

MINUTE ITEM

This Calendar Item No. C11
was approved as Minute Item
11 by the State Lands
Commission by a vote of 3
to 0 at its 9/28/83
meeting.

CALENDAR ITEM

C11 a

9/28/83
W 40338
Hart
PRC 6494

APPROVAL OF A PROSPECTING PERMIT
FOR MINERALS OTHER THAN OIL, GAS,
GEOTHERMAL RESOURCES, SAND AND GRAVEL,
SAN BERNARDINO COUNTY

APPLICANT: Moffatt A. Hays
4901 Palo Drive
Tarzana, California 91356

PROPOSED AUTHORIZATION:

Approval of a Prospecting Permit for two
years to prospect for gold and silver and
other valuable minerals, other than oil,
gas, geothermal resources, sand and gravel,
on approximately 160 acres of land located
in San Bernardino County.

CONSIDERATION: Filing fee of \$25, expense deposit of \$100
and an acreage deposit of \$160.

TYPE OF LAND AND LOCATION:

State school land - NE $\frac{1}{4}$, Section 16, T12N
R18E, SBBM, San Bernardino County, 13 miles
north of Goffs in Lanfair Valley.

PROPOSED PROJECT:

Phase I

The applicant will drill sixteen, 1 $\frac{1}{2}$ -inch diameter holes
to a depth of 20 feet with a portable air drill on a grid
spacing of 500 feet. Prior to drilling each hole, the applicant

A 34

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CALENDAR PAGE	<u>136</u>
MINUTE PAGE	<u>2117</u>

CALENDAR ITEM NO. C 1 1 (CONTD)

shall inspect each drill site to determine if burrowing animals are present. If any burrows are found, the drill hole will be located where burrows and wildlife would not be adversely affected. If hibernating desert tortoises are found, the applicant shall contact Linda Ulmer (DFG biologist) at (619) 922-5613 to determine the appropriate action to be taken to avoid loss of this state-designated protected species.

A small sample from each hole will be saved and sent to a lab for assay. A block diagram of gold assay values will be constructed to discover and delineate any possible orebody.

The applicant will backfill each drill hole with drill cuttings before moving to the next site. A rubber-tired pickup and portable drill will be the only equipment used and shall stay on existing roads to the greatest extent possible to minimize surface impacts from vehicle use.

Phase II

The applicant will drill sixty-five holes on a grid spacing of 250 feet (other Phase II description same as Phase I).

Phase III

The applicant will drill two-hundred eighty holes on a grid spacing of 125 feet (other Phase III description same as Phase I).

Surface Disturbance

The estimated maximum surface area disturbance for Phase I through Phase III drilling is 0.01 acre. The estimated maximum drilled sample volume for Phase I through Phase III is six cubic yards.

Cyanide will not be used and the permittee will have no authorization under the issued prospecting permit to use any chemicals or to generate any wastewaters during the two-year term of the permit.

No new roads will be constructed. The applicant shall not damage, destroy, or clear any Joshua trees or desert shrubs.

If any human remains are discovered during any activity on Section 16, the applicant shall notify the San Bernardino County coroner. The coroner will notify the Native American Heritage Commission if the remains are Native American.

CALENDAR PAGE	137
MINUTE PAGE	2118

CALENDAR ITEM NO C 1 4 - 1 (CONTD)

TERM: The primary term of a Prospecting Permit is two years. The Commission may, in its discretion, extend the term for one additional year.

ROYALTY: Royalty payable under the permit shall be twenty percent of the gross value of the minerals secured from the permit area and sold or otherwise disposed of or held for sale or other disposition.

PREREQUISITE ITEMS:

1. Required statutory filing fee, expense deposit and acreage deposit have been submitted by the applicant.
2. Subject parcel is not known to contain a commercially valuable deposit of minerals.
3. Royalty payable under any preferential lease issued shall not be less than ten percent of the gross revenue, less specific charges, as approved by the Commission related to transporting and processing as set forth in said lease.

STATUTORY REFERENCES:

- A. P.R.C.: Div. 6, Section 6891.
- B. Cal. Adm. Code: Title 2, Section 2200.

AB 884:

11/2/83.

OTHER INFORMATION:

1. The Commission, acting as lead agency under CEQA and the State CEQA Guidelines has prepared a Negative Declaration (ND 340) for this project. A copy of this environmental document is attached as Exhibit "C".
2. The project is situated on lands not identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is unclassified. A staff

CALENDAR ITEM NO. C 11 (CONTD)

review of available environmental information indicates no reason to identify the subject parcel as having such values at this time.

3. Pursuant to P.R.C. Section 6895, the applicant would have a preferential right to a lease for a maximum of 160 acres embraced within the permit. Said right shall be subject to all necessary environmental approvals. The permit will not affect the discretion of the Commission in granting or denying the lease because of such environmental considerations.
4. Permit shall provide for a performance bond of \$2,500 in favor of the State.
5. This permit is being issued concurrently with three other permits involving three contiguous quarter sections of land. The four applications are identical in form and the applicants are acquainted with one another. The Attorney General's Office has ruled that P.R.C. Section 6895 does not allow the issuance of multiple permits, covering contiguous lands, to a single applicant as a means of avoiding the 160 acre limitation on preferential leases. The applicants have stated that they are not an association of persons nor is their intent to avoid the 160 acre limitation on preferential leases. Given these circumstances, the Attorney General's Office has required that each permittee covenant that he has no interest in the other applications and that he will not assign his interest to the other permittees or their assignees once the permit has been issued. The applicants have agreed to this condition.

