

MINUTE ITEM
This Calendar Item No. C13
was approved as Minute Item
No. 13 by the State Lands
Commission by a vote of 2
to 0 at its 11/20/86
meeting.

CALENDAR ITEM

A 61

C 13

11/20/86

PRC 6744

Pelka

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

PERMITTEE: James W. Cole
628 Northridge Drive
Boulder City, Nevada 89005

AGENT: John R. Poloni
1512 B-56th Street
Delta, British Columbia, Canada U4L 2A8

PROPOSED AUTHORIZATION:
Amendment and extension of a prospecting permit
to prospect for gold, silver, and other
valuable minerals, other than oil, gas,
geothermal resources, sand and gravel on
640 acres of land located in San Bernardino
County.

TERMS OF EXTENSION:
December 1, 1986 through November 30, 1987.

AREA, TYPE OF LAND AND LOCATION:
State school land - Sec. 16, T11N R14E, S8M,
San Bernardino County, 12 miles northeast of
Kelso.

PREREQUISITE ITEMS:
Applications for amendment and extension
submitted by Permittee.

Statutory filing fees submitted by Permittee.

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OTHER PERTINENT INFORMATION:

1. Mineral prospecting permit PRC 6744 was approved for issuance to James W. Cole by the Commission on October 25, 1984, effective December 1, 1984. The permitted activities of geologic mapping, rock chip sampling, and shallow soil sampling have provided encouraging assay results. The Permittee submitted an application to amend his permit to include the drilling of ten small diameter holes to a depth of 200 feet to confirm earlier assays. Holes will be drilled dry using a track-mounted, air-powered drill-rig. Since the drilling medium consists only of compressed air, no mud pits are required. Access will be provided by a combination of existing roads, off-road travel, and construction of approximately 400 feet of new road. Drill holes will provide samples for off-site assaying. Upon termination of prospecting activities, all drill holes will be properly abandoned, drill sites will be restored, and access road grading will be backfilled and recontoured to the original topography to the extent feasible. The estimated maximum surface area disturbance for drilling and road construction is one-tenth of an acre. The estimated maximum excavated volume is 178 cubic yards.

STATUTORY REFERENCES:

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

AB 884:

N/A.

INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15025), the staff has prepared and circulated for public review a proposed Negative Declaration identified as EIR ND 404, State Clearinghouse 85122308 pursuant to the provisions of the CEQA. A copy of this environmental document is attached as Exhibit "C".

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Based upon the initial study, the proposed Negative Declaration, and the comments received in response thereto, there is no substantial evidence that the project as amended will have a significant effect on the environment (14 Cal. Adm. Code 15074 (b)).

2. After reviewing the request for extension of the permit, staff believes there are no circumstances surrounding the project nor changes in the environment or the project, that have not been addressed in the Negative Declaration, that indicate the proposed action will have a significant effect on the environment.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this extension is categorically exempt from the requirements of CEQA, under the general rule that CEQA applies only to projects which have a potential for causing a significant effect on the environment. Staff believes there is no possibility this action may have a significant effect on the environment.

Authority: 14 Cal. Adm. Code 15061 (b)(3).
4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370 et. seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as amended, is consistent with its use classification.
5. Pursuant to P.R.C. Section 6895, upon establishing to the satisfaction of the Commission that commercially valuable deposits of minerals have been discovered within the limits of the permit, the applicant would have a preferential right

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to a lease for a maximum of 640 acres embraced within the permit. Said right shall be subject to all necessary environmental approvals. The amendment of the permit shall not affect the discretion of the Commission in granting or denying such lease because of environmental considerations.

6. Permit shall provide for a performance bond or other security in the amount of \$10,000 in favor of the State.

APPROVALS OBTAINED:

1. Pursuant to P.R.C. Section 6890, the subject amendment application and form have been approved by the Office of the Attorney General as to the compliance with the applicable provisions of the law.

EXHIBITS:

- A. Land Description.
- B. Site Map.
- C. Negative Declaration.
- D. Amendment to Exhibit "A" of Prospecting Permit.

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT NEGATIVE DECLARATION ND 404, STATE CLEARINGHOUSE 85122308, WAS PREPARED FOR THIS AMENDED PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. DETERMINE THAT THE PROJECT, AS AMENDED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
3. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
4. AUTHORIZE THE AMENDMENT OF THE PROSPECTING PERMIT TO JAMES W. COLE, FOR ALL MINERALS OTHER THAN OIL, GAS, GEOTHERMAL RESOURCES, SAND AND GRAVEL ON SECTION 16, T11N R14E, S8M, SAN BERNARDINO COUNTY, CONTAINING APPROXIMATELY 640 ACRES, MORE OR LESS; ALL OTHER TERMS AND CONDITIONS OF THE PERMIT ARE TO REMAIN IN FULL FORCE AND EFFECT.

