

MINUTE ITEM

27

03/23/89
W 40533
Pelka

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

Calendar Item 27, attached, was pulled from the agenda prior to the meeting.

Attachment: Calendar Item 27.

A 61

S 25

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MINUTE PAGE	854

CALENDAR ITEM

27

A 61

S 25

03/23/89
W 40533
Pelka

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

APPLICANT: Hooper Davis Mining
P.O. Box 9011-351
Rancho California, California 92390

PROPOSED ACTION: Approval of a prospecting permit to prospect for precious metals and other valuable minerals, other than oil, gas, geothermal resources, sand and gravel on 642.60 acres of land, more or less, located in San Bernardino County.

TYPE OF LAND AND LOCATION: State school land - Section 36, T4N, R5E, SBM, San Bernardino County, approximately 48 miles east of Victorville.

CONSIDERATION: Filing fee of \$25, expense deposit of \$250 and an acreage deposit of \$643.

PROPOSED PROJECT: Hooper Davis Mining proposes to utilize a track mounted rig to drill a maximum of ten six-inch diameter holes to a maximum depth of three hundred (300) feet. No mud pits are required. Core samples will be taken at five-foot intervals for offsite assay. Accessory equipment includes an air compressor, generator, twelve foot equipment container and a twenty-four-foot travel trailer for personnel. The equipment container and travel trailer will be placed on an existing concrete

CALENDAR ITEM NO. 27 (CONT'D)

slab remaining from a previous mining operation that occurred prior to the State obtaining the parcel.

All vehicle access, including that of the drill rig, will be restricted to existing roads. No trenching, blasting, clearing or road construction is permitted. Minor grading is permitted to ensure safe access for personnel and equipment.

RECLAMATION: Drill holes which do not encounter water shall be backfilled with cuttings or other suitable material. Drill holes which encounter water shall be abandoned by backfilling with a suitable sealing material consisting of either neat-cement grout, sand-cement grout, bentonite clay or concrete.

TERM: The primary term of this 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 20 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.

Royalty payable under any preferential lease issued shall not be less than ten percent of the gross value of all mineral production from the leased lands, less any charges approved by the Commission made or incurred with respect to transporting or processing the State's royalty share of production. The determination of said royalty charges shall be at the discretion of the Commission and set forth in said lease.

PREREQUISITE ITEMS:

1. Required statutory filing fee, processing fee and acreage deposit have been submitted by the Applicant.

CALENDAR ITEM NO. 27 (CONT'D)

2. Subject parcel is not known to contain a commercially valuable deposit of minerals.

STATUTORY REFERENCES:

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

AB 884: 06/02/89.

ENVIRONMENTAL INFORMATION:

Information resulting from the Initial Study indicated that the trenching and blasting portion of the project initially proposed, could have an effect on possible biological and archeological resources. Consequently, Hooper Davis Mining amended their project description deleting all trenching and blasting, thereby eliminating possible impacts to these resources. Circulation of the Proposed Negative Declaration (ND) for the project, as amended to include those measures listed as project changes in the ND contained in Exhibit C, resulted in no adverse comments. San Bernardino County Land Management Department has no comment on the proposed project as they do not perceive any impacts. No permit is required from San Bernardino County for the proposed project.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has prepared and circulated for public review a proposed Negative Declaration identified as EIR ND 451, State Clearinghouse No. 88022913, pursuant to the provision of the CEQA. A copy of this environmental document is attached as Exhibit "C".

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

CALENDAR ITEM NO. 27 (CONT'D)

2. 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 to a lease for a maximum of 642.60 acres embraced within the permit. Said right will be subject to all necessary environmental approvals. The issuance of the permit will not affect the discretion of the Commission in granting or denying such lease because of environmental considerations.
3. Permit shall provide for a performance bond of \$5,000 in favor of the State.
4. Since 1967, the State Lands Commission has leased a 28.8 acre parcel encompassing the lower crosscut and drift of the Los Padres Mine to the United States Department of Energy for use as a Seismic Detection Station. Prospecting activities have been coordinated so as not to impact the rights and privileges of the Department of Energy.

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 the applicable provisions of the law.

EXHIBITS:

- A. Land Description.
- B. Site Map.
- C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT NEGATIVE DECLARATION EIR ND 451, STATE CLEARINGHOUSE NO. 88022913, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

CALENDAR ITEM NO. 27 (CONT'D)

2. DETERMINE THAT THE PROJECT, AS APPROVED, 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 A MINERAL PROSPECTING PERMIT TO HOOPER DAVIS MINING FOR THE PROJECT AS DESCRIBED IN EXHIBIT C ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE FOR A TERM OF TWO YEARS, FOR ALL MINERALS OTHER THAN OIL, GAS, GEOTHERMAL RESURCES, SAND AND GRAVEL ON SECTION 36, T4N, R5E, SBM, SAN BERNARDINO COUNTY, CONTAINING APPROXIMATELY 642.60 ACRES, MORE OR LESS; IN ACCORDANCE WITH THE STANDARD FORM OF PERMIT. ROYALTY PAYABLE UNDER THE PERMIT SHALL BE TWENTY PERCENT. ROYALTY PAYABLE UNDER ANY PREFERENTIAL LEASE ISSUED UPON THE DISCOVERY OF COMMERCIALY VALUABLE DEPOSITS OF MINERALS SHALL NOT BE LESS THAN TEN PERCENT OF THE GROSS VALUE OF ALL MINERAL PRODUCTION FROM THE LEASED LANDS, LESS ANY CHARGES APPROVED BY THE COMMISSION MADE OR INCURRED WITH RESPECT TO TRANSPORTING OR PROCESSING THE STATE'S ROYALTY SHARE OF PRODUCTION. THE DETERMINATION OF SAID ROYALTY AND CHARGES SHALL BE AT THE DISCRETION OF THE COMMISSION.

