

MINUTE ITEM
This Calendar Item No. 22
was approved as Minute Item
No. 22 by the State Land
Commission by a vote of 3
to 0 at its 5/31/89
meeting.

MINUTE ITEM

22

5/31/89
WP 6892
PRC 6892
Pelka

Approval of a Prospecting Permit
For Minerals other than Oil, Geothermal Resources,
Sand and Gravel, San Bernardino County

Staff recommended adding language to the permit which would terminate the permit in the event that S 11 were passed.

The Commission recommended passage and the amendment to the language.

Attachment: Calendar Item 22

A 61

S 25

CALENDAR PAGE	
MINUTE PAGE	1461

MINUTE ITEM

This Calendar Item No. 22
was approved as Minute Item
No. 22 by the State Lands
Commission by a vote of 3
to 0 at its 5/31/89
meeting.

CALENDAR ITEM

A 61

22

05/31/89

S 25

WP 6892 PRC 6892
Pelka

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

APPLICANT: Jean E. Clary and Robert L. Ansara
5375 South Sandhill Road
Las Vegas, Nevada 89120

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 350.25 acres of land located in
San Bernardino County.

TYPE OF LAND AND LOCATION:

State School land, E 1/2, Section 36, T17N, R12E
and W 1/2 of Lot 1, W 1/2 of Lot 2, Section 36,
T17N, R12 1/2 E, SBM, San Bernardino County,
30 miles northeast of Baker.

CONSIDERATION: Filing fee of \$25, expense deposit of \$250 and
an acreage deposit of \$360.25.

PROPOSED PROJECT:

Jean E. Clary and Robert L. Ansara propose to
prospect by extending an existing adit an
additional 150 feet, to intersect steeply
dipping mineralized veins exposed at the
surface and delineated under a prior mineral
prospecting permit. Small samples will be
removed at regular intervals for off-site assay.
Conventional drilling and blasting techniques as
described in the proposed Negative Declaration
(Exhibit "C") will be utilized. Accessory
equipment includes various hammers and picks,
air compressor, wood timber

CALENDAR ITEM NO. 22 (CONT'D)

and an 18 foot equipment and personnel trailer.

Access to the project site is by existing roads. No new road construction is proposed, required or authorized. The maximum estimated excavated volume is approximately 133 cubic yards. The maximum estimated surface disturbance is less than 0.1 acre.

Construction of the existing adit was approved by the Bureau of Land Management Needles Resource Area on February 11, 1987 for adjacent Federal mining claims. When the exploratory adit neared what was believed to be State lands, the applicants applied to the State for a mineral prospecting permit to continue their work. A joint field survey conducted on January 10, 1989 by BLM and State Lands staff together with the applicants revealed the exploratory adit had been inadvertently located, entirely on State lands. Therefore, mineral exploration at the present time will be concentrated on the State parcel and not on the applicants' adjacent Federal mining claims.

RECLAMATION: Upon cessation of exploratory operations, the adit shall be securely sealed by backfilling sufficient to prevent human entry, and all equipment and related materials removed. Remaining dump rock shall be graded and contoured to the natural topography. Future access along the wash shall be blocked by placement of large rocks.

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 twenty-percent (20%) 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

CALENDAR ITEM NO. 22 (CONT'D)

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.
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: 06/20/89.

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 471, State Clearinghouse No. 88121901, pursuant to the provisions 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 comments 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)].

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 360.25 acres

CALENDAR ITEM NO. 22 (CONT'D)

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. Further the permit will provide that the processing of any ore or mined material under the permit or preferential mineral extraction lease may not include use of open ponds containing cyanide leachate solutions used in the recovery of valuable products from mined material.

3. Permit shall provide for a performance bond of \$3,000 in favor of the State.
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 proposed, is consistent with its use classification.
5. The permit lands are located within lands which Senator Alan Cranston, by his "California Desert Protection Act" (S 11), proposes to make into a national park. Thus the permit lands could be incorporated into a national park. The prospecting permit specifically states that a lease may be denied for environmental reasons, including the inclusion of the lands in a national park.
6. To ensure conformance to the terms and conditions of the permit including all mitigation measures, a staff member of the State Lands Commission will perform inspections of the permit area not less than twice a year.

CALENDAR ITEM NO. 22 (CONT'D)

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.

1. IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT NEGATIVE DECLARATION EIR ND 471, STATE CLEARINGHOUSE NO. 88121901, WAS PREPARED FOR THIS 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 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 JEAN E. CLARY AND ROBERT L. ANSARA FOR A TERM OF TWO YEARS, FOR ALL MINERALS OTHER THAN OIL, GAS, GEOTHERMAL RESOURCES, SAND AND GRAVEL ON E 1/2, SECTION 36, T17N, R12E, SBM AND W 1/2 OF LOT 1, W 1/2 OF LOT 2, SECTION 36, T17N, R12 1/2 E, SBM, SAN BERNARDINO COUNTY, CONTAINING APPROXIMATELY 360.25 ACRES, MORE OR LESS, IN ACCORDANCE WITH THE STANDARD FORM OF PERMIT, SUBJECT TO THE CONDITION THAT IF A COMMERCIAL DISCOVERY IS MADE, THE LEASE MAY BE DENIED FOR ENVIRONMENTAL REASONS, INCLUDING THE INCUSION OF PERMIT LANDS IN A NATIONAL PARK. 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 (10%) 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.