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5. FIND THAT THIS EXTENSION IS EXEMPT FROM THE REQUIREMENTS OF CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT 14 CAL. ADM. CODE 15061 (8)(3).
6. PURSUANT TO SECTION 6891 OF THE P.R.C., AUTHORIZE THE EXTENSION THROUGH NOVEMBER 30, 1987, OF PROSPECTING PERMIT PRC 6744 ISSUED TO JAMES W. COLE TO PROSPECT FOR ALL MINERALS OTHER THAN OIL AND GAS AND GEOTHERMAL RESOURCES.

(ADDED 11/12/85)

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EXHIBIT "A"

LAND DESCRIPTION

PRC 6744:2

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

Section 16, T11N, R14E, SBM.

END OF DESCRIPTION

PREPARED SEPTEMBER 10, 1984, BY BOUNDARY AND TITLE UNIT.

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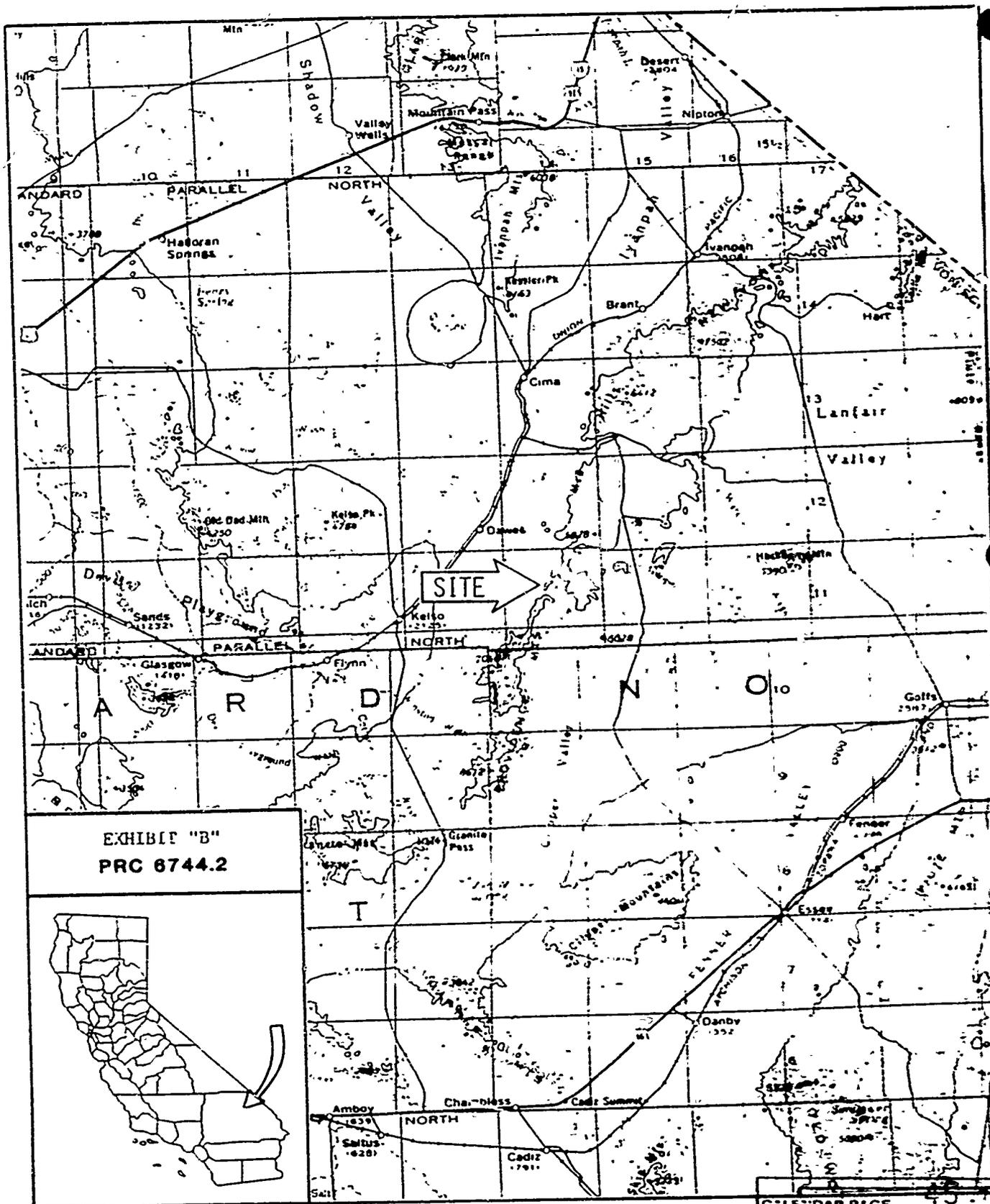


EXHIBIT "B"
 PRC 6744.2



EXHIBIT "C"

PROPOSED NEGATIVE DECLARATION

EIR ND 404

File Ref.: PRC 6744

SCH#: 85122308

Project Title: Mineral Prospecting Permit-Providence Mountains

Project Proponent: James W. Cole

Project Location: Section 16, T. 11 N., R. 14 E., S.B.M., San Bernardino County,
approximately 12 miles northeast of Kelso.

