

MINUTE ITEM

This Calendar Item No. 20
was approved as Minute Item
No. 20 by the State Lands
Commission by a vote of 2
to 0 at its 4/26/83
meeting.

MINUTE ITEM
20

4/28/83
W 40317
Hart

20. Denial Without Prejudice Of An Application to Prospect For Minerals Other Than Oil And Gas And Geothermal Resources, Riverside County.
21. Request for Issuance of a Preferential Mineral Extraction Lease for Minerals Other Than Oil, Gas or Geothermal On State School Land Located in Riverside County.

During consideration of Calendar Item 20 attached, Mr. Larry Boerner, President, Baby Comstock Mining Corporation, appeared to object to staff's handling of Mr. Boerner's Application for a Mineral Prospecting Permit.

A lengthy discussion followed the merits of the issues associated with Mr. Boerner's application and his request for a Preferential Mineral Extraction Lease under an existing Prospecting Permit.

Following the discussion, and upon motion duly made by Commissioner McCarthy and seconded by Chairman Cory, Calendar Item 20 was approved as presented by a vote of 2-0. Calendar Item 21 was submitted for information only, no action thereon being necessary.

For a verbatim account, please see transcript.

Attachment:

Calendar Items 20 and 21.

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CALENDAR ITEM

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W 40317
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DENIAL WITHOUT PREJUDICE OF AN APPLICATION TO
PROSPECT FOR MINERALS OTHER THAN OIL AND GAS
AND GEOTHERMAL RESOURCES, RIVERSIDE COUNTY

APPLICANT: Home Improvement Association, Inc.
8111 Imperial Avenue
Lemon Grove, California 92045

Agent: Mr. Larry Boerner
828 Sharon Way
El Cajon, CA 92020

AREA, TYPE LAND AND LOCATION:

Approximately 480 acres of State school
land - S $\frac{1}{2}$ of N $\frac{1}{2}$, S $\frac{1}{2}$, Section 16, T6S R13E,
SBM, Riverside County, 34 miles east of
Indic, one mile south of Interstate Highway
10 in the vicinity of the Hayfield Pumping
Station and Hayfield Dry Lake.

BACKGROUND:

On March 22, 1982, staff received an appli-
cation for a Mineral Prospecting Permit
to explore for gold and silver on the subject
State school lands. Staff reviewed the
material submitted by the applicant's agent
and determined the subject application
was complete as of May 26, 1982. Staff
notified the agent by letter of both actions.

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Comments received on the project Initial Study (SCH# 82032909) resulted in seven mitigation measures to protect wildlife values. The applicant's agent submitted documentation to approve and accept the mitigation measures which were incorporated in a mitigated Negative Declaration. Circulation of the mitigated Negative Declaration resulted in one additional mitigation measure to avoid potentially significant effects to three plants which are federal candidates for listing as endangered or threatened species.

On November 2, 1982, staff requested the applicant's agent to approve and accept the additional mitigation measure. Since the agent did not submit a response for over 30 days, staff again requested the subject documentation by certified mail on December 10, 1982. The applicant notified the Commission on January 17, 1983 that he refuses to agree to the mitigation measure.

The Commission and Attorney General's staff require compliance with the applicable provisions of law and of the rules and regulations of the Commission, including agreement with all mitigation measures.

OTHER INFORMATION:

1. The Commission, acting as lead agency under CEQA and the State CEQA Guidelines has prepared a Negative Declaration (ND) for this project. A copy of this environmental document is attached as Exhibit "A". As more fully set forth in the ND, this project has the potential for having significant environmental effects within the meaning of CEQA and the State CEQA Guidelines. The general areas of concern that have such potential include: biology; botany; and drill hole hazards. Below is a brief discussion of the environmental impacts and mitigation.

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Biology - Increased vehicular traffic at the project site could destroy forage plants of deer and bighorn sheep. This impact could be mitigated by restricting use of motorized vehicles in drainage areas less than 20 feet wide and in wash areas.

Drilling activity has the potential for reducing the population of the desert tortoise. This impact could be mitigated by: (a) placing hardware cloth fences from the surface to two feet above the surface around unfilled trenched areas to prevent entrapment of desert tortoises and small wildlife; (b) keeping all pet dogs leashed at all times; and (c) removing desert tortoises from any excavation sites and placing them a safe distance from the excavation operations prior to commencement.

Botany - Soil disturbance could have the potential for destroying vegetative cover, some of which may include rare or endangered plant species. This potential impact could be mitigated by requiring site inspection by a qualified botanist to ascertain whether any rare or endangered plant species would be impacted.

Drill Hole Hazards - Unfilled drill holes could pose a hazard to both people and wildlife in the area. This hazard could be alleviated by requiring that all drill holes be backfilled with drill cuttings so as not to be left standing open.

Litter and garbage around the drill holes should be disposed of since it could attract unwanted predators.

2. This project is situated on lands not identified as possessing significant environmental values pursuant to P.R.C.

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6370.1, and is unclassified. A staff review of available environmental information indicates no reason to identify the subject parcel as having such values at this time.

STATUTORY REFERENCES:

P.R.C. Sections 6370, 6890 and 21000, et seq.

AB 884: 5/26/83.

EXHIBIT: A. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT NEGATIVE DECLARATION NO. 317 HAS BEEN PREPARED FOR THIS PROJECT BY THE COMMISSION PURSUANT TO THE PROVISIONS OF THE CEQA AND SUCH DOCUMENT WAS REVIEWED AND CONSIDERED (CAL. ADM. CODES 15083, 15085).
2. FIND THAT CHANGES OR ALTERATIONS HAVE BEEN REQUIRED IN, OR INCORPORATED INTO THE PROPOSED PROJECT WHICH MITIGATE OR AVOID THE SIGNIFICANT ENVIRONMENTAL EFFECTS THEREOF AS IDENTIFIED IN THE COMPLETED NEGATIVE DECLARATION.
 - A. IMPACT: DESTRUCTION OF FORAGE PLANTS OF DEER AND BIGHORN SHEEP AND REDUCTION IN THE DESERT TORTOISE POPULATION BY DRILLING ACTIVITY AND INCREASED HUMAN ACTIVITY AT THE PROJECT SITE.

