

MINUTE ITEM

This Calendar Item No. C17
was approved as Minute Item
No. 17 by the State Lands
Commission by a vote of 7
to 0 at its 6/26/86
meeting.

CALENDAR ITEM

C17

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06/26/86
WP 6829 PRC 6829
D. Miller

INTERAGENCY AGREEMENT FOR PRESCRIBED BURNING PRC 6829

APPLICANT: California Department
of Forestry,
Sonoma Ranger Unit
2210 West College Avenue
Santa Rosa, California 95401

AREA, TYPE LAND AND LOCATION:
36 acres of land, located within three separate
parcels of State school land, located in the
vicinity of the Geysers, Sonoma County, will be
treated.

LAND USE: Vegetation management, fuel hazard reduction
using prescribed burning.

TERMS OF ORIGINAL INTERAGENCY AGREEMENT:
Initial period: One year beginning May 1,
1985.
Public liability insurance: Combined single
limit coverage of \$6,000,000.

TERMS OF PROPOSED INTERAGENCY AGREEMENT:
Initial period: Beginning June 1, 1986 and
terminating June 30, 1988.
Public liability: The California Department of
Forestry assumes all
responsibilities and
liabilities for the
initiation and completion of
this project.

APPLICANT STATUS:
Applicant is Lead Agency of cooperative
Vegetation Management Program.

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STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. The California Department of Forestry's Sonoma Ranger Unit's Vegetation Management Program will generally consist of rotational burning of 20 to 30 percent of the total project area or about 400 acres annually over the next 20 years in a mosaic pattern to enhance wildlife habitat, reduce fire hazard, and increase water yield to local streams and reservoirs. This burning is part of the 15,000 acre Sonoma County, Known Geothermal Resource Area (KGRA) Vegetation Management Project of which 8,000 acres are scheduled to be burned during the 20-year project. The Master Plan area includes three school land parcels totalling 192 acres of which 36 acres are scheduled for burning in the first year pursuant to the agreement which is the subject of this Calendar Item. This is a cooperative effort because the school land's productivity and environment will be improved and CDF's costs on this project will be reduced because they will not have to construct additional fire lines to exclude the school lands from this project.
2. The California Department of Forestry assumes all responsibility and liability in connection with this project. There will be no cost or expenses charged to the State Lands Commission concerning this project.
3. In December, 1982, the Executive Officer of the State Lands Commission signed the Memorandum of Understanding for Coordinated Resource Management Planning in California. This document encourages the State Lands Commission to enter into the Vegetation Management Program with the California Department of Forestry.

4. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. However, the Commission has declared that school lands are "significant" by nature of their public ownership (as opposed to "environmental significant"). Since such declaration of significance is not based upon the requirements and criteria of P.R.C. 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by 2 Cal. Adm. Code 2954 is not applicable.

5. A Program Environmental Impact Report (EIR) was prepared and adopted for this project by the California Department of Forestry. This Program Environmental Impact Report and an environmental evaluation of each proposed project consisting of an Application, Environmental Checklist, Land Management Plan, Prescription, Smoke Management Plan, Insurance Policy and Contract will be used to comply with the California Environmental Quality Act (CEQA). The Environmental Checklist, Land Management Plan, Prescription and Smoke Management Plan are designed to mitigate the environmental effects identified in the EIR and will also indicate what, if any, additional CEQA documentation will be required. The Sonoma Range Unit has prepared the above-mentioned supplemental documents for the particular area that is subject of this Calendar Item. The approved environmental checklist, Land Management Plan, Prescription, and Smoke Management Plan have identified potential significant impacts and have provided mitigation measures and do not indicate any additional CEQA documentation is required. The State Lands Commission staff has reviewed such documentation and believes it

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complies with the requirements of CEQA and, based upon the information provided in such documentation, believes this activity will not have a significant effect on the environment.