Project Description:

Applicant proposes to drill ten holes, four inches in diameter up to 200 feet deep using a track mounted air rotary drill. 20% of the material will be retained for off-site analysis of valuable metals. Holes shall be abandoned with cuttings if dry or clay if wet. To obtain access, up to 400 feet of new road up to eight feet wide may be constructed. Upon permit termination, the road shall be reclaimed.

Contact Person:

Telephone: (916) 322-7913

TED T. FUKUSHIMA
1807 - 13th Street
Sacramento, CA 95814

This document is prepared pursuant to the requirements of the California Environmental Quality Act (Section 21000 et seq., Public Resources Code), the State CEQA Guidelines (Section 15000 et seq., Title 14, California Administrative Code), and the State Lands Commission regulations (Section 2901 et seq., Title 2, 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. mitigation measures included in the project will avoid potentially significant effects.

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Mitigation Measures

Proposed for Incorporation into the Project Description

1. Access across the terrain with the track mounted drill rig shall be conducted in such a manner as to avoid undue degradation of the soil, vegetation, and wildlife. The track mounted drill rig shall negotiate the proposed 400 feet of new proposed road with the minimum of clearing and grading required. During grading, the topsoil shall be removed and stockpiled and spread over the disturbed surface upon backfilling.
2. Permittee shall reclamate all drill sites and access roads to the extent feasible. Drill holes shall be properly abandoned in accordance with the procedure outlined in the detailed project description. All grading performed for the proposed access route shall be backfilled and recontoured to the original topography to the extent feasible.
3. Access to the State section will be along an existing way south of the Globe Mine Road in Section 9, T. 11 N, R. 14 E. This section is also within the North Providence Wilderness Study Area. Should upgrading of this road or any other surface disturbance be required on Bureau lands, the operator will contact the Needles BLM office at (619) 326-3896 prior to any work being initiated.
4. The access road and drill hole sites shall be inspected to determine if burrowing animals are present and would be adversely affected. If potential impacts could occur, prospecting activities shall be located where burrows and wildlife would not be adversely affected. The project operator should specifically avoid burrowing areas of the desert tortoise, a State protected species.

5. 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 as called for in the Fish and Game Code. This notification (with fee) and the subsequent agreement must be completed prior to initiating any such changes. Notification should be made after the project is approved by the lead agency.
6. To avoid any impacts to Summit Spring, no drilling shall occur within 600 feet of the spring.
7. Should groundwater be encountered during drilling, the Department of Fish and Game shall be promptly notified as to the location and depth of such groundwater.
8. Permittee shall avoid any operations within the southeast 1/4 of the southwest 1/4 of the northeast 1/4 of the northeast 1/4 of section 16, due to a recorded archeological site consisting of a small shelter cave and jasper flakes.
9. Should the proposed prospecting prove positive and mining proposed, a complete archeological survey of the impact areas will be an element of the environmental impact report.

COMMENTS RECEIVED ON INITIAL STUDY AND RESPONSES TO COMMENTS

Bureau of Land Management - California Desert District

Comments:

"Because of existing roads and the minimal disturbance entailed, I see the surface disturbance as being too little to require an EIR. However, because of the possible future use of the State land for wilderness and/or park purposes, I would recommend that the tracked vehicle be required to move over the proposed road routes of 100' and 300' with as little clearing and grading as necessary. Any clearing and grading should be followed by reclamation to bring the site near to its natural state. I appreciate having a chance to comment on this action and would have no problem with accepting a negative declaration with the above mitigation measures added".

Responses:

1. See Mitigation Measures Number 1 and 2.

In addition, paragraph 24(c) of the State prospecting permit requires that "Permittee shall conduct any operations disturbing the soil surface, including but not limited to road building, construction and movement of heavy equipment in such manner as to not result in unreasonable damage to trees and plant cover, in soil erosion or in degradation of waters of the State, including fish and aquatic life habitats.

To ensure that the terms and conditions of the prospecting permit including all mitigation measures are strictly adhered to, the Permittee shall furnish and maintain until released by the State, a bond in the sum of \$10,000, guaranteeing the faithful performance by Permittee of the terms and conditions of the permit, including all Mitigation Measures.

Bureau of Land Management - Needles Resource Area

Comments:

"Please add the following paragraph in the final letter to James Cole regarding his mineral prospecting permit in the North Providence Mountains wilderness area CDCA - WSA 263.

Access to the State section will be along an existing way south of the Globe Mine Road in Section 9, T. 11 N., R. 14 E. This section is also within the North Providence Wilderness Study Area. Should upgrading of this road or any other surface disturbance be required on Bureau lands, the operator will contact the Needles BLM office at (619) 326-3896 prior to any work being initiated".

Responses:

See Mitigation Measure Number 3.

The proposed access route is confined to State land only.

California Department of Fish and Game

If the following measures are included as conditions of the permit, the Department of Fish and Game recommends adoption of a Negative Declaration:

1. Upon completion of the prospecting project the access road and all drill sites shall be regraded to the extent feasible.
2. The access road and drill hole sites should be inspected to determine if burrowing animals are present and would be adversely affected. If potential impacts could occur, prospecting activities should be located where burrows and wildlife would not be adversely affected. The project operator should specifically avoid burrowing areas of the desert tortoise, a State protected species.
3. 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 as called for in the Fish and Game Code. This notification (with fee) and the subsequent agreement must be completed prior to initiating any such changes. Notification should be made after the project is approved by the lead agency.

