

# LETTER H

McARTHUR RESOURCE MANAGEMENT ASSOCIATION, INC.  
42750 Old Bickel Place  
Fall River Mills, CA. 96028  
Phone: (530) 336-5245 FAX: (530) 336-6556

November 28, 2001

Billie Blanchard, CPUC  
c/o Environmental Science Associates  
700 University Avenue, Suite 130  
Sacramento, California 95825

Re: Response to P.G.E.'s Shasta County Land Transfers, Draft Mitigated Negative Declaration

Dear Billie:

The McArthur Resource Management Association, Inc. (MRMA), of which I am the Secretary, is presenting this response to the Draft Mitigated Negative Declaration (DMND).

## Air Quality

We disagree with the finding that the project would have potential significant air quality consequences unless mitigation is incorporated. This assumption is based on the finding that "actions subsequent to the transfer of lands would involve excavation and grading activities." The management plan, developed in coordination with P.G.&E. and applicable state and federal agencies at considerable expense of time and energy, outlines the future uses of the property. These do not call for significant construction activity. It is highly unlikely that activity would differ from present levels. This, after all, is approximately 6,000 acres of grasslands dedicated to wildlife and livestock grazing with buildings prohibited! Construction would be limited to required levee repairs, road grading, and wildlife enhancement.

H-1

We further object to the mitigation proposed for the Air Quality section of the document. These types of restrictions cover a broad spectrum and could be interpreted very strictly in the future. These measures would be impossible for our small company, as owners, to implement. The MRMA will be restricted to a limited budget that is already overloaded with required expenditures. We feel the currently applicable regulations are adequate to ensure air quality. The proposed mitigation measures are not economically possible under projected income levels.

## Cultural Resources

We object to the finding of a potentially significant impact on the cultural resources. Again, we point out that the future operation of the property will be little different than the past operation. Keeping the property in pasture for livestock and wildlife will not have a negative effect on cultural resources. As the DMND points out, much of the property was previously underwater and the remainder has been grazed for 100 years.

H-2

The mitigation proposed for this issue is so restrictive that it is not possible to even allow public or private access at the current level. These restrictions have not been observed by P.G.&E. or even by the California Department of Parks at their adjacent State Park. To enforce rules more restrictive than those for the Parks is unacceptable.

Billie Blanchard, CPUC  
c/o Environmental Science Associates  
November 28, 2001  
Page Two

### Dredge Access

The entire land transfer hinges on several key points. One of these is the demand by the California Department of Fish and Game for a public access on the dredge parking site on the lower river. The opening of this access is contingent upon the trade of privately-owned property at the access site for the P.G.&E. property. The placement of the conservation easement on this property will render it valueless and, consequently, eliminate the possibility of acquiring the access.

This 4-acre site represents less than .0006% of the total land transfer. Its value as a cultural resource is insignificant in terms of the total transfer and the total cultural resources in the immediate area, i.e., Ahjumawi Lava Springs State Park. To reiterate, the placing of the conservation easement and mitigation measures on this portion of the land transfer will eliminate the opportunity for public access at the dredge site.

H-3

The Declaration discusses the issue of public access to the Ahjumawi State Park through the Rat Farm access. If current negotiations by the State to acquire Lava Creek Lodge and, therefore, deeded access to the Park are successful, then access at the Rat Farm will no longer be necessary. The MRMA proposes that public park access through the swamp lands be contingent on there being no other access available to the Park. In other words, if the Park has land access, it does not need the Rat Farm access. This could significantly reduce traffic on the unsurfaced road and, therefore, the effect on air quality.

### Summary

In summary, we feel the DMND is erroneous in finding significant impact on the air quality and cultural resources.

We feel the mitigation measures proposed are both economically and physically impossible to implement, particularly for a company formed for public benefit.


The current local and federal laws are adequate to protect the air quality and cultural resources.

H-4

The inclusion of the "dredge" site in the conservation easement will prevent the public access in that area.

Overall, the DMND has overlooked the fact that the land transfer will have a net positive effect on the environment. The protection of wildlife, enhancement of habitat, and declaration of open space will outweigh any negative effects of dust. Cultural resources will continue to be protected under existing law. Somewhere there has to be someone with encompassing judgment and not the restricted views of special interests.

Very truly yours,

  
D. J. MARTIN  
Secretary

DJM:llh