APPROVALS OBTAINED:

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

DATE OF ISSUE	139
MINUTE PAGE	2120

CALENDAR ITEM NO. C 11 (CONT'D)

EXHIBITS: A. Land Description.
 B. Site Map.
 C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT NEGATIVE DECLARATION NO. 340 HAS BEEN COMPLETED IN ACCORDANCE WITH CEQA, THE STATE CEQA GUIDELINES AND THE COMMISSION'S ADMINISTRATIVE REGULATIONS, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN PRIOR TO THE APPROVAL OF THE PROJECT. THIS PROJECT SHALL INCLUDE THIS PROSPECTING PERMIT AND ANY EXTENSION THE COMMISSION MAY GRANT IN ITS DISCRETION FOR THE SAME PROJECT DESCRIBED IN THE PERMIT.
2. DETERMINE THAT THE PROJECT AS PROPOSED HEREIN WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. DETERMINE THAT THE LANDS DESCRIBED IN THE PERMIT ARE NOT PRESENTLY KNOWN TO CONTAIN COMMERCIALY VALUABLE DEPOSITS OF MINERALS.
4. AUTHORIZE THE ISSUANCE OF THE PROSPECTING PERMIT TO MOFFATT A. HAYS FOR A TERM OF TWO YEARS, FOR ALL MINERALS, OTHER THAN OIL, GAS, GEOTHERMAL RESOURCES, SAND AND GRAVEL, ON THE NE $\frac{1}{4}$ OF SECTION 16, T12N R18E, SBBM, SAN BERNARDINO COUNTY, CONTAINING APPROXIMATELY 160 ACRES IN ACCORDANCE WITH THE STANDARD FORM OF PERMIT. ROYALTY PAYABLE UNDER THE PERMIT SHALL BE 20 PERCENT. ROYALTY PAYABLE UNDER ANY PREFERENTIAL LEASE ISSUED UPON THE DISCOVERY OF COMMERCIALY VALUABLE DEPOSITS FOR ANY AND ALL MATERIALS EXTRACTED OR REMOVED FROM SAID PREMISES FOR SALE OR STOCKPILING SHALL NOT BE LESS THAN TEN PERCENT OF THE GROSS REVENUE, LESS SPECIFIC CHARGES, AS APPROVED BY THE COMMISSION, RELATED TO TRANSPORTING AND PROCESSING, AS SET FORTH IN SAID LEASE. THE DETERMINATION OF SAID ROYALTIES SHALL BE AT THE DISCRETION OF THE COMMISSION.

CALENDAR PAGE	140
DATE	2121

EXHIBIT "A"

LAND DESCRIPTION

W 40338

A parcel of California State school lands in San Bernardino County,
California, described as follows:

The NE $\frac{1}{4}$ of Section 16, T12N, R18E, SBM.

END OF DESCRIPTION

PREPARED JULY 22, 1983 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

CALENDAR PAGE	141
MINUTE PAGE	2122

EXHIBIT "C"

PROPOSED NEGATIVE DECLARATION

EIR ND 340

File Ref.: 40338/

SCH#: 82070210

Project Title: Mineral Prospecting Permit/Lanfair Valley-Hays

Project Location: NE $\frac{1}{4}$ of Section 16, T12N, R18E, SBM, approximately 13 miles north of Goffs, San Bernardino County.

Project Description: Drill 1 $\frac{1}{2}$ inch diameter sample holes to a 20 foot depth in a grid pattern. Samples will be sent to lab for assay. A block diagram of gold values will be constructed to discover and delineate any possible orebody. This project is one of four involving the entire section being considered by the Commission. The total number of sample holes for the four projects is as follows: Phase I - 64 holes; Phase II - 260 holes; and Phase III - 1120 holes.

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
Telephone: (916)322-7813

CALENDAR PAGE	<u>143</u>
NOTE PAGE	<u>2124</u>

File Ref.: W 40338

SCH#: 82070210

MITIGATION MEASURES

1. If any human remains are discovered during any activity on Section 16, permittee(s) shall notify the San Bernardino County coroner. The coroner will notify the Native American Heritage Commission if the remains are Native American.
2. Permittees shall not damage, destroy, or clear any Joshua trees or desert shrubs.
3. Prior to drilling each hole, permittees shall inspect each drill site to determine if burrowing animals are present. If any burrows are found, the drill hole will be located where burrows and wildlife would not be adversely affected.
4. If hibernating desert tortoises are located within a drill hole area, permittee(s) shall contact Linda Ulmer (DFG biologist) at (919) 922-5613 to determine the appropriate action to be taken to avoid loss of this state-designated protected species.
5. Only rubber tired vehicles shall be used and shall stay on existing roads to the greatest extent possible to minimize surface impacts from vehicle use.

CALL NO. 144
INDEX NO. 2125

File Ref.: W 40338

SCH#: 82070210

COMMENTS RECEIVED ON INITIAL STUDIES AND
RESPONSES PER A NEW PROJECT DESCRIPTION

Same Initial Study (attached) was circulated under separate cover for each quarter ($\frac{1}{4}$) of Section 16. After adverse responses to Initial Studies, each applicant submitted the following amended project description for a particular quarter of Section 16:

Phase I

Sixteen, $1\frac{1}{4}$ inch diameter holes will be drilled with a portable air drill to a 20 foot depth on a grid spacing of 500 feet. A small sample from each hole will be saved for assay. Each drill hole will be backfilled with drill cuttings before moving to the next site. Cyanide will not be used during any activity on Section 16. A pickup and portable drill will be the only equipment used.