FINDING: THE COMMISSION FINDS:

THIS IMPACT WILL BE MITIGATED BY REQUIRING THE APPLICANT TO: (1) PLACE HARDWARE CLTH FENCES FROM THE SURFACE TO TWO FEET ABOVE THE SURFACE AROUND TRENCHED AREAS, UNLESS FILLED IN IMMEDIATELY, TO PREVENT ENTRAPMENT OF DESERT TORTOISES AND SMALL WILDLIFE; (2) KEEP PET DOGS LEASHED AT ALL TIMES TO PREVENT DEPREDATION OF DESERT TORTOISES AND WILDLIFE; (3) REMOVE DESERT TORTOISES FROM ANY EXCAVATION SITES AND PLACE THEM A SAFE DISTANCE FROM THE EXCAVATION OPERATIONS BEFORE COMMENCING SUCH OPERATIONS;

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AND (4) NOT USE MOTORIZED VEHICLES IN DRAINAGE AREAS LESS THAN 20 FEET WIDE TO AVOID THE DESTRUCTION OR DAMAGE OF SHRUBS AND PERENNIAL GRASS STANDS IN WASH AREAS.

- B. IMPACT: SOIL DISTURBANCE RESULTING FROM DRILLING ACTIVITY COULD DESTROY VEGETATIVE COVER WHICH MAY INCLUDE RARE OR ENDANGERED PLANT SPECIES.

FINDING: AS A MITIGATION MEASURE, PRIOR TO THE COMMENCEMENT OF ANY EXCAVATION BY MECHANICAL MEANS, THE STAFF OF THE STATE LANDS COMMISSION SHALL MAKE AN ON-SITE INSPECTION OF THE PROPOSED EXCAVATION SITE AND IF IT IS LIKELY TO AFFECT ANY VEGETATIVE COVER, A QUALIFIED BOTANIST SHALL BE RETAINED BY THE PERMITTEE IN CONSULTATION WITH THE STATE LANDS COMMISSION TO ASCERTAIN WHETHER ANY RARE OR ENDANGERED PLANT SPECIES WOULD BE IMPACTED. IF ANY SUCH SPECIES ARE FOUND, APPROPRIATE PROTECTIVE MEASURES WILL BE IMPLEMENTED.

- C. IMPACT: IF DRILLHOLES ARE LEFT UNFILLED IT COULD BE HAZARDOUS TO WILDLIFE AND HUMAN ACTIVITY AT THE PROJECT SITE.

FINDING: THE APPLICANT SHALL BE REQUIRED TO BACKFILL ALL SAMPLE HOLES AND TRENCHES AND RESTORE PROSPECTING SITES TO THEIR NATURAL CONDITION UPON COMPLETION OF PROSPECTING ACTIVITIES. ALL LITTER AND GARBAGE SURROUNDING THE DRILLHOLES WILL BE DISPOSED OF OFFSITE BY THE APPLICANT.

3. DENY THE APPLICATION OF HOME IMPROVEMENT ASSOCIATION, INC. FOR A PERMIT TO PROSPECT FOR ALL MINERALS, OTHER THAN OIL, GAS AND GEOTHERMAL RESOURCES ON THE S $\frac{1}{2}$ OF N $\frac{1}{2}$, S $\frac{1}{2}$, SECTION 16, T6S R13E, SBM, RIVERSIDE COUNTY, CONTAINING APPROXIMATELY 480 ACRES, ON THE BASIS OF THE APPLICANT NOT AGREEING TO COMPLY WITH ALL MITIGATION MEASURES REQUIRED BY NEGATIVE DECLARATION NO. 317.

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EXHIBIT "A"

9-1-92
DJE
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ADW
RGP
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PROPOSED NEGATIVE DECLARATION

EIR NO 317

File Ref.: W 40317

SCH#: 82032909

Project Title: Mineral Prospecting Permit - Orocopia Mountains

Project Location: S $\frac{1}{2}$ of N $\frac{1}{2}$, S $\frac{1}{2}$, Section 16, T. 6 S., R. 13 E., S.B.B.M., within the Orocopia Mountains area of Riverside County.

Project Description: Home Improvement Association will take exploratory samples from the surface and subsurface, in phases, crush the samples, and determine the gold content of the samples to discover and delineate any possible gold deposits.

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 CEQA 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
1807 - 13th Street
Sacramento, CA 95814
Tel: (916) 322-7313

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MITIGATION MEASURES

1. The applicant shall not use motorized vehicles in drainage areas less than 20 feet wide in order to protect the forage plants of deer and bighorn sheep.
2. The applicant shall avoid the destruction or damage of shrubs and perennial grass stands in wash areas.
3. The applicant will place hardware cloth fences from the surface to two feet above the surface around trenched areas, unless filled in immediately, to prevent entrapment of desert tortoises and other small wildlife.
4. The applicant will keep pet dogs leashed at all times to prevent depredation of desert tortoises and other wildlife.
5. Litter and garbage will be disposed of by the applicant off-site to prevent the attraction of predators.
6. The applicant shall back fill all sample holes and trenches, and restore prospecting sites to their natural condition, as nearly as possible, upon completion of prospecting activities.
7. The applicant shall remove desert tortoises from any excavation site and place them a safe distance from the excavation operations before commencing such operations.
8. Prior to the commencement of any excavation by mechanical means (phase 3), the State Lands Commission's staff shall make an on site inspection of the proposed excavation site. If the proposed excavation site will affect any vegetative cover, a qualified botanist shall be retained by the permittee in consultation with the State Lands Commission to ascertain whether any rare or endangered plant species would be impacted. If any such species are found, appropriate measures will be required to protect the found species.

