

MINUTE ITEM

This Calendar Item No. 51
was approved as Minute Item
No. 51 by the State Lands
Commission by a vote of 3
to 0 at its 12-12-90
meeting.

CALENDAR ITEM

51

A 66

S 25

12/12/90

W 43626

Kruger

DENY APPLICATION FOR A EXTRACTION LEASE FOR MINERALS
OTHER THAN OIL, GAS, GEOTHERMAL RESOURCES, SAND AND GRAVEL,
ON STATE-OWNED SCHOOL LANDS, SAN BERNARDINO COUNTY

APPLICANT: American Block Company
2756 N. Green Valley Parkway
Suite 157
Henderson, NV 89014

AGENT: James Adams
7439 La Palma Avenue
Suite 234
Buena Parks, CA 90620

PROPOSED ACTION:

Denial of an application for a mineral extraction lease for valuable minerals other than oil, gas, geothermal resources, sand and gravel, on approximately 640 acres of State-owned school lands located in San Bernardino County.

AREA, TYPE OF LAND AND LOCATION:

State-owned school lands further described as Section 16, T14N, R12E, SBM and situated in the Cima Dome area of east-central San Bernardino County, about 20 miles east of Baker, CA.

PROPOSED PROJECT:

The applicant proposes to conduct mineral extraction of industrial minerals (volcanic cinders) and transport the extracted material by truck to a cinder block processing plant ten miles north of Las Vegas, Nevada. Annual production from the proposed project would range from 50,000 to 100,000 tons of

CALENDAR ITEM NO. **51** (CONT'D)

volcanic cinders. Onsite activities would include development of a 100,000 ton stockpile of material and transportation of material by truck on a 24-hour basis from the extraction site to the processing plant.

BACKGROUND:

The proposed project area is within the East Mojave National Scenic Area, adjacent to the northeast boundary of the Cinder Cones National Natural Landmark area and about a half mile east of the Cinder Cones Wilderness Study Area (CDCA-239) which has been recommended suitable for inclusion as wilderness by the U. S. Bureau of Land Management (BLM).

The site of the proposed project is a natural volcanic cinder cone formation situated in the west half of Section 16. Approximately half of the cinder cone formation is situated on State lands, and the other half of the cone is in the east half of Section 17 (to the west) which are public lands within the Cinder Cones National Natural Landmark area.

As part of the initial processing of the application, staff contacted the BLM's Needles Resource Area, having jurisdiction within the Landmark area. The BLM concurred that the cinder cone formation is about half on State lands and half on public lands of the Landmark area. BLM further advised that Section 16 has a designated acquisition priority under the BLM's Management Plan for the National Scenic Area (NSA). Once acquired, BLM would recommend that Section 16 be included in the Cinder Cones National Natural Landmark area.

BLM's proposed management for mineral extraction in the area of Section 16 would limit the extraction of mineral materials (sand and gravel or volcanic cinders) to local governmental needs and in a manner which prevents the unnecessary or undue degradation of public lands. Limits on extraction of mineral materials are being established in the NSA by BLM with the recognition that certain mineral materials are common and easily available from sources outside the NSA. These materials will be available from the NSA only for local governmental needs, primarily for County road maintenance.

Current management practices on federal lands within the NSA also regulate scenic quality by attempting to limit the degree of change in a characteristic landscape like the Cinder Cones National Landmark area to standards based on the perspective sensitivity of the area. Scenic quality and perspective sensitivity are a part of the visual resource management criterion being developed by BLM. Because of Section 16's close proximity to lands possessing unique natural features like those within the Cinder Cones area, large scale mineral

extraction activity as proposed by the applicant on State lands has the potential to severely impact these and nearby pristine lands. The proposed activity would cause unacceptable degradation of the visual resources within that part of the NSA.

Staff of the Commission conducted a site inspection of Section 16 in April 1986. This inspection confirmed that the west half of the parcel is mostly composed of the eastern half of a natural volcanic cinder cone formation. (See Exhibit "A"). If a mining operation was approved on State lands within Section 16, the excavation of the cinder cone formation would have an adverse impact on the Cinder Cones National Natural Landmark Area.

From information gathered in the initial processing of this application, it is concluded that the proposed project of extraction volcanic cinders from the west half Section 16 would cause an unacceptable level of irreversible adverse environmental impact and result in the noticeable change in scenic values of the characteristic landscape of the Cinder Cone area. The proposed project is also inconsistent with current federal land management policies with regard to visual resources within the East Mojave National Scenic Area.

Staff recommends that the American Block Company application for a mineral lease in Section 16 be denied without prejudice to preclude further expenditure of applicant and Commission time on a project viewed by staff as unfeasible.

