

MINUTE ITEM
This Calendar Item No. 32
was approved as Minute Item
No. 32 by the State Lands
Commission by a vote of 7
to 0 at its 5/31/89
meeting.

CALENDAR ITEM

A 42, 62

32

S 16, 25, 26

05/31/89
WP 5976.9 PRC 5976
Beutler
Miller

MEMORANDUM OF UNDERSTANDING FOR
RECREATIONAL MANAGEMENT OF THE FISH CANYON
SCHOOL LANDS PARCEL

APPLICANT: United States Forest Service
Angeles National Forest
Attn: George A. Roby, Forest Supervisor
701 North Santa Anita Avenue
Arcadia, California 91006

To facilitate administration of the Angeles National Forest Land and Resource Management Plan, the United States Forest Service (USFS) requests that a Memorandum of Understanding be executed with the Commission to authorize temporary management of a school land parcel contiguous to USFS boundaries. Called Fish Canyon, the 640-acre parcel is located about two miles north of Azusa, Los Angeles County. The Fish Canyon trail within the parcel has existed for over sixty years and has been maintained at no cost to the State by the Angeles National Forest. On the same section, the Angeles National Forest leases (PRC 5976) 6.73 acres on which it maintains a fuel break used to help control wildfires. That agreement expires 12/31/99.

The USFS also recently identified a small section of new Forest Service hiking trail that crossed over into the school land parcel. They wish to resolve the minor trespass.

Presently, the United States Forest Service and the State Lands Commission are completing (about October 1989) the previously authorized Phase I Land Exchange which will include the transfer of ownership of the Fish Canyon parcel to the USFS.

AB 884: N/A.

CALENDAR ITEM NO. 32 (CONT'D)

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes there is no possibility that this project may have a significant effect on the environment.

Authority: 14 Cal. Code Regs. 15061(b)(3).

EXHIBITS:

- A. Location Map.
- B. Site Map.
- C. Memorandum of Understanding.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. [14 CAL. CODE REGS. 15061(b)(3)]
2. AUTHORIZE AND ACCEPT THE HIKING TRAIL IMPROVEMENT WITH THE UNDERSTANDING THAT THE FOREST SERVICE WILL PROVIDE ALL SERVICE AND MAINTENANCE PURSUANT TO THE MEMORANDUM OF UNDERSTANDING.
3. AUTHORIZE THE EXECUTIVE OFFICER, OR HER DESIGNEE, TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE USFS FOR TEMPORARY RECREATIONAL MANAGEMENT OF THE FISH CANYON SCHOOL LAND PARCEL.