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COMMENTS RECEIVED AND RESPONSES TO INITIAL STUDY

1. Riverside County Planning Department

Comments:

- "1. The project should receive a mitigated Negative Declaration.
2. Mitigation measures should include the restoration of the site to a near original state after any excavation and/or trenching as well as the removal of any desert tortoises to areas not affected by the prospecting operations."

Response:

See Mitigation Measures.

2. Department of Fish and Game

Comments:

"We recommend that the project be processed as a mitigated negative declaration that should include the following conditions:

1. Prohibit motorized vehicle use in drainage areas that are less than 20 feet wide to protect the forage plants of bighorn sheep and deer.
2. Avoid the destruction or damage of shrubs and perennial grass stands in wash or drainage areas. These locations also hold the Federal listed plant species California snakebush (*Columbrina californica*).
3. Recommend that hardware cloth fences two feet high be provided around trenched areas to prevent tortoise and other small terrestrial wildlife from being trapped. Additionally, trenches should be sloped at each end to allow any trapped animals to escape.
4. Pet dogs should be kept under leash at all times to prevent depredations upon desert tortoise and other wildlife.

2. Department of Fish and Game (contd.)

Comments:

5. To prevent predators from being attracted to the site, litter and garbage should be disposed of off-site in proper containers.
6. Trenches and holes should be filled in upon completion of the prospecting activities to prevent inadvertent trapping of wildlife. Restoration of the site should be done in a manner to resemble its previous natural condition."

Response:

See Mitigation Measures.

3. Department of Conservation

Comments:

"The following comments are offered to State Lands and the Operator as areas for consideration beyond an Initial Study. A site visit was not conducted.

- 1) If at any time in the exploration program more than 1,000 cubic yards of material has been disturbed (total for the entire project), or the total area of disturbance amounts to one acre or more, a Reclamation Plan for the exploration phase will be required under the Surface Mining and Reclamation Act. Approval of that Plan by Riverside County is necessary prior to the initiation of mining.
- 2) Exploration pits should be filled as soon as possible to reduce chance of entrapment of desert tortoises and other wildlife in the area. If tortoise burrows are found, they should be left undisturbed, if possible.
- 3) Desert tortoise, as well as other burrowing animals may be negatively impacted due to blasting.
- 4) The area is identified as habitat for Nelson Bighorn Sheep (Areas of Special Biological Importance - Department of Fish and Game, 1976). These animals may be impacted due to presence of people and noise."

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3. Department of Conservation (contd.)

Response:

1. If the applicant exceeds the volume and/or surficial area quantities subject to exemption under the Surface Mining and Reclamation Act, the project will be subject to a Reclamation Plan approved by Riverside County.
2. See Mitigation Measures.
3. It is highly improbable that desert tortoises have burrows in solid granite bedrock areas that may require blasting. See Mitigation Measures.
4. See Mitigation Measures.

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File Ref.: W 40317
SCH# 82032909

June 18, 1982

INITIAL STUDY
INTRODUCTION

Home Improvement Association has applied to the State Lands Commission for a prospecting permit on State lands located near the northeastern edge of the Orocopia Mountains in eastern Riverside County. The proposed project consists of surface and subsurface sampling, in phases, to discover and delineate any possible orebody. The permit, when issued, is for a two year period.

This Initial Study consists of an initial study checklist, information form responses, and maps.

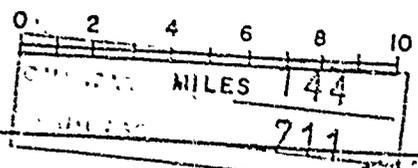
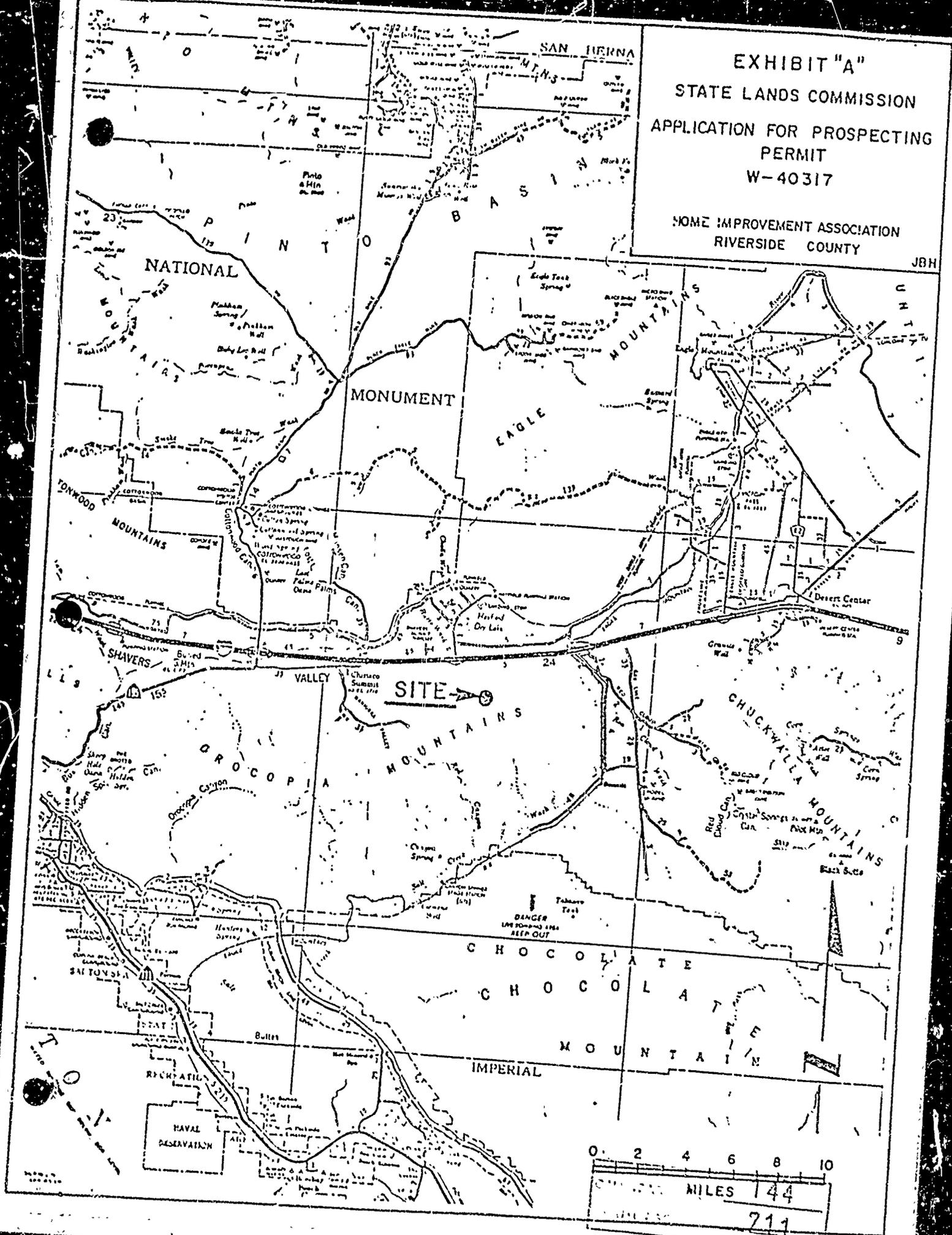
STATE LANDS COMMISSION