Phase II

Sixty-five holes will be drilled on a grid spacing of 250 feet (other Phase II description same as Phase I).

Phase III

Two hundred-eighty holes will be drilled on a grid spacing of 125 feet (other Phase III description same as Phase I).

Surface Disturbance

The estimated maximum surface area disturbance for Phase I through Phase III drilling is 0.01 acre. The estimated maximum drilled sample volume for Phase I through Phase III is 6 cubic yards. No new roads will be constructed. No vegetation will be cleared.

CALENDAR PAGE	145
MINUTE PAGE	2126

1. Native American Heritage Commission

Comments:

"I do propose that before an Environmental Impact Report is required you contact the Chemehuevi Tribe to find out what these concerns may be. It may be possible that they feel the project is far enough away to allow the issuance of a Negative Declaration.

I do request that if a Negative Declaration should be issued, the provisions set forth under P.R.C. 5097.98 be stipulated as a condition to issuance of the Negative Declaration."

Response:

No comments were received from the Chemehuevi Indian Tribe on the Initial Studies mailed to them for review and comment. See Mitigation Measures.

2. California Regional Water Quality Control Board, Region 7

Comments:

"The Regional Board staff has reviewed the Environmental Impact Assessment for the subject combined project, and has determined that waste discharge requirements are necessary to insure protection of water quality. We have requested an application for this state permit from each prospector, and we will begin processing requirements upon receipt from each. However, to obtain optimum protection of water quality, we recommend that (2) an Environmental Impact Report be prepared for these operations using cyanide."

Response:

Cyanide will not be used and the permittees will have no authorization under the issued prospecting permits to use any chemicals or to generate any wastewaters during the two-year term of the permits.

3. Department of Conservation

Comments:

"Environmental Document

We recommend that all four projects be addressed in one

SEARCHED PAGE	146
INDEXED PAGE	2127

environmental document. A Negative Declaration appears to be sufficient for the exploration activities described. If, following exploration, a permit to mine is applied for, consideration should be given to developing an Environmental Impact Report.

Reclamation Plan

Because the amount of surface disturbance exceeds 1,000 cubic yards, a Reclamation Plan is required under the California Surface Mining and Reclamation Act of 1975.

It would be useful to include information in the Reclamation Plan about the relationship between the exploration activities and the wash, shown on the topographic map, and future interactions of cyanide-processed tailings disposal with surface and ground flows."

Response:

The amended estimated maximum surface disturbance quantity (24 cubic yards) for Section 16 is subject to exemption under the Surface Mining and Reclamation Act. See #2 Response.

4. Department of Fish and Game

Comments:

"We could concur with the proposed projects being processed as a conditioned Negative Declaration if the following conditions are included in each permit:

1. The extent of prospecting activities (size, depth and sample excavations) should not exceed those identified in the Initial Study.
2. Prospecting excavations and related activities should avoid adverse impacts to desert wildlife and vegetation. Protective measures should be implemented to avoid loss of Joshua trees and desert shrubs.
3. Prior to commencement of mining operations, each excavation site should be inspected to determine if burrowing animals are present and would be adversely affected by drilling activities. If impacts could occur, prospecting activities should be located where burrows and wildlife would not be adversely affected.

If hibernating desert tortoise are located within the excavation areas, the permittee should contact Linda Ulmer (DFG biologist) at (619) 922-5613 to determine the appropriate action to be taken to avoid loss of this state-designated protected species.

4. If commercial mineral deposits are discovered that could involve commercial mining operations, the applicant should be required to comply with the regulations of CEQA.
5. The project sponsor should be advised that diversion of the natural flow or changes in the channel, bed, or banks of any river, stream, or lake will require notification to the Department of Fish and Game pursuant to Section 1603 of the Fish and Game Code. This notification (with fee) and the subsequent agreement must be completed prior to initiating any such changes. We urge compliance with this code section prior to completion of the specific design since project features associated with streams or streambeds may require modifications."

Response:

1. The issued prospecting permits will be subject to the described exploration activities and mitigation measures in the Negative Declaration, which will be documented in Paragraph 3 and Exhibit "A" of each permit.
2. Sample holes will not be excavated pursuant to the amended project description.
See Mitigation Measures.
3. See Mitigation Measures.
4. Before issuance of a lease(s) to commercially extract valuable deposits of minerals; paragraph 15 (a) of each permit states:
"(a) That permittee complies with the provisions of Public Resources Code Section 6371, governing the preparation of environmental reports."
5. Section 16 is located in a desert environment with no rivers, streams or lakes.

COLLECTOR FILE	148
MINUTE PAGE	2129

5. San Bernardino County Planning Department

Comments:

"We are aware that BLM is conducting some studies of water supply regionally, which have yet to be completed, this issue should not be overlooked. As you are aware, mining operations can consume large amounts of water when they are in full operation. If a draw down in water is to occur, it could have impacts on the phreatophyte vegetation. Grazing and Yucca harvesting are two current uses and represent renewable resources, with proper management, presently occurring in the area. Impacts to those uses should be discussed.

The County is concerned that Native American values for cultural resources be addressed. We suggest that you contact the Chemehuevi Indian Tribe, P.O. Box 1976, Chemehuevi Valley, California 92363. A recent plan of operation, issued by BLM, has received comments from the tribe. This sensitive area is 1/2 mile east of Section 16.

