

Friends of the Sierra Railroad v. Tuolumne Park and Recreation District (Feb. 8, 2007),
147 Cal.App.4th 643

The District sold land containing a historic, but unused railroad right-of-way to the Tuolumne Band of Me-Wuk Indians without undertaking a CEQA review of the transaction. The Band owned adjacent land and was known to be considering developing it, but had presented no development plans to any agency. Friends of Sierra Railroad sued the District, alleging that this action fell within the definition of “project” under CEQA. The trial court held for the District.

The Court of Appeal affirmed. Although some development of the land surrounding the historic resource was reasonably foreseeable, without a concrete development proposal any analysis of potential impacts would have been premature.