

MINUTE ITEM

This Calendar Item No. C61 was approved as Minute Item No. 61 by the California State Lands Commission by a vote of 3 to 0 at its 9.17.01 meeting.

**CALENDAR ITEM
C61**

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09/17/01
W 25782
H. Anderson

PROPOSED FIRE SALVAGE TIMBER SALE

PARTY:

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

AREA, LAND TYPE, AND LOCATION:

160 acres, more or less, of State School Land located approximately seven miles west of Covelo, Mendocino County.

BACKGROUND

In June 2001, the Covelo Fire, located approximately seven miles west of Covelo, Mendocino County, burned portions of 160 acres of school lands and killed 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 land has physical access but no legal access. Commission staff is in the process of acquiring access to the damaged timber and contracting for the services of a Registered Professional Forester to prepare and submit a Notice of Emergency Timber Operations, in preparation for the sale of the fire damaged timber. The Notice of Emergency Timber Operations requires approval by the California Department of Forestry and Fire Protection (CDF). All timber operations must comply with the rules and regulations contained in the Forest Practice Act.

The Notice of Emergency Timber Operations is valid for 120 days from its approval by CDF. The damaged timber is located at approximately the 3,000-foot elevation and winter weather will render this area impassable from the end of November until late spring. The timber should be removed as soon as possible to avoid serious deterioration of the trees. The most expeditious method of removing the timber at the best salvage price is by direct solicitation of bids.

Direct solicitation of bids for the sale of fire damaged timber is allowed 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:...

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OTHER PERTINENT INFORMATION:

1. It is staff's opinion that the proposed activity conforms to the provisions of 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 animal damage.
 - b. Trees that are fallen, damaged, dead or dying as a result of wind, snow, freezing weather, fire, flood, landslides, or earthquakes.

(Section 895.1 Definitions. "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 financial loss to the timber owner that may be minimized by immediate harvesting of timber.)

2. 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 the CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alterations to Land, Title 14, California Code of Regulations, section 15304.

Authority: Public Resources Code section 21084, and Title 14, California Code of Regulations section 15300.

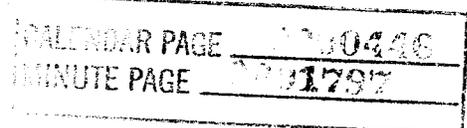
EXHIBITS:

- A. Locality Map
- B. Site Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

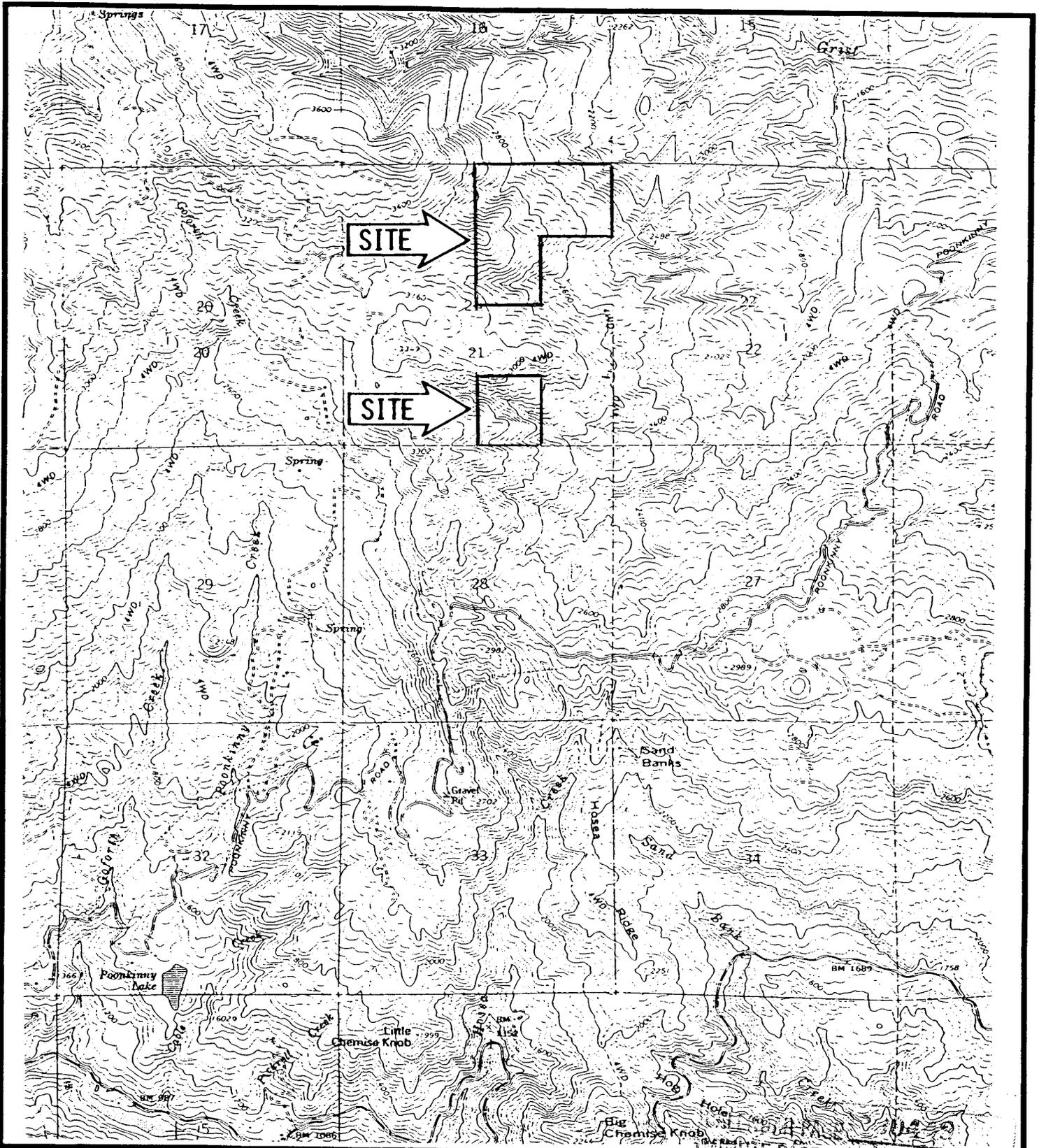
1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATIONS TO LAND, TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15304.



CALENDAR ITEM NO. C61 (CONT'D)

2. AUTHORIZE STAFF TO SELL FIRE DAMAGED TIMBER LOCATED ON SCHOOL LANDS AS SHOWN ON EXHIBITS A AND B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF BY DIRECT SOLICITATION OF BIDS CONTINGENT UPON OBTAINING ACCESS TO THE FIRE DAMAGED TIMBER AND A NOTICE OF EMERGENCY TIMBER OPERATIONS APPROVED BY THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION.

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W1/2NE1/4, NE1/4NE1/4, SW1/4SE1/4 SEC. 21, T.22N., R.13W., MDM
Mendocino County, California

This exhibit is solely for purposes of generally defining the fire salvage area, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or other property.

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Exhibit B – Site Map
W 25782
August 14, 2001