MINUTE ITEM

This Calendar Item No. 24 was approved as Minute Item No. 24 by the State Lands Commission by a vote of 2 to 0 at its 9-24-80 meeting.

CALENDAR ITEM

24.

9/80
W 9039
Smith
PRC 5905

PROSPECTING PERMIT FOR MINERALS
OTHER THAN OIL, GAS AND GEOTHERMAL, SAN BERNARDINO COUNTY

APPLICANT: Harold Ladd Pierce
1302 Rossmore Tower
A 4 Laguna Hills Business Park
Laguna Hills, California 92653

TYPE OF LAND, LOCATION, AND AREA:
Approximately 56 acres of patented school land comprising a fractional portion of the SW¼ NE¼, and all of Lot 7, of Section 24, T3S, R3E, SBM in Riverside County. Section 24 is situated in the San Gorgonio Pass area near the confluence of the Whitewater River and the San Gorgonio River, approximately seven miles northwest of Palm Springs. The State retained 100% of the minerals in the subject area.

PROPOSAL: To systematically sample the feldspathic blow sands within the permit area and lab test to determine if they contain the desirable chemical and physical properties utilized in the glazing process in the manufacture of commercial ceramics.

METHOD OF EXPLORATION:
To hand dig approximately 6 samples of 30 to 50 pounds each from trenches at an average depth of 6 feet. Samples will be bagged and transported to the laboratory for a physical and chemical analysis. All trenches or diggings will be filled at the completion of the sampling.

A 67

S 34

PREREQUISITE TERMS:

1. Required statutory filing fee, permit fee, and expense deposit have been submitted by the applicant.

2. The subject parcel is not known to contain commercially valuable deposits of minerals.

3. Royalty payable under any preferential lease issued shall not be less than 10% percent of the Gross Sales Revenue less specific charges, as approved by the Commission.

APPROVALS OBTAINED:

Pursuant to Section 6890 of the Public Resources Code, the subject permit application has been approved by the Office of the Attorney General as to compliance with applicable provisions of the law.

The Commission staff in accordance with Article 10, Section 2905(b) of the Cal. Adm. Code, has conducted an initial study and has determined that the project will not have a significant effect on the environment. Therefore, in compliance with Section 2905(c) of the Cal. Adm. Code, a Negative Declaration was prepared and filed with the State Clearinghouse.

The Negative Declaration was circulated to responsible agencies and agencies having jurisdiction by law. No adverse comments were received on the initial study.

OTHER PERTINENT INFORMATION:

1. This project is situated on State land which has not been classified as possessing significant environmental values.

2. Pursuant to Public Resources Code Section 6985, the applicant would have a preferential right to a lease for a maximum of 160 contiguous acres embraced within the permit.

EXHIBITS: A. Location Map. B. Land Description.

C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY THE COMMISSION STAFF.

2. CERTIFY THAT THE NEGATIVE DECLARATION NO. 266 HAS BEEN COMPLETED IN COMPLIANCE WITH THE CEQA OF 1970, AS AMENDED, AND THE STATE E.I.R. GUIDELINES, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