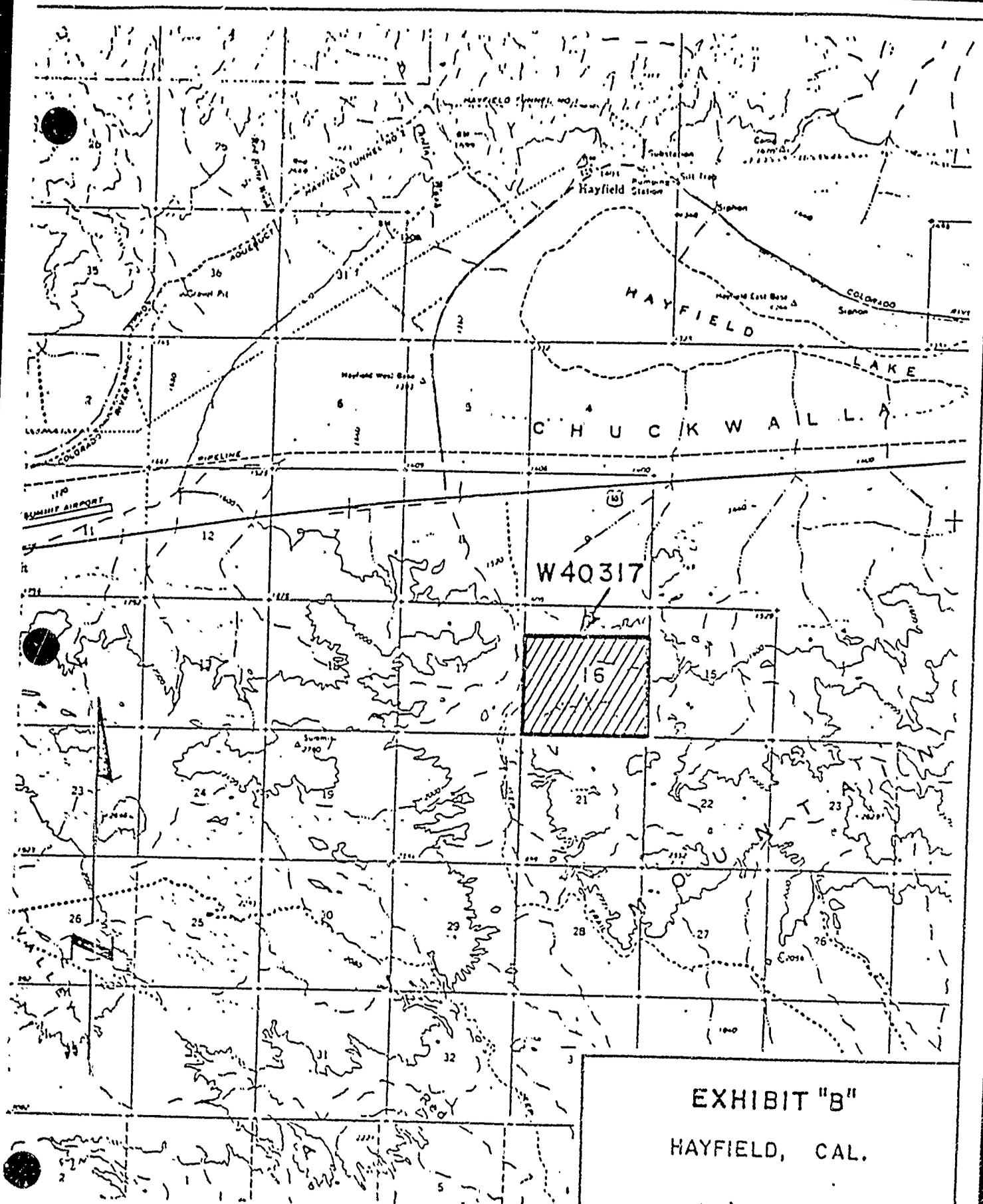
June 1982

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EXHIBIT "A"
 STATE LANDS COMMISSION
 APPLICATION FOR PROSPECTING
 PERMIT
 W-40317
 HOME IMPROVEMENT ASSOCIATION
 RIVERSIDE COUNTY

JBH





W40317

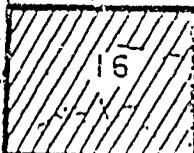


EXHIBIT "B"
HAYFIELD, CAL.

