

MINUTE ITEM

This Calendar Item No. 19
 was approved as Minute Item
 No. 19 by the State Lands
 Commission by a vote of 2
 to 0 at its 11/23/81
 meeting.

CALENDAR ITEM

19

11/23/81
 WP 5813
 Bjornsen

AMENDMENT OF FUELBREAK
 AGREEMENT - PRC 5813.9

The State Lands Commission authorized Fuelbreak Agreement - PRC 5813.9 with the United States Department of Agriculture, Forest Service at its meeting in April, 1980 (Minute Item No. C2, April 24, 1980). The Commission in consideration of the benefits to the State school land under its jurisdiction consented to the construction and maintenance of a fuelbreak by the Forest Service. The Agreement permitted a fuelbreak 200 feet in width across school land in the NW $\frac{1}{2}$ NE $\frac{1}{2}$, Section 36, T9S, R23E, MDM, in Fresno County. Its term commenced 4/24/80, for a ten year period, and terminates April 23, 1990.

In late July, 1981 the Forest Service applied to amend Fuelbreak Agreement - PRC 5813.9 to include prescribed burning on the 28-acre portion of the subject NW $\frac{1}{2}$ NE $\frac{1}{2}$, lying northeasterly of the existing fuelbreak. The term of the prescribed burning amendment was requested to have a termination date of April 23, 1990 common with the Fuelbreak Agreement. The Forest Service has planned a 350-acre helicopter prescribed burn on adjacent National Forest land, as part of their continuing fuel reduction program in Jose Basin, vicinity of the highly developed Shaver Lake area. The burn will be on an opportunity basis in 1981-82. The fuelbreak on the school land is an integral part of the control line for this 350-acre burn project. The 28-acres of school land upon which prescribed burning authorization is desired by the Forest Service lies between the fuelbreak and the National Forest land. Inclusion of prescribed burning of the 28-acres will provide a continuous area totalling 2,000 acres where highly flammable chaparral vegetative cover will have been treated.

The Forest Service will artificially seed burned areas with annual/perennial grasses, as needed, if it is determined that insufficient natural seed exists. Periodic treatment of fuels to maintain fuel loading at a moderate level is planned. Additional benefits: (1) A public need will be served by reducing the severity of wildfires and, also, protecting State and private property and resource values; and (2) It is viewed, direct benefits will accrue to wildlife populations and diversity as a result of the prescribed burn project on all lands treated.

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The proposed amendment of Fuelbreak Agreement - PRC 5813.9 does not convey any interest in real property; it provides a cooperative arrangement whereby the State contributes a portion of its land and the Forest Service will conduct prescribed burning, artificial seeding of grasses and periodic treatment of fuels upon a portion thereof.

The existing Exhibits "A-1" and "A-2" in the original agreement are deleted and new Exhibits "B-1" and "B-2" substituted therefore in the amended agreement. Said Exhibits "B-1" and "B-2" are attached.

All other terms and conditions of the original Agreement shall remain unchanged and in full force and effect.

AB 884: 9/15/82.

OTHER PERTINENT INFORMATION:

1. This project is exempt from CEQA because it is an action by a regulatory agency for protection of the environment.
Authority: 14 Cal. Adm. Code, Div. 5, Section 15108.
2. This project is situated on State land identified as possessing significant environmental values pursuant to PRC 6370.1, and is classified in a use category, Class B, which authorized Limited Use.
3. Staff has coordinated this project with those agencies and organizations which nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.
4. The proposed Amendment of Fuelbreak Agreement - PRC 5813.9 has been reviewed and approved by staff of the Commission. A copy of the proposed amendment is on file in the Office of the State Lands Commission.

EXHIBITS: B-1. Land Description.
B-2. Plat of (1) fuelbreak centerline and (2) Prescribed Burn Area.
B-3. Location Map.

CALENDAR ITEM NO. 19 (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

1. 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 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT APPROVAL OF THE AMENDMENT OF FUELBREAK AGREEMENT - PRC 5813.9 WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 OF THE P.R.C.
3. AUTHORIZE THE EXECUTION OF THE AMENDMENT OF FUELBREAK AGREEMENT PRC 5813.9 WITH THE FOREST SERVICE TO PROVIDE FOR PRESCRIBED BURNING FOR THE PERIOD OF 11/23/81 THROUGH April 23, 1990 ON THE SCHOOL LAND DESCRIBED ON EXHIBITS "B-1" AND "B-2" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "B-1"

LAND DESCRIPTION

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PARCEL 1

DESCRIPTION OF THE FUELBREAK
LOCATION AND MAINTENANCE AREA

A strip of land 200 feet wide, for maintenance area and fire fuelbreak purposes in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, T9S, R23E, MDM, in the County of Fresno, State of California, containing an area of 6.8 acres more or less, said strip lying 100 feet on each side of the following described centerline:

BEGINNING at a point on the west line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, T9S, R23E, MDM, said point lying 290.4 feet south of the north quarter section corner of said Section 36; thence the following twelve courses:

1. S 50° 00' E 23.10 feet;
2. S 42° 00' E 132.00 feet;
3. S 44° 00' E 132.00 feet;
4. S 50° 30' E 132.00 feet;
5. S 8° 30' E 132.00 feet;
6. S 8° 00' E 132.00 feet;
7. S 2° 30' E 157.08 feet;
8. S 54° 00' E 132.00 feet;
9. S 56° 30' E 132.00 feet;
10. S 52° 00' E 132.00 feet;
11. S 64° 00' E 132.00 feet; and
12. S 80° 30' E 112.20 feet ending at a point on the south line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, said point lying 904.2 feet east of the southwest corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36.

The boundary lines of said maintenance area shall be prolonged or shortened to begin on and conform to the west boundary and the south boundary of the property herein described.

PARCEL 2

PRESCRIBED BURN AREA

All that portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, T9S, R23E, MDM, County of Fresno, State of California, lying northerly and easterly of the above described Parcel 1.

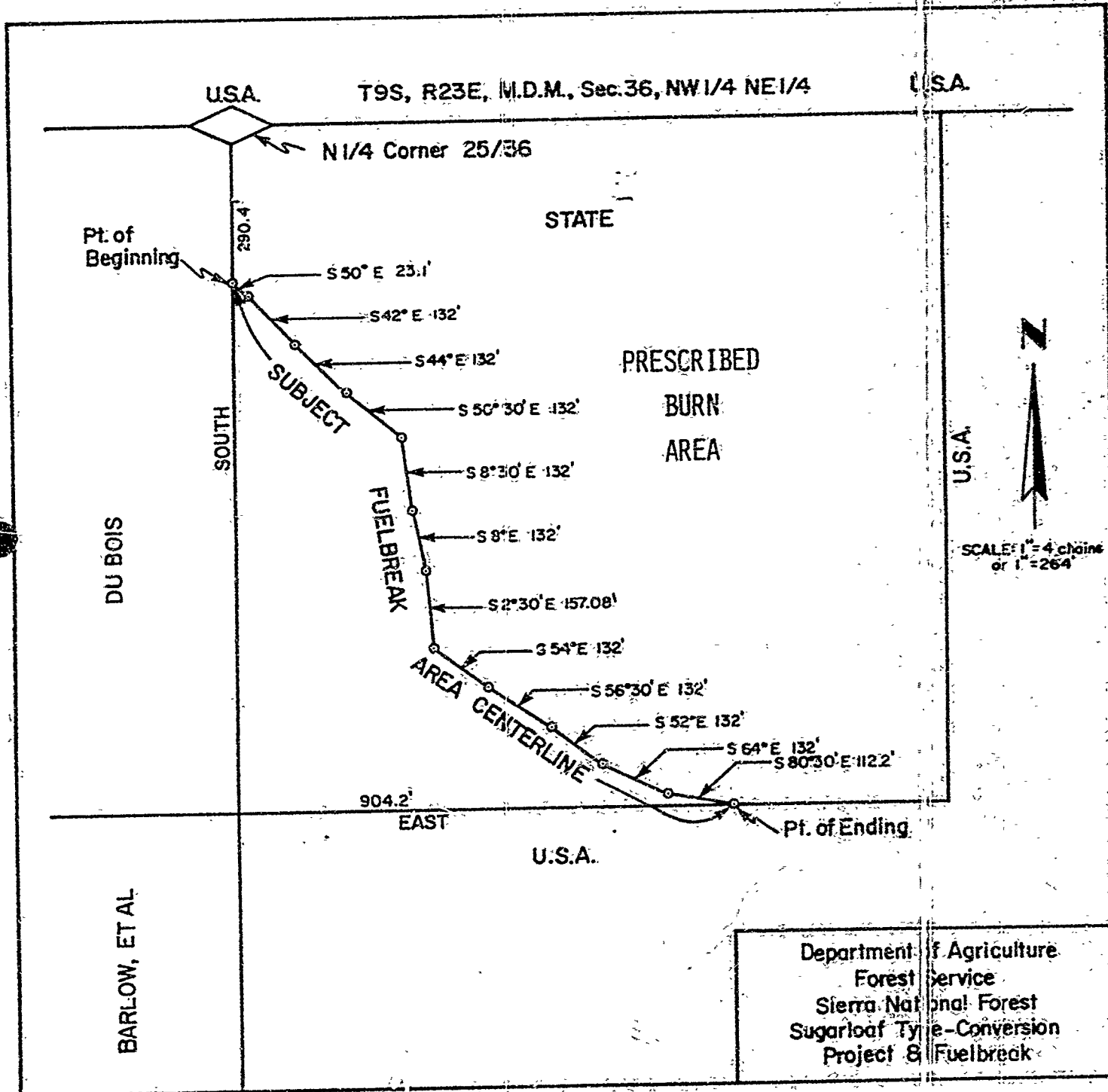
END OF DESCRIPTION

PREPARED SEPTEMBER 2, 1981 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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EXHIBIT "B-2"