6. On file with the State Lands Commission are copies of the following documents:
 - a. Memorandum of Understanding for Coordinated Resource Management Planning in California.
 - b. Chaparral Management Program
The Resources Agency, California
Department of Forestry Final
Environmental Impact Report
SCH 80100262
 - c. CDF, Sonoma Ranger Unit prescribed burn agreement package.
 - (1) Project Agreement for Prescribed Burning.
 - (2) Contract No. 14-030/036-84-UVP prescribed burn plan for Sonoma KGRA Project #3, Units 1 and 2 and Smoke Dispersal Plan
 - (3) Sonoma KGRA CMP Project Management Plan
Sonoma Ranger Unit - Healdsburg
Ranger District
 - (4) Environmental Checklist for Sonoma KGRA* Project
 - (5) Memorandum of Understanding for Coordinated Resource Management Planning in California.

7. On April 25, 1985, the Commission authorized execution of interagency agreement PRC 6829 with the California Department of Forestry to conduct Vegetation Management Program prescribed burns involving about 36 acres within three separate State school land parcels at the Geysers in Sonoma County. The applicants EIR was reviewed at this time. This agreement terminated on April 30, 1986.

*Known Geothermal Resource Area (KGRA)

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9. In July, 1985 this project was cancelled by the California Department of Forestry because their insurance coverage had been reduced. Since then, appropriate legislation has been passed by the State Legislature to allow the Department of Forestry to offer the landowners fault free liability indemnification agreements in lieu of insurance.

The California Department of Forestry desires to complete its vegetation management projects between June 1, 1986 and June 30, 1988.

- EXHIBITS:
- A. Land Description.
 - B. Location Map.
 - C. CEQA Findings.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN EIR HAS BEEN PREPARED AND ADOPTED FOR THIS PROJECT BY THE CALIFORNIA DEPARTMENT OF FORESTRY AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. ADOPT THE FINDINGS MADE PURSUANT TO SECTION 15091 OF THE STATE EIR GUIDELINES AS CONTAINED IN EXHIBIT "C".
3. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE THE EXECUTION OF THE INTERAGENCY AGREEMENT PRC 6829 FOR PRESCRIBED BURNING ON STATE SCHOOL LANDS WITH THE DEPARTMENT OF FORESTRY TO PROVIDE FOR VEGETATION MANAGEMENT PROGRAM ON LANDS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, FOR A PERIOD BEGINNING JUNE 1, 1986 TO JUNE 30, 1988.

EXHIBIT "A"

LAND DESCRIPTION

PRC 6829

Those parcels of California State school lands in Sonoma County, California, described as follows:

Lot 5, Section 29, T11N, R8W, MDM.

Lots 17, 18, 20, and 22, Section 33, T11N, R8W, MDM.

Lots 17, 18, 19, 20 and 21, Section 2, T11N, R9W, MDM.

END OF DESCRIPTION

PREPARED DECEMBER 11, 1984, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR

EXHIBIT "C"

The following findings relate to each of the potential significant effects identified in the environmental impact report prepared for the project:

Water Quality

Impact: Potential degradation of water quality in the project area from both site preparation and prescribed burn operations. These impacts include turbidity, higher bio-oxygen demand, and sedimentation caused by erosion and increased water temperatures caused by removal of streamside shading.

Finding: (a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects thereof as identified in the final EIR and site specific assessment.

(b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding (California Department of Forestry (CDF) - Sonoma Ranger District). Such changes have been adopted by such other agency, or can and should be adopted by such agency.

Facts Supporting Finding

Prescribed burning in the proposed agreement area could result in several water quality impacts to the environment from the site preparation (i.e., use of heavy equipment) and the prescribed burn itself (i.e., not burning in appropriate season; burning too large an area; use of high-intensity fires; etc.).

Pursuant to Division 4 of the Public Resources Code, CDF has jurisdiction and responsibility over management of the Chaparral Management Program. Section 4476 of Division 4 provides for the identification of an officer of such department as the fire boss with final authority to approve and amend the plan and formula applicable to the prescribed burning operation.

