

MINUTE ITEM

This Calendar Item No. C18
was approved as Minute item
No. 13 by the State Lands
Commission by a vote of 7
to 0 at its 6/26/86
meeting.

CALENDAR ITEM
C18

A 61
S 25

06/26/86
W 40392
PRC 6754
Pelka

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

APPLICANT: Floyd M. Whitson
913 11th Street
Golden, Colorado 80401

PROPOSED ACTION:

Revoke the approval of issuance of a prospecting permit which was to run for two years to prospect for precious and other valuable minerals, other than oil, gas, geothermal resources, sand and gravel on 640 acres of land, more or less, in San Bernardino County.

AREA, TYPE LAND AND LOCATION:

State school land, Section 16, T18N R13E, SBM, San Bernardino County, approximately 15 miles north of Mountain Pass.

PROPOSED ACTION:

On November 29, 1984, the Commission approved the issuance of a mineral prospecting permit to Floyd M. Whitson for this State school land parcel. The two-phased project description entailed the augering of four holes to a depth of 100 feet and bulk sampling of 250 tons of sediments with a backhoe/loader. The Commission's approval of issuance was contingent upon the deliverance of a \$7,000 performance bond by the applicant in favor of the State. Paragraph 29 of the prospecting permit executed by Mr. Whitson

(PAGES 116-116.5 ADDED 06/17/86)
(NON-SUBSTANTIVE REVISION 06/30/86)

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CALENDAR ITEM NO. C 18 (CONT'D)

required the furnishing and maintenance of the bond within 30 days of the approval date of the issuance of the permit by the Commission. Mr. Whitson has been unsuccessful in his attempts to obtain the \$7,000 bond. Staff believes they have been more than reasonable in allowing Mr. Whitson additional time beyond the 30 days in which to obtain his bond. Without the bond, Staff did not deliver the permit form to the Chief of the Extractive Development Program for execution, and thus the permit was never issued. Staff now recommends that the Commission revoke the approval of the issuance of a permit to Mr. Whitson as it is in the best interest of the State to make this parcel of State school land available to any other interested party.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Section 6891, 6899.
- B. Paragraph 29 of the permit.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA, because it is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

AB 884: N/A.

EXHIBITS:

- A. Land Description.
- B. Site Map.
- C. Paragraph 29 of the permit.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061, BECAUSE IT IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.

CALENDAR ITEM NO. C18 (CONT'D)

2. FIND THAT FLOYD M. WHITSON HAS BEEN UNABLE TO COMPLY WITH THE TERMS AND CONDITIONS OF PARAGRAPH 29 OF PROSPECTING PERMIT.
3. REVOKE THE APPROVAL OF THE ISSUANCE OF A PROSPECTING PERMIT TO FLOYD M. WHITSON FOR A TERM OF TWO YEARS, FOR ALL MINERALS OTHER THAN OIL, GAS, GEOTHERMAL RESOURCES, SAND AND GRAVEL ON SECTION 16, T 18 N, R 13 E, SBM, SAN BERNARDINO COUNTY, CONTAINING APPROXIMATELY 640 ACRES.

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EXHIBIT "A"

LAND DESCRIPTION

W 40392

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

Section 16, T 18N, R13 E, S8N.

END OF DESCRIPTION

PREPARED OCTOBER 4, 1984, BY BOUNDARY AND TITLE UNIT.

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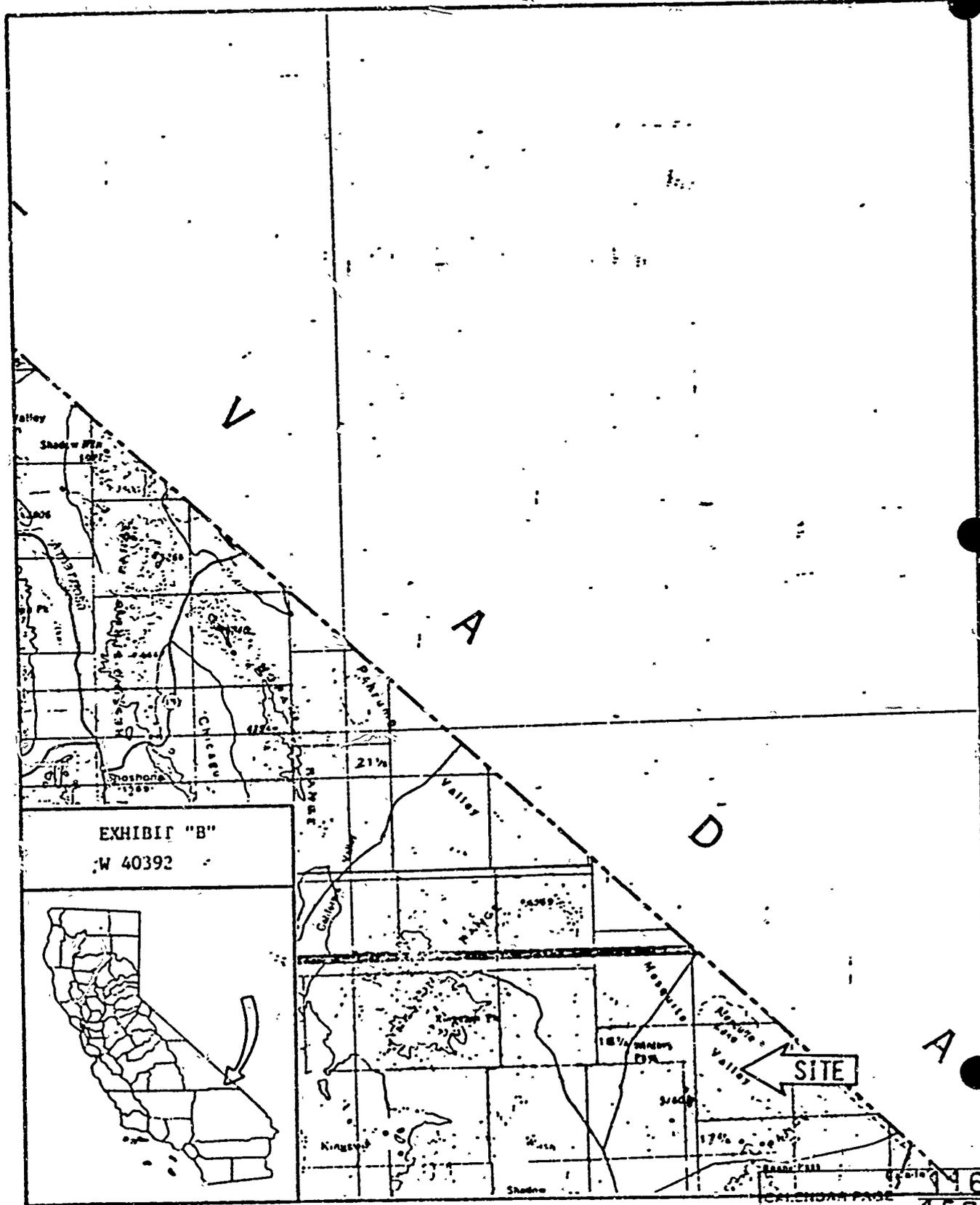


EXHIBIT "B"
W 40392



EXHIBIT "C"

29. Within thirty (30) days of the approval date of the issuance of this permit by the State Lands Commission, Permittee shall furnish, and maintain until released by the State, a bond in the sum of \$7,000.00 and in favor of the State for its exclusive use and benefit, guaranteeing the faithful performance by Permittee of the terms and conditions of this permit. This requirement shall be separate from any other bonding provisions of the Public Resources Code and the regulations of the State.