4. DETERMINE THAT THE LANDS DESCRIBED IN THE PERMIT ARE NOT KNOWN TO CONTAIN COMMERCIALLY VALUABLE DEPOSITS OF MINERALS.

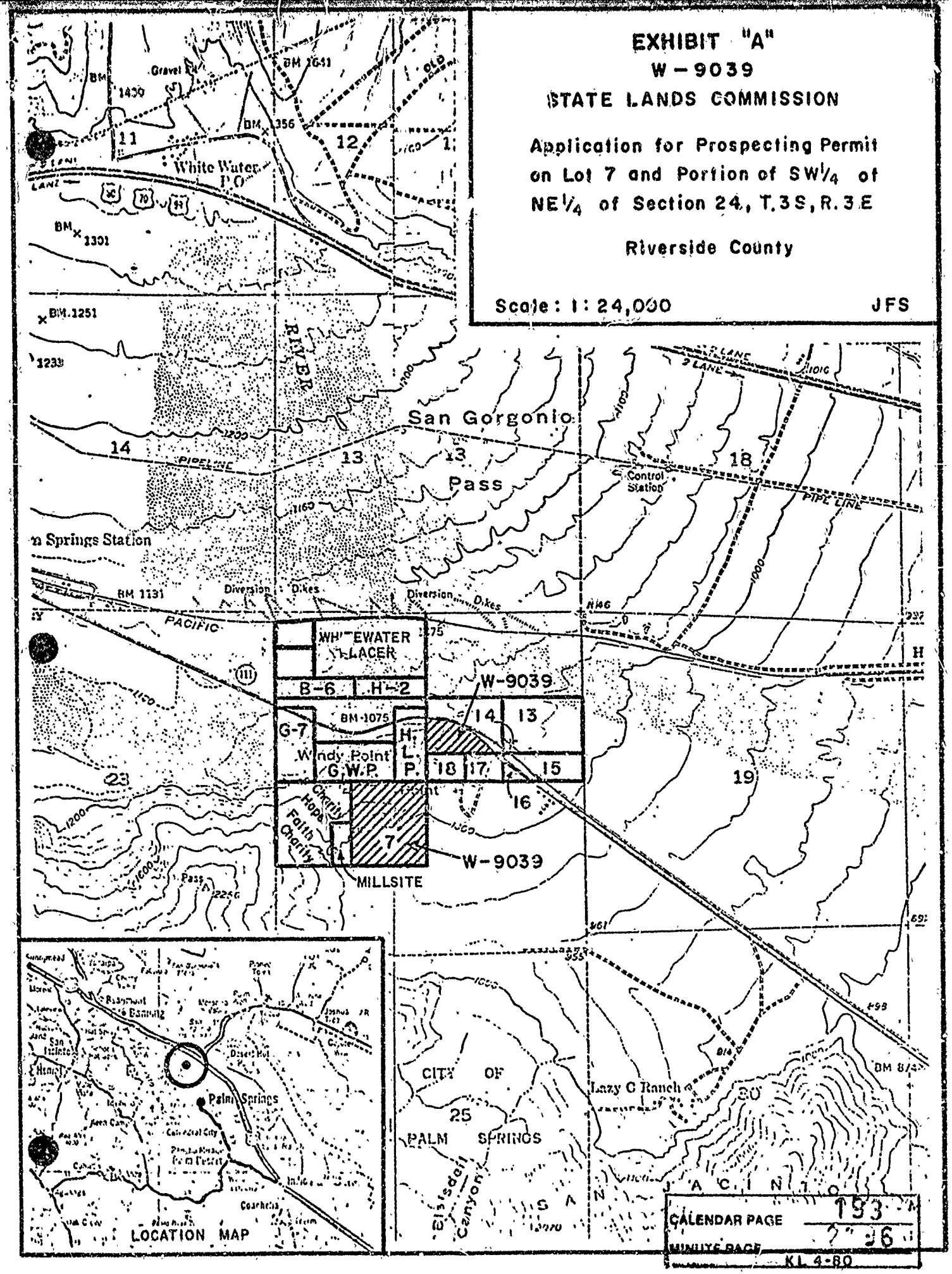
5. AUTHORIZE THE ISSUANCE OF THE PROSPECTING PERMIT TO HAROLD LADD PIERCE FOR A TERM OF 2 YEARS: FOR ALL MINERALS OTHER THAN OIL, GAS AND GEOTHERMAL RESOURCES ON A FRACTIONAL PORTION OF THE SW¼ NE¼, AND ALL OF LOT 7, SECTION 24, T3S, R3E, SBM IN RIVERSIDE COUNTY, APPROXIMATELY 56 ACRES; IN ACCORDANCE WITH THE STANDARD FORM OF PERMIT. ROYALTY PAYABLE UNDER ANY PREFERENTIAL LEASE ISSUED UPON THE DISCOVERY OF COMMERCIAL VALUABLE MINERAL DEPOSITS FOR ANY AND ALL MATERIALS EXTRACTED OR REMOVED FROM SAID PERMISES FOR SALE OR FOR STOCK PILING SHALL NOT BE LESS THAN 10% OF THE GROSS REVENUE LESS SPECIFIC CHARGES, AS APPROVED BY THE COMMISSION, RELATED TO TRANSPORTING AND PROCESSING AS SET FORTH IN SAID PERMIT.

EXHIBIT "A"
W-9039
STATE LANDS COMMISSION

Application for Prospecting Permit on Lot 7 and Portion of SW¼ of NE¼ of Section 24, T.3S, R.3E

Riverside County

Scale: 1:24,000 JFS



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KL 4-80

EXHIBIT "B"

LAND DESCRIPTION W 9039

PARCEL 1

A portion of the SW ¼ of the NE ¼ of Section 24, T3S, R3E, SBM, bounded as follows:

Bounded on the East by Gov. Lot 14;
Bounded on the South by Gov. Lots 17 and 18;
Bounded on the West by the northerly extension of the west line of Gov. Lot 18;
Bounded on the North by the southerly R/W line of State Highway 11.

