

1 **1.0 PROJECT AND AGENCY INFORMATION**

2 **1.1 PROJECT TITLE**

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

5 **1.2 LEAD AGENCY AND PROJECT SPONSOR**

6 California State Lands Commission (CSLC)
7 100 Howe Avenue, Suite 100-South
8 Sacramento, CA 95825

9 Contact person:

10 Christopher Huitt, Senior Environmental Scientist
11 Division of Environmental Planning and Management
12 Christopher.Huitt@slc.ca.gov
13 (916) 574-2080

14 **Applicants:¹**

15 Dan Westfall, President	Matthew Cadwallader
16 Salvation Mountain Inc.	Chasterus Foundation
17 P.O. Box 1577	336 N. St. Louis St.
18 Calipatria, CA 92262	Los Angeles, CA 90033

19 **1.3 ORGANIZATION OF NEGATIVE DECLARATION**

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

- 24 • Section 1 provides the Project objectives, Agency information, and a summary of
25 the public review and comment process.
- 26 • Section 2 describes the Project including its location, environmental setting, and
27 area background/history.
- 28 • Section 3 provides the Initial Study (IS), including the environmental setting and
29 identification and analysis of potential impacts. The IS was conducted by the
30 CSLC pursuant to State CEQA Guidelines section 15063.²

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 • Section 4 includes an environmental justice analysis and discussion consistent
2 with CSLC Policy.
- 3 • Section 5 presents information on report preparation and references.
- 4 • Appendix A, Environmental, Cultural, and Other Clearance Surveys, includes
5 technical and other information supporting the analysis presented in this ND.

6 **1.4 PROJECT BACKGROUND AND OBJECTIVES**

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

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

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

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

Parcel Name	Reference #	Size	Prospective Buyer
Slab City	SA 5768	450 acres	Slab City Community Group
Salvation Mountain	SA 5769	160 acres	Salvation Mountain Inc.
East Jesus	SA 5771	30 acres	Chasterus Foundation

1 **1.5 PUBLIC REVIEW AND COMMENT**

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

9 **1.6 APPROVALS AND REGULATORY REQUIREMENTS**

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

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

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

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