

MINUTE ITEM

This Calendar Item No. C20
was approved as Minute Item
No. 20 by the State Lands
Commission by a vote of 2
to 0 at its 6/30/87
meeting.

CALENDAR ITEM

A 34
S 25

C20

06/30/87
W 40505 PRC 7092
W 40511 PRC 7093
W 40514 PRC 7094
W 40515 PRC 7095
Pelka

APPROVAL OF 4 PROSPECTING PERMITS FOR MINERALS OTHER THAN
OIL, GAS, GEOTHERMAL RESOURCES, SAND AND GRAVEL,
INYO COUNTY

APPLICANT: United States Borax and
Chemical Corporation
3075 Wilshire Boulevard
Los Angeles, California 90010

AGENT: Michael H. Rauschkolb
United States Borax and
Chemical Corporation
1802 W. Grant Road, Suite 108
Tucson, Arizona 85745

PROPOSED AUTHORIZATION:

Approval of four prospecting permits for two
years to prospect for borate and other valuable
minerals, other than oil, gas, geothermal
resources, sand and gravel on 2,557.067 acres
of land, more or less, located in Inyo County.

CONSIDERATION: Filing fees of \$100, processing fees of \$1,000,
and acreage deposits totaling \$2,558.

AREA, TYPE LAND AND LOCATION:

Parcel 1: W 40505 - State school land, Section 16, T24N
R5E, SBM, Inyo County, approximately six miles
south of Death Valley Junction

CALENDAR PAGE	115
MINUTE PAGE	1068

CALENDAR ITEM NO. C 2 Q (CONT'D)

- Parcel 2: W 40511 - State school land, Section 36, T25N R5E, SBM, Inyo County, excepting power line right-of-way easement, approximately three miles southeast of Death Valley Junction.
- Parcel 3: W 40514 - State school land, Section 16, T25N R4E, SBM, Inyo County, approximately eight miles west of Death Valley Junction.
- Parcel 4: W 40515 - State school land, Section 36, T25N R4E, SBM, Inyo County, approximately five miles southwest of Death Valley Junction.

PROPOSED PROJECT:

U.S. Borax proposes to conduct exploration for borate and other valuable minerals by drilling a maximum of twenty-one holes, six inches in diameter, up to 2,000 feet deep, with a truck-mounted rotary drill rig such as a Failing 1500 or equivalent. Accessory equipment includes a water tank, mud pit, desander and shale shaker, all truck mounted.

Drilling will be initiated with a percussion air unit and drilled to total depth unless water is encountered. Upon encountering water, drill mud consisting of naturally occurring bentonite will be mixed in the portable mud pit and drilling will resume using standard rotary drilling techniques. Two to five pound samples will be collected every ten-foot interval for off-site assaying.

No new road construction will be permitted. To assure safe access for drilling equipment and personnel, existing roads on the State sections may be cleared and smoothed with a grader, but not widened. All drilling activity will be located along existing roads.

Drill-holes, if dry, will be abandoned by backfilling drill cuttings in the hole. Drill-holes penetrating water will be abandoned by placing a cement plug above the water zone and backfilling the remaining hole with drill cuttings. Any drill cuttings remaining after abandonment shall be spread evenly over the drill site so as to blend with the existing area.

CALENDAR ITEM NO. C 20 (CONT'D)

Any proposed activity not authorized by this permit will not proceed without prior approval of a project amendment processed pursuant to the requirements of CEQA. If commercial mining operations are proposed, appropriate environmental documentation will be prepared and certified prior to issuing a mineral extraction lease.

TERMS: The primary term of a 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.

PREREQUISITE ITEMS:

1. Required statutory filing fees, processing fees, and acreage deposits have been submitted by the applicant.
2. Subject parcels are not known to contain a commercially valuable deposit of minerals.
3. 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.

STATUTORY REFERENCES:

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

C LENDAR ITEM NO. C 20 (CONT'D)

AB 884: Parcel 1: 09/16/87
Parcel 2: 07/05/87
Parcel 3: 09/21/87
Parcel 4: 09/21/87

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15025), the staff has prepared a proposed Negative Declaration identified as EIR ND 414, State Clearinghouse 87011907; such proposed negative declaration was prepared and circulated for public review 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. Adm. Code 15074(b)).