EXHIBIT "A"

LAND DESCRIPTION

WP 6892

Two parcels of California State school lands in San Bernardino County, California, described as follows:

PARCEL 1

E 1/2 of Section 36, T17N, R12E, SBM.

PARCEL 2

W 1/2 of Lot 1 and the W 1/2 of Lot 2 of Section 36,
T 17N, R12 1/2 E, SBM.

END OF DESCRIPTION

PREPARED JULY 3, 1985, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

CALENDAR PAGE	103
MINUTE PAGE	1467

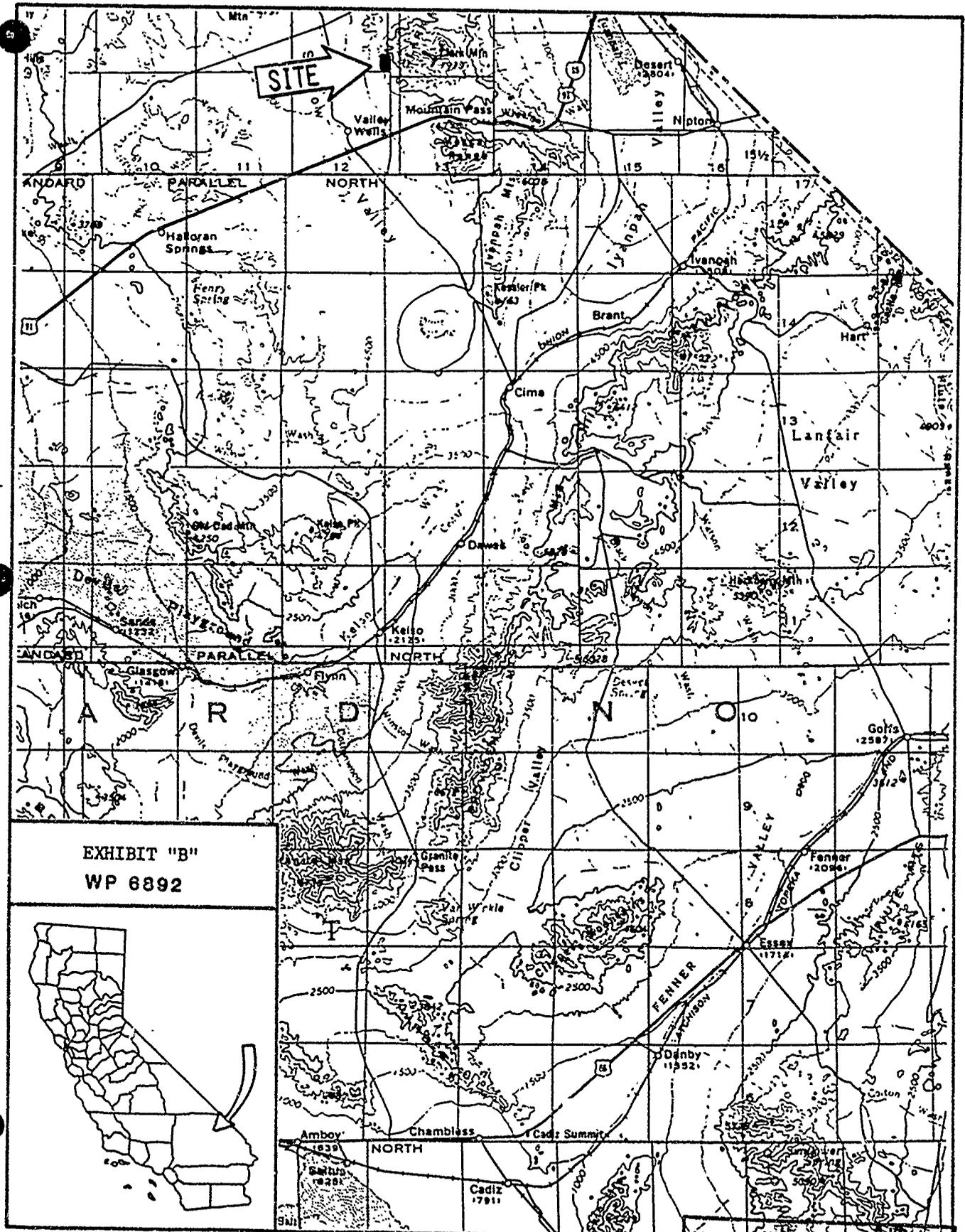


EXHIBIT "B"
WP 6892



STATE LANDS COMMISSION

1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814EXHIBIT "C"
PROPOSED NEGATIVE DECLARATION

EIR ND 471

File Ref.: WP 6892

SCH#: 8812 1901

Project Title: MINERAL PROSPECTING PERMIT/CLARK MOUNTAINS

Project Proponent: Jean E. Clary and Robert L. Ansara

Project Location: E $\frac{1}{2}$, Section 36, T.17 N., R.12 E. and W $\frac{1}{2}$ of Lot 1, W $\frac{1}{2}$ of Lot 2, Section 36, T.17 N., R.12 $\frac{1}{2}$ E., all of SBM, approximately 35 miles north-east of Baker, San Bernardino.