The environmental checklist discusses that "If a commercially valuable mineral deposit is discovered...., a comprehensive EIR would be required". We concur that if a plan of operation were proposed that an EIR should be prepared. Many applications for mining of alluvium have been reviewed by us and not one has been put into operation. Perhaps State Lands should consider issuing permits on a phased program, 1/4 section at a time to minimize the surface disturbances, primary effects from actual borings, and the secondary effects from vehicular use. Mitigations should stipulate that only rubber tired vehicles may be used and should stay on any existing roads to the greatest extent possible.

The fact that these proposals are immediately adjacent to each other should have been addressed as a possible cumulative impact on the environmental checklist. These cumulative impacts to aesthetics and groundwater supply are of particular interest to this office."

Response:

Permittees will be conducting exploration activities only on the State parcel and will not have any need or authorization to extract ground water from Section 16. No State leases exist for grazing or Yucca harvesting on Section 16.

See #1 Response.

See Mitigation Measures.

The amended project descriptions will have considerably less total surface disturbance and, therefore, cumulative aesthetic impacts will be less.

	150
PROJECT NO.	2131

File Ref.: W 40338
SCH# 82070210

March 23, 1983

INITIAL STUDY
INTRODUCTION

Moffat A. Hays has applied to the State Lands Commission for a prospecting permit on State lands located in Lanfair Valley in northeastern San Bernardino County. The proposed project consists of excavating sample holes in a grid pattern with a backhoe; Phase I - 16 holes, Phase II - 65 holes, Phase III - 280 holes. The samples will be processed for gold to discover and delineate any possible ore body. The permit, when issued, is for a two-year period.

This Initial Study consists of an environmental impact assessment checklist, information form responses and maps.