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MINUTE PAGE	<u>859</u>

0.945

EXHIBIT "A"

LAND DESCRIPTION

W 40533

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

Section 36, T4N, R5E, SBM

END OF DESCRIPTION

PREPARED MARCH 3, 1988, BY BIU 1.

0735

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STATE LANDS COMMISSION

1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814

Exhibit C

PROPOSED NEGATIVE DECLARATION



EIR ND 451

File Ref.: W40533

SCH#: 88072913

Project Title: Mineral Prospecting Permit/Heartwell Hills

Project Proponent: Hooper Davis Mining

Project Location: Section 36, Township 4 North, Range 5 East, SBM, San Bernardino County, approximately 8 miles north of Landers.

Project Description: Hooper Davis Mining proposes to utilize a track mounted drill rig to drill ten-six inch diameter holes to a maximum depth of 300 feet to obtain core samples for off-site assay. All drill holes will be located along existing roads with minor road grading permitted. Upon completion of drilling, all drill holes will be properly reclaimed by backfilling.

Contact Person: Ted T. Fukushima
1807-13th Street
Sacramento, CA 95814

Telephone: (916) 322-7813

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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COMMENTS RECEIVED ON INITIAL STUDY AND RESPONSES TO
COMMENTS PER AN AMENDED PROJECT DESCRIPTION

The attached Initial Study was circulated for review and comment for the proposed mineral prospecting project. Information resulting from the Initial Study indicate that the trenching and blasting portion of the project could have an effect on possible biological and archeological resources. Consequently, Hooper Davis Mining has amended their project description deleting the trenching and blasting, thereby eliminating possible impacts to these resources. All drilling will be confined to existing roads to preclude any new surface disturbance. Since no new surface disturbance will result from the amended project, biological and archeological surveys are not necessary. Appropriate mitigation measures have been incorporated into the project.

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MITIGATION MEASURES
PROPOSED FOR INCORPORATION INTO THE PROJECT DESCRIPTION

1. All vehicle access including that of the drill rig is restricted to existing roads. No trenching, blasting, clearing or road construction is permitted.
2. All vehicle speed shall not exceed 15 miles per hour.
3. All personnel traveling to the work site shall watch for and avoid desert tortoise crossing the road. If a tortoise is observed on the road, it should be carried across the road in the direction it was traveling and placed approximately 100 yards from the road edge. It should be carried upright and not turned over on its back or rolled over.
4. Prior to operation of any equipment, all personnel shall check under and near vehicles, as tortoise often seek their shade. All personnel shall be advised that the desert tortoise is a State protected species. No tortoise may be harmed, harassed or collected.
5. If a tortoise is injured, Permittee shall immediately call the California Department of Fish and Game at (213) 590-5113 and transport it to an appropriate veterinarian.
6. All trash and associated debris shall be suitably contained and periodically removed to a proper waste facility so as not to create an attraction to ravens which may prey on juvenile tortoises. Dogs are prohibited on site.
7. Drill holes which do not encounter water shall be backfilled with cuttings or other suitable material. Drill holes which encounter water shall be abandoned by backfilling with a suitable sealing material consisting of either neat-cement grout, sand-cement grout, bentonite clay or concrete.

8. In the event that prehistoric/historic artifacts and/or features of Native American manufacture/origin are located during drilling, the local Native American community shall be advised and consulted.
9. 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.
10. Permittee shall notify appropriate staff members of the State Lands Commission at (213) 590-5201 at least one week prior to commencing work.

GJP:vn:D57#49

CALENDAR PAGE	137.10
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RESPONSE TO LETTER 1

COMMENT LETTER 1

STATE OF CALIFORNIA - HIGHWAYS AND TRANSPORTATION AGENCY
DEPARTMENT OF TRANSPORTATION
DIVISION OF TRANSPORTATION
SAN FRANCISCO, CALIFORNIA 94102

GUIDE OPERATING CODE

FILE NO.	1-1990
SIB	
DATE	
CLASS	
TYPE	
STATUS	
REMARKS	
FILED	
FILE NO.	FILE NO. 753

July 7, 1988

SBD-247-15.382

Mr. Greg Pelka
State Lands Commission
245 West Broadway, Suite 425
Long Beach, CA 90802

Dear Mr. Pelka:

[-: [We have reviewed the Application for Prospecting Permit for the Hooper Davis Mining Project and suggest a Negative Declaration should be required for our purposes.

We urge early and continuous liaison with Caltrans on proposed plans as they affect State highways.

If you have any questions, please contact Richard Dennis at ATSS 670-4165 or (714)383-4165.

Very truly yours,

J. G. Visbal

JAY G. VISBAL
Chief, Transportation Planning
Branch

1-1 The comment is noted. Thank you.

CALENDAR PAGE	137.11
MINUTE PAGE	866

COMMENT LETTER 2 (CONT.)