Project Description: Extend an existing adit an additional 150 feet to intersect steeply dipping mineralized veins exposed on the surface. Small Samples will be removed for off-site assay. Conventional drilling and blasting techniques will be utilized. Vehicle access will be confined to existing roads. Upon termination, the adit entrance shall be securely sealed by backfilling.

Contact Person: TED T. FUKUSHIMA

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 Code Regulations), and the State Lands Commission regulations (Section 2901 et seq., Title 2, California Code Regulations).

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.

CALENDAR PAGE	105
FOOTNOTES	13-17 (2/89)
MINUTE PAGE	169

MITIGATION MEASURES
PROPOSED FOR INCORPORATION INTO THE PROJECT DESCRIPTION

1. All vehicle access is restricted to existing roads. No new road construction is permitted.
2. All vehicle speed shall not exceed 15 miles per hour.
3. During travel to the work site, Permittee shall watch 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, Permittee shall check under and near vehicles, as tortoise often seek their shade. Permittee understands 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. Upon cessation of operations, the exploratory adit shall be securely sealed by backfilling sufficient to prevent human entry, and all equipment and related materials shall be removed.
8. All remaining dump rock not utilized for backfilling shall be graded and contoured to the natural topography.
9. Upon abandonment, large rocks shall be placed along the wash access road to prevent future access.
10. Permittee shall notify appropriate staff members of the State Lands Commission at (213) 590-5201 at least one week prior to commencing work.

To ensure conformance to the terms and conditions of the permit including all mitigation measures, a staff member of the State Lands Commission will perform periodic inspections of the permit area, with a frequency of not less than once a year.

GJP:vn:D60#18



COMMENT LETTER 2

RESPONSE TO LETTER 2

March 30, 1989

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

PO Box 30035
Pasadena,
Florida 32500
(904) 477-0454
FAX (904) 477-0531

PO Box 3103
Bakersfield,
California 93370
(805) 333-0331
FAX (805) 332-0773

Re: Initial Study, File Ref.: HP 6692, SCH # 86121901

Dear Mr. Pelka,

I have received and reviewed the subject Initial Study for the Clary / Ansara project, located in the Clark Mountain area of northeastern San Bernardino County. As a mining geologist with over twenty years experience in minerals exploration and mine permitting, including work in the immediate vicinity of the proposed project, I feel qualified to comment upon the realistic potential of whether or not adverse environmental effects will occur due to implementation of the project. In my professional opinion, the project has no potential to cause a significant adverse environmental impact, as defined in CEQA.

My recommendation is that the State Lands Commission order the preparation of a Negative Declaration as the environmental study document for this project. If you have any questions or need any clarification, please feel free to call me. Thank you for this opportunity to comment.

Very truly yours,

Peter H. DeWms

Peter H. DeWms
Registered Geologist
California # 3629

PHD:oc

cc: file
ff: Pelka.530

CALENDAR PAGE

MINUTE PAGE

108
1472

Environmental Services • Laboratory Services • Geologic Services • Project Management

2-1 Comment noted.

2-1



CALENDAR LETTER 3

CITIZENS FOR MOJAVE NATIONAL PARK, INC.
P.O. BOX 106 BARSTOW, CALIFORNIA 92312

ESTABLISHED 1976

State Lands Commission
245 W. Broadway, Suite 425
Long Beach, CA 90802
attn: Greg Pelka
file ref.: WP 6892
SCH# 88121901

Dear Mr. Pelka:

3/31/89
We are very concerned about the proposed speculative mining on a section 36 in the Clark Mountains of the East Mojave National Scenic Area (EMNSA), the area of the proposed Mojave National Park.

We strongly recommend that "no action" be taken on this proposed 150 foot long exploratory tunnel. The existing special designations for this area include Area of Environmental Concern and National Scenic Area. The Clark Mountain WSA, which is recommended for wilderness in S11 and HR780, is adjacent to the proposed project.

We also know that the federal government is interested in soon exchanging and acquiring this and other state school sections in EMNSA and it is inappropriate for speculative miners to continue to degrade the natural and cultural resources of the area.

We are also concerned about the possible hazards the proposed activity might cause Pachaika Spring. Explosives are detrimental to wildlife, and Clark Mountain has the third largest bighorn sheep herd in the California Desert. Damage can also occur to other wildlife.

The State of California should look out for the interests of California's natural resources. We Californians have no obligation to pander to the greedy desires of Nevada speculators.

Sincerely,

Peter Burk

Peter Burk, President

RESPONSE TO LETTER 3

3-1 The proposed project which incorporates appropriate reclamation and mitigation measures appears consistent with the Bureau of Land Management (BLM) management policy of the East Mojave National Scenic Area.

3-2 The staff of the State Lands Commission has completed a mineral evaluation of State school lands within the East Mojave National Area for which the BLM has proposed an exchange. This particular parcel has been withheld from exchange because of high mineral potential.

3-3 Since the proposed project is located approximately 4000 feet from Pachaika Spring, no adverse impacts are expected. Underground blasting as proposed is not anticipated to have a significant impact on wildlife, including the bighorn sheep.