State Lands Commission

March 1983

	151
REFERENCE	2132

EXHIBIT "A"
STATE LANDS COMMISSION
APPLICATION FOR PROSPECTING
PERMIT
W-40338
MOFFAT A. HAYS
SAN BERNARDINO COUNTY

JANUARY 1983

JBH

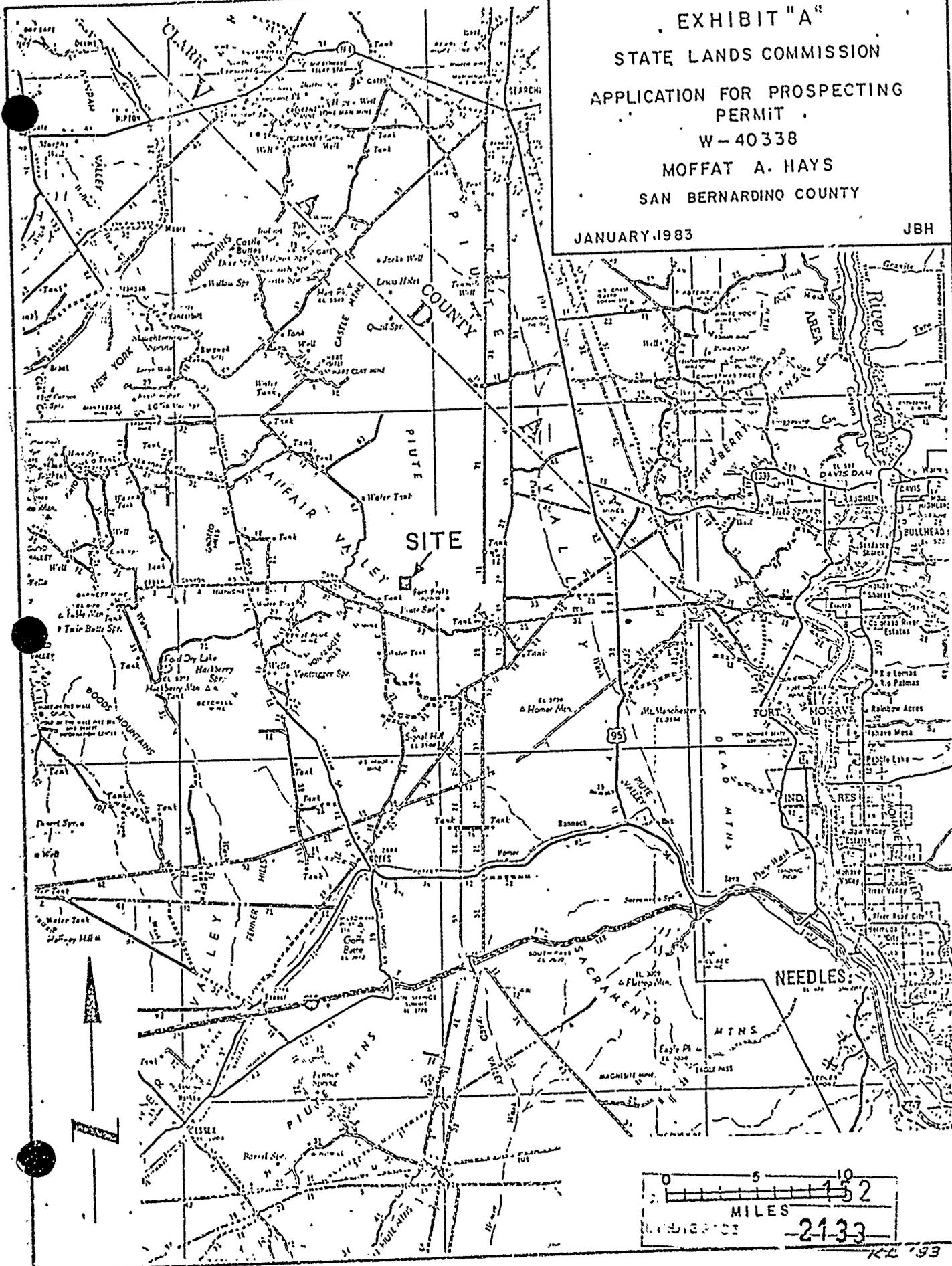
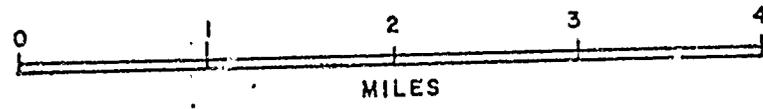
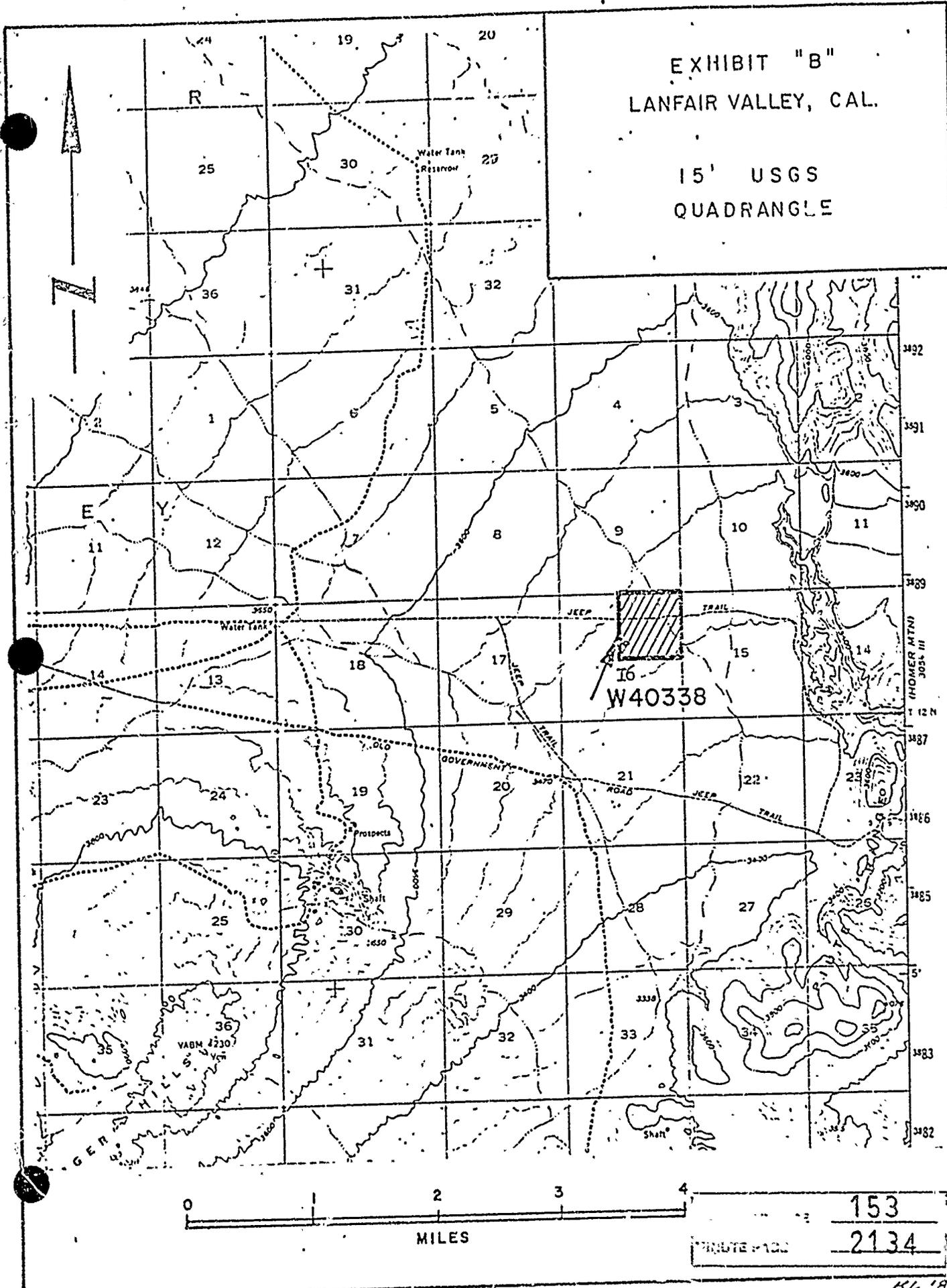


EXHIBIT "B"
LANFAIR VALLEY, CAL.

15' USGS
QUADRANGLE



153
NOTE #100 2134

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

File Ref.: W 40338

Form 13,20 (7/82)

I. BACKGROUND INFORMATION

A. Applicant: Moffatt A. Hays
4901 Palo Drive
Tarzana, CA 91356

B. Checklist Date: 3 / 18 / 83

C. Contact Person: James B. Hart, State Lands Commission
Telephone: (213) 590-5276

D. Purpose: Prospect for valuable minerals.

E. Location: NE 1/4, Section 16, T. 12 N., R. 18 E., S.B.B.&M.
San Bernardino County. See attached maps.

F. Description: Applicant will excavate a maximum of 361 sample holes in a grid patterns, process samples for gold on site, and construct a block diagram of the gold values to discover and delineate any possible orebody. See detailed project description.

