

MINUTE ITEM

This Calendar Item No. C15 was approved as Minute Item No. 15 by the California State Lands Commission by a vote of 3 to 0 at its 123-99 meeting.

**CALENDAR ITEM
C15**

A 3
S 1

12/03/99
W 22907
C. Edwards
P. Pelkofer

FIRE SALVAGE SALE

PARTY:

California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento, California 95825

AREA, LAND TYPE, AND LOCATION:

A 200 acre parcel, more or less, of State School Land approximately nine miles southwest of the town of Quincy, Plumas County.

BACKGROUND:

In September 1999 the Lookout Fire on the Plumas National Forest burned through approximately 200 acres of School Land located in Plumas County and killed over ninety-five percent of the standing timber. Because timber is a perishable product, it is important to salvage dead trees promptly to prevent insect infestation and to realize the maximum recoverable value. The Commission's forestry staff prepared a Notice of Emergency Timber Operations, which was approved by the California Department of Forestry and Fire Protection (CDF) on October 20, 1999. The permit is valid for only 120 days from approval date. Under this type of notice, no road construction activities are permitted, only existing facilities can be utilized, and all operations must comply with the rules and regulations contained in the Forest Practice Act. Since approximately seventy-five percent of the State's property is classified as steep topography, a helicopter is required to remove a portion of the dead trees.

During preparation for the sale, Sierra Pacific Industries (SPI) advised staff they had Erickson Air Crane Company under contract to helicopter log a portion of their ownership. Staff contacted other potential timber purchasers and was advised they could not arrange for a helicopter until the year 2000. SPI was then contacted and agreed to purchase the State's standing dead timber and log the steep ground with their contract helicopter and salvage log the remaining State property using conventional ground skidding equipment. The sale area is located at approximately the 5,000-foot

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elevation level and winter snowstorms usually render this area impassable from the end of November until late spring. The State's only opportunity to remove the standing dead trees during 1999 without incurring serious deterioration of the trees was to sell the dead trees to SPI and take advantage of their contract helicopter.

Emergency action was taken pursuant to Title 2, California Code of Regulations, Section 2034 (a)(1) which provides:

Sales of small volumes of timber...or emergency salvage sales of fire, insect or disease damaged timber may be sold by direct solicitation of bids; and ...removal may be conducted without charge.

Staff sought direct solicitation of bids for the expeditious removal of the timber at the best salvage price obtainable. Removal of timber will be accomplished under a Timber Harvest Plan approved by CDF in conformance with the California Forest Practice Rules and Regulations.

OTHER PERTINENT INFORMATION:

1. Title 14, Division 1.5 Department of Forestry, Chapter 4 Forest Practices, Subchapter 7 Administration, Article 2 Timber Harvesting Plan, Paragraph Number 1052.1 Emergency Conditions. The following are conditions that constitute an emergency pursuant to Title 14, California Code of Regulations, Section 895.1(a):
 - a. Trees that are dead or dying as a result of insects, disease, parasites, or animal damage.
 - b. Trees that are fallen, damaged, dead or dying as a result of wind, snow, freezing weather, fire, flood, landslides, or earthquake.

("Emergency" means those conditions that will cause waste or loss of timber resources to the timber owner that may be minimized by immediate harvesting of infected, infested, or damaged timber or salvaging down timber, or those conditions that will cause appreciable loss to the timber owner that may be minimized by immediate harvesting of timber.)

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2. The Commission's registered forester: a) verified that the fire has killed the trees on the State's parcel, b) started the salvage operations upon approval of the Notice of Emergency Timber Operations, c) submitted a Notice of Emergency Timber Operations to CDF, d) arranged for the timber purchaser to pay the timber yield taxes, and e) will administer the agreement.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines, (Title 14, California Code of Regulations. section 15061) the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 7, Actions by Regulatory Agencies for Protection of Natural Resources, timber harvesting of burned or diseased timber on school lands in accordance with the Forest Practices Act (Public Resources Code section 4511, et seq.); Title 2, California Code of Regulations, section 2905(f)(2)

Authority: Public Resources Code section 21084, Title 14 California Code of Regulations section 15300, and Title 2, California Code of Regulations, section 2905(f)(2).

EXHIBITS:

- A. Location Map
- B. Map (Severe Fires Gubernatorial Proclamation and Presidential Emergency Declaration FEMA-3140-EM updated as of 10/27/99)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 7, ACTIONS BY REGULATORY AGENCIES FOR PROTECTION OF NATURAL RESOURCES, TITLE 2 CALIFORNIA CODE OF REGULATIONS, SECTION 2905(F)(2).

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2. CONFIRM AND RATIFY THE ACTIONS OF THE STAFF IN THE VERIFICATION OF THE FIRE KILLED TIMBER, PREPARATION OF A NOTICE OF EMERGENCY TIMBER OPERATIONS, OBTAINING A PERMIT FROM THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION AND SALE OF THE TIMBER TO SIERRA PACIFIC INDUSTRIES.