3-1

3-2

3-3

CALENDAR PAGE
MINUTE PAGE

109
1479

File Ref.: WP 6892
SCH# 88121901

March 20, 1989

INITIAL STUDY INTRODUCTION

Jean E. Clary and Robert L. Ansara have applied to the State Lands Commission for a mineral prospecting permit on 360.25 acres of State school lands. The project location is described as the east half of Section 36, T17N, R12E; the west half of lot 1 and the west half of lot 2 of Section 36, T17N, R12 1/2E, SBM, San Bernardino County in the southwestern Clark Mountains. The proposed project is to drive an existing exploratory adit an additional 150 feet to intersect steeply dipping mineralized veins exposed on the surface. Small samples will be removed from the adit for off-site assay. Vehicular access will be confined to existing roads.

This project is a logical progression from encouraging results obtained from mapping and sampling performed under a previous mineral prospecting permit.

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 a general information form, three location maps, detailed project description, environmental setting, applicants assessment of environmental impacts and certification, staff environmental impacts assessment checklist and discussion.

The proposed project is for this specific prospecting only. Any change in activity will require the preparation of an appropriate CEQA document.

STATE LANDS COMMISSION

March 1989

D60#2

CALENDAR PAGE	111
MINUTE PAGE	1475

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

Jean E. Clary and Robert L. Ansara

5375 South Sandhill Road

Las Vegas, Nevada 89120

(702) 458-2054

b. Contact person if other than applicant:

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

A. E₂, Sec 36, T17N, R12E, SBM, San Bernardino County (320 Acres)

B. Portion of Sec 36, T17N, R12^{1/2}E, SBM, San Bernardino County (40.25 Acres)

Project area is approximately 45 miles northeast of Baker, California

b. Assessor's parcel number: A: 0572-121-19 B: 0572-121-22

3. Existing zoning of project site: D.L. 40 (Desert Living, 40 Acre Minimum)
 General Plan Designation: RCN (Rural Conservation)

4. Existing land use of project site: Livestock Grazing, Recreation

5. Proposed use of site: Prospecting for precious metals and other valuable minerals by driving an existing adit an additional 150 feet. Small samples will be removed for off-site assay.