2. This activity involves lands (Parcel 2) 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.
3. 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 permits, the applicant would have a preferential right to a lease for a maximum of 640 acres embraced within each permit. Said right

CALENDAR PAGE	118
MINUTE PAGE	1971

CALENDAR ITEM NO. C 20 (CONT'D)

shall be subject to all necessary environmental approvals. The issuance of the permits shall not affect the discretion of the Commission in granting or denying such leases because of environmental considerations.

4. Permits shall provide for a blanket performance bond or other security device of \$29,000 in favor of the State.

APPROVALS OBTAINED:

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

EXHIBITS:

- A. Land Descriptions.
- B. Site Maps.
- C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION EIR ND 414, STATE CLEARINGHOUSE 87011907, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN. THE PROJECT SHALL INCLUDE THIS PROSPECTING PERMIT AND ANY EXTENSION THE COMMISSION MAY GRANT IN ITS DISCRETION FOR THE SAME PROJECT DESCRIBED IN THE PERMIT. ANY EXTENSION SHALL NOT EXCEED ONE YEAR.
2. DETERMINE THAT THE PROJECT, AS PROPOSED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT
3. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
4. DETERMINE THAT THE LANDS DESCRIBED IN THE PERMIT ARE NOT PRESENTLY KNOWN TO CONTAIN COMMERCIALY VALUABLE DEPOSITS OF MINERALS.

CALENDAR ITEM NO. 20 (CONT'D)

5. AUTHORIZE THE ISSUANCE OF FOUR PROSPECTING PERMITS TO UNITED STATES BORAX AND CHEMICAL CORPORATION FOR A TERM OF TWO YEARS, FOR ALL MINERALS OTHER THAN OIL, GAS, GEOTHERMAL RESOURCES, SAND AND GRAVEL ON (I) SECTION 16, T24N R5E, SBM, INYO COUNTY; (II) SECTION 36, T25N R5E, SBM, INYO COUNTY EXCEPTING A 2.933-ACRE RIGHT-OF-WAY EASEMENT; (III) SECTION 16, T25N R4E, SBM, INYO COUNTY; (IV) SECTION 36, T25N R4E, SBM, INYO COUNTY, CONTAINING APPROXIMATELY 2,557 ACRES, MORE OR LESS; IN ACCORDANCE WITH THE STANDARD FORM OF PERMIT. ROYALTY PAYABLE UNDER THE FOUR PERMITS SHALL BE 20 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.

EXHIBIT "A"

LAND DESCRIPTION

W 40505

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

Section 16, T24N, R5E, SBM.

END OF DESCRIPTION

PREPARED MAY 7, 1987 BY BOUNDARY SERVICES UNIT, M. L. SHAFER,
SUPERVISOR.