15' USGS
QUADRANGLE



MILES

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INITIAL STUDY CHECKLIST

Form 13.20 (7/80)

File Ref.: W 40317

I. BACKGROUND INFORMATION

A. Applicant: Home Improvement Association
8111 Imperial Avenue
Lemon Grove, CA 92045

B. Checklist Date: 6 / 14 / 82

C. Contact Person: James B. Hart, State Lands Commission
Telephone: (213) 590-5201

D. Purpose: Prospect for valuable minerals.

E. Location: S $\frac{1}{2}$ of N $\frac{1}{2}$, S $\frac{1}{2}$, Section 16, T. 6 S., R. 13 E., S.B.B.&M.,
Riverside County. See attached maps.

F. Description: Applicant will sample the surface and subsurface, in
phases, crush the samples, and determine the gold content of
the samples. See detailed project description.

G. Persons Contacted:
1. Bureau of Land Management, Indio Resource Area
2. University of California, Riverside,
Archaeological Research Unit

II. ENVIRONMENTAL IMPACTS. (Explain all "yes" and "maybe" answers)

A. Earth. Will the proposal result in:

- | | Yes | Maybe | No |
|--|--------------------------|-------------------------------------|-------------------------------------|
| 1. Unstable earth conditions or changes in geologic substructures? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Disruptions, displacements, compaction, or overcovering of the soil? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Change in topography or ground surface relief features? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. The destruction, covering, or modification of any unique geologic or physical features? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Any increase in wind or water erosion of soils, either on or off the site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet, or lake? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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- | | Yes | Maybe | No |
|--|--------------------------|-------------------------------------|-------------------------------------|
| B. Air. Will the proposal result in: | | | |
| 1. Substantial air emissions or deterioration of ambient air quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. The creation of objectionable odors? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Water. Will the proposal result in: | | | |
| 1. Changes in the currents, or the course or direction of water movements, in either marine or fresh waters? .. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Alterations to the course or flow of flood waters? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Change in the amount of surface water in any water body? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Alteration of the direction or rate of flow of ground waters? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. Substantial reduction in the amount of water otherwise available for public water supplies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9. Exposure of people or property to water-related hazards such as flooding or tidal waves? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10. Significant changes in the temperature, flow or chemical content of surface thermal springs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| D. Plant Life. Will the proposal result in: | | | |
| 1. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Reduction of the numbers of any unique, rare or endangered species of plants? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Reduction in acreage of any agricultural crop? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| E. Animal Life. Will the proposal result in: | | | |
| 1. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Reduction of the numbers of any unique, rare or endangered species of animals? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Deterioration to existing fish or wildlife habitat? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Noise. Will the proposal result in: | | | |
| 1. Increase in existing noise levels? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Exposure of people to severe noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| G. Light and Glare. Will the proposal result in: | | | |
| 1. The production of new light or glare? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| H. Land Use. Will the proposal result in: | | | |
| 1. A substantial alteration of the present or planned land use of an area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| I. Natural Resources. Will the proposal result in: | | | |
| 1. Increase in the rate of use of any natural resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Substantial depletion of any nonrenewable resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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J. Risk of Upset. Does the proposal result in:

Yes Maybe No

- 1. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset conditions?
- 2. Possible interference with emergency response plan or an emergency evacuation plan?

K. Population. Will the proposal result in:

- 1. The alteration, distribution, density, or growth rate of the human population of the area?

L. Housing. Will the proposal result in:

- 1. Affecting existing housing, or create a demand for additional housing?

M. Transportation/Circulation. Will the proposal result in:

- 1. Generation of substantial additional vehicular movement?
- 2. Affecting existing parking facilities, or create a demand for new parking?
- 3. Substantial impact upon existing transportation systems?
- 4. Alterations to present patterns of circulation or movement of people and/or goods?
- 5. Alterations to waterborne, rail, or air traffic?
- 6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

N. Public Services. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:

- 1. Fire protection?
- 2. Police protection?
- 3. Schools?
- 4. Parks and other recreational facilities?
- 5. Maintenance of public facilities, including roads?
- 6. Other governmental services?

O. Energy. Will the proposal result in:

- 1. Use of substantial amounts of fuel or energy?
- 2. Substantial increase in demand upon existing sources of energy, or require the development of new sources?

P. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:

- 1. Power or natural gas?
- 2. Communication systems?
- 3. Water?
- 4. Sewer or septic tanks?
- 5. Storm water drainage?
- 6. Solid waste and disposal?

Q. Human Health. Will the proposal result in:

- 1. Creation of any health hazard or potential health hazard (excluding mental health)?
- 2. Exposure of people to potential health hazards?

R. Aesthetics. Will the proposal result in:

- 1. The obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?

S. Recreation. Will the proposal result in:

- 1. An impact upon the quality or quantity of existing recreational opportunities?

T. Cultural Resources.

Yes Maybe No

- 1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archeological site?
- 2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?
- 3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?
- 4. Will the proposal restrict existing religious or sacred uses within the potential impact area?

U. Mandatory Findings of Significance.

- 1. Does the project have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 2. Does the project have the potential to achieve short term, to the disadvantage of long-term, environmental goals?
- 3. Does the project have impacts which are individually limited, but cumulatively considerable?
- 4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

See attached Detailed Project Description, Discussion of Environmental Evaluation, and Form 69.3.

DETERMINATION

On the basis of this initial evaluation:

- I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Date: 6 / 14 / 82

James B. Hart

JAMES B. HART 149
For the State Lands Commission

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DETAILED PROJECT DESCRIPTION

Home Improvement Association proposes to conduct multiphased exploration in the permit area with the execution of each phase dependent upon the achievement of success in the immediately preceding phase. These phases are described as follows:

Phase I:

The applicant will prospect by walking over the area, picking up mineralized surface samples, and plotting the sample locations on a map. The gold content of each sample, after crushing, will be determined by panning and chemical analysis.

Phase II:

If the samples contain gold particles visible under a 75 power microscope, the applicant will return to the sample site and proceed uphill sampling the surface.

Phase III:

Upon encountering any mineralized veins, the applicant will explore them to a four or five foot depth with a gas jack hammer by drilling holes in the rock and loosening the material with an explosive. The rock will be placed adjacent to the hole for ease of restoration if gold is not found. All vein samples will be analyzed for gold content.