6. Other permits required: San Bernardino County Sheriffs Department Explosives Permit No. 00509
has been obtained.

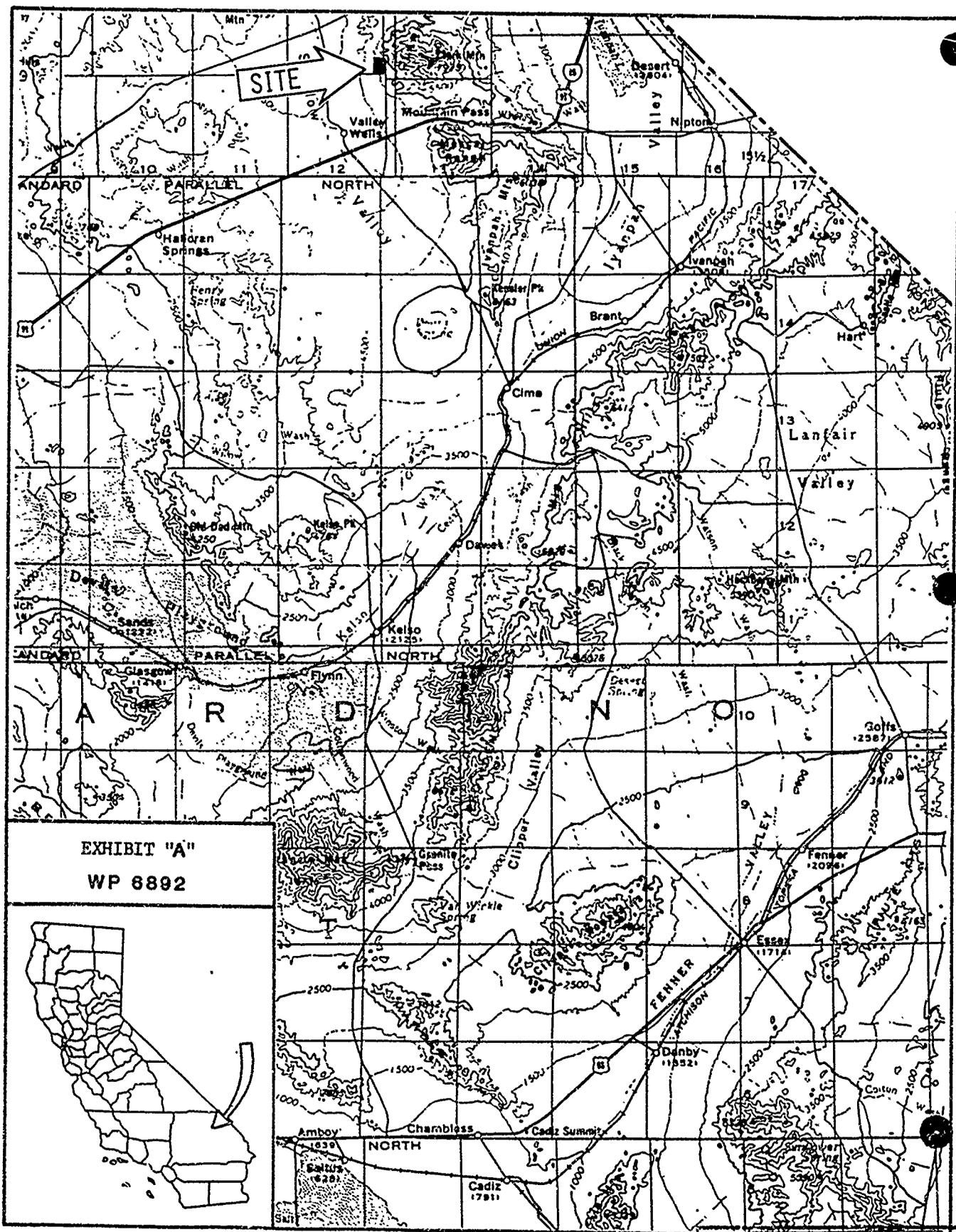
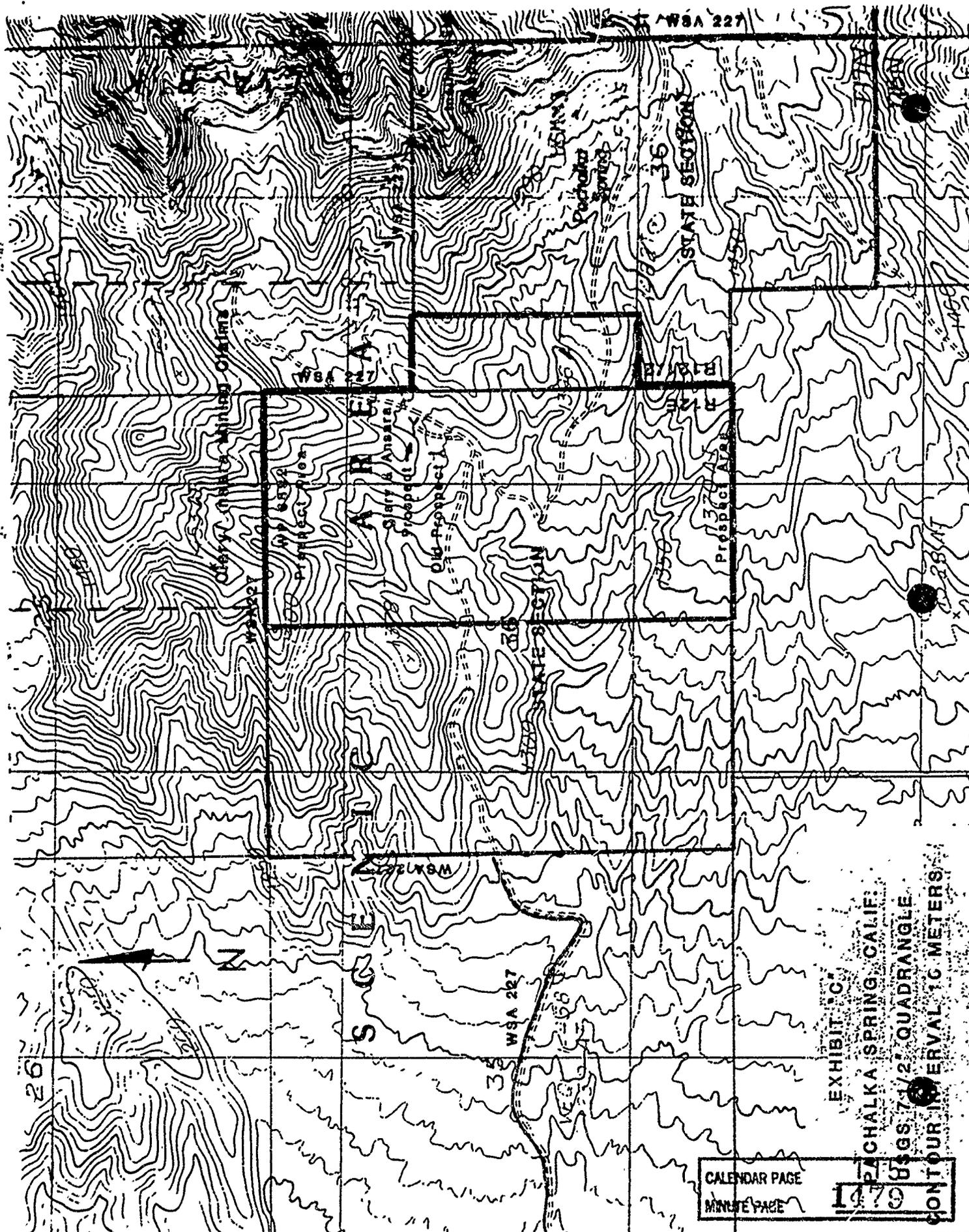


EXHIBIT "A"
WP 8892





WSA 227

WSA 227

WSA 227

WSA 227

EXHIBIT 'C'
CHALKA SPRING, CALIF.
U.S.G.S. 7.5' QUADRANGLE
CONTOUR INTERVAL 10 METERS

CALENDAR PAGE
MINUTE PAGE
1479

DETAILED PROJECT DESCRIPTION

Jean Clary and Robert Ansara possessed a State mineral prospecting permit from October 1, 1985 through September 30, 1988. Under the permit, geologic mapping and rock chip sampling delineated numerous steeply dipping mineralized veins. In addition, the applicants have numerous mining claims on surrounding federal lands managed by the Bureau of Land Management. Under a Plan of Operation approved by the BLM on February 11, 1987, the applicants constructed an adit believed to be on their mining claims bordering the State parcel. When the exploratory adit neared what was believed to be State lands, the applicants applied for a mineral prospecting permit to continue their work.