0438b

CALENDAR PAGE	121
MINUTE PAGE	1974

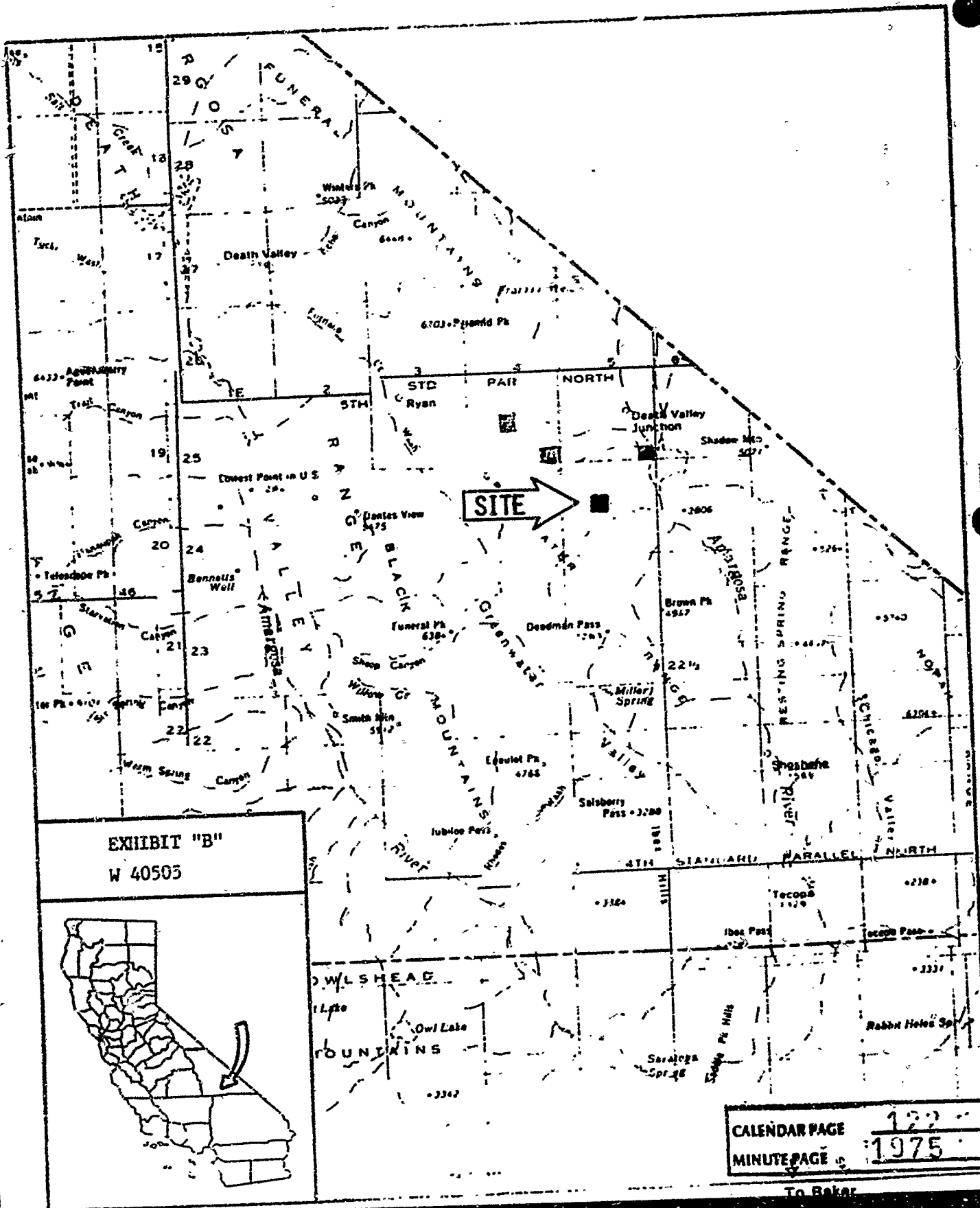


EXHIBIT "B"
W 40505



CALENDAR PAGE	122
MINUTE PAGE	1975

To Baker

EXHIBIT "A"

LAND DESCRIPTION

W 40511

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

Section 36, T25N, R5E, SBM.

EXCEPTING THEREFROM any portion lying within State Lands Commission Lease PRC 3466.