New road construction is not proposed and existing dirt roads in the area will be used for access.

Phase IV:

An analysis by mining professionals retained by the applicant of the results of sampling and mapping will determine if further prospecting is warranted. If further exploration is warranted, the applicant will prospect according to the mining experts' recommendations (trenching and/or excavating a shaft or tunnel) to delineate any possible ore body.

If a commercially valuable mineral deposit is discovered through prospecting efforts under authorization of a prospecting permit, a comprehensive environmental report will be required on the future impacts of mining the deposit.

III. Discussion of Environmental Evaluation

- A 2. Disruption, displacement, compaction, and overcovering of the rocky, sandy soil will occur in the immediate vicinity of the sampling sites if phases III and IV are executed. All excavations will be restored to the natural ground contour, as nearly as possible, if phase III and IV prospecting is unsuccessful.

If phases III and IV are executed, a minimal amount of disruption and compaction of the soil will occur when the sampling equipment is moved on and off a site.

- A 5. An increase in wind and water erosion of the disturbed soil at subsurface sampling sites, if any, will take place during wind and rain storms.
- E 2. If phases III and IV are executed, the possibility exists of impacting desert tortoises in burrows and entrapping them in exploration pits.
- F 1. The use of a gas jack hammer, explosives, and associated activities of phases III and IV will temporarily increase the existing noise levels.
- J 1. In the event of an accident with explosives, the possibility of an unplanned explosion exists.
- U 1. If phases III and IV are carried out, the project has the potential to reduce the number of an endangered animal (desert tortoise).

March 9, 1982

Date Filed _____

WORK ORDER _____

ENVIRONMENTAL INFORMATION FORM

(To be completed by applicant)

GENERAL INFORMATION

1. Name and address of developer or project sponsor: Home Improvement Association
8111 Imperial Ave., Lemon Grove, CA 92045
2. Address of project: _____
Assessor's Block and Lot number: _____
3. Name, address, and telephone number of person to be contacted concerning this project: Larry Boerner 828 Sharon Way, El Cajon, CA 92020 281-1171 or 448-6054
4. Indicate number of the permit application for the project to which this form pertains: _____
5. List and describe any other related permits and other public approvals required for this project, including those required by City, regional, state and federal agencies: none known
6. Existing zoning district: Riverside County
Present use of site: Vacant
7. Proposed use of site (Project for which this form is filed): Prospecting for minerals

PROJECT DESCRIPTION:

8. Site size. 480 acres
9. Square footage.
10. Number of floors of construction.
11. Amount of off-street parking provided.
12. Attach plans.
13. Proposed scheduling. As soon as permit is issued
14. Associated projects. None
15. Anticipated incremental development. Lease mineral rights
16. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household and household size expected.
17. If commercial, indicate the type, whether neighborhood or city oriented, square footage of sales area, and loading facilities.
18. If industrial, indicate type, estimated employment per shift, and loading facilities.
19. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, 1500g facilities, and community benefits to be derived from the project.

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20. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required.

Are the following items applicable to the project or its effects? Discuss below all items checked yes. (attach additional sheets as necessary)

YES NO

- 21. Change in existing features of any bays, tidelands, beaches, lakes or hills, or substantial alteration of ground contours.
- 22. Change in scenic views or vistas from existing residential areas or public lands or roads.
- 23. Change in pattern, scale or character of general area of project.
- 24. Significant effect on plant or animal life.
- 25. Significant amounts of solid waste or litter.
- 26. Change in dust, ash, smoke, fumes or odors in vicinity.
- 27. Change in ocean, bay, lake, stream or ground water quality or quantity, or lateration of existing drainage patterns.
- 28. Change in existing noise or vibration levels in the vicinity.

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photos

- 29. Site on filled land or on slope of 10 percent or more.
- 30. Use of disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.
- 31. Change in demand for municipal services (police, fire, water, sewage, etc.)
- 32. Increased fossil fuel consumption (electricity, oil, natural, gas, etc.)
- 33. Relationship to a larger project or series of projects.

ENVIRONMENTAL SETTING

- 34. Describe the *project site* as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach *photographs* of the site. Snapshots or polaroid photos will be accepted. No buildings, see photo
- 35. Describe the *surrounding properties* including information on plants and animals and any cultural, historical or scenic aspects. indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach *photographs* of the vicinity. Snapshots or polaroid photos will be accepted. All baron mountains and sand wash with small shrubs.

CERTIFICATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this (initial) evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date 3/10/82

Larry Berman
For Land Improvement Assoc.

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ENVIRONMENTAL INFORMATION FORM

Environmental Setting

34. Project Site

See photos sent with original application. Land is barren desert with some rocks. There are small dry shrubs which do not seem to be of scenic significance. There are no structures in the area. See copy of enclosed environmental study. There are some tortoises in the area.

35. Surrounding Properties

Same answer as Item 34, land is barren desert with no structures in the area.

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ARCHAEOLOGICAL RESEARCH UNIT
(714) 787-3885

RIVERSIDE, CALIFORNIA 92521

November 5, 1980

Mr. Larry Boerner
Home Improvement Association
8111 Imperial Avenue
Lemon Grove, CA 92045

Dear Mr. Boerner:

Enclosed please find four (4) copies of our report entitled "ENVIRONMENTAL IMPACT EVALUATION: An Archaeological Assessment of a Portion of the N 1/2 of the N 1/2 of Section 16, T6S, R13E, SBBM, South of Hayfield Lake, Riverside County, California."

If the Bureau of Land Management decides to require documentation of an archaeological inspection of the small parcel you plan to prospect on in Section 10 (per the quad sheet you sent me) let me know and I will provide the necessary documentation.

Sincerely,

A handwritten signature in cursive script that reads "James D. Swenson".

James D. Swenson
Senior Staff Archaeologist.