PARCEL 2

Lot 7, Section 24, T3S, R3E, SBM.

END OF DESCRIPTION

PREPARED SEPTEMBER 10, 1980 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR

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EXHIBIT "C"

STATE OF CALIFORNIA

STATE LANDS COMMISSION

KENNETH CORY, Controller
MIKE [illegible], Lieutenant Governor
MARY ANN GRAVES, Director of Finance

EDMUND G. BROWN JR., Governor

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, California 95814

WILLIAM F. NORTHROP
Executive Officer

EIR ND: 266

File Ref.: W 9039

☒ Draft
☐ Final

NEGATIVE DECLARATION

Project Title: Prospecting Permit for feldspathic minerals

Project Location: Fractional portion of the SW¼ NE¼ and Lot 7 Section 24, T. 3 S., R. 3 E., S.B.B.& M., in Riverside County

Project Description:

Approximately 6 samples (30 to 50 lbs. each) will be hand dug from trenches at an average depth of 6 feet and tested to determine its physical and chemical characteristics.

This NEGATIVE DECLARATION is prepared pursuant to the requirements of the California Environmental Quality Act (Section 21000 et. seq. of the Public Resources Code), the State EIR Guidelines (Section 15000 et. seq., Title 14, of the California Administrative Code), and the State Lands Commission regulations (Section 2901 et. seq., Title 2, of the California Administrative Code).

Based upon the attached Initial Study, it has been found that:

☒ the project will not have a significant effect on the environment.

☐ the attached mitigation measures will avoid potentially significant effects.

Contact Person: Ted T. Fukushima
(916) 322-7813

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FORM 13.12 (6/80)

INITIAL STUDY

(1) Project and Its Location

An application has been received from Mr. Harold Pierce for permission to prospect for feldspathic minerals on a fractional portion of the SW¼ NW¼ and Lot 7, Section 24, T.3S., R.3E S.B.B.&M., approximately 56.80 acres in Riverside County. Section 24 is situated in the San Gorgonio Pass area near the confluence of the Whitewater River and the San Gorgonio River, approximately seven miles northwest of Palm Springs and eight miles southwest of Desert Hot Springs.

The application has been held in abeyance pending the resolution of a matter of access and zoning. Mr. Pierce states that these problems have now been resolved. The State owns only the mineral rights on proposed permit area.

(2) Statement of the Objectives Sought By the Proposed Project

To systematically sample and test the blow sands on the proposed permit area to determine if they contain the desirable chemical and physical properties utilized in the glazing process in the manufacture of commercial ceramics.

(3) General Description of the Project

The exploration activities to be conducted on the proposed permit area are very limited in scope. Approximately 6 samples of 30 to 50 pounds each will be hand dug from trenches at an average depth of 6 feet. Samples will be bagged and transported to the laboratory for a physical and chemical analysis. All trenches or diggings will be filled at the completion of the sampling.

This initial study has been prepared to address the impact of the exploration program only. An additional environmental document must be prepared for the production phase should the permittee apply for a lease.

(4)(a) Description of the Environmental Setting

The upper Coachella Valley has been aptly described as a tropical desert, hampered by heavy winds primarily from the northwest and subject to destructive blow sands and periodical flooding.

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The area of the San Gorgonio Pass, between Fingal Point and Windy Point, which is just northwest of the area under application, is particularly vulnerable to flash flooding and the resultant deposition of debris and sand. The construction of dikes has alleviated this problem to some extent, however, it is believed by some that dike extensions and a dam at Fingal Point would greatly restrict the present potential movement of blow sand and debris and thus an additional amount of now uncontrolled area would be protected. Such a proposal is under study and consideration.

Because of the windblown sands and the non-existence of water on the subject section, wildlife is limited to the rattlesnake, pack rat, lizards and an occasional jack rabbit. There are no known rare or endangered biota within the subject area (Department of Fish and Game) however, regionally the blowsand areas are known to be the habitat of the Coachella Valley Fringe-toed Lizard (a threatened species, U.S. List), though none are known to exist on the subject area. There are no known recorded archaeological or historical sites in the subject area or within two miles of the subject area, according to a survey of the area conducted in 1973, by Mr. S.R. Williams (a copy of the letter report attached) and recently conferred by Mr. Daniel F. McCarthy, Staff Archeologist, University of California, Riverside.