A joint field survey by BLM and State Lands staff together with Clary and Ansara, revealed the exploratory adit had been inadvertently located, approved and excavated on State lands. Location maps are included as Exhibits A, B and C.

The proposed project entails driving the adit an additional 150 feet. Adit dimensions are approximately 4 feet wide by 6 feet high. The adit face is drilled with an Ingersol-Rand jackleg using a 6.5 foot hexagonal jackhammer steel/integral bit. City water is hauled in from Las Vegas in 55 gallon drums. Approximately 90 to 120 gallons of water are used per 6.5 foot round with no excess water leaving the adit. Drillholes are shot with Anfo pellet blasting agent, primed with dynamite and detonated with No. 6 blasting caps. The broken rock is loaded with a hand shovel onto a wheel barrow and placed outside the mine portal. Small samples will be removed at regular intervals for off-site assay. Accessory equipment includes various hammers and picks, air compressor, wood timber and an 18 foot equipment and personnel trailer. Work will be performed primarily on the weekends.

Access to the project site is obtained from the paved Excelsior Mine Road east along a 3 mile dirt road which splits and terminates at Pachalka Spring and numerous abandoned mines. Two smaller dirt roads lead directly to the portal of the adit. No new road construction is required. The maximum estimated excavated volume is approximately 133 cubic yards. The maximum estimated surface disturbance, most of which has already occurred is less than 0.1 acre.

Proposed Reclamation:

1. Upon cessation of exploratory operations, the adit shall be securely sealed by backfilling sufficient to prevent human entry, and all equipment and related materials removed.
2. All remaining dump rock shall be graded and contoured to the natural topography.
3. Large rocks shall be placed along the wash access road to prevent future access.

GJP:vn:D6046

CALENDAR PAGE
MINUTE PAGE

117
1481

ENVIRONMENTAL SETTING

The project site is situated within the southwestern Clark Mountains of the eastern Mojave desert. The area is transitional between the colder Great Basin Desert to the north and the warmer Sonoran Desert to the south. The parcel is within the Bureau of Land Management East Mojave National Scenic Area which Senator Alan Cranston, by his "California Desert Protection Act" (S11) seeks to make into a National Park. Adjacent to the north lies the BLM 14,440 acre Clark Mountain Wilderness Study Area CDCA 227 which has been recommended non-suitable. Surrounding BLM land is designated multiple use class "L" Limited Use.

Project site topography slopes moderately to the west-southwest from approximately 4900 feet above sea level in the northeastern portion of the parcel to about 4400 feet at the southwestern portion. The climate of this area of the east Mojave is arid with large diurnal temperature ranges. Precipitation is sparse averaging 5 - 8 inches per annum falling predominantly during the winter months as a result of storms moving eastward from the Pacific Ocean. Intense summer thunderstorms produce heavy rainfall of short duration. Surface water drainage is ephemeral.

The terrain to the east is composed of steep ridges and sharp canyons rising to the Clark Mountain summit of 7929 feet. To the west, the topography slopes gently towards Shadow Valley. Approximately 4000 feet southeast of the exploratory adit lies Pachalka Spring which is important for wildlife watering.

The plant community found within the project area is best described as blackbush scrub. Other plant types include creosote bush, Mojave yucca, barrel cactus, beavertail cactus, hedgehog cactus, krameria, grasses and various species of cholla.

Animal life observed by the applicants include jack rabbit, cottontail rabbit, various small lizards, snakes, rats, quail and occasional hawk. There are no state or federally listed threatened or endangered plant and animal species known to occur in the project area. The Bureau of Land Management estimated desert tortoise density in the project area is 0-20 tortoise /square mile. No desert tortoise burrows are present in the area of the exploratory adit, and no adverse impacts to the tortoise are anticipated.

This State parcel is managed under multiple use. Concurrent with the applicants recent prospecting, Clay and Sandra Overson possess a State grazing lease. Since the parcel is enveloped by the East Mojave National Scenic Area a certain amount of recreational use can be expected. The applicants report that during the many years they have worked in the area, they have observed less than 20 people, most of whom were geologists from the University of Las Vegas, BLM rangers, or people looking for Pachalka Spring.

A large population of desert bighorn sheep occurs in the Clark Mountain Range. A two-day aerial census conducted in September 1984 revealed the presence of at least 114 animals. Pachalka Spring is believed to be an important water source for the desert bighorn sheep. Since the spring is approximately 4000 feet from the exploratory adit, no adverse impacts are expected. According to the BLM, the desert bighorn is thriving in the East Mojave with 550 to 600 animals. Very limited hunting of these animals was permitted in 1987. Future bighorn "transplants" are being considered from the Clark Mountain Range herd.

Geologically the Clark Mountains comprise a structurally complex region of faulted Precambrian and Paleozoic formations. Lithologies within the project area include the Cambrian Zabriskie Quartzite, Cambrian Carrara Formation composed of siltstones, quartzite and dolomite and Quaternary Older Alluvium sloping off towards Shadow Valley. The Division of Mines and Geology Mineral Land Classification Open File Report 85-15 maps the area of the exploratory adit as MRZ-3a which is defined as "Areas underlain by geologic settings within which undiscovered mineral resources similar to known deposits in the same producing district or region may be reasonably expected to exist (hypothetical resources)". This DMG report describes the area as "an isolated gold deposit that contains small veins and veinlets of quartz with minor amounts of pyrite, hematite, fluorite and shale fragments. The quartz veins have filled faults and fractures in the dark grey to green quartzites and shales of the Carrara Formation". Exploratory adits, pits and trenches are present within the mineralized area.