Mr. Everitts

-2-

September 7, 1988

Thank you for the opportunity to review and comment on this project.
If you have any questions, please contact Jack L. Sprull of our
Environmental Services staff at (213) 590-5137.

Fred Worthley
Fred Worthley
Regional Manager
Region 5

*** F. Hoover
J. St. Asant

CALENDAR PAGE	137.13
MINUTE PAGE	868

THE
DESERT TORTOISE COUNCIL



519 Centinos Avenue
Long Beach, California 90805

July 12, 1988

Mr. Greg Pelka
STATE LANDS COMMISSION
245 West Broadway, Suite 425
Long Beach, CA 90802

File Ref.: W 40533, SCH# 89022913

Dear Mr. Pelka:

Thank you for the opportunity to comment on the Hooper Davis Mining permit. As described in the documents forwarded to us, there is desert tortoise habitat in Section 36, T4N, R5E, S88M. Desert tortoises used to be abundant in the Lucerne and Johnson valley areas and have been depleted because of human activities. In fact, a few decades ago, the region supported a prime, high density population. In Johnson Valley, data from a permanent tortoise monitoring plot indicate that declines in relatively undisturbed areas were over 60% in the period between 1980 and 1986.

We want to register our concern about the apparent tortoise "survey" conducted by California State Lands Commission staff. We believe that tortoise surveys for these projects should be conducted by recognized tortoise experts, not by unqualified people. A legitimate tortoise survey does not consist of a "visit" to the site on four occasions and travelling on access roads. Tortoises are above ground only a very small percentage of the day at a very limited time of year. They are not readily visible. Tortoise experts conduct surveys to count tortoises and can relate sign counts to densities. Such a survey should be conducted for this project.

We disagree with the estimates of the amounts of surface disturbance. We do not think that 0.05 acre is realistic, considering the drilling, trench sizes, trench ramps, construction equipment, and presence of the trailer. The width of the trenches, 10 feet, may be too narrow considering the depth. State safety requirements for shoring up the walls, and safety standards. Certainly, the 10 foot width is too narrow if the trench is 30 feet deep. Ramps will require additional acreage. We estimate that from 1 to 2 acres will be disturbed. We recommend that you check the trench widths and depths to see if they meet State safety standards.

We take issue with the implication that the area is already disturbed. Impacts to habitat will be less than if the activity occurred in an

RESPONSE TO LETTER 3

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- 3-1 The comments are noted. See project amendment and mitigation measure one.
- 3-2 See project amendment and mitigation measure one.
- 3-3 See project amendment and mitigation measure one.

CALENDAR PAGE	137.14
MINUTE PAGE	869

COMMENT LETTER 3(CONT.)

3

RESPONSE TO LETTER 3 (CONT.)

3-10 | should be carried across the road in the direction it was travelling
 (cont) | and placed about 100 yards from the road edge. It should be carried
 upright and not turned on its back or rolled over.

3-11 | 7. Construction workers and other personnel must be instructed in the
 | regulations protecting tortoises, specifically about collecting,
 | harassment, etc. The tortoise is a fully protected species that
 | will soon receive the additional protection of federal and state
 | listing. Dogs should not be allowed on site, as they often attack,
 | injure, and kill tortoises.

3-12 | 8. If a tortoise is injured, Hooper Davis Mining should immediately
 | call the California Department of Fish and Game (213-590-5113) and
 | transport it to an appropriate veterinarian.

3-13 | 9. The Hooper Davis Mining Company will compensate for the damaged and
 | lost habitat, using a compensation formula developed by the
 | California Desert Tortoise Workgroup in a 1988 report,
 | "Recommendations for Management of the Desert Tortoise in the
 | California Desert." This report was prepared by a team of tortoise
 | experts from the Bureau of Land Management, California Department of
 | Fish and Game, Desert Tortoise Council, and Desert Tortoise Preserve
 | Committee. The purpose of the report, requested by the Bureau of
 | Land Management, is to alter existing approaches to managing and
 | conserving tortoise populations and habitat and to reverse the steep
 | declines. The compensation formula is based on several factors,
 | including amount of land disturbed, size of the project, impacts to
 | adjacent land, growth inducing aspects, term of effect, existing
 | disturbance on site, and other factors. Using the formula, Hooper
 | Davis Mining Company would be responsible for providing funds for
 | acquisition of about 1 to 3 acres of habitat for the tortoise in the
 | western Mojave Desert. While this amount may seem trivial, tortoise
 | populations and habitat in the western Mojave Desert are in a
 | particularly serious state because of a multiplicity of impacts.
 | Mining is just one of many sources of the problem. We believe that
 | each user group should play a role in the recovery of the habitat
 | and populations.

3-11 | See mitigation measures four and s(x).

3-12 | See mitigation measure five.

3-13 | See project amendment and mitigation measure one. The
 | elimination of trenching and blasting and confinement
 | of drilling to existing roads will preclude damaged and
 | lost habitat.

Please keep us informed of your decisions. Thank you for the
 opportunity to comment.

CALENDAR PAGE
 MINUTE PAGE

137.15
 870

Sincerely,
 15/ *Glenn R. Stewart*
 Glenn R. Stewart
 Co-Chairman

cc: California Dept. of Fish and Game
 Bureau of Land Management
 Fish and Wildlife Service

COMMENT LETTER 3 (CONT.)

3

RESPONSE TO LETTER 3 (CONT.)

