

**CALENDAR ITEM  
C65**

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W 26496  
J. Porter

**AUTHORIZATION FOR A FIRE SALVAGE TIMBER SALE**

**PARTY:**

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

**AREA, LAND TYPE, AND LOCATION:**

11.28 acres, more or less, of State school lands located in Section 36, Township 18 North, Range 7 East, MDM, east of Dobbins, Yuba County.

**BACKGROUND:**

In August 2010, the Bullard fire, located approximately three miles east of Dobbins, Yuba County, burned portions of 11.28 acres of school lands and killed standing timber. Because the property was erroneously shown in the Yuba County records as being owned by the United States (as part of the Tahoe National Forest), it was not discovered until late July 2011, that the property actually is owned by the State of California. 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.

Commission staff is in the process of contracting for the services of a Registered Professional Forester to prepare and submit a Notice of Timber Emergency Operations in preparation for the sale of the fire-damaged timber. The Notice of Timber Emergency 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 (Title 14, California Code of Regulations, Chapters 4, 4.5 and 10).

The Notice of Emergency Timber Operations is valid for 120 days from its approval by CDF. Because of the time that has already elapsed, the timber should be removed as soon as possible to avoid further deterioration of the dead trees. The most expeditious method of removing the timber at the best salvage price is by direct solicitation of bids.

CALENDAR ITEM NO. C65 (CONT'D)

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...

**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 determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alterations to Land, Title 14, California Code of Regulations, section 15034.

Authority: Public Resources Code section 21084, and Title 14, California Code of Regulations, section 15304.

3. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq. However, the Commission has declared that all lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not

CALENDAR ITEM NO. **C65** (CONT'D)

based upon the requirements and criteria of Public Resources Code section 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 Title 2, California Code of Regulations, section 2954 is not applicable.

**EXHIBIT:**

- A. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the activity is exempt from the requirements of 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.

**AUTHORIZATION:**

Authorize staff to sell fire-damaged timber located on 11.28 acres, more or less, of State school lands located in Section 36, Township 18 North, Range 7 East, MDM, Yuba County as shown on Exhibit A attached and by this reference made a part hereof, by direct solicitation of bids contingent upon a Notice of Emergency Timber Operations approved by the California Department of Forestry and Fire Protection.