A comprehensive environmental assessment was performed by the Bureau of Land Management Needles Resource Area in response to the Clary and Ansara proposed Plan of Operation. After thorough consideration of cultural, wildlife, botanical, range wilderness and recreational resources, it was determined that the exploratory adit and approved mitigation measures would not have a significant environmental effect and therefore did not require an environmental impact statement.

The Bureau of Land Management mineral management policy for the East Mojave National Scenic Area is: "BLM will allow development consistent with national policy, and in a manner which prevents unnecessary or undue degradation of public lands. Mineral development in the East Mojave is a long-standing activity that has helped to define the region's character. Modern technology and reclamation requirements can help maintain the balance between this use and other activities or resources in the Scenic Area".

It is therefore believed that the proposed project and mitigation measures are consistent with the BLM management policy of the East Mojave National Scenic Area.

Proposed Mitigation Measures:

1. All vehicle access is restricted to existing roads. No new road construction is permitted.
2. All vehicle speed shall not exceed 15 miles per hour.
3. During travel to the work site, Permittee 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 place 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, Permittee shall check under and near vehicles, as tortoise often seek their shade. Permittee understands 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. Upon cessation of operations, the exploratory adit shall be securely sealed by backfilling sufficient to prevent human entry, and all equipment and related materials shall be removed.
8. All remaining dump rock not utilized for backfilling shall be graded and contoured to the natural topography.
9. Upon abandonment, large rocks shall be placed along the wash access road to prevent future access.
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:D60#7

CALENDAR PAGE	120
MINUTE PAGE	1484

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

Discussion: 10. Explosives will only be used in our underground mining work. All applicable permits are in our possession.
 13. If our preliminary work yields favorable results, we will consider a more detailed project plan.

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: Jean E. Clary / Robert L. Ansara Date: SEPTEMBER 9, 1988
 Title: PARTNERS

CALENDAR PAGE	121
MINUTE PAGE	1485

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref.: WP 6892
SCH# 88121901

I. BACKGROUND INFORMATION

A. Applicant: Jean E. Clary and Robert L. Ansara
5375 South Sandhill Road
Las Vegas, Nevada 89120

B. Checklist Date: 03 / 17 / 89

C. Contact Person: Greg Pelka
Telephone: (213) 590-5201

D. Purpose Prospecting for precious metals and other valuable minerals other than oil and gas, geothermal resources and sand and gravel.

E. Location: E $\frac{1}{2}$, Sec 36, T17N, R12E, SBM, San Bernardino County and a Portion of Sec 36, T17N, R12 $\frac{1}{2}$ E, SBM, San Bernardino County approximately 45 miles NE of Baker, CA.

F. Description Prospecting by driving an existing adit an additional 150 feet to intersect steeply dipping veins exposed on the surface. Small samples will be removed for off-site assay.

G. Persons Contacted: See ATTACHMENT "A"

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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 type="checkbox"/> | <input checked="" 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 reef? | <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, or failure, or similar hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

CALIFORNIA STATE LANDS COMMISSION
STANDARD PAGE 122
MINUTE PAGE 1486

Yes Maybe No

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 fresh 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?

CALENDAR PAGE	123
MINUTE PAGE	1487

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

Yes Maybe No

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

K. Population. Will the proposal result in:

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

L. Housing. Will the proposal result in:

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

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

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

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

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

O. Energy. Will the proposal result in:

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

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

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

Q. Human Health. Will the proposal result in:

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

R. Aesthetics. Will the proposal result in:

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

S. Recreation. Will the proposal result in:

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

CALENDAR PAGE	124
MINUTE PAGE	1488

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)

- A 2. Overcovering of the soil will occur as a result of rock dumped at the portal mouth. All dump rock not utilized for backfilling will be graded and contoured to the natural topography.
- A 3. All remaining dump rock not utilized for backfilling will be graded and contoured to the natural topography.
- J 1. All blasting shall be performed in compliance with all Federal, State and County requirements.

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: 04 / 10 / 1989

Gregory J. Pollock
For the State Lands Commission

CALENDAR PAGE	125
MINUTE PAGE	1489
Form 17-20 (7/83)	

ATTACHMENT "A"