END OF DESCRIPTION

PREPARED MAY 7, 1967 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

0438b

CALENDAR PAGE	123
MINUTE PAGE	1976

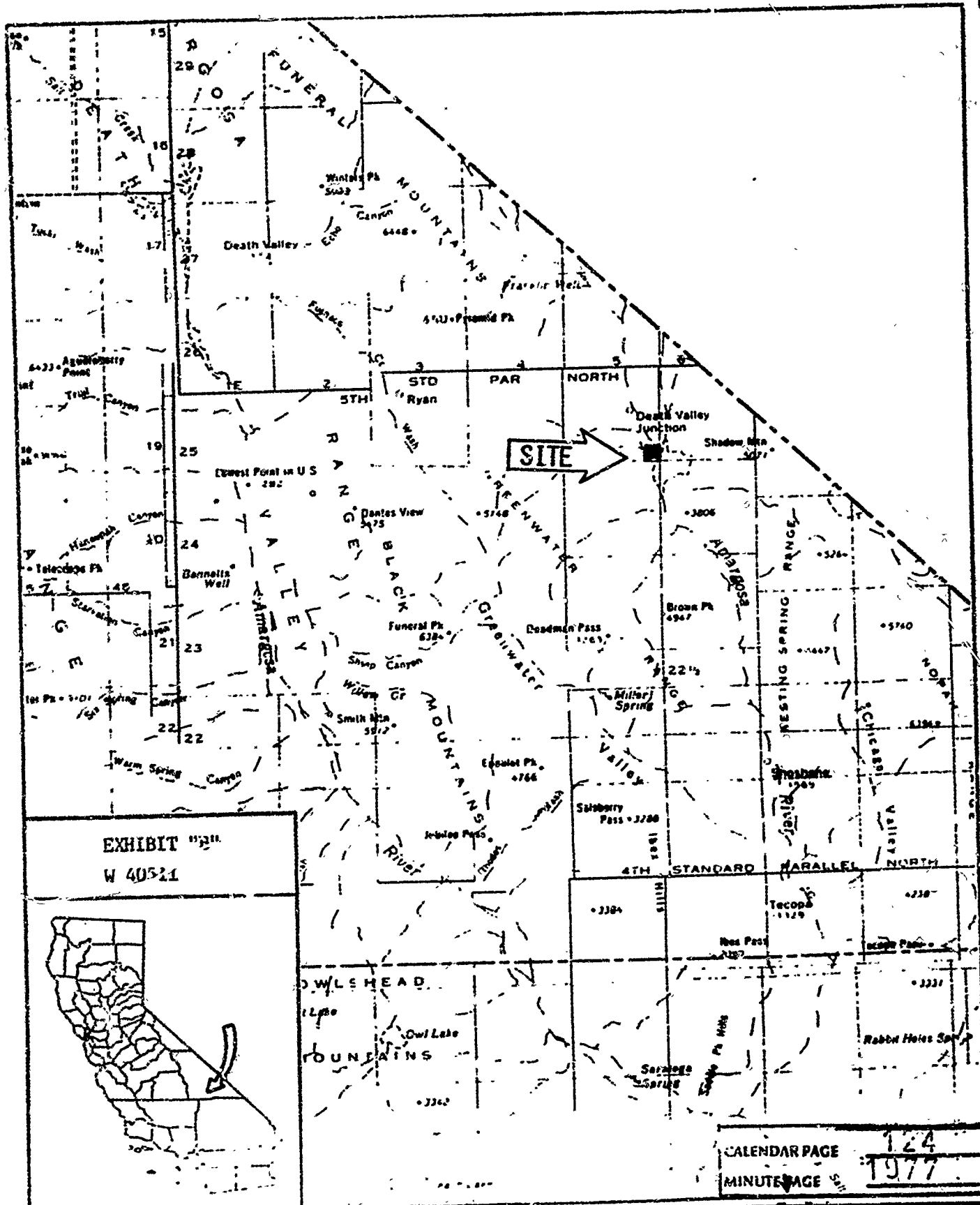


EXHIBIT 11311
W 40521



CALENDAR PAGE	124
MINUTE PAGE	1977

EXHIBIT "A"

LAND DESCRIPTION

W 40514

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

Section 16, T25N, R4E, SBM.

END OF DESCRIPTION

PREPARED MAY 7, 1987 BY BOUNDARY SERVICES UNIT, M. L. SHAFER,
SUPERVISOR.