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ENVIRONMENTAL IMPACT EVALUATION: An Archaeological Assessment of a Portion
of the N 1/2 of the N 1/2 of Section 16,
T6S, R13E, SBBM, South of Hayfield Lake,
Riverside County, California

by: James D. Swenson
Senior Staff Archaeologist

Archaeological Research Unit
University of California
Riverside, CA 92521

UCRARU #594

Philip J. Wilke
Administrator

for: Larry Boerner
Home Improvement Association
8111 Imperial Avenue
Lemon Grove, CA 92045

November 1980

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MANAGEMENT SUMMARY

The purpose of the study reported herein was to ascertain if and to what extent cultural resources would be affected by the proposed granting of a permit to prospect for and extract mineral resources on a portion of the N 1/2 of the N 1/2 of Section 16, T6S, R13E, SBBM, Riverside County, California.

The study included a check of the California Archaeological Site Survey (CASS) records maintained by the Archaeological Research Unit (ARU), University of California, Riverside; a review of the pertinent archaeological, Historic, and ethnographic literature; and an on-foot field inspection to locate and record any possible previously unknown archaeological materials. Temporal scope of the study concerned materials 50 years of age or older.

The subject property consists of low but steep-sided rocky hills and ridges lying at the extreme northeastern edge of the Orocochia Mountains and the southern edge of Chuckwalla Valley. Although the terrain is relatively hilly, all portions of the subject property were accessible to physical examination and the vegetation sparse enough for 100% ground surface observation.

No archaeological or historic materials dating within the temporal scope of this study were located as a result of the field inspection. Indications are that the proposed mining activities on the subject property will have no adverse impacts on cultural resources.

INTRODUCTION

On October 21, 1980, Mr. Larry Boerner of Home Improvement Association, requested the ARU to conduct an archaeological assessment of 30 acres of land south of Hayfield Dry Lake on which he is proposing to conduct mining activities. The subject property, located in the NE 1/4 of the NW 1/4 of Section 16, T6S, R13E, SBBM, as shown on the Hayfield, Calif. 15' USGS quadrangle, is on land administered by the California State Lands Commission. This study was performed in accordance with Section 15066 of the California Administrative Code, Guidelines for Implementation of the California Environmental Quality Act (CEQA).

Preparatory work consisted of a CASS records check and a review of the archaeological, historical, and ethnographic literature pertinent to the

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area under study. As the CASS records indicated that the subject property was located in close proximity to a number of recorded archaeological sites but had itself never been subjected to systematic investigation by a qualified archaeologist, an on-foot field examination was performed by the author on October 27, 1980.

The study area is located within the ethnographically recorded territory of the Chemehuevi Indian people; an area extending across the desert of present-day Riverside and San Bernardino Counties from the Colorado River to approximately the eastern portion of Joshua Tree National Monument.

No archaeological or historic materials were observed on the subject property, and the determination is that the proposed use of the land for mining activities will have no adverse effects on cultural resources.

SUMMARY OF CURRENT KNOWLEDGE

Eleven previously recorded archaeological sites lie within a five mile radius of the subject property. Nine are located to the north along the southern base of the Eagle Mountains, and two are located on the south side of Hayfield Dry Lake within .5 mile of the subject property.

CA-Riv-343T is the site designation for an east-west aboriginal trail referred to in the literature as the Copa-Maricopa Trail. This trail was one of the main arteries of travel between the Colorado River and the Coachella Valley. Its recorded location in the CASS records (passing through the S 1/2 of Section 9 just north of the subject property) is an approximation based on ethnographic and historic accounts.

CA-Riv-1018 is located .5 mile northeast of the subject property. The site consists of one bedrock mortar and an associated scatter of ceramic sherds.

The nine sites to the north of Hayfield Dry Lake form a complex of petroglyph (a form of aboriginal rock art in which the design elements are pecked into the rock surface) sites located at springs and within dry-wash canyons draining the Eagle Mountains. Included within this complex is a site exhibiting the remains of circular houses (rock rings). The sites described above could be related to times when the Hayfield area possessed considerably greater hydrological resources than at present.

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Chemehuevi ethnography and culture history is treated in some detail in several published sources. Euler (1966), Laird (1976), and Steward (1938), are the primary ethnographic and ethnohistoric sources. The archaeology and prehistory of the area is dealt with in Hester (1973), Cressman (1977), Campbell and Campbell (1935), and King (1975).

Based on the archaeological and ethnographic data, the predicted site density in the region would be low; restricted to areas which now or in the past contained natural lithic, hydrologic, or vegetal resources.

METHODS OF DATA COLLECTION

Work performed prior to the field survey is described above in this report. The field survey was performed by the author on October 27, 1980, and consisted of walking transects across the property in an east-west direction at approximately 30 meter intervals. The steepness of the terrain in some places inhibited walking straight transects in these areas. However, ground visibility was sufficient to allow visual inspection of 100% of the subject property.