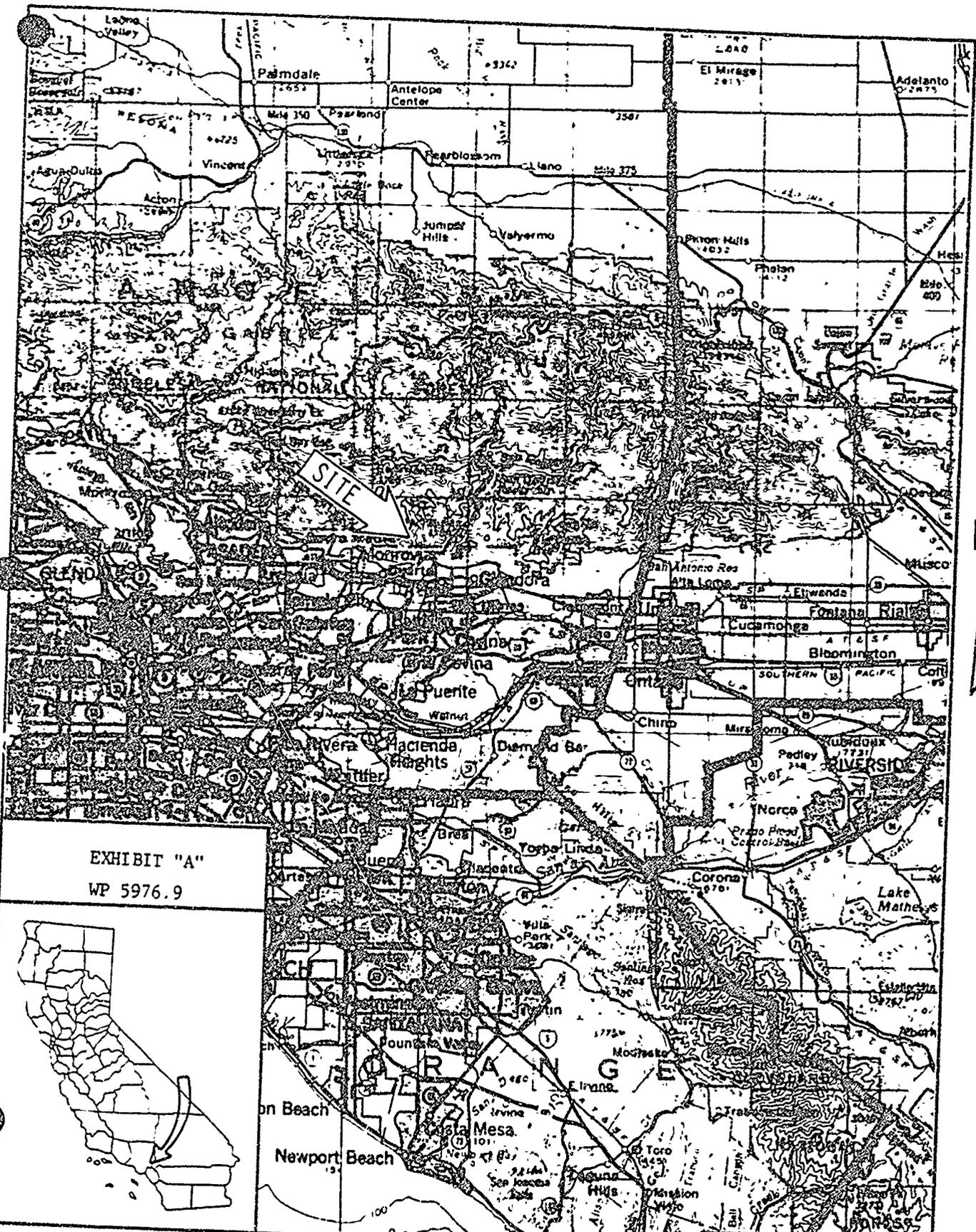


EXHIBIT "A"
WP 5976.9



CALENDAR PAGE
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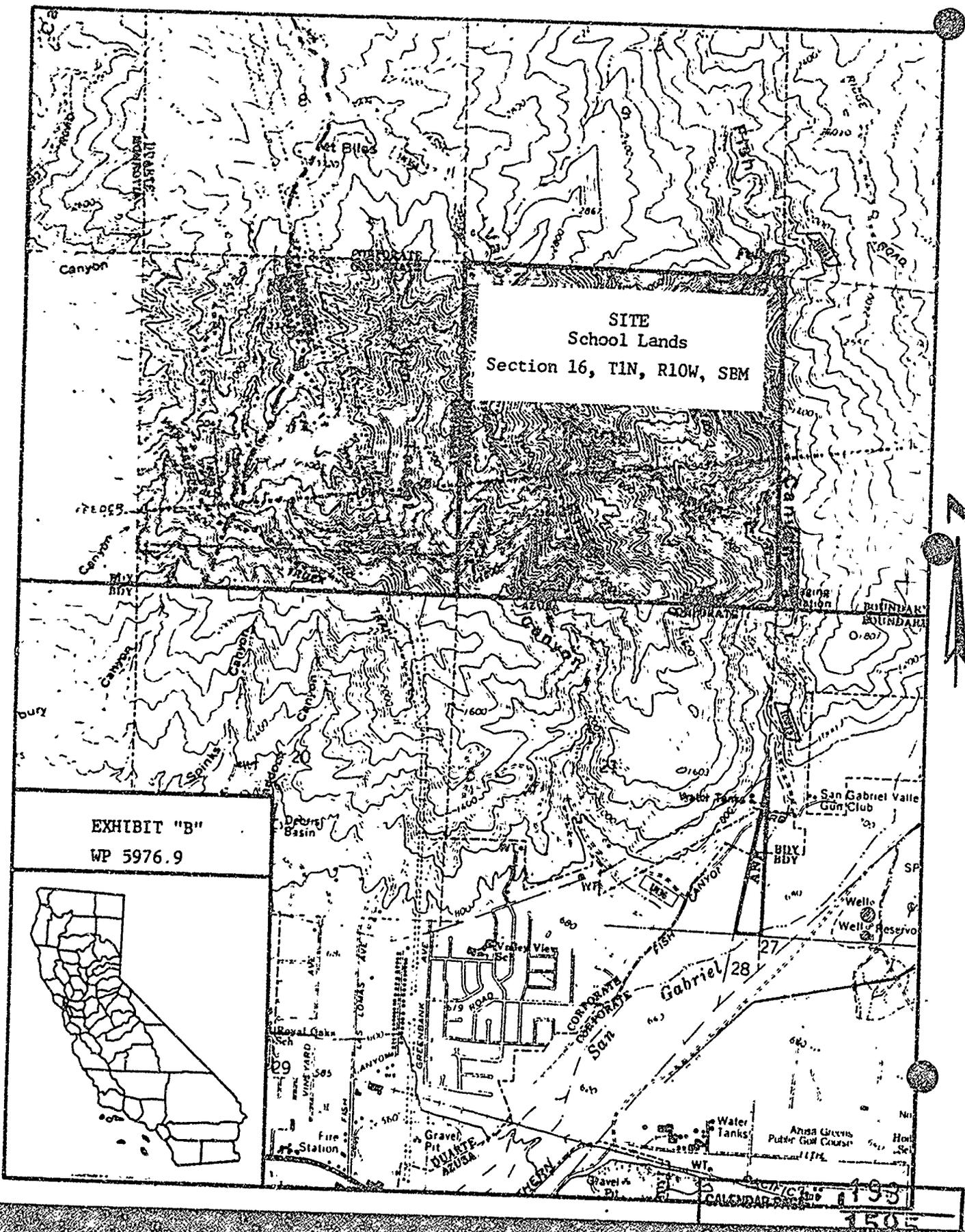