0438b

CALENDAR PAGE	125
MINUTE PAGE	1978

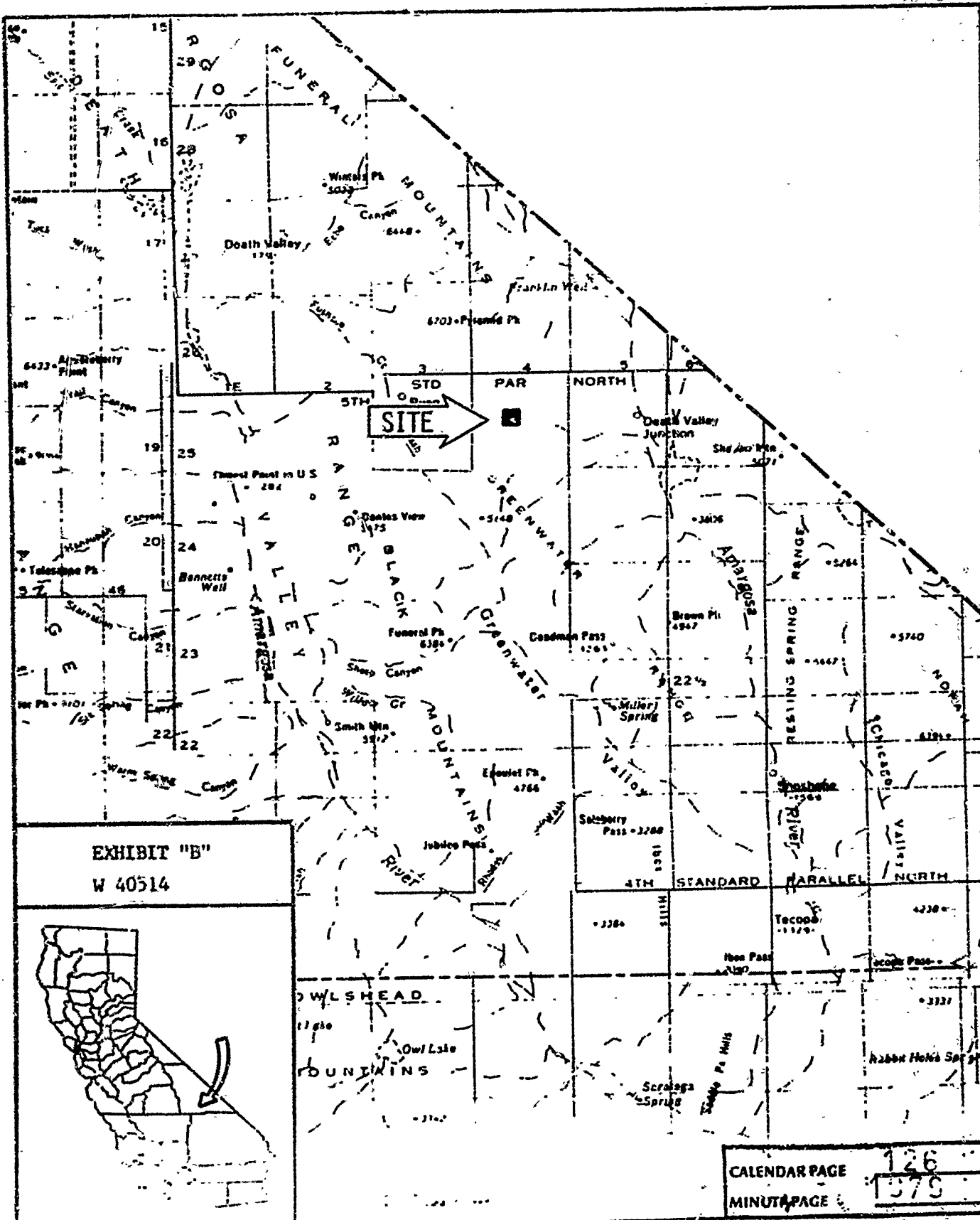


EXHIBIT "B"
W 40514



CALENDAR PAGE 126
MINUTE PAGE 379

To Baker

EXHIBIT "A"

LAND DESCRIPTION

W 40515

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

Section 36, T25N, R4E, SBM.

END OF DESCRIPTION

PREPARED MAY 7, 1987 BY BOUNDARY SERVICES UNIT, M. L. SHAFER,
SUPERVISOR.

