1.0 PROJECT AND AGENCY INFORMATION

1.1 PROJECT TITLE

The California State Lands Commission Proposed Sale of School Lands in Imperial County (Project)

1.2 LEAD AGENCY AND PROJECT SPONSOR

California State Lands Commission (CSLC)
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825

Contact person:
Christopher Huitt, Senior Environmental Scientist
Division of Environmental Planning and Management
Christopher.Huitt@slc.ca.gov
(916) 574-2080

Applicants:\nDan Westfall, President
Salvation Mountain Inc.
P.O. Box 1577
Calipatria, CA 92262

Matthew Cadwallader
Chasterus Foundation
336 N. St. Louis St.
Los Angeles, CA 90033

1.3 ORGANIZATION OF NEGATIVE DECLARATION

This Negative Declaration (ND) is intended to provide the CSLC, as the landowner and lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), the information required to exercise its discretionary responsibilities with respect to the Project. The document is organized as follows:

- Section 1 provides the Project objectives, Agency information, and a summary of the public review and comment process.
- Section 2 describes the Project including its location, environmental setting, and area background/history.
- Section 3 provides the Initial Study (IS), including the environmental setting and identification and analysis of potential impacts. The IS was conducted by the CSLC pursuant to State CEQA Guidelines section 15063.\(^1\)

---

\(^1\) As discussed in more detail below, this ND analyzes the sale of only two of the three parcels for which the CSLC has received applications.

\(^2\) The State CEQA Guidelines are found in California Code of Regulations, Title 14, section 15000 et seq.
1.4 PROJECT BACKGROUND AND OBJECTIVES

The Project involves the proposed sale of School Lands in Section 36 of Township 10 South, Range 14 East, San Bernardino Meridian located 2 miles east-northeast of Niland, Imperial County (a discussion of School Lands is provided below; see also Section 2, Project Description, for further details on the Project location). Niland is a small community on the southeast side of the Salton Sea, approximately 80 miles southeast of Palm Springs and 19 miles north of Brawley.

School Lands were granted to the State of California by the federal government under the Act of March 3, 1853 (10 Stat. 244) for the purpose of supporting public education in California, and consisted of the 16th and 36th sections of land in each township (with the exceptions of lands reserved for public use, lands taken by private land claims, and lands known to be mineral in character). No federal patents to the State were required under this grant. Title to the lands vested in the State upon approval of the U.S. Township Survey Plats (subject to the exceptions described above). School lands were placed into a statutory trust in 1984 when the State Legislature approved the School Land Bank Act (Act), created the School Land Bank Fund (SLBF), and designated the CSLC as trustee of the SLBF. The Act directs that school lands be proactively managed and enhanced to provide for an economic base in support of the public school system.

As Trustee, the CSLC has authority to exchange or sell School Lands with the proceeds deposited to the SLBF in support of the California State Teachers' Retirement System (CalSTRS). The Project objective is to partition a 640-acre School Lands parcel into three smaller parcels (30, 160, and 450 acres in size) that the CSLC proposes to sell individually to prospective buyers. The CSLC has received applications for the purchase of all three parcels (see Table 1-1); however, this ND analyzes the sale of only the Salvation Mountain and East Jesus parcels. The potential sale by the CSLC of the Slab City parcel will be subject to a separate environmental analysis in the future.

Table 1-1. Proposed Parcels within 640-Acre School Lands Parcel

<table>
<thead>
<tr>
<th>Parcel Name</th>
<th>Reference #</th>
<th>Size</th>
<th>Prospective Buyer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slab City</td>
<td>SA 5768</td>
<td>450 acres</td>
<td>Slab City Community Group</td>
</tr>
<tr>
<td>Salvation Mountain</td>
<td>SA 5769</td>
<td>160 acres</td>
<td>Salvation Mountain Inc.</td>
</tr>
<tr>
<td>East Jesus</td>
<td>SA 5771</td>
<td>30 acres</td>
<td>Chasterus Foundation</td>
</tr>
</tbody>
</table>
1.5 PUBLIC REVIEW AND COMMENT

In accordance with State CEQA Guidelines sections 15072, 15073, and 15105, the CSLC is releasing this ND for a minimum 30-day public review period to provide local and State agencies and the public the opportunity to review and comment on the document. In accordance with State CEQA Guidelines section 15074, subdivision (b), the CSLC will review and consider the ND, together with any comments received during the public review process and any modifications made in response to comments, prior to taking action on the ND and Project.

1.6 APPROVALS AND REGULATORY REQUIREMENTS

The CSLC’s authority is set forth in Division 6 of the California Public Resources Code and the California Code of Regulations, Title 2, sections 1900–2970.

The CSLC must comply with CEQA when it undertakes an activity defined by CEQA as a "project" that must receive discretionary approval (i.e., the CSLC has the authority to approve or deny the requested sale, lease, permit, or other approval) which may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment. CEQA requires the CSLC to identify the significant environmental impacts of its actions and to avoid or mitigate those impacts, if feasible.

The proposed sale of School Lands is not subject to approval by other federal, State and local entities.