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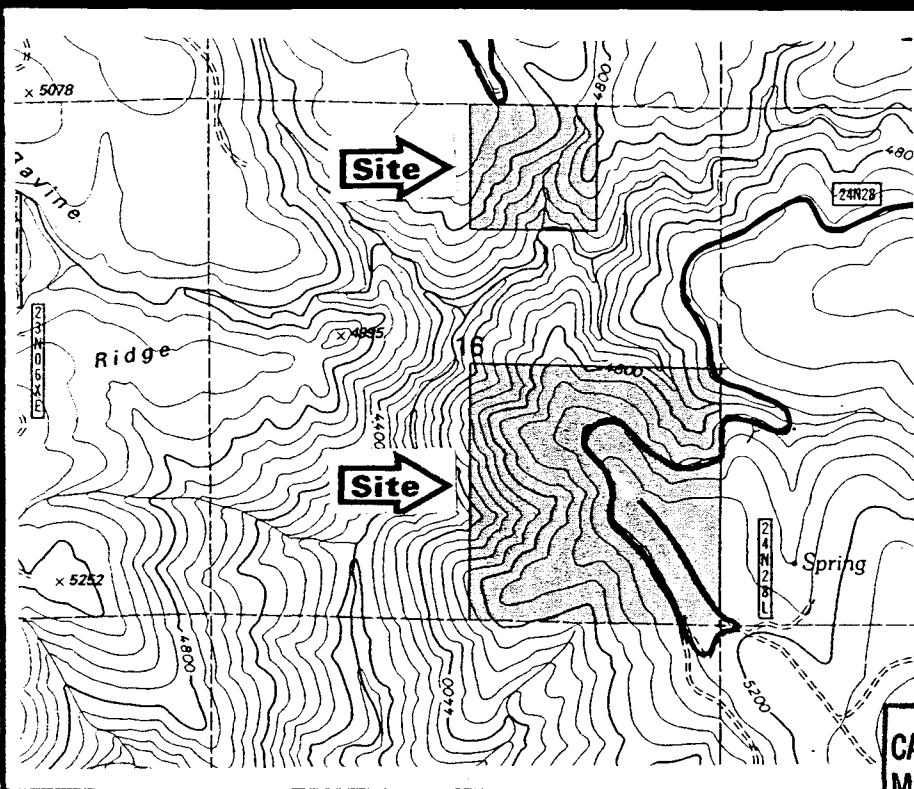
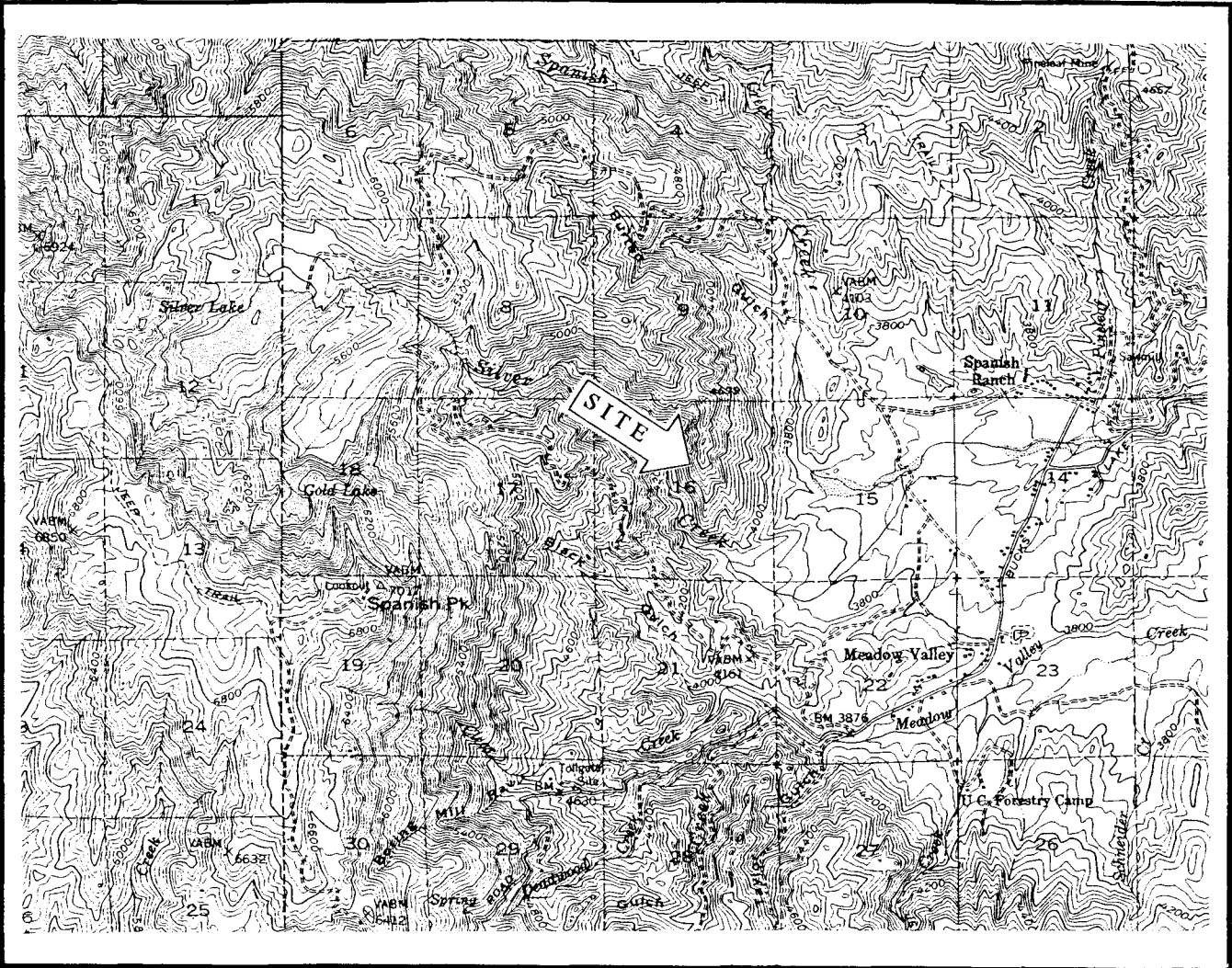
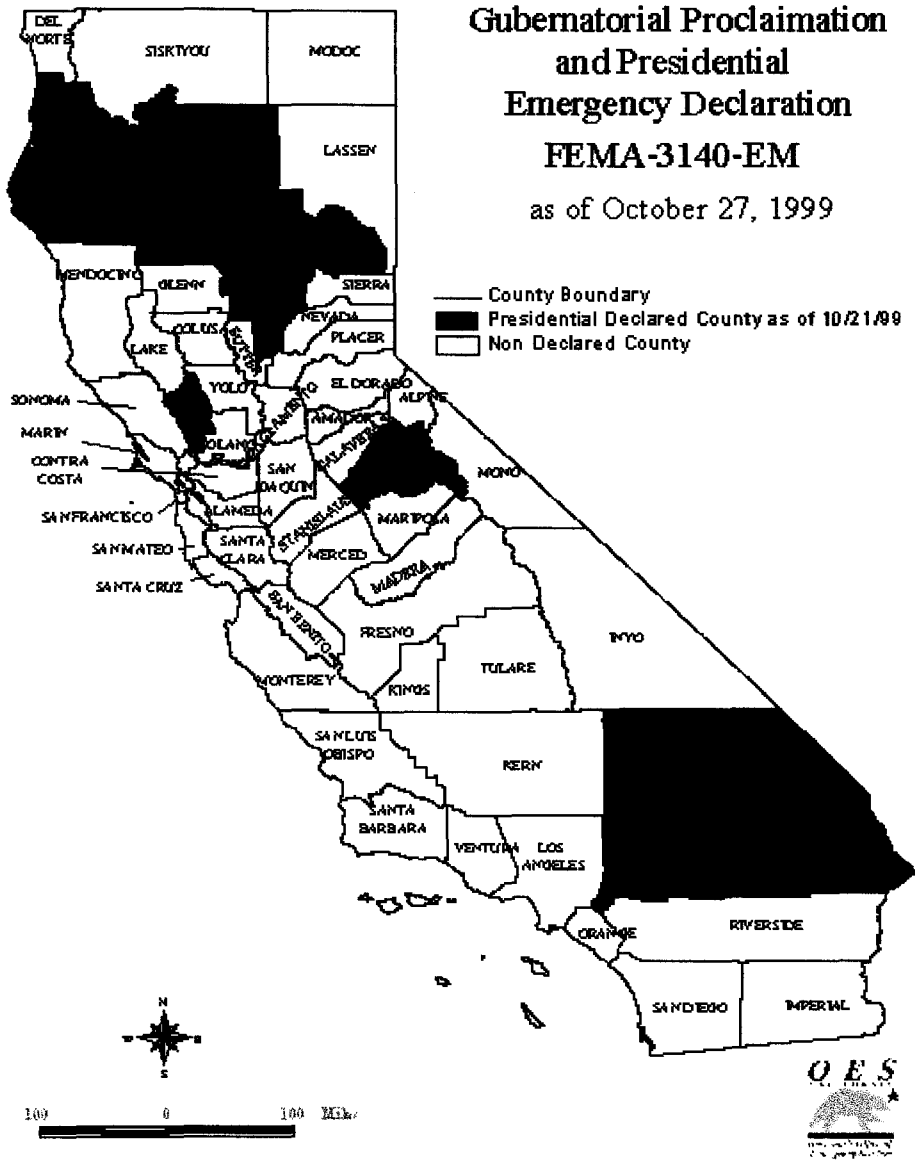


EXHIBIT "A"
 SITE MAP - W 22907
 NW1/4NE1/4 & SE 1/4 of
 SEC. 16, T23N, R8E,MDM
 PLUMAS COUNTY, CA.



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SEVERE FIRES
Gubernatorial Proclamation
and Presidential
Emergency Declaration
FEMA-3140-EM
as of October 27, 1999



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10/27/1999 8:30 AM