II. ENVIRONMENTAL IMPACTS. [Explain all "yes" and "maybe" answers]

- A. Earth. Will the proposal result in:
1. Unstable earth conditions or changes in geologic substructures?
2. Disruptions, displacements, compaction, or overcovering of the soil?
3. Change in topography or ground surface relief features?
4. The destruction, covering, or modification of any unique geologic or physical features?
5. Any increase in wind or water erosion of soils, either on or off the site?
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?
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?

Yes Maybe No

Grid of checkboxes for environmental impact questions, with handwritten numbers 154 and 2135 in some boxes.

Yes Maybe No

B. Air. Will the proposal result in:

- 1. Substantial air emissions or deterioration of ambient air quality? Yes Maybe No
- 2. The creation of objectionable odors? Yes Maybe No
- 3. Alteration of air movement, moisture or temperature or any change in climate, either locally or regionally? Yes Maybe No

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? Yes Maybe No
- 2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff? Yes Maybe No
- 3. Alterations to the course or flow of flood waters? Yes Maybe No
- 4. Change in the amount of surface water in any water body? Yes Maybe No
- 5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? Yes Maybe No
- 6. Alteration of the direction or rate of flow of ground waters? Yes Maybe No
- 7. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? Yes Maybe No
- 8. Substantial reduction in the amount of water otherwise available for public water supplies? Yes Maybe No
- 9. Exposure of people or property to water-related hazards such as flooding or tidal waves? Yes Maybe No
- 10. Significant changes in the temperature, flow or chemical content of surface thermal springs? Yes Maybe No

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)? Yes Maybe No
- 2. Reduction of the numbers of any unique, rare or endangered species of plants? Yes Maybe No
- 3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? Yes Maybe No
- 4. Reduction in acreage of any agricultural crop? Yes Maybe No

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)? Yes Maybe No
- 2. Reduction of the numbers of any unique, rare or endangered species of animals? Yes Maybe No
- 3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? Yes Maybe No
- 4. Deterioration to existing fish or wildlife habitat? Yes Maybe No

F. Noise. Will the proposal result in:

- 1. Increase in existing noise levels? Yes Maybe No
- 2. Exposure of people to severe noise levels? Yes Maybe No

G. Light and Glare. Will the proposal result in:

- 1. The production of new light or glare? Yes Maybe No

H. Land Use. Will the proposal result in:

- 1. A substantial alteration of the present or planned land use or area? Yes Maybe No

I. Natural Resources. Will the proposal result in:

- 1. Increase in the rate of use of any natural resources? Yes Maybe No
- 2. Substantial depletion of any nonrenewable resources? Yes Maybe No

PROJECT NUMBER	155
PROJECT ID	2136

- Yes Maybe No
- J. Risk of Upset.** Does the proposal result in:
- 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?
 - Possible interference with emergency response plan or an emergency evacuation plan?
- K. Population.** Will the proposal result in:
- The alteration, distribution, density, or growth rate of the human population of the area?
- L. Housing.** Will the proposal result in:
- Affecting existing housing, or create a demand for additional housing?
- M. Transportation/Circulation.** Will the proposal result in:
- Generation of substantial additional vehicular movement?
 - Affecting existing parking facilities, or create a demand for new parking?
 - Substantial impact upon existing transportation systems?
 - Alterations to present patterns of circulation or movement of people and/or goods?
 - Alterations to waterborne, rail, or air traffic?
 - 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:
- Fire protection?
 - Police protection?
 - Schools?
 - Parks and other recreational facilities?
 - Maintenance of public facilities, including roads?
 - Other governmental services?
- O. Energy.** Will the proposal result in:
- Use of substantial amounts of fuel or energy?
 - 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:
- Power or natural gas?
 - Communication systems?
 - Water?
 - Sewer or septic tanks?
 - Storm water drainage?
 - Solid waste and disposal?
- Q. Human Health.** Will the proposal result in:
- Creation of any health hazard or potential health hazard (excluding mental health)?
 - Exposure of people to potential health hazards?
- R. Aesthetics.** Will the proposal result in:
- 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:
- An impact upon the quality or quantity of existing recreational opportunities?

156	<input checked="" type="checkbox"/>
2137	

Yes Maybe No

T. Cultural Resources.

- 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?

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

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

IV. PRELIMINARY 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: 3 / 18 / 83

James B. Hart
 For the State Lands Commission 157
 2138
 Form 13.20 (7/82)

DETAILED PROJECT DESCRIPTION

Moffatt A. Hays 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. The project consists of three phases of increasing magnitude and expense. This permits an orderly compilation of information and holds expenses and surface disturbance to a minimum if the results do not justify proceeding further.

The Bobcat and Vontrigger Hills, three miles to the southwest, have a history of gold production. Three underground mines produced gold in that area. This is the primary mineral that will be prospected for within the permit area.

It is believed that the alluvial deposit on Section 16 was derived from the surrounding hills. An exploration program to evaluate the mineral potential of this area is proposed as follows:

Phase I:

Sixteen sample holes will be excavated with a backhoe on a grid spacing of 500 feet (refer to grid map). The alluvial material from each hole will be processed on site, and each hole will be backfilled with processed tailings before moving to the next site. Each sample excavation will be approximately 20 feet deep, 1.7 feet wide, and 3.5 feet long. The estimated maximum excavated sample volume for all of Phase I is 70.5 cubic yards.

The project site is served by a dirt road and new roads will not be constructed during the prospecting permit term.

The processing procedure will consist of the following:

1. Wet gravity separation (chemicals not used) of black sands and free gold;
 2. Cyanide leach of wet gravity tailings in a trailer mounted enclosed tank;
 3. Electrowinning of gold from cyanide leach solution in a trailer mounted closed tank;
 4. Neutralization of cyanide contaminated tailings with chlorine bleach in a trailer mounted closed tank.
- A block diagram of the gold values will be constructed from the processing results.