0438b

CALENDAR PAGE	127
MINUTE PAGE	190

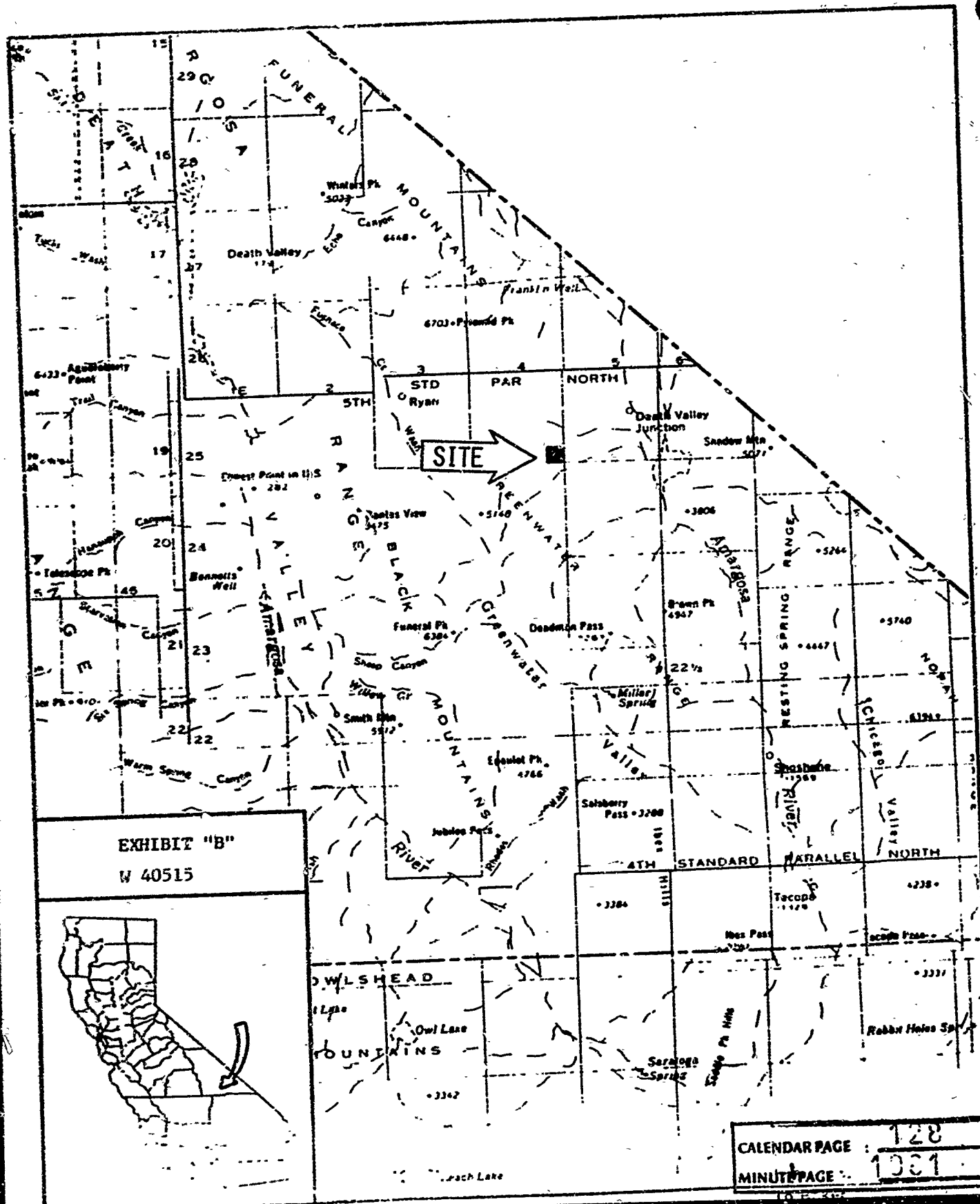


EXHIBIT "B"
W 40515

CALENDAR PAGE : 128
MINUTE PAGE : 1001



EXHIBIT C
PROPOSED NEGATIVE DECLARATION

EIR ND 414

File Ref.: W 4050 $\frac{1}{2}$, W 4051 $\frac{1}{4}$, W 4051 $\frac{1}{2}$, W 4051 $\frac{3}{4}$, W 4052
SCH#: 8701 1907

Project Title: FOUR MINERAL PROSPECTING PERMITS - DEATH VALLEY JUNCTION AREA

Project Proponent: United States Borax & Chemical Corporation

Project Location: W 40505: Sec. 16, T.24 N., R.5 E.; W 40511: Sec. 36, T.25 N., R.5 E.;
W 40514: Sec. 16, T.25 N., R.4 E.; W 40515: Sec. 36, T.25 N., R.4 E.,
all in S.B.M., Inyo County.

Project Description: Prospect for borax and other valuable minerals by drilling up to a maximum of 21 holes, 6 inches in diameter, to a maximum depth of 2,000 feet, along existing roads with a truck mounted drill rig. Remove a 2 to 5 pound sample every ten feet for off-site assaying. Properly abandon drill holes.

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 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.

CALENDAR PAGE	129
MINUTE PAGE	1562
Form 13-17 (10/78)	

File Ref.: W 40505
W ~~40511~~
W 40514
W 40515
SCH# 87011907

March 31, 1987

COMMENTS RECEIVED ON INITIAL STUDY AND RESPONSES TO COMMENTS
Inyo County Planning Department

Comments:

"Our Department has reviewed the Initial Study covering U.S. Borax's proposal to conduct mineral exploration on State lands south and west of Death Valley Junction in Inyo County.

It appears from the information provided that a Negative Declaration would be the appropriate environmental document to prepare."

Response:

None required.