AB 884: 03/01/91.

OTHER PERTINENT INFORMATION:

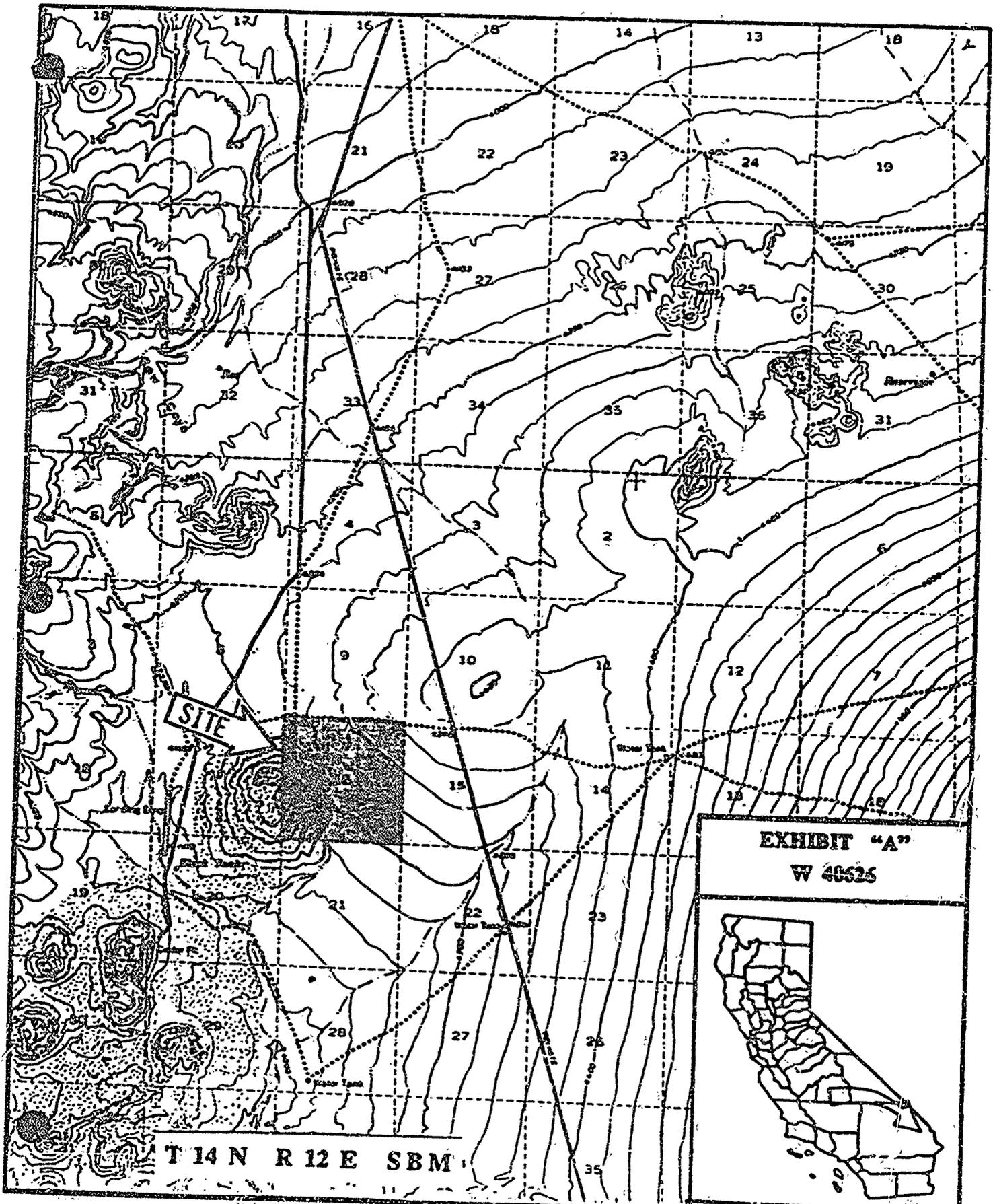
1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), staff has determined that this activity is exempt from the requirements of the CEQA, insofar as CEQA does not apply to projects which a public agency rejects or disapproves.

Authority: P.R.C. 21080(b)(5) and 14 Cal. Code Regs. 15270.

- EXHIBITS:
- A. Site Map.
 - B. Location Map.
 - C. Land Description

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA INsofar AS THE CEQA DOES NOT APPLY TO PROJECTS WHICH A PUBLIC AGENCY REJECTS OR DISAPPROVES, 14 CAL. CODE REGS. 15270.
2. DENY, WITHOUT PREJUDICE, APPLICATION FOR A MINERAL EXTRACTION LEASE OF AMERICAN BLOCK COMPANY FOR MINERALS OTHER THAN OIL, GAS, GEOTHERMAL RESOURCES, SAND AND GRAVEL.