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4. To avoid any impacts to Summit Spring, no drilling should occur within 600 feet of the spring.
 5. Should groundwater be encountered during drilling, Fish and Game would appreciate being notified as to the location and depth of such groundwater.

Responses:

1. See Mitigation Measure Number 2.
2. See Mitigation Measure Number 4.
3. See Mitigation Measure Number 5.
4. See Mitigation Measure Number 6.
5. See Mitigation Measure Number 7.

Regional Water Quality Control Board
Colorado River Basin - Region 7

Comment:

"Based on the information provided in your March 24, 1986 letter regarding the above referenced project amendment, the Regional Board staff recommends that a Negative Declaration be required for this project".

Response:

None required.

John R. Poloni - Consulting Geologist

Comment:

"It would appear that no Environmental Impact Report (EIR) is required for the current phase of work as very little adverse effects will result from the proposed drilling program on the Gold Quartz project".

Response:

None required.

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Sierra Club - Mojave Group

Comments:

1. "The State school land section is in the midst of a Bureau of Land Management Recommended Suitable Wilderness Study Area. To do any kind of drilling next to a Wilderness area might degrade the Wilderness quality of neighboring lands. It should be fairly obvious that any drilling in the midst of a Recommended Wilderness Area will have major impacts on that area".

2. "Even more of a problem than the drilling is the proposed road. I cannot tell from the accompanying, inadequate map if the proposed new roads actually cross Bureau of Land Management managed Wilderness Study Area lands. If, in fact, they do, then there will be major impacts on the WSA. Roads bring off-road vehicles, trash, campers, pitfires, and the normal detritus of civilization.

If the road will not cross BLM lands, it certainly is clear that a newly graded eight foot wide road will have a significant visual impact on surrounding wilderness quality lands".

3. "The California Desert Conservation Area Plan, 1980, identifies this section as habitat for the Desert Tortoise. It is also on the border of significant Golden Eagle habitat. This project, particularly the roads, cannot help but cause "deterioration to existing fish or wildlife habitat" and will likely result in the "reduction of the numbers of any unique, rare or endangered species of animals".

4. "As is acknowledged by the applicant in his detailed project description there is a real risk of "interception of an aquifer by cuts or excavations".

5. "Very nearby is an assemblage of a plant species of special concern, *Astragalus cimae* var. *cimae*. I know that when the California Desert Plan was written, investigations were undertaken primarily of federal lands. I wonder if this species is also found on this State school land section?"

6. "This drilling site is in the midst of a proposed national park, and the current East Mojave National Scenic Area (EMNSA). EMNSA has been described by the State Director of the Bureau of Land Management as BLM's number one management priority in the entire State. It is not an area to be trifled with. The long term, environmental goals of the United States in the Scenic Area are clearly Recreational and Conservative in nature. This project is neither.

In summary, Sierra Club-Mojave Group believes that an Environmental Impact Report should be required for this project".

Responses:

1. The Bureau of Land Management has reviewed the proposed prospecting activities and recommends that due to existing roads and the minimal surface disturbance entailed, that a Negative Declaration is the appropriate environmental document with the addition of mitigation measures 1, 2, and 3.
2. The proposed road is not anticipated to cross any Bureau of Land Management land. See Mitigation measure number 3. The road is temporary and shall be reclaimed in accordance to Mitigation Measure number 2 upon termination of the permit.
3. The California Department of Fish and Game recommends the adoption of a Negative Declaration with implementation of five mitigation measures which will be incorporated in the permit. Fish and Game did not identify any unique, rare or endangered species of animals or plants.
4. The statement "interception of an aquifer by cuts and excavations" is not contained within the Detailed Project Description or in any other part of the Initial Study. Holes that encounter water will be abandoned using a clay such as bentonite and displaced from bottom to top. The Regional Water Quality Control Board recommends a Negative Declaration for the proposed prospecting.
5. Neither of the two offices of the Bureau of Land Management nor the California Department of Fish and Game expressed concern over any plant species. See Mitigation Measure number 1.

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6. The Bureau of Land Management, who manages the East Mojave National Scenic Area, does not believe an environmental impact report is required for the proposed project. A primary management goal of the Bureau of Land Management for the East Mojave National Scenic Area is to "make the region a demonstration showcase for multiple use management".