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Department of Agriculture
 Forest Service
 Sierra National Forest
 Sugarloaf Type-Conversion
 Project & Fuelbreak

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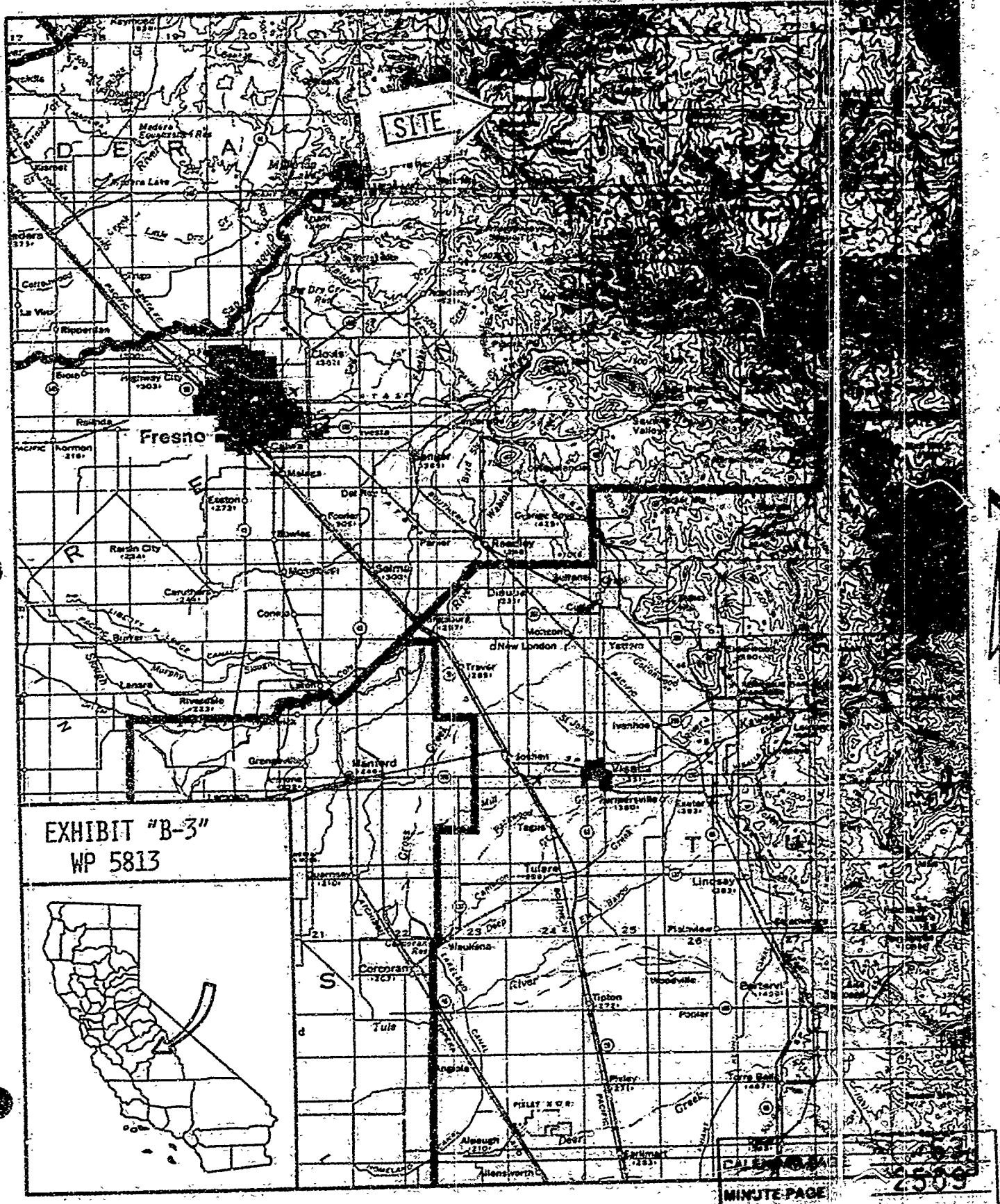


EXHIBIT "B-3"
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