SITE

EXHIBIT "A"
W 40625



T 14 N R 12 E SBM

CALENDAR PAGE 325
MINUTE PAGE 3737

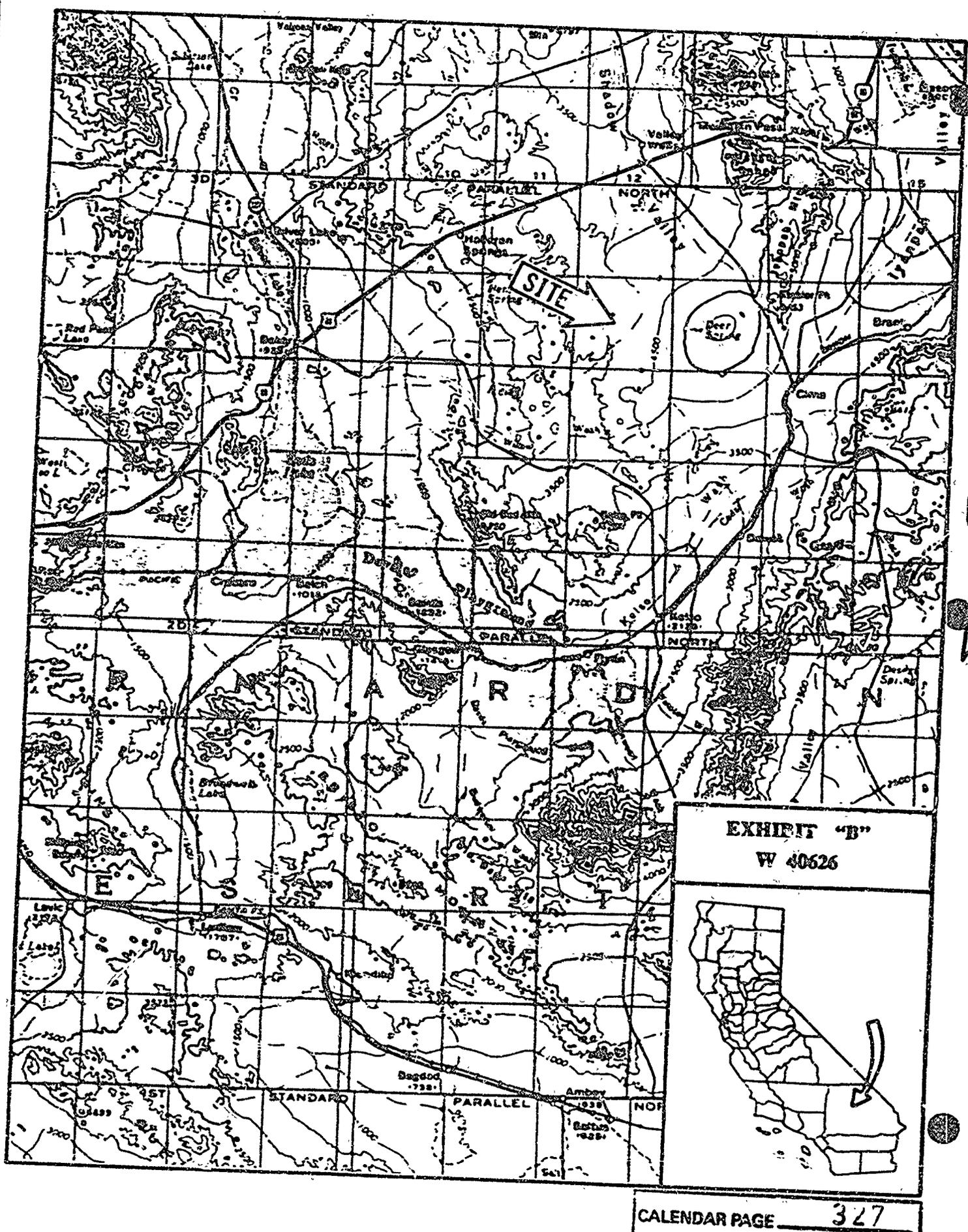


EXHIBIT "B"
W 40626



EXHIBIT "C"

W 40626

LAND DESCRIPTION

A part of school land in San Bernardino County, State of California, more particularly described as follows :

All of Section 16, T 14 N, R 12 E, SBM

END OF DESCRIPTION

REVIEWED NOVEMBER, 1990 BY LLB.

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| CALENDAR PAGE | 328 |
| MINUTE PAGE | 3739 |