Vegetation on the ridges and windward side of the mountain is limited to xerophytic types, with only the sturdiest plants surviving the shearing sandblast effect of the windblown sand. Some of the plants grow on the lee side of the wind scoured boulders where their growth is limited to the outline of the protecting boulders. Most common plants in this region are Creosote bush, Bigelo Cholla, or "jumping cactus" and mesquite. Burrweed, snake weeds, cat claw, bur sage and ephedras are common low bush. (Richard Proctor, Special Report 94 CDMG.) Since climatic conditions are such as to permit only ineffectual vegetation cover, denudation and erosion are rapid.

The climate is typical of the lower desert, the winters being mild and the summers very hot. Summer temperature range from 110°F in the day to 75°F in the evenings. When the day temperatures exceed 120°F in the shade, the temperature on the exposed ground reaches 160°F. Winter temperatures range from the low 30s to the 80s, with light snow falling

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every few years on the upper desert floor. Average rainfall is four inches in the desert and fifteen inches in nearby mountains with the precipitation varying greatly from year to year. Although most of the rain falls between October and April, infrequent flash floods occur in the summer.

Section 24 containing the permit area is bounded on the north by the bed of the Whitewater River and on the south by the San Jacinto Mountains. The south and west section lines also delienate the boundary of the City of Palm Springs. State Highway 111 passes diagonally across the north half of the section as it bends around Windy Point. In addition the section is subject to a telephone line easement, water company right of way and railroad right of way. There are no buildings in or around the proposed permit area due primarily to the excessive wind conditions that exist at Windy Point during certain times of the year. In the past, attempts to build in the Windy Point area were unsuccessful due to wind and sand, causing the projects to be abandoned.

Just off the highway in the NE¼ of the SE¼ the Highway Department maintains a well shielded road repair station and the "Oasis Housing Development" has projected into the SE¼ of SE¼ of the section where a few small one story houses (estimated 12-16 units) have been erected. These buildings are far enough south of Windy Point so that they do not receive the same wind impact that is created by the winds adjacent to Windy Point.

Over the past 20 years several rock and gravel companies have conducted sand, rock and gravel operations within a radius of three to four miles of the subject property, the most successful being the Massey Rock Company on the Whitewater River, and Whitewater Rock Company in the same area at Bridgehaven. The area is currently zoned W2, (Open Space and Conservation Category) extraction industries are permitted, including sand and gravel.

The Whitewater alluvial wash covers much of the northern half of the section. The San Jacinto Mountains in the area of Windy Point have been determined to be over ten thousand (10,000) feet thick. This metamorphic complex dips 38° to near vertical and is believed to be of late Paleozoic age. The composition of the sands in the general area are such that

quartz sand is second in quantity to feldspar sands, and the minerals epidote, sphene, zircon, garnet and especially hornblende are prevalent. Such unique deposits are not common in California.

The blow sand deposit to be sampled and analyzed under the proposed prospecting permit lies on the leeward slope of Windy Point between the elevation of 900 to 1300 feet and covers, but is not limited to, the north half of Lot 7 (NE¼ SW¼) and fractional portion of the SW¼ NW¼.

In addition to the 56.80 acres under the permit application, the applicant has had a long standing combination of mining claims and millsites on other portions of Section 24. These include in part, portions of Lots 1, 2, all of Lots 8, 17, 18. The applicant also owns lots 14 and 16 which provided a means of access to Highway 111.

4(b) Water Quality Aspects

No drilling will be necessary for the exploration program. The sampling process will be confined to the superficial sandbody which probably does not exceed 100 feet in depth at the thickest point.

5&6 Assessment of the Impact

The taking of sand samples from the superficial sandbody for laboratory testing will have no identifiable environmental impact on the area. The shallow trenches will be filled upon completion of the sampling program. No mechanical equipment will be involved other than a vehicle to transport the samples over existing roads. Experience has demonstrated that the intermittent, but consistent removal of test materials from adjacent mineral deposits of the applicant, and the construction of access roads that are stablized with a wet clay base, have not created any identifiable impact on these areas. Since primary exploration efforts will be on Lot 7 at Windy Point, wind should not be a factor because the mountain diverts the peak velocities of the northwest wind in this area. Again, it is over one thousand (1000) feet from the Highway or any buildings and is not readily visible by highway traffic.