Bureau of Land Management-Barstow Resource Area

Comments:

"In our opinion, a negative declaration can be issued for this project. Site W 40505 is within the Greenwater Range WSA (CDCA #147). Site W 40511 is within the Resting Spring Range WSA (CDCA #145). The following stipulations are those that we would apply to public lands for the protection of wilderness values:

1. The drill hole site in W 40511 would be moved several hundred feet to the west side of the old T and T railroad grade. This will place the drill site outside of WSA #145.
2. Authorization from BLM is required prior to improvement of access across public land to site W 40505. The contact person is Daryl Albiston (619) 256-3591.
3. Within W 40505, the following mitigation would be applied:
 - a) No mechanical improvement of existing routes of travel.
 - b) If possible, locate drill pads within existing routes of travel. Pads not located within existing routes of travel should be located in washes. No pads on desert pavement.
 - c) No pad preparation.
 - d) No destruction of perennial vegetation.

CALENDAR PAGE	130
MINUTE PAGE	130

4. Complete all activity by June 30, 1989 so as not to constrain the recommendation of the Secretary of the Interior regarding the suitability of this area for inclusion in the wilderness system.

- Compliance with the above stipulations would assure that wilderness values of adjacent public lands are protected."

Responses:

1. See mitigation measure number 1.
2. See mitigation measure number 2.
3. See mitigation measures 3, 4 and 5. All drilling will be located within existing routes of travel.
4. If the permitting process proceeds as scheduled, the two year permit will be issued July 1, 1987 and would expire June 30, 1989. Any changes in the environmental setting will be reviewed prior to the issuance of a one year extension.

File Ref.: W 40505
W 40511
W 40514
W 40415
SCH# 87011907

MITIGATION MEASURES

Proposed for Incorporation into the Project Description

1. If safe access can be obtained for drilling equipment and personnel, the drill site within W 40511 will be located several hundred feet west of the originally planned site, which places it west of the old Tonopah and Tidewater railroad grade and outside WSA (CDCA #145).
2. Improvement of any public access other than on State lands should not be performed prior to authorization from the BLM. The contact person at the BLM is Daryl Albiston at (619) 256-3591.
3. Clearing and smoothing with a grader on the State sections shall be restricted to the minimum required to assure safe access for drilling equipment and personnel. No new road construction is permitted. Special consideration should be made on site W 40505, so as not to impair wilderness values within the Greenwater Range WSA (CDCA #147).
4. Permittee shall perform all activities so as to minimize impact on vegetation. No vegetation may be removed.
5. Preparation of any drill pads with mechanized equipment is not permitted.
6. Each drill hole site shall be inspected to determine if burrowing animals are present and would be adversely affected. If potential impacts could occur, prospecting activities should be located where burrows and wildlife would not be adversely affected. The Permittee shall specifically avoid burrowing areas of the desert tortoise, a State protected species.
7. To reduce wildlife mortality and minimize the production of fugitive dust, all vehicle speed shall not exceed 20 mph on dirt roads.
8. Drill holes if dry shall be abandoned by backfilling drill cuttings in the hole. Drill holes penetrating water shall be abandoned by placing a cement plug above the water zone and backfill the remaining hole with drill cuttings. Any drill cuttings remaining after abandonment of each hole shall be spread evenly over the drill site so as to blend with the existing area.

CALENDAR PAGE	132
MINUTE PAGE	1985

9. Upon abandonment, if any casing needed for drilling can not be removed for any reason, the casing shall be cut 5' below ground surface and a 20' plug of impervious material shall be placed at the top of the hole. Suitable impervious materials include neat cement, sand-cement grout, concrete and bentonite clay.
10. All drill sites shall be cleaned of all trash and debris upon termination of the project.
11. Permittee shall notify Gene Schaefer or Greg Pelka of the State Lands Commission two weeks prior to commencing operations.

File Ref.: W 40505
W 40511
W 40514
W 40515
SCH#: 87011907

March 4, 1987

INITIAL STUDY
INTRODUCTION

United States Borax and Chemical Corporation has applied to the State Lands Commission for four prospecting permits on State lands located near the Lila C Mining District near Death Valley Junction, in southeastern Inyo County, California. The proposed project consists of drilling along existing roads, a maximum of 21 exploratory holes, six inches in diameter, up to a maximum depth of 2000 feet to explore for borate and other valuable minerals. Existing dirt roads used for access will be cleared and smoothed with a grader for the safety of personnel and equipment. Portable mud pits have eliminated the necessity of mud pit excavation. All drill holes shall be properly abandoned upon completion of the drilling of each hole.