Mailing List - WP 6892

- *Air Resources Board
Attn: Bob Fletcher
1102 "Q" Street
Sacramento, CA 95814
- *Department of Conservation
Attn: Dennis O'Bryant
1416 Ninth Street, Rm 1326-2
Sacramento, CA 95814
- *Department of Health
Attn: Arlene Chance
714 "P" Street Room 1253
Sacramento, CA 95814
- *Native American
Heritage Commission
Attn: William A. Johnson
915 Capital Mall, Room 288
Sacramento, CA 95814
- *Office of Historic Preservation
Attn: Hans Kreutzberg
P.O. Box 942896
Sacramento, CA 94296-0001
- *Department of Parks and Recreation
Attn: James M. Doyle
P.O. Box 942896
Sacramento, CA 94296-0001
- *Department of Transportation
District 8
Attn.: Guy Visbal
247 W. Third Street
San Bernardino, CA 92403
- *Dept. of Fish and Game
Attn.: F. A. Worthley, Jr.,
330 Golden Shore, Suite 50
Long Beach, CA 90802
- *State Water Resources
Control Board
Division of Water Quality
Attn: Ed Anton
P.O. Box 100
Sacramento, CA 95801
- *Regional Water Quality Control Board
Lahontan Region (6)
Victorville Branch Office
15371 Bonanza Road
Victorville, CA 92392-2494
- *United States
Dept. of the Interior
Bureau of Land Management
Needles Resource Area
Attn.: Everell G. Hayes
101 W. Spikes Road
Needles, CA 92363
- *San Manuel Reservation
Attn.: Henry Duro
Chairperson
5771 North Victoria Ave.
Highland, CA 92346
- *Twenty Nine Palms Reservation
Attn.: Dean Mike
Spokesman
2116 "A"
Bellingham, WA 98225
- *Chemehuevi Tribal Council
Attn.: Christine Walker
P.O..Box 1976
Chemehuevi Valley, CA 92363
- *Mojave Tribal Council
Attn.: Minorva Jenkins
500 Merriman
Needles, CA 92363
- *Colorado River Indian Tribes
Attn.: Anthony Drennan
Route 1, Box 23-B
Parker, AZ 85344
- *Scott Simmons
Desert Task Force
Sierra Club, San Geronio Chapter
P.O. Box 1062
Phelan, CA 92371
- *Bill Havert
Conservation Coordinator
Sierra Club, San Geronio Chapter
568 N. Mountain View, Suite 130
San Bernardino, CA 92401
- *Citizens for Mojave National Park
Attn.: Peter Burk
P. O. Box 106
Barstow, CA 92311
- *Jeff Sharpe
Conservation Committee
Sierra Club, Mojave Group
14944 Luna Road
Victorville, CA 92392

CALENDAR PAGE 126
1490

- * U. S. Dept. of the Interior
Bureau of Land Management
California Desert District
Attn.: Dr. Kristen Berry
1695 Spruce Street
Riverside, CA 92507
- * Desert Tortoise Council
Attn.: Glenn Stewart
5319 Cerritos Ave.
Long Beach, CA 90805
- * Pacific Mining Association
Attn.: Greg Oullette
2051 Pacific Avenue
Norco, CA 91760
- * San Bernardino County Sheriff's Dept.
Attn: Floyd Tidwell
P.O. Box 569
San Bernardino, CA 92403
- * John T. Alfors
Division of Mines & Geology
620-C Bercut Drive
Sacramento, CA 95814
- * Thomas P. Anderson
Division of Mines & Geology
107 S. Broadway, Room #1065
Los Angeles, CA 90017
- * Robert Anderson
Bureau of Land Management
2800 Cottage Way
Sacramento, CA 95825
- * Aldo Barsotti, Chief
U.S. Bureau of Mines
Branch of Minerals Availability
2401 E. Street, N.W. MS-5010
Washington, D.C. 20241
- * Michael McKibben
Department of Earth Sciences
University of California, Riverside
Riverside, CA 92521
- * Donald Carlisle
Department of Earth & Space Science
University of California, Los Angeles
Los Angeles, CA 90024
- * George Cope
Aggregate Producers Association
1121 "L" Street
Sacramento, CA 95814
- * Gregory G. Cork
Quarry Superintendent
United States Gypsum Company
3810 W. Evan Hewes Highway
Plaster City, CA. 92269
- * Peter H. Dohms
Condor Minerals Management, Inc.
P.O. Box 3905
Sonora, CA 95370
- * Linda Falasco
P.O. Box 1111
Los Banos, CA 93635
- * Michael Hood
Department of Materials Science
and Mining Engineering
Hearst Mining Building
Berkeley, CA 94720
- * Dwane Johnson
5003 Matilija Avenue
Sherman Oaks, CA 91423
- * Frank Huntley
801 Pine Street
Perrysburg, OH 43551
- * Robert Kistler
U.S. Borax & Chemical Corp.
3075 Wilshire Blvd.
Los Angeles, CA 90010
- * J. H. Jack Lucas
State Mining & Geology Board
18696 Aspesi Drive
Saratoga, CA 95070
- * Don Reining
P.O. Box 40
1811 Fair Oaks Avenue
South Pasadena, CA 91030
- * Robert A. Reveles
Vice President, Government Affairs
Homestake Mining Company
650 California St., 9th Floor
San Francisco, CA 94108
- * Robert Sega
Molycorp
P.O. Box 124
Mountain Pass, CA 92361
- * Douglas Shumway
Mitsubishi Cement Corporation
State Highway 400
HRC Box 400

SEARCHED	INDEXED	SERIALIZED	FILED
MAY 1971			127
MOUNTAIN PASS, CALIF.			1491

* Dr. Robert Norris
Professor of Geology
U.C. Santa Barbara
Santa Barbara, CA 93106

* Dr. Wilbur Mayhew
Professor of Zoology
U.C. Riverside
Riverside, CA 92521

* Clay and Sandra Overson
P.O. Box 6
Cima, CA 92323

* Richard Blincoe
Route 1
Heyburn, ID 83336