3-10 | should be carried across the road in the direction it was travelling
(cont) | and placed about 100 yards from the road edge. It should be carried
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3-11 | 7. Construction workers and other personnel must be instructed in the
regulations protecting tortoises, specifically about collecting,
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"Recommendations for Management of the Desert Tortoise in the
California Desert." This report was prepared by a team of tortoise
experts from the Bureau of Land Management, California Department of
Fish and Game, Desert Wildlife Council, and Desert Tortoise Preserve
Committee. The purpose of the report, requested by the Bureau of
Land Management, is to alter existing approaches to managing and
conserving tortoise populations and habitat and to reverse the steep
declines. The compensation formula is based on several factors,
including amount of land disturbed, size of the project, impacts to
adjacent land, growth including aspects, term of effect, existing
disturbance on site, and other factors. Using the formula, Hooper
Davis Mining Company would be responsible for providing funds for
acquisition of about 1 to 3 acres of habitat for the tortoise in the
western Mojave Desert. While this amount may seem trivial, tortoise
populations and habitat in the western Mojave Desert are in a
particularly serious state because of a multiplicity of impacts.
Mining is just one of many sources of the problem. We believe that
each user group should play a role in the recovery of the habitat
and populations.

3-11 See mitigation measures four and six.

3-12 See mitigation measure five.

3-13 See project amendment and mitigation measure one. The
elimination of trenching and blasting, and confinement
of drilling of existing roads will preclude damaged and
lost habitat.

Please keep us informed of your decisions. Thank you for the
opportunity to comment.

Sincerely,
151 *Glenn R. Stewart*
Glenn R. Stewart
Co-Chairman

cc: California Dept. of Fish and Game
Bureau of Land Management
U.S. Dept. of the Interior

CALENDAR PAGE	137.16
MINUTE PAGE	871

June, 1988

INITIAL STUDY INTRODUCTION

Hooper Davis Mining has applied to the State Lands Commission for a mineral prospecting permit on 642.60 acres of State school land described as Section 36, T4N, R5E, SBM, San Bernardino County. Hooper Davis Mining has proposed a two phased project. Phase one involves the drilling of up to ten - six inch diameter holes with a track mounted drill rig to a maximum depth of 300 feet. No mud pits are required. A small core sample will be taken every five feet for off-site assaying. The implementation of phase two is dependent upon the success of phase 1.

Phase two involves the excavation of three trenches along which fifteen - five ton samples will be removed for off-site assaying. Vehicular access to sampling areas will be confined to existing roads and jeep trails. No new roads will be constructed. Existing roads will be graded as required for the safe passage of personnel and equipment.

The permit, when issued, is for a two-year period and may be extended for a maximum of one year.

This Initial Study consists of location maps, environmental setting, detailed project description, applicant's assessment of environmental impacts and certification, staff environmental impact assessment checklist and discussion.

The proposed project is for this specific prospecting only. Any change in activity will require the preparation and circulation for review of appropriate CEQA documents.

STATE LANDS COMMISSION

JUNE 1988

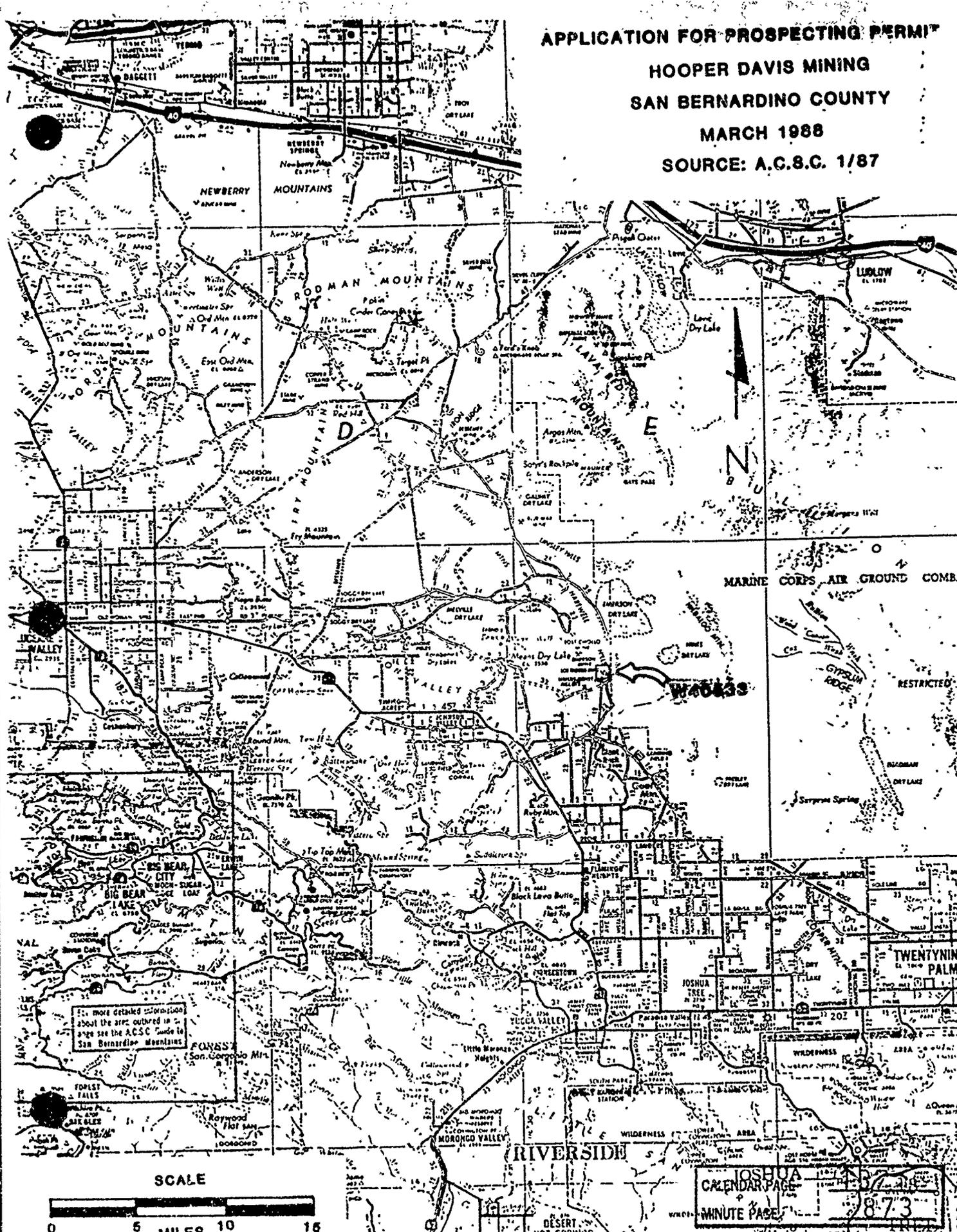
CALENDAR PAGE	137.17
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APPLICATION FOR PROSPECTING PERMIT

