ND 209) HAS BEEN PREPARED BY THE DIVISION.
2. CERTIFY THAT THE NEGATIVE DECLARATION #209 HAS BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED, AND THE STATE GUIDELINES AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE THE EXECUTIVE OFFICER TO TRANSMIT A COPY OF THE NEGATIVE DECLARATION AND ITS INITIAL STUDY TO THE LEGISLATURE, AS REQUIRED BY SECTION 6373 OF THE PUBLIC RESOURCES CODE.
5. ASSIST THE RESOURCES AGENCY IN WORKING WITH THE U.S. FOREST SERVICE TO COMPLETE AN EXCHANGE WITH ERICKSON LUMBER COMPANY WITHIN THE ONE YEAR MORATORIUM PERIOD.