

MINUTE ITEM

This Calendar Item No. 27
was approved as Minute Item
No. 27 by the State Lands
Commission by a vote of 2
to 0 at its 9/27/78
meeting.

MINUTE ITEM

9/78
Sanders

27. LASSEN COUNTY EAGLE LAKE ESTATES SUBDIVISION - W 30006

During consideration of Calendar Item 27, attached, Commission-Alternate Betty Jo Smith wanted to know if the State Lands Commission was the lead agency in this action. Mr. Jan Stevens, Assistant Attorney General, replied that the Commission would not be the lead agency, that the Resources Agency had already made such a request of the Attorney General.

Ms. Smith then wanted to know if the State Lands Commission, as a part of an interagency task force, would be filing an independent action. Mr. Stevens replied that the State Lands Commission would not, that the Commission would be joining the other parties in the action.

Since the staff recommendation did not include this information, Ms. Smith recommended that the resolution be amended. Therefore, the resolution to Calendar Item 27 was amended as follows by a vote of 2-0:

THE COMMISSION WILL JOIN AS A PARTY TO ANY ACTION THAT IS FILED BY THE ATTORNEY GENERAL AGAINST THE COUNTY OF LASSEN TO SET ASIDE THE APPROVAL OF THE NEGATIVE DECLARATION FOR THE SUBDIVISION PROPOSAL KNOWN AS EAGLE LAKE ESTATES.

Attachment: Calendar Item 27 (2 pages)

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CALENDAR ITEM

9/78
W 30006
Sanders

27.
LASSEN COUNTY
EAGLE LAKE ESTATE SUBDIVISION

Under the provisions of P.R.C. 6370, the State Lands Commission has identified Eagle Lake as possessing significant environmental values of Statewide concern. In July, 1976, the State Lands Commission's staff was contacted by Lassen County (County), the Bureau of Land Management (BLM), California Department of Fish and Game, and the United States Forest Service (USFS) and asked to participate in a joint agency effort to develop "a land and water management plant" for the Eagle Lake Basin. After a number of joint meetings, the Eagle Lake Interagency Planning Group was announced in November, 1976.

During the period between July, 1977 and March, 1978, the planning group developed a preliminary study format and determined that a professional planning consulting firm should be retained to prepare the study. The projected cost of the first year of the study was shared by each of the above agencies. The State Lands Commission contributed \$3,000 and the Resources Agency \$4,000 in this regard. In order to finance the projected second year of this study, Lassen County, actively supported by the agencies of the interagency planning group, applied for and received a Federal Housing and Urban Development grant.

The purpose of these efforts is illustrated by an August, 1977 letter from Lassen County to Resources Secretary Huey Johnson in which it was stated that: "...the Inter-Agency group has determined that a master plan must be developed that they can use in management decisions for the protection of Eagle Lake". As illustrated by this statement, it was understood that no major projects which would jeopardize the planning study or detrimentally effect the environmental quality of the Eagle Lake Basin would be considered until the results of the study were available to all participating agencies. The preliminary study results of the interim management plan are due in February, 1979.

However, in June, 1978, the County issued a negative declaration for a subdivision development of over 500 single family homes on land in close proximity to Eagle Lake.

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The use of the negative declaration for a project of such scope and anticipated environmental impacts on Eagle Lake received negative comments from most State and Federal agencies which reviewed it, including each agency represented on the interagency plan group. Prior to the final consideration of the negative declaration by the Lassen County Board of Supervisors, the Eagle Lake Interagency Planning Group Board of Directors (including a member of the County board) met and recommended that the County require the preparation of an EIR for the subdivision. On September 5, 1978, the County Board of Supervisors adopted the negative declaration without regard for the adverse comments of State and Federal agencies. It is the opinion of those effected State agencies and the Office of the Attorney General that a negative declaration is inappropriate. Under these conditions a full EIR is required.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE OFFICE OF THE STATE ATTORNEY GENERAL TO FILE APPROPRIATE LEGAL ACTION AGAINST THE COUNTY OF LASSEN TO SET ASIDE THE APPROVAL OF A NEGATIVE DECLARATION FOR THE SUBDIVISION PROPOSAL KNOW AS EAGLE LAKE ESTATES.