RESULTS AND RECOMMENDATIONS

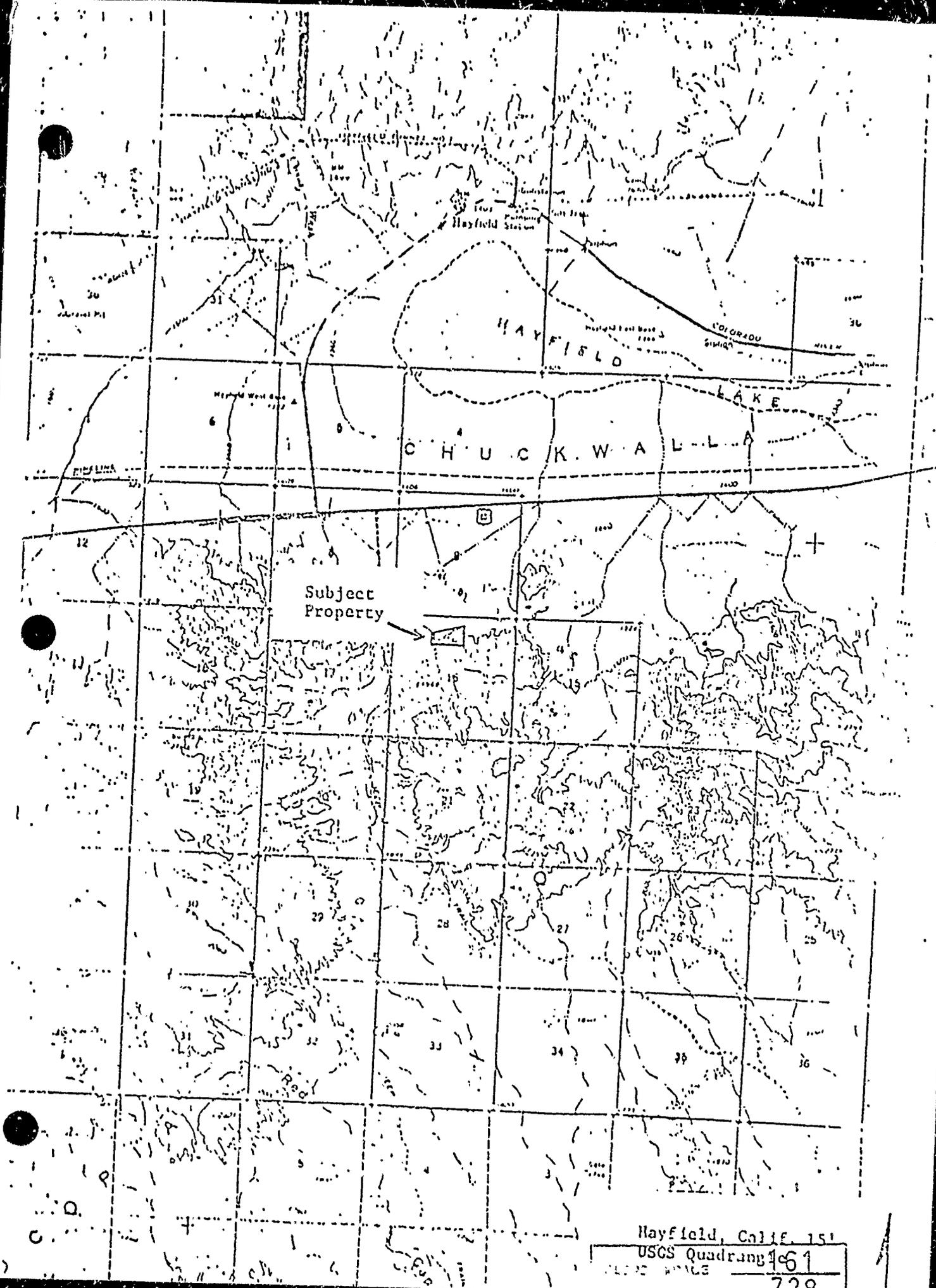
No archaeological or historic materials were located on the subject property during the course of this field investigation. Granting of the permit allowing the proposed mining activities to take place will have no adverse impacts to cultural resources.

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REFERENCES

- Campbell, E. W. C., and W. H. Campbell
1935 The Pinto Basin Site. Los Angeles: Southwest Museum Papers No. 9.
- Cressman, L. S.
1977 Prehistory of the Far West: Homes of Vanished Peoples. Salt Lake City: University of Utah Press.
- Euler, R. C.
1966 Southern Paiute Ethnohistory. Salt Lake City: University of Utah Anthropological Papers 78.
- Hester, T. R.
1973 Chronological Ordering of Great Basin Prehistory. Berkeley: University of California Archaeological Research Facility Contributions 17.
- King, T. F.
1975 Fifty Years of Archeology in the California Desert: An Archeological Overview of Joshua Tree National Monument. Tucson: USDI/National Park Service, Western Archeological Center.
- Laird, C.
1976 The Chemehuevis. Banning: Malki Museum Press.
- Steward, J. H.
1938 Basin-Plateau Aboriginal Sociopolitical Groups. Washington: Bureau of American Ethnology Bulletin 120. (Reprinted 1970, University of Utah Press, Salt Lake City, Utah.)

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Hayfield, Calif. 15'

USGS Quadrang 161

SCALE

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MAILING LIST - MEMOS

' 40317

18, 1982

Regional Water Quality Control Board
Colorado River Basin Region (7)
Attn: Arthur Swajian, Executive Officer
3-271 Hwy 111, Suite 21
Palm Desert, CA 92260

Department of Parks & Recreation
Attn: James M. Doyle
220 "K" Street, 3rd Floor
Sacramento, CA 95814

Department of Fish & Game
Attn: Robert Tharratt
416 Ninth Street
Sacramento, CA 95814

Department of Transportation
District 11
Attn: Jim Cheshire
829 Juan Street
San Diego, CA 92138

Native American Heritage Commission
400 Tenth Street
Sacramento, CA 95814

Department of Conservation
Environmental Program Coordinator
416 Ninth Street, Room 1354
Sacramento, CA 95814

Office of Historic Preservation
Rick del Cioppo
220 "K" Street, 3rd Floor
Sacramento, CA 95814

State Water Resources Control Board
John Huddleson
416 Ninth Street
Sacramento, CA 95814

Dept. of Fish & Game
Fred A. Worthley, Jr.,
Regional Manager
50 Golden Shore
Long Beach, CA 90802

Dept. of Health
Harvey Collins
714 "P" Street
Sacramento, CA 95814

Air Resources Board
Mike Redemer
1102 "Q" Street
Sacramento, CA 95814

MAILING LIST - LETTERS
W 40317
June 18, 1982

Home Improvement Association
8111 Imperial Avenue
Lemon Grove, CA 92045
Attn: Larry Boerner, Agent

Riverside County Planning Department
Desert Office
46209 Oasis Street, Room 304
Indio, CA 92201
Attn: Sara Knecht

U.S. Fish and Wildlife Service
Division of Ecological Services
2400 Avila Road
Laguna Niguel, CA 92677