HOOPER DAVIS MINING
SAN BERNARDINO COUNTY

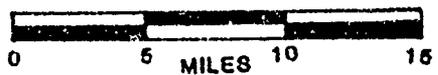
MARCH 1988

SOURCE: A.C.S.C. 1/87



For more detailed information about the area outlined in orange see the A.C.S.C. Guide to San Bernardino Mountains

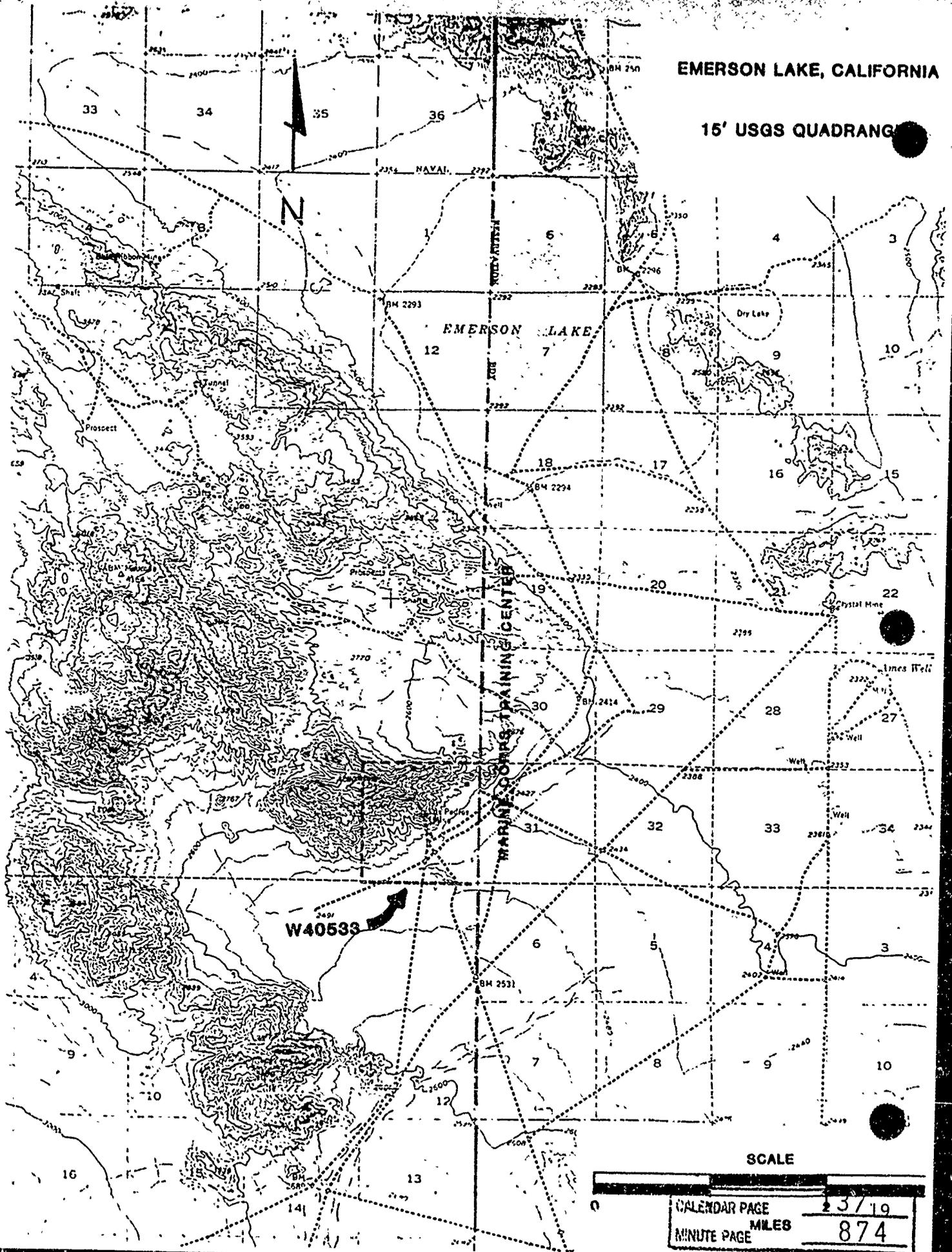
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JOSHUA CALENDAR PAGE
MINUTE PAGE
873