EXHIBIT "B"
WP 5976.9



CALIFORNIA 1951
1505

EXHIBIT "C"

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE, ANGELES NATIONAL FOREST
AND
STATE LANDS COMMISSION

WHEREAS, the United States Forest Service, Angeles National Forest (Forest) and the State of California, State Lands Commission (State) desire to enter into an agreement that would allow the Forest interim management of school land within the boundaries of the Angeles National Forest until the completion of Phase I of the State Lands Commission - U.S. Forest Service land exchange.

The Forest Land Adjustment Plan identifies the school land (640 acres) as lands the Forest wishes to acquire and put into the National Forest System. This plan is also part of the Forest Land Management Plan in which a Record of Decision was rendered November 6, 1987.

WHEREAS, the Forest currently administers and maintains a recreational hiking trail for public access that has existed for over sixty (60) years in Fish Canyon. Said trail encroaches upon State land in which no authorized access was ever acquired by the Forest. The Forest also administers a Fuelbreak Easement which was granted by the State and expires December 31, 1999.

THEREFORE, this Memorandum of Understanding (M.O.U.) is intended to allow the Forest authorized use of State land for the purposes stated above until the proposed exchange is consummated with a target date of October, 1989. This authorization is subject to all pertinent laws and regulations.

NOW, THEREFORE, the Forest and the State agree to the following:

A. THE FOREST AGREES TO:

1. Administer and maintain Fish Canyon hiking trail in its present location at no cost to the State.
2. Continue to administer and maintain the existing fuelbreak under the present conditions described in the "Fuelbreak Agreement" recorded in Los Angeles County, April 24, 1981.
3. In the event of any necessary modification to either items one or two above, the Forest shall submit in writing to the State, the proposed modification. Only upon approval by the State, shall the Forest proceed with the proposed modifications.

C. THE STATE AND FOREST MUTUALLY AGREE TO:

1. Not assign any new rights or interest on the State land under this M.O.U. without the prior written notification and approval of the other party.
2. This agreement shall become effective when accepted by the parties hereto and will continue from the date of execution of this agreement, until upon such time as the Phase I Land Exchange is consummated or terminated by written notice by either party, thirty (30) days prior to desired termination.
6. No member of, or delegate to, Congress or Resident Commission shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.
7. Nothing herein shall be construed as obligating the Forest Service to expend or involved the United States in any contract or other obligation for future payment of money in excess of appropriations authorized by law.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as the last date written below.

U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE

STATE OF CALIFORNIA
STATE LANDS COMMISSION

GEORGE A. ROBY, Forest Supervisor
Angeles National Forest

Executive Officer

Date

Date