

MINUTE ITEM

This Calendar Item No. 36
was approved as Minute Item
No. 36 by the State Lands
Commission by a vote of 3
to 0 at its 6/29/82
meeting.

CALENDAR ITEM

36

6/29/82
W 22960
Cohen
PRC 6401

AUTHORIZATION FOR EXECUTION OF
COOPERATIVE AGREEMENT BETWEEN
CALIFORNIA STATE LANDS COMMISSION,
STATE HISTORIC PRESERVATION OFFICER, AND
BUREAU OF LAND MANAGEMENT, CALIFORNIA

PARTIES: State Lands Commission
State Historic Preservation Officer
Bureau of Land Management

BACKGROUND: The Commission at its May, 1980 and April, 1981 meetings, authorized entering into Memoranda of Understanding with the Bureau of Land Management regarding lands to be acquired by the State through indemnity selection and exchange. The Memoranda of Understanding set forth general guidelines and procedures in processing land transfers to the State. In furtherance of these guidelines, a cooperative agreement between the Bureau of Land Management, the State Historic Preservation Officer and the Commission is proposed that would provide for orderly transfer to the State of ethnographic, historical and archaeological data when the lands are transferred. Also, the agreement would ensure that cultural resources will be given adequate consideration prior to approval of any land use actions by the Commission after title transfer.

AB 884: N/A.

EXHIBIT: A. Cooperative Agreement.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE THE EXECUTIVE OFFICER TO ENTER INTO AND EXECUTE A COOPERATIVE AGREEMENT BETWEEN THE CALIFORNIA STATE LANDS COMMISSION, THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER, AND THE BUREAU OF LAND MANAGEMENT, CALIFORNIA, IN SUBSTANTIALLY THE FORM ON FILE IN THE OFFICE OF THE COMMISSION.

CALENDAR ITEM NO. 36 (CONTD)

2. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21065, 14 CAL. ADM. CODE 15037 AND 15060.

CALENDAR PAGE	178
MINUTE PAGE	1654

COOPERATIVE AGREEMENT BETWEEN
THE BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR,
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
AND THE CALIFORNIA STATE LANDS COMMISSION
REGARDING THE TRANSFER OF FEDERAL LANDS
TO THE STATE OF CALIFORNIA

WHEREAS, the California Bureau of Land Management (BLM), U.S. Department of the Interior, will enter into a land transfer program with the State Lands Commission (SLC) pursuant to the guidelines expressed in the Memoranda of Understanding on Exchanges and Indemnity Selection; and,

WHEREAS, BLM, in consultation with the California State Historic Preservation Officer (SHPO), has determined that this undertaking may have an effect on properties eligible for inclusion on the National Register of Historic Places; and,

WHEREAS, pursuant to E.O. B-64-80 and Section 5024 of the Public Resources Code SLC is required to manage cultural resources in coordination with SHPO.

NOW, THEREFORE, it is mutually agreed that the undertaking will be implemented in accordance with the following stipulations to ensure an orderly transition of lands between the State and Federal governments.

Stipulations

BLM will ensure that the following measures are carried out.

I. Ongoing Historical and Cultural Property Identification: The BLM will identify all known properties on the affected BLM lands through the compilation of up-to-date base data, including locations of historic and cultural properties, descriptive data, judgments about sensitivity to damage, and prediction of the distribution of as-yet unrecorded properties based on current ethnographic, historical and archaeological inventories.

II. Consultation

A. BLM will provide SHPO and SLC with copies of all cultural resource data in accordance with Section 102 and 202 of the Federal Land Policy and Management Act of 1976 for inclusion in the State Inventory conducted pursuant to 36 CFR Part 61.

B. BLM will assure Native American notification in all relevant elements of the activities covered by this document. Members of Native American groups resident in, or descended from residents of the subject area, may participate in resource identification and evaluation should they so desire.

III. General

A. In accordance with the Memorandum of Understanding with the California Native American Heritage Commission and SHPO, all parties

including SLC will protect all sensitive, confidential or proprietary Native American, historical, or archaeological data by not allowing property-specific information to appear in environmental or other public documents unless it is reasonably assured that the properties in question are adequately protected.

- B. Upon receipt of subject land from BLM,
1. SLC will acknowledge receipt of all data agreed to in previous sections of this document.
 2. SLC will ensure that cultural resources will be given adequate consideration prior to any land use actions which might threaten their integrity or preservation.
- C. The obligations of BLM under this agreement will terminate upon transfer of subject land and acceptance of the forementioned data by SLC.

Charles L. Penning (date) 5/18/82
Ukiah District Manager
Bureau of Land Management

R. M. Miller (date) 5/18/82
California State Historic Preservation
Officer

(date)
Executive Officer
State Lands Commission
State Of California