CALENDAR PAGE	158
MINUTE PAGE	2139

Phase I continued

The chemical processing trailer will be surrounded by an attached gutter of sufficient capacity to retain any accidental cyanide leach/chemical spill that might occur.

The entire processing operation will consume about 10,000 gallons of water per week which will be trucked in, probably from the Colorado River.

Phase II:

If sufficient quantities of gold are discovered during Phase I, sixty-five holes will be excavated with a backhoe on a grid spacing of 250 feet. The alluvial material from each hole will be processed on site as described in Phase I, and each hole will be backfilled with processed tailings before moving to the next site. The estimated maximum excavated sample volume for Phase II sampling is 286.5 cubic yards.

Phase III:

If sufficient quantities of gold are discovered during Phase II, two hundred-eighty holes will be excavated with a backhoe on a grid spacing of 125 feet. The alluvial material from each hole will be processed on site as described in Phase I, and each hole will be backfilled with processed tailings before moving to the next site. The estimated maximum excavated sample volume for Phase III sampling is 1,234 cubic yards.

Surface Disturbance:

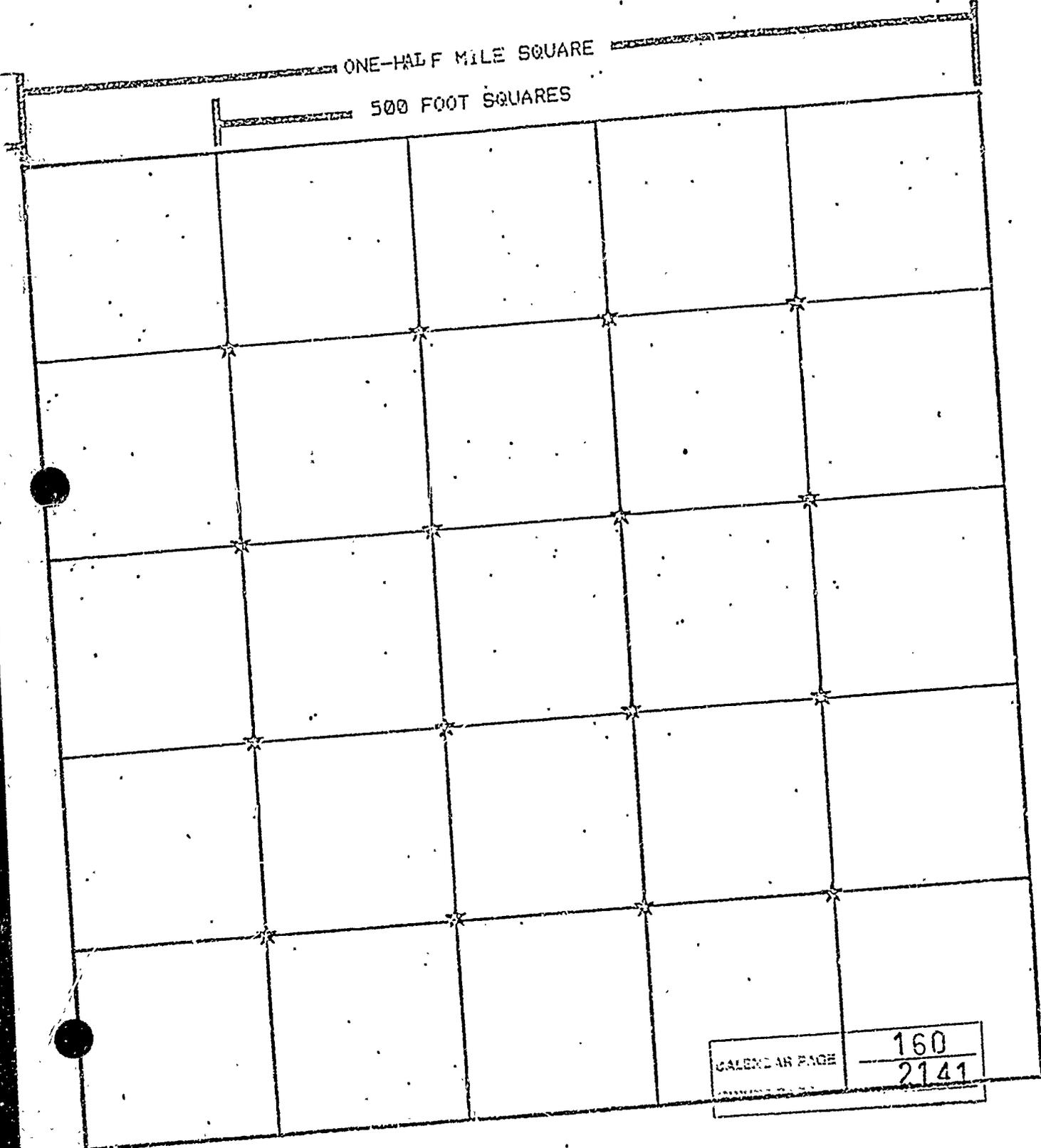
The estimated maximum surface area disturbance for Phase I through Phase III sampling is 0.12 acre. The estimated maximum excavated sample volume for Phase I through Phase III is 1,591 cubic yards.

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.