EMERSON LAKE, CALIFORNIA

15' USGS QUADRANG



W40533

SCALE

CALENDAR PAGE 23719
MINUTE PAGE 874

DETAILED PROJECT DESCRIPTION

Hooper Davis Mining proposes to prospect with a two phased project. The second phase is dependent upon the successful completion of the first. This allows prospecting expenses and environmental impacts to be reduced to a minimum. Phase one entails the drilling of a maximum of ten - six inch diameter holes to a maximum depth of 300 feet in four areas (see Exhibit C). A track mounted drill rig will be utilized. Water will be the only fluid used. No mud pits are required. Accessory equipment includes an air compressor and generator. Core samples will be taken every five feet for off-site assaying. The applicant will backfill all drill holes with a wet sand slurry.

If results of the drilling phase are successful and further work is warranted, phase two will be conducted. This will include the excavation of three trenches with a Case 580C backhoe/dozer, to allow the extraction of up to fifteen - five ton samples for off site assaying (see Exhibit C). Trench #1 will be approximately 75' long by 10' wide by 10' deep. Trench #2 will be approximately 50' long by 10' wide by 10' deep. Trench #3 will be approximately 100' long by 10' wide and may reach a depth of 30'. These trenches will be ramped at both ends to provide vehicular access and a wildlife escape. A five ton truck will be used to transport the samples off-site. A small amount of blasting may be required to loosen solid rock for removal. All remaining stockpiled material will be used to backfill the trenches. Assuming a conservative swell factor of 10% and a sample volume of 3%, more than enough material will remain to backfill the trenches after removal of the five ton samples. All trenching and drilling will be conducted in areas previously disturbed by mining. Proposed drill holes and trenches are located on or adjacent to existing roads.

Vehicular access will be along existing roads with minor grading permitted to ensure safe access for equipment and personnel. No new road construction is required.

The total estimated excavated volume for the three trenches and ten drill holes is 979 cubic yards. The total estimated surface disturbance is 0.05 acre. Surface disturbance is reduced because all three trenches shall be located upon phase one drill sites.

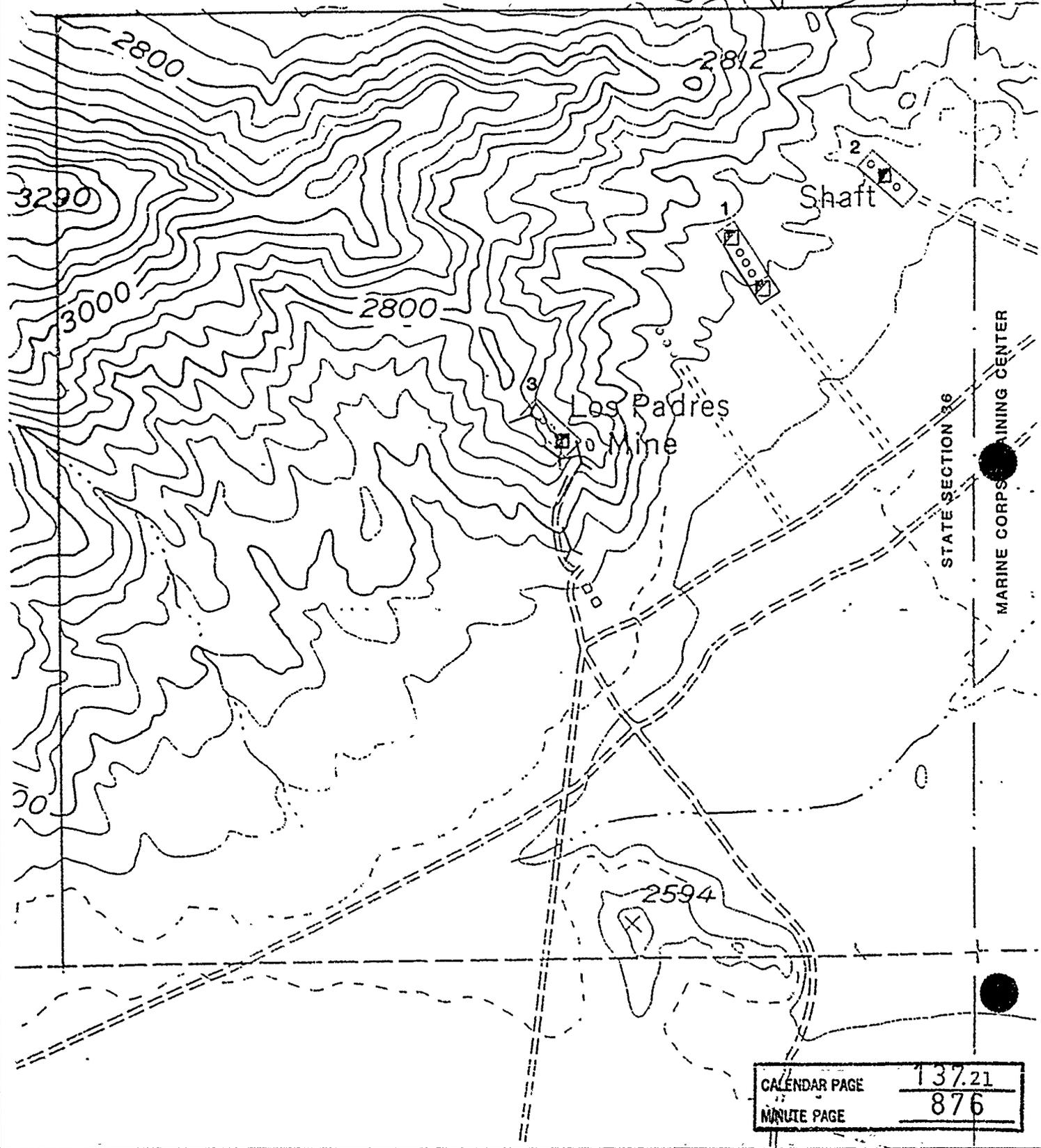
A 24 foot travel trailer will be used for personnel. Equipment will be safeguarded in a 12 foot container. Both will be placed on existing slabs below the Los Padres Mine.