There are no buildings in the area of the proposed exploration, the exploratory program would not affect any established community nor significantly change the present use of the area, nor would it encourage development of the presently undeveloped area.

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There are no known or recorded archaeological or historical sites within 2 miles of the site nor are there any known rare or endangered biota. Sampling would not significantly affect wild life or plant life.

(7) Any Significant Environmental Effects Which Cannot Be Avoided If the Proposed is Implemented

None for the exploration phase.

(8) Mitigation Measures Proposed to Minimize the Significant Environmental Effects

None are needed. The applicant agrees to perform all exploratory operations in a manner which shall be least detrimental to the environment, conducting all operations in a workmanlike manner in compliance with all State and County regulations.

(9) Alternatives to the Proposed Action

The only alternative is a "no project" for this is one of very limited known sources of feldspathic sand in the State of California. It would not preclude the applicant from developing his mining claims in the subject area at some future date.

(10) The Relationship Between Local Short-Term Uses of Man's Environment and The Maintenance and Enhancement of Long-Term Productivity

The prospecting phase of the proposed operation will take only a matter of hours, conducted by a small number of people it will have no local short-term impact.

The development of a viable mineral deposit would have certain long-term impacts on the environment and would be addressed in a separate E.I.R.

(11) Any Significant Irreversible Environmental Changes Which Would Be Involved In the Proposed Action If It Be Implemented

The project should not cause any irreversible environmental change during the prospecting phase.

(12) Growth-Inducing Impact of the Proposed Action

None.

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(13) Energy Conservation

None.

(14) Organizations and Persons Consulted

- California Department of Fish and Game
- University California, Riverside, Archaeological Department

Riverside County Planning Department

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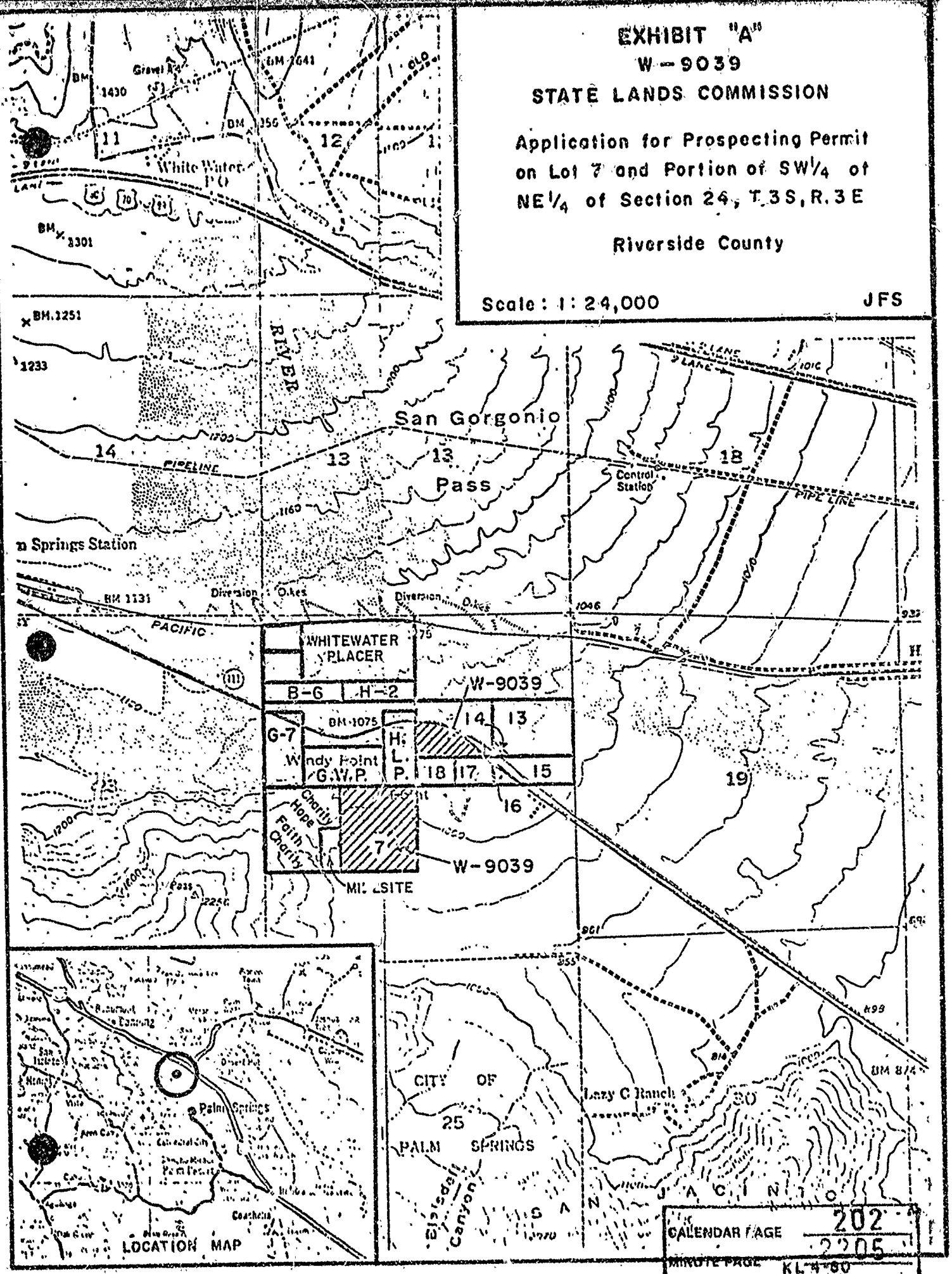
EXHIBIT "A"
W-9039
STATE LANDS COMMISSION