Citizens for Mojave National Park:

Comments:

1. "An EIR is necessary for this proposed project. The national significance of the East Mojave National Scenic Area, the proposed Mojave National Park (in S 2061) and the BLM recommended Providence Mountains Wilderness in WSA (Wilderness Study Area) 263 (also in S 2061) is of overwhelming concern to us".
2. "An archeological study of the area is needed".
3. "We are opposed to any roadbuilding in WSAs, especially the magnificent Providence Mountains Wilderness Study Area, a botanical and wildlife gem utterly irreplaceable. The magnificent scenic gem of the Providence Mountains makes it mandatory that man not interfere with this de facto wilderness".
4. "The Environmental Impact Assessment Checklist is woefully inadequate. Under d, Land Use, the proposal will result in substantial alteration of the present and planned land use of an area (bulldozing a road into a de facto wilderness and recommended wilderness area) will obviously preclude that area from wilderness consideration by Congress. Also, there is the degradation of the East Mojave National Scenic Area and the proposed Mojave National Park".
5. "Under R, Aesthetics, nothing could be uglier than mining roads and abandoned mining operations. Can there be anything to surpass the greed and destruction that "recreational miners" do?"
6. "Under S, Recreation, the impacts are obvious; any new roads are fair game to ORV destruction, expansion and degradation of this de facto wilderness".
7. "Under U, Mandatory Findings of Significance, all four areas should be checked "yes". The project will obviously degrade the quality of the environment, new

roads in wilderness areas always degrade the wilderness quality). The project obviously does have the potential to degrade long term environmental goals such as the quality of the East Mojave National Scenic Area, the Providence Mountains Wilderness, and the proposed Mojave National Park. The project does have impacts which are individually limited, but cumulatively considerable".

Responses:

1. The East Mojave National Scenic Area (EMNSA) and Wilderness Study Area 263 is administered by the Bureau of Land Management. Because of existing roads and the minimal disturbance entailed, the Bureau of Land Management believes the surface disturbance as being too little to require an EIR. The Mojave National Park is currently only proposed.
2. On July 15 and 16, 1978, Mr. N. Nelson Leonard, Chief Archeologist for the San Bernardino County Museum Association conducted an on-site reconnaissance of the State section 16 for a mineral prospecting program involving drilling for American Copper and Nickel Co. Inc. The archeological site files of the San Bernardino County Museum and the California Archeological Sites Survey revealed one previously recorded site - a small shelter cave located in the southeast 1/4 of the southwest 1/4 of the northeast 1/4 of the northeast 1/4 of section 16. The only other evidence of habitation noted during the visit were small structures and a cabin associated with prospects and mines that are thought to be recent (within the last fifty years). The recency of these mining sites weighed against a determination that they are significant cultural resources, Mr. Leonard summarized that prospecting would not have a significant effect upon cultural resources as long as the aforementioned archeological site was avoided. He recommended that if the prospecting proves positive and mining proposed, a complete archeological survey of the impact areas should be an element of the environmental impact report. See Mitigation measure number 8.
3. See response number 1 and 2 to Sierra Club-Mojave Group.

4. See response number 1 and 2 to Sierra Club-Mojave Group.

The construction and reclamation of a road adjacent to the proposed suitable WSA 263, will not necessarily preclude the area from wilderness consideration by Congress, estimated to occur in the early 1990's.

5. See response number 2 to Sierra Club-Mojave Group.

Upon termination of the permit the drill sites and road shall be properly abandoned and reclaimed.

6. See response number 2 to Sierra Club-Mojave Group.

7. It is not anticipated that the proposed prospecting activities with the accompanying mitigation measures, will have a significant effect on the environment. See response number 6 to Sierra Club-Mojave Group.

File Ref.: PRC 6744.2
SCH# 85122308

March 24, 1986

INITIAL STUDY
INTRODUCTION

James W. Cole has applied to the State Lands Commission for amendment of the project description for one mineral prospecting permit on State lands located in the Providence Mountains of eastern San Bernardino County, California. Mr. Cole who currently possesses a mineral prospecting permit for geologic mapping, rock outcrop chip sampling, shallow soil sampling, and geophysical surveying, desires to drill favorable areas outlined by his prospecting efforts. Track mounted rotary equipment will be used to drill ten holes, 4 inches in diameter up to 200 feet deep to explore for precious and other valuable minerals. Mud pits are not required because the drilling medium will be compressed air. Construction of drill pads is not anticipated. Because the drilling rig is track mounted, only 400 feet of new road construction is anticipated. Total surface disturbance of the proposed activities shall not exceed 0.1 acres and the maximum excavated volume is 185 cubic yards.

The present two year permit will expire November 30th, 1986 but may be extended for one additional year.