GJP:vnD54#49

CALENDAR PAGE	137.20
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EXHIBIT "C"

- KEY
- Existing shaft
 - Existing adit
 - Existing foundation
 - Existing road
 - Proposed drill hole
 - Proposed trench



CALENDAR PAGE	137.21
MINUTE PAGE	876

ENVIRONMENTAL SETTING

The State parcel is situated in the southern Heartwell Hills of San Bernardino County. It is bordered on the east by the Marine Corps Training Center which has been observed to be frequently used for military maneuvers. The remaining land is open federal land within the California Desert Conservation Area administered by the Bureau of Land Management. This area is not within a BLM Wilderness Study Area nor within lands proposed by Senator Alan Cranston's California Desert Protection Act (S.7).

The topography slopes moderately to the southeast from about 3260' in the northwest quarter to 2460' in the southeast quarter. Annual temperatures vary dramatically and precipitation is sparse as is typical of this desert area. Vegetative cover is thin, dominated by creosote bushes. Lizards have been the only animals observed. The property surrounding the State parcel appears to have similar features.

The predominate use of this parcel has been precious metal mining. The Los Padres Mine is situated near the center of the section. It is a multilevel mine accessed by two shafts and three adits. A large spoils pile and several concrete foundations remain from the operation. Three additional shafts are located in the northeastern portion of the parcel.

PreCambrian gneiss and Mesozoic granite comprise the major lithologies of the State parcel.

Since 1967, the State Lands Commission has leased a 28.8 acre parcel encompassing the lower crosscut and drift of the Los Padres Mine to the United States Department of energy for scientific information gathering purposes. It is anticipated the parcel can be simultaneously prospected under the multiple use concept.

The federal lands surrounding the State parcel are within the designated Johnson Valley Open Area for off-highway vehicles. Evidence of this use are multitudes of roads, jeep trails and motorcycle trails.

Another use of the Los Padres Mine area is target shooting. The area is littered with spent shells and leftover targets remaining from the shooters.

The California Department of Fish and Games "California Natural Diversity Data Base" was consulted for additional information concerning plants, animals and natural communities. The only information available was concerning the Desert Tortoise. According to a BLM source map, the desert tortoise population is estimated to be 20-50/square mile for the Heartwell Hills adjacent to the Marine Corps Training Center at Emerson Dry Lake bed. Emerson Dry Lake is located three miles north of the project area. Staff members of the State Lands Commission have visited the project site on four occasions. An inspection was made of access roads and areas of anticipated surface disturbance. No evidence of desert tortoise or other animals were observed.

An archeological record search performed through the local Archeological Inventory Center at San Bernardino County Museum indicates the State parcel may contain cultural resources. Prior to the issuance of a permit, an archeological field survey will be performed of the project area.

ENVIRONMENTAL IMPACT ASSESSMENT FORM – Part I
(To be completed by applicant)
FORM 69.3(11/82)

A. GENERAL INFORMATION

1. Name, address, and telephone number:

a. Applicant

Hooper Davis Mining
P.O. Box 3644
Rancho Santa Fe, CA 92057
(619) 492-2737

b. Contact person if other than applicant:

2. a. Project location: (Please reference to nearest town or community and include county)

Section 36, T4N, R5E, SBM, San Bernardino County, approximately 8 miles north
of Landers.

b. Assessor's parcel number: 0454-481-18

3. Existing zoning of project site: D - I

4. Existing land use of project site: Seismic monitoring, Recreational off-road vehicles -

5. Proposed use of site: Prospecting for precious metals and other valuable minerals by
performing a phased drilling and trenching program to recover samples for off-
site assaying.

6. Other permits required: None

APPLICANTS

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. A change in scenic views from existing residential areas or public lands or roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. A change in pattern, scale or character of the general area of the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Significant effect on plant or animal life?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Significant amounts of solid waste or litter?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. A change in dust, ash, smoke, fumes or odors in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. A change in ocean, bay, lake, stream or ground water quality or quantity, or an altering of existing drainage patterns?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. A change in existing noise or vibration levels in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Construction on filled land or on a slope of 10 percent or more?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Use or disposal of potentially hazardous materials such as toxic or radioactive substances, flammables or explosives?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. A change in demand for municipal services (e.g., police, fire, water, sewage)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. Increase in fossil fuel consumption (e.g., electricity, oil, natural gas)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. A larger project or a series of projects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

PART V

CERTIFICATION

I certify that all information and materials furnished in this application are true and complete to the best of my knowledge and belief. I recognize that this application and the project it addresses are subject to all laws of the State of California, and the regulations and discretionary policies of the State Lands Commission.