Application for Prospecting Permit on Lot 7 and Portion of SW1/4 of NE1/4 of Section 24, T.3S, R.3E

Riverside County

Scale: 1:24,000 JFS



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KL-4-80

UNIVERSITY OF CALIFORNIA, RIVERSIDE

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ARCHAEOLOGICAL RESEARCH UNIT
(714) 787-3885

RIVERSIDE, CALIFORNIA 92521

March 11, 1980

(RS-175)

H. L. Pierce
E. L. Pierce Trust
1302 Rossmoor Tower
24 Laguna Hills Business Park
Laguna Hills, CA 92653

Dear Mr. Pierce:

The Archaeological Research Unit received your request dated February 20, 1980, for a records search of the property located in Section 24, T3S, R3E, near the community of Whitewater. We have reviewed our site records, maps, and manuscripts against the location map you provided.

There are no recorded archaeological sites within the project boundaries and our records indicate that no archaeological sites have been recorded within two miles of the project area. Information on file indicates that the subject property has been surveyed for the presence of cultural resources. The survey was conducted in 1973 by Steve McWilliams (letter report attached). No cultural resources were located during this survey, but it was recommended that should any evidence of Indian occupation be noted it should be reported to a qualified archaeologist.

Sincerely,

Daniel McCarthy

Daniel F. McCarthy
Staff Archaeologist

DFM/kw

Enclosures

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February 26, 1973

To: E.S.R.I.
From: S.R. McWilliams
Subject: Archaeological Survey at Windy Point

1. General Significance of the Windy Point Location

Aboriginal occupation of the Coachella Valley frequently focused on the mouths of the numerous canyons opening on the valley floor from the surrounding mountain ranges. The area surveyed here, directly south of the Windy Point spur, is such a location for it lies in the general vicinity of the Blaisdell Canyon mouth. Locally abundant food and water resources (relative to the typical desert scarcity of such necessities) in this area would undoubtedly have attracted the attention of the aboriginal inhabitants. In fact, sites of archaeological importance are known to exist within the main portion of Blaisdell Canyon. It can be assumed with some certainty that the surveyed area south of Windy Point was encompassed within the aboriginal sphere of interest known to have existed in the Blaisdell Canyon area.

2. Disturbed Nature of the Present Surface

Archaeological investigations of the northern-most portion of the survey area would be unlikely due to the considerable sand dune accumulation due to wind deposition. South of this dune area the present surface has been modified by the recent activities of man to varying degrees. The archaeologically most promising portion of the survey area would have been the dense mesquite thickets in the extreme southern-most portion of the survey area. This area has been considerably disturbed by a complicated if not haphazard series of storage basins for irrigation water and canals and ditches (with associated sluice gates) of varying sizes. It is possible that some surfaces in this area have not been destroyed by the extensive earthmoving associated with the irrigation works. However, identifcation of such surfaces with their potential for preserved archaeological material is not readily apparent.