CALIFORNIA PAGE	159
MINUTE PAGE	2140

GRID FOR HOLES ON 500 FOOT CENTERS
ON ONE-QUARTER SECTION
SIXTEEN HOLES

W 40338



CALENDAR PAGE	160
	2141

III. Discussion of Environmental Evaluation

A 2. Disruption, displacement, compaction, and over-covering of the sandy soil will occur in the immediate vicinity of the sampling sites if Phases I, II, and III are executed. Each sample excavation will be backfilled with processed tailings, and restored to the natural ground contour, as nearly as possible, before moving to the next site.

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

A 5. An increase in wind and water erosion of the disturbed soil at sampling sites will take place during wind and rain storms.

F 1. The operating backhoe, sample processing equipment, and accessory activities will temporarily increase the existing noise levels.

J.1. In the event of an accident on the processing trailer, the possibility exists of a cyanide spill contaminating the soil.

The applicant shall obtain a permit from the California Regional Water Quality Control Board, Colorado River Basin-Region (7), as a condition of issuance of a prospecting permit.

Q 2. The operators of the processing equipment will be working with cyanide and chlorine bleach solutions, and may come in contact with the solutions if an accident occurs.

Date Filed _____

WORK ORDER W 40238

ENVIRONMENTAL INFORMATION FORM
(To be completed by applicant)

GENERAL INFORMATION

1. Name and address of developer or project sponsor: MOFFATT ANDREW HAYS (ANDY)
4901 Palo Dr. Tarzana, California 91356
2. Address of project: Section 16, Township 12 N., Range 18 E., SBEM
S-NE 1/4 Section
Assessor's Block and Lot number: PARCEL # 568-191-07
3. Name, address, and telephone number of person to be contacted concerning this project: Andy Hays
4901 Palo Dr. Tarzana, Calif. 91356 (213) 345-0825
4. Indicate number of the permit application for the project to which this form pertains: N/A
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
6. Existing zoning district: N/A
Present use of site: None
7. Proposed use of site (Project for which this form is filed): Prospect for minerals

PROJECT DESCRIPTION:

8. Site size. 160 acres
9. Square footage. N/A
10. Number of floors of construction. N/A
11. Amount of off-street parking provided. N/A
12. Attach plans. N/A
13. Proposed scheduling. N/A
14. Associated projects. N/A
15. Anticipated incremental development. N/A
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, loading facilities, and community benefits to be derived from the project.

DATE ASSESSED	162
ESTIMATED VALUE	2143

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 alteration of existing drainage patterns.
28. Change in existing noise or vibration levels in the vicinity.
29. Site on filled land or on slope of 10 percent or more.
30. Use or 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.
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 photo. will be accepted.

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

10-17-82

For

M. J. G. G. G.

CALENDAR PAGE	163
DATE PAGE	2144

ENVIRONMENTAL SETTING (Form 69.3)

Items 34 and 35:

The subject area is flat desert land with a scanty growth of chaparral, barrel cacti, and Joshua trees. The soil is sandy with a scattering of rocks up to 30 pounds weight. Any and all ecologically important vegetation that is in the way of the operation will be transplanted.

The only animals known to be present are a few lizards, ground squirrels, rattlesnakes, and jackrabbits.

This land is not known to have any historical or scenic aspects. Although a beautiful canyon is nearby, it is not visible from Section 16.

The surrounding areas are very similar to the subject Section 16, and the only structure in sight is the Rattlesnake mine about three miles away.

Access to subject section is via existing roads.

CALENDAR PAGE	164
ADVISORY PAGE	2145

MAILING LIST - LETTERS
W 40338

Mr. Moffatt A. Hays
4901 Palo Drive
Tarzana, CA 91356

San Bernardino Co. Planning Dept.
Attn: Fred Hinshaw
1111 East Mill St., Bldg. 1
San Bernardino, CA 92415

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

Anthony Drennon, Chairman
Colorado River Indian Tribes
Route 1, Box 23-B
Parker, Arizona 85344

Chemehuevi Indian Tribe
P.O. Box 1976
Chemehuevi Valley, California 92363

Fort Mojave Indian Tribe
P.O. Box 888
Needles, California 92363

CALENDAR PAGE	165
MINUTE PAGE	2146

MAILING LIST - MEMOS
W40338

Regional Water Quality
Control Board
Colorado River Basin Region (7)
Attn: Arthur Swajian,
Executive Officer
73-271 Hwy 111, Suite 21
Palm Desert, CA 92260

Department of Parks & Recreation
Attn: Maurice Getty
1220 "K" Street, 3rd Floor
Sacramento, CA 95814

Department of Transportation
District 8
Attn: Robert Pote
247 West Third Street
San Bernardino, CA 92403

Native American Heritage Commission
Attn: Willie Pink
1400 Tenth Street
Sacramento, CA 95814

Department of Conservation
Environmental Program Coordinator
1416 Ninth Street, Room 1354
Sacramento, CA 95814

Office of Historic Preservation
Nick del Cioppo
1220 "K" Street, 3rd Floor
Sacramento, CA 95814

State Water Resources
Control Board
John Huddleson
1416 Ninth Street
Sacramento, CA 95814

Dept. of Fish and Game
Fred A. Worthley, Jr.,
Regional Manager
245 W. Broadway, Suite 350
Long Beach, CA 90802

Dept. of Health
Harvey Collins
714 "P" Street, Room 430
Sacramento, CA 95814

Air Resources Board
Anne Geraghty
1120 "Q" Street
Sacramento, CA 95814

Attorney General's Office
Robert Collins, Deputy Attorney General
3580 Wilshire Boulevard, 6th Floor
Los Angeles, CA 90010.

CALL PAGE	167
MINUTE PAGE	2148