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 an environmental impact assessment checklist, detailed project description, information form response and maps.

STATE LANDS COMMISSION
March 1987

CALENDAR PAGE	134
MINUTE PAGE	1987

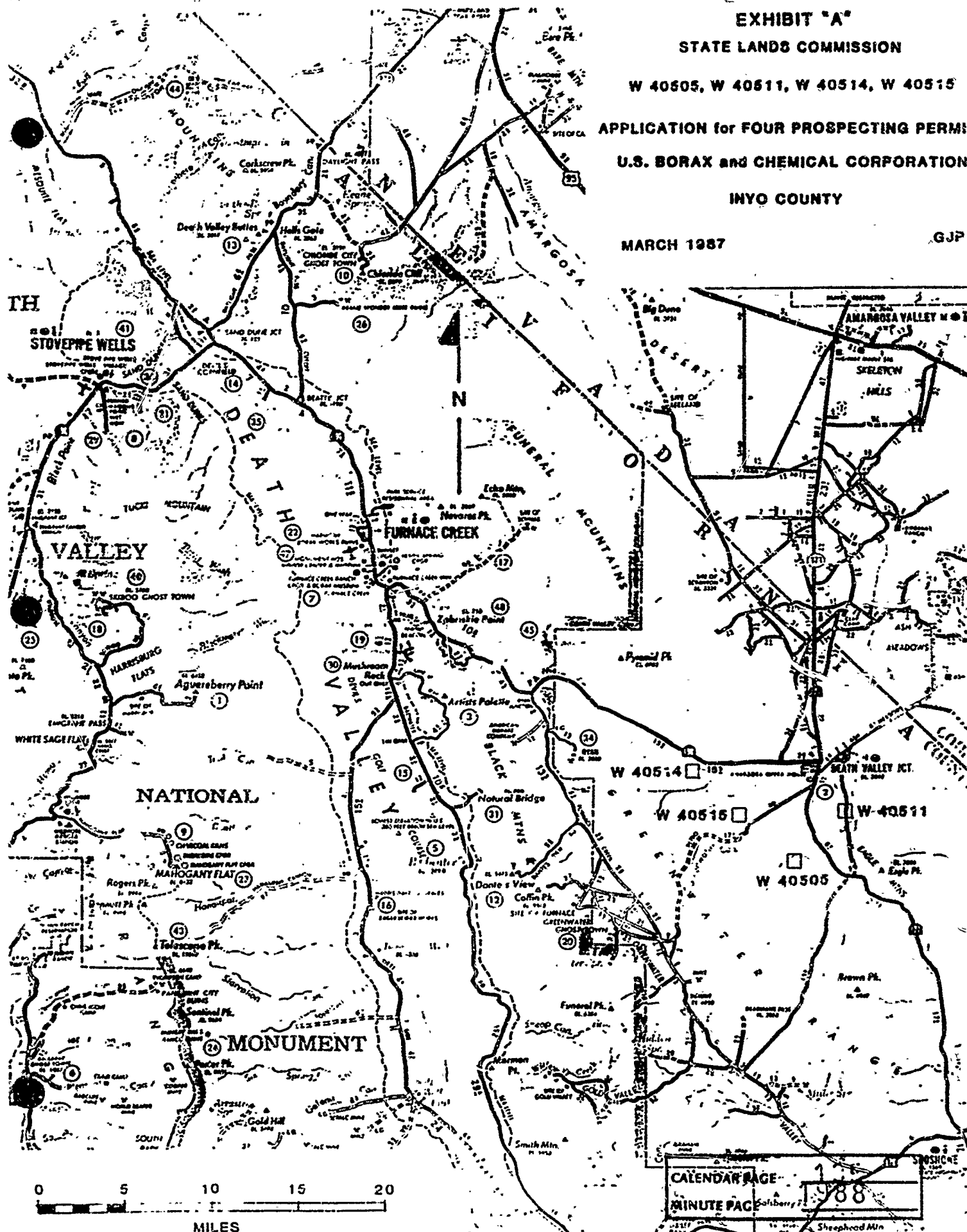
EXHIBIT "A"
STATE LANDS COMMISSION

W 40505, W 40511, W 40514, W 40515

APPLICATION for FOUR PROSPECTING PERMITS
U.S. BORAX and CHEMICAL CORPORATION
INYO COUNTY