The proposed Interagency Agreement provides that a: "...Prescribed Burn Plan for the Sonoma KGRA #3 Prescribed Burn Project, prepared by CDF on October 1, 1984, establishes the standards to be met and will govern project execution...". The plan provides for specific measures designed to avoid or significantly lessen the above-mentioned water quality impacts.

Geology

Impact: Potential effects on the geology from both site preparation and prescribed burn operations. These impacts include potential landslide areas.

Finding: (a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects thereof as identified in the final EIR and site specific assessment.

(b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding (CDF - Sonoma Ranger District). Such changes have been adopted by such other agency, or can and should be adopted by such agency.

Facts Supporting Finding

Prescribed burning in the proposed agreement area could result in significant environmental impacts from the site preparation (i.e., use of heavy equipment) and the prescribed burn itself (i.e., burning in "Geologic Hazard Areas"). The proposed area includes potential landslide areas.

Pursuant to Division 4 of the P.R.C., CDF has jurisdiction and responsibility over management of the Chaparral Management Program. Section 4476 of Division 4 provides for the identification of an officer of such department as the fire boss with final authority to approve and amend the plan and formula applicable to the prescribed burning operation.

The proposed Interagency Agreement provides that: "...Prescribed Burn Plan for the Sonoma KGRA #3 Prescribed Burn Project, prepared by CDF on October 1, 1984, establishes the standards to be met and will govern project execution...". The plan provides for specific measures designed to avoid or significantly lessen the above-mentioned environmental impacts.

Air Quality

Impact: Potential impacts on air quality from the proposed prescribed burn operation.

Finding: (a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects thereof as identified in the final EIR and site specific assessment.

(b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding (North Sonoma County Air Pollution Control District and the California Air Resources Board). Such changes have been adopted by such other agency, or can and should be adopted by such other agency.

Facts Supporting Finding

The prescribed burn operation could have potential significant impacts on air quality by the emission of pollutants into the atmosphere.

Jurisdiction and regulatory authority over air quality in the proposed agreement area resides with the North Sonoma County Air Pollution Control District and the Air Resources Board. The District has and enforces rules and regulation applicable to controlled emissions into the atmosphere. In order to assure compliance with the air quality regulations, CDF has developed a Smoke Management Plan in close coordination with the North Sonoma County Air Pollution Control District. Such Smoke Management Plan is attached to, and is part of, the Prescribed Burn Plan.

Some of the mitigation measures included in such Smoke Management Plan are: when the burn should occur, i.e., time of day; time of year; wind direction; humidity; etc. These provisions will serve to mitigate potential air quality impacts.

Biota

Impact: Potential significant impacts could occur to the biota in the project area from both site preparation and prescribed burn operation. Some of these impacts are: loss of escape cover; loss of riparian habitat; loss of habitat of rare or endangered fauna; loss of vegetation containing rare or endangered flora; etc.

Finding: (a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects thereof as identified in the final EIR and site specific assessment.

(b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding (CDF - Sonoma Ranger District). Such changes have been adopted by such other agency, or can and should be adopted by such agency.

Facts Supporting Finding

Prescribed burning in the proposed agreement area could result in several significant environmental impacts to the biota from the site preparation (i.e., use of heavy equipment; providing too large an area for the burn; etc.) and the prescribed burn itself (i.e., burning too large an area; loss of riparian vegetation; loss of rare or endangered species habitat; etc.).

Pursuant to Division 4 of the P.R.C., CDF has jurisdiction and responsibility over management of the Chaparral Management Program. Section 4476 of Division 4 provides for the identification of an officer of such department as the fire boss with final authority to approve and amend the plan and formula applicable to the prescribed burning operation.

The proposed Interagency Agreement provides that:
"...Prescribed Burn Plan for the Sonoma KGRA #3 Prescribed Burn Project, prepared by CDF on October 1, 1984, establishes the standards to be met and will govern project execution...". The plan provides for specific measures designed to avoid or significantly lessen the identified environmental impacts.