Applicant: C. Cortland Hooper for Hooper Davis Mining Date: 7/1/87

Title: General Partner

Agent: C. Cortland Hooper Date: 7/1/87

Title: General Partner

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ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: W40533

I. BACKGROUND INFORMATION

A. Applicant: Hooper Davis Mining
P.O. Box 8631
Rancho Santa Fe, CA 92067

B. Checklist Date: 03 / 07 / 88

C. Contact Person: Greg Pelka
 Telephone: (213) 590-5234

D. Purpose: Prospecting for precious metals and other valuable minerals by performing a phased drilling and trenching program to recover samples for off-site assaying

E. Location: Section 36, T4N, R5E, S8W, San Bernardino County, approximately 2 miles north of Lenders.

F. Description: Drilling and trenching to recover samples for off-site assaying. Ten holes, 6" in diameter may be drilled to recover core samples. Excavation of three trenches of varying size to recover 15-five ton samples.

G. Persons Contacted: Lester A. Ross
Archeological Inventory Center
San Bernardino County Museum
2024 Orange Tree Lane
Redlands, California 92374

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

A. Earth. Will the proposal result in:

- | | Yes | Maybe | No |
|--|-------------------------------------|-------------------------------------|-------------------------------------|
| 1. Unstable earth conditions or changes in geologic substructures? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Disruptions, displacements, compaction, or overcovering of the soil? | <input 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, mudslides, ground failure, or similar hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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B. Air. Will the proposal result in:

- 1. Substantial air emissions or deterioration of ambient air quality?
- 2. The creation of objectionable odors?
- 3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

C. Water. Will the proposal result in:

- 1. Changes in the currents, or the course or direction of water movements, in either marine or freshwater waters?
- 2. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?
- 3. Alterations to the course or flow of flood waters?
- 4. Change in the amount of surface water in any water body?
- 5. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?
- 6. Alteration of the direction or rate of flow of ground waters?
- 7. Change in the quantity of ground waters either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?
- 8. Substantial reduction in the amount of water otherwise available for public water supplies?
- 9. Exposure of people or property to water-related hazards such as flooding or tidal waves?
- 10. Significant changes in the temperature, flow or chemical content of surface thermal springs?

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)?
- 2. Reduction of the numbers of any unique, rare or endangered species of plants?
- 3. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?
- 4. Reduction in acreage of any agricultural crop?

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)?
- 2. Reduction of the numbers of any unique, rare or endangered species of animals?
- 3. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?
- 4. Deterioration to existing fish or wildlife habitat?

F. Noise. Will the proposal result in:

- 1. Increase in existing noise levels?
- 2. Exposure of people to severe noise levels?

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

- 1. The production of new light or glare?

H. Land Use. Will the proposal result in:

- 1. A substantial alteration of the present or planned land use of an area?

I. Natural Resources. Will the proposal result in:

- 1. Increase in the rate of use of any natural resources?
- 2. Substantial depletion of any nonrenewable resources?

- J. Risk of Upset.** Does the proposal result in:
- | | Yes | Maybe | No |
|---|-------------------------------------|-------------------------------------|-------------------------------------|
| 1. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset conditions? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Possible interference with emergency response plan or an emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- K. Population.** Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. The alteration, distribution, density, or growth rate of the human population of the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|
- L. Housing.** Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. Affecting existing housing, or create a demand for additional housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|
- M. Transportation/Circulation.** Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. Generation of substantial additional vehicular movement? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Affecting existing parking facilities, or create a demand for new parking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Substantial impact upon existing transportation systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Alterations to present patterns of circulation or movement of people and/or goods? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Alterations to waterborne, rail, or air traffic? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Parks and other recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Maintenance of public facilities, including roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Other governmental services? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- O. Energy.** Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. Use of substantial amounts of fuel or energy? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Substantial increase in demand upon existing sources of energy, or require the development of new sources? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- P. Utilities.** Will the proposal result in a need for new systems, or substantial alterations to the following utilities:
- | | | | |
|------------------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Power or natural gas? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Communication systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Water? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Sewer or septic tanks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Storm water drainage? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Solid waste and disposal? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- Q. Human Health.** Will the proposal result in:
- | | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| 1. Creation of any health hazard or potential health hazard (excluding mental health)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Exposure of people to potential health hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|
- S. Recreation.** Will the proposal result in:
- | | | | |
|---|--------------------------|--------------------------|-------------------------------------|
| 1. An impact upon the quality or quantity of existing recreational opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|

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)

- 1.2. Disruption and overcovering of the soil will occur by drilling and trenching. Proper drill hole abandonment and backfilling of trenches should reduce impacts.
- 1.5. A minor increase in soil erosion may occur due to wind or water in the vicinity of the three trenches.
- F.I. Prospecting activities will temporarily increase existing noise levels.
- J.I. Explosives may be required to excavate the three trenches. Utilization of proper safeguards should reduce the possibility of an accident.

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: / /

For the State Lands Commission

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