3. Recommendations and Summation

No artifactual material of archaeological interest was observed in the area surveyed immediately south of Windy Point. Due to the disturbed nature of much of the surface and the dense growth of vegetation, if such material existed it is either lost or well masked. It is most likely that the area was aboriginally occupied. Failure to discover evidence of this occupation does not mean the area is of no concern to those involved with archaeological problems. However, it is unlikely that further investigations in this specific area would prove profitable. Those responsible for any construction activity in this area should be aware of the fact that any evidence of Indian occupation should be reported to ~~either myself or the~~ Archaeological Research Unit, University of California, Riverside

GREEN SHEET 204
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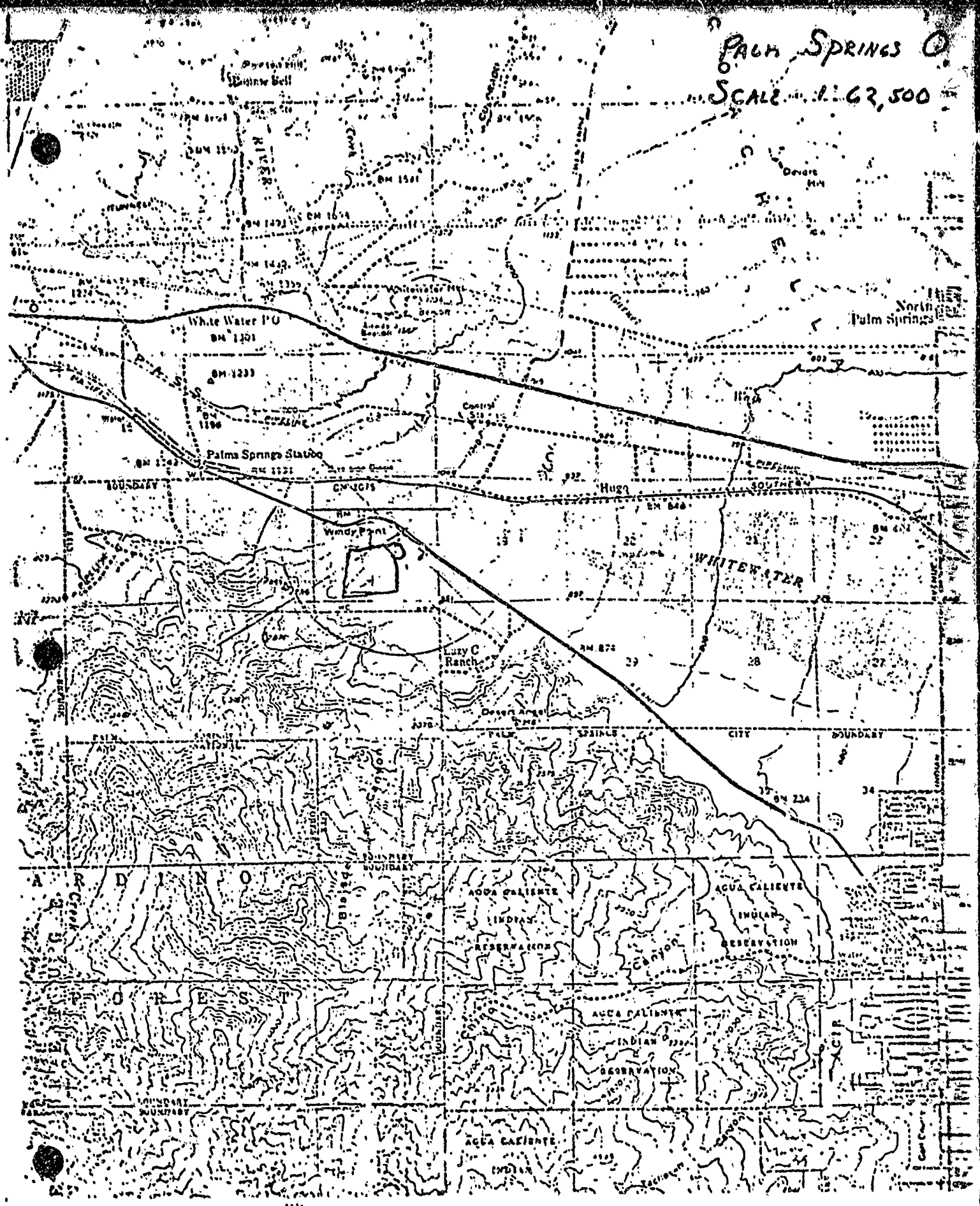

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