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

STATE LANDS COMMISSION
March 1986

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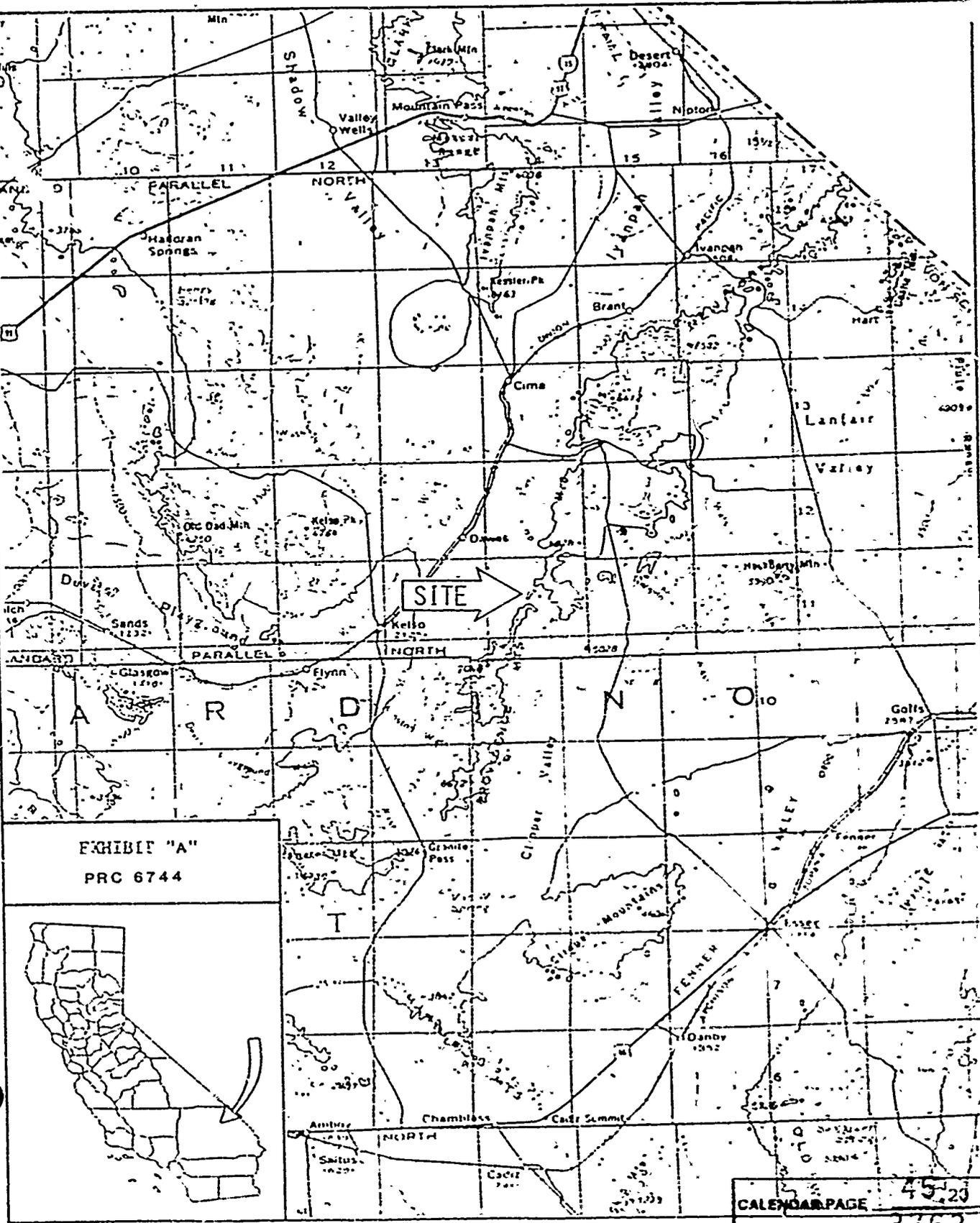


EXHIBIT "A"
 PRC 6744



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ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: PRC 5744.2

I. BACKGROUND INFORMATION

- A. Applicant: James W. Cole
628 Northridge Drive
Boulder City, Nevada 89005
- B. Checklist Date: 03 / 24 / 86
- C. Contact Person: Gregory J. Pelka, State Lands Commission
 Telephone: (213) 590-5201
- D. Purpose: Prospect for precious and other valuable minerals.
- E. Location: Section 16, Township 11 North, Range 14 East, SPM, San Bernardino
County, 12 miles northeast of Kelso.
- F. Description: Applicant will drill up to ten-four inch diameter holes to a maximum depth
of 200 feet. A small sample will be saved and assayed from each hole. See detailed
project description.
- G. Persons Contacted:

<u>Bob Vernoy-Wildlife Biologist</u>	<u>Ross T. Henry</u>
<u>Department of Fish and Game</u>	<u>Department of Parks and Recreation</u>
<u>15786 Inyo Street</u>	<u>P.O. Box 2390</u>
<u>Victorville, CA 92392</u>	<u>Sacramento, CA 95811</u>
<u>Bill Collins</u>	<u>Daniel F. McCarthy</u>
<u>Bureau of Land Management</u>	<u>California Archaeological Inventory</u>
<u>1695 Spruce Street</u>	<u>University of California</u>
<u>Riverside, CA 92507</u>	<u>Riverside, CA 92521</u>

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

- A. *Land.* 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 checked="" type="checkbox"/> | <input 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, or similar hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- | | 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 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 type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | <input 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"/> |

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

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?

III. DISCUSSION OF ENVIRONMENTAL EVALUATION *(See Comments Attached)*

See attached detailed project description, discussion of environmental evaluation, and project environmental data.

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: 08/04/86

Gregory J. Pelton
 For the State Land Commission
 CALENDAR PAGE 45 25
 MINUTE PAGE 3757

DETAILED PROJECT DESCRIPTION

James W. Cole was issued a two year Prospecting Permit December 1, 1984 by the State Lands Commission to prospect for precious and other valuable minerals on 640 acres of State school land described as Section 16, Township 11 North, Range 14 East, SBM, San Bernardino County, 12 miles northeast of Kelso. The permit allowed the applicant to conduct geologic mapping, rock chip sampling, shallow soil sampling, and geophysical surveying. Subsequent work involving these prospecting activities has provided encouraging assay results. A request has been submitted to amend the prospecting permit to include drilling so that the Permittee may prospect the subsurface to confirm earlier assays and attempt to delineate an orebody.

The Permittee proposes to drill ten holes, four inches in diameter using a Gill Bettle 125-58 track mounted rotary drill. The drilling medium will be compressed air provided by an Ingersol Rand 750 compressor. Holes will be drilled dry with discharge of sample material through a cyclone and splitter with approximately 20% of the material retained in sample bags for analysis. Drill hole locations and access routes are shown as accurately as possible considering present known data, in Exhibit B. No holes are planned for a depth greater than 200 lineal feet. Hole inclinations will be established by in-field examination of exact target location and positioning of drill rig, but holes will be drilled as close to vertical as possible. Holes that are drilled dry shall be backfilled with cuttings upon completion of the cuttings analysis. Holes that encounter water will be abandoned using a clay such as bentonite and displaced from bottom to top. The maximum excavated volume for the ten holes is 6 cubic yards.

Topographic relief of the parcel, coupled with the capabilities of a track mounted drill rig, permits access to most drill sites by walking the rig over the terrain. However, construction of approximately 400 feet of new roads is required to gain access to some drill sites, as shown in Exhibit B. The roads shall be cut to an eight foot width with a Cat D-6 or D-7. The maximum area of surface disturbance due to road construction shall be less than one tenth of an acre. The maximum excavated volume shall be approximately 178 cubic yards. Construction of drill pads is not anticipated.

The drilling of each hole will require approximately two days. Because the holes will be drilled with a down hole air driven hammer, the only major noise will be from the diesel powered compressor. Accessory equipment includes two four wheel drive trucks to transport a drill and engineering crew of four people. The base camp for the drilling program will be a trailer in Kelso or Cima, therefore camping on the property will not be required.

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III. Discussion of Environmental Evaluation

- A 2. Disruption, displacement, compaction, and overcovering of the soil will occur in the vicinity of the drill sites.
- A 5. An increase in wind and water erosion of the disturbed soil may take place during wind and rain storms at the drill sites.
- F 1. The operating drill rig will temporarily increase the existing noise levels.

Based on information from Daniel McCarthy of the California Archeological Inventory, an archeological site survey of the project area performed by a qualified archeologist would be appropriate prior to approving the amended permit so as to avoid any impacts on prehistoric and historic archeological sites.

To avoid any impacts to Summit Spring located in the south half of the northwest quarter of the section, no drilling will occur within 600 feet of the spring.

The project site is located within the East Mojave National Scenic Area managed by the Bureau of Land Management under multiple use management as reflected in the California Desert Plan.

Environmental Setting

1. Describe the project site as it exists before commencement of the project. Include information such as topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, the use of the structures, and whether they will be retained or removed.
2. Describe the surrounding properties. Include information such as topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Indicate the type of land use and intensity of land use of the area.
3. Include a statement of the proposed liquid, solid or gaseous waste disposal methods necessary for the protection and preservation of existing land and water uses.

- 1 & 2. The project site covers moderately rugged desert mountain terrain in the Providence Mountains, within the East Mojave National Scenic Area, with elevations reaching a maximum of 5,300 feet above sea level. Annual rainfall in the area is approximately 5 inches. Temperature ranges from 0 to 120 degrees F. Occasionally snow will occur in winter months. Summit Springs provides a moderate water source for cattle, wildlife and birds. One shaft, several short adits and prospect pits are located within the section. No structures are known to exist on the project site.

The project site is situated in an area of stable soil environment and moderate topographic change, with plants and animals typical of the East Mojave National Scenic Area. No threatened or endangered plant species have been identified in the area of the project.

The project is situated in an area of San Bernardino County which has had a long and extensive history of Mineral Exploration. The initial mineral discoveries in the area were made in 1854. The second period of extensive exploration and prospecting began about 1905 and continued through to 1918. A third period of exploration began with the depression of the 1930's and an increase in the price of gold in 1933.

All work will be undertaken in compliance with State and Federal regulations with utmost consideration to environmental aspects and utilizing proper engineering practices.

3. The proposed prospecting activities will not require any liquid, solid or gaseous waste disposal methods necessary for the protection and preservation of existing land and water uses.

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SECTION C: ASSESSMENT OF ENVIRONMENTAL IMPACTS

All phases of a project, such as planning, acquisition, development and operation, shall be considered when evaluating its impact on the environment. Please answer the following questions by placing a check in the appropriate box. Discuss all items checked "yes" or "maybe" on additional sheet(s).

Will the project involve:	YES	MAYBE	NO
1. A change in existing features of any bays, tidelands, beaches, lakes or hills, or substantial alteration of ground contours?	[]	[]	[✓]
2. A change in scenic views from existing residential areas or public lands or roads? . . .	[]	[]	[✓]
3. A change in pattern, scale or character of the general area of the project?	[]	[]	[✓]
4. Significant effect on plant or animal life?	[]	[]	[✓]
5. Significant amounts of solid waste or litter?	[]	[]	[✓]
6. A change in dust, ash, smoke, fumes or odors in the vicinity?	[]	[]	[✓]
7. A change in ocean, bay, lake, stream or ground water quality or quantity, or an altering of existing drainage patterns?	[]	[]	[✓]
8. A change in existing noise or vibration levels in the vicinity?	[]	[✓]	[]
9. Construction on filled land or on a slope of 10 percent or more?	[]	[]	[✓]
10. Use or disposal of potentially hazardous materials such as toxic or radioactive substances, flammables or explosives?	[]	[]	[✓]
11. A change in demand for municipal services (e.g., police, fire, water, sewage)?	[]	[]	[✓]
12. Increase in fossil fuel consumption (e.g., electricity, oil, natural gas)?	[]	[]	[✓]
13. A larger project or a series of projects?	[]	[✓]	[]

DEPENDING ON POSITIVE RESULTS

Signature and Certification

statements contained above on the attached application form and related exhibits are true and correct to the best of my knowledge and belief and are submitted under penalty of perjury.

Applicant: J. W. COLE Applicant: _____

BY: JOHN R. PALANI TITLE: _____

DATE: JUN 7 1985

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EXHIBIT "D"

AMENDMENT TO EXHIBIT "A"
OF PROSPECTING PERMIT PRC 6744.2

The prospecting activities allowable under this amendment shall be those described in the 'Detailed Project Description' of Negative Declaration EIR ND 404, SCH #85122308 issued for the amendment of this permit, in addition to those prospecting activities described in Exhibit "A" of the permit.

The mitigation measures for the State parcel consist of the following:

1. Access across the terrain with the track mounted drill rig shall be conducted in such a manner as to avoid undue degradation of the soil, vegetation, and wildlife. The track mounted drill rig shall negotiate the proposed 400 feet of new proposed road with the minimum of clearing and grading required. During grading, the topsoil shall be removed and stockpiled and spread over the disturbed surface upon backfilling.
2. Permittee shall reclaim all drill sites and access roads to the extent feasible. Drill holes shall be properly abandoned in accordance with the procedure outlined in the detailed project description. All grading performed for the proposed access route shall be backfilled and recontoured to the original topography to the extent feasible.
3. Access to the State section will be along an existing way south of the Globe Mine Road in Section 9, T. 11 N, R. 14 E. This section is also within the North Providence Wilderness Study Area. Should upgrading of this road or any other surface disturbance be required on Bureau lands, the operator will contact the Needles BLM office at (619) 326-3896 prior to any work being initiated.
4. The access road and drill hole sites shall be inspected to determine if burrowing animals are present and would be adversely affected. If potential impacts could occur, prospecting activities shall be located where burrows and wildlife would not be adversely affected. The project operator should specifically avoid burrowing areas of the desert tortoise, a State protected species.

5. 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 as called for in the Fish and Game Code. This notification (with fee) and the subsequent agreement must be completed prior to initiating any such changes. Notification should be made after the project is approved by the lead agency.
6. To avoid any impacts to Summit Spring, no drilling shall occur within 600 feet of the spring.
7. Should groundwater be encountered during drilling, the Department of Fish and Game shall be promptly notified as to the location and depth of such groundwater.
8. Permittee shall avoid any operations within the southeast 1/4 of the southwest 1/4 of the northeast 1/4 of the northeast 1/4 of Section 16, due to a recorded archeological site consisting of a small shelter cave and jasper flakes.
9. Should the proposed prospecting prove positive and mining proposed, a complete archeological survey of the impact areas will be an element of the environmental impact report.
10. In the event that prehistoric/historic artifacts and/or features of Native American manufacture/origin are located during ground disturbance, the local Native American community shall be advised and consulted.
11. If human remains are unearthed, all subsurface activity shall be suspended until the coroner has examined the remains. If the inhumation/cremation is determined to be of Native American origin the coroner shall inform the Native American Heritage Commission who will assist in a timely and dignified fashion in the protection and preservation of the burial(s) and all associated grave goods.

Paragraph 29 of the permit is amended to read as follows:

Prior to the issuance of amended prospecting permit PRC 6744.2, Permittee shall furnish, and maintain until released by the State, a bond in the sum of \$10,000.00 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.

These Amendments to Exhibit "A" shall be effective from and after December 1, 1986 and shall prevail over any other provisions of this permit which are contrary or inconsistent with the provisions hereof. The term of this permit as specified under Paragraph 1 shall be extended for 1 year beginning December 1, 1986.

STATE OF CALIFORNIA
STATE LANDS COMMISSION

Date

W. M. THOMPSON, Chief
Extractive Development Program

PERMITTEE

By: _____

Address

City and State

Approved as to form:

JOHN K. VAN DE KAMP
Attorney General, State of California

By: _____
Deputy Attorney General
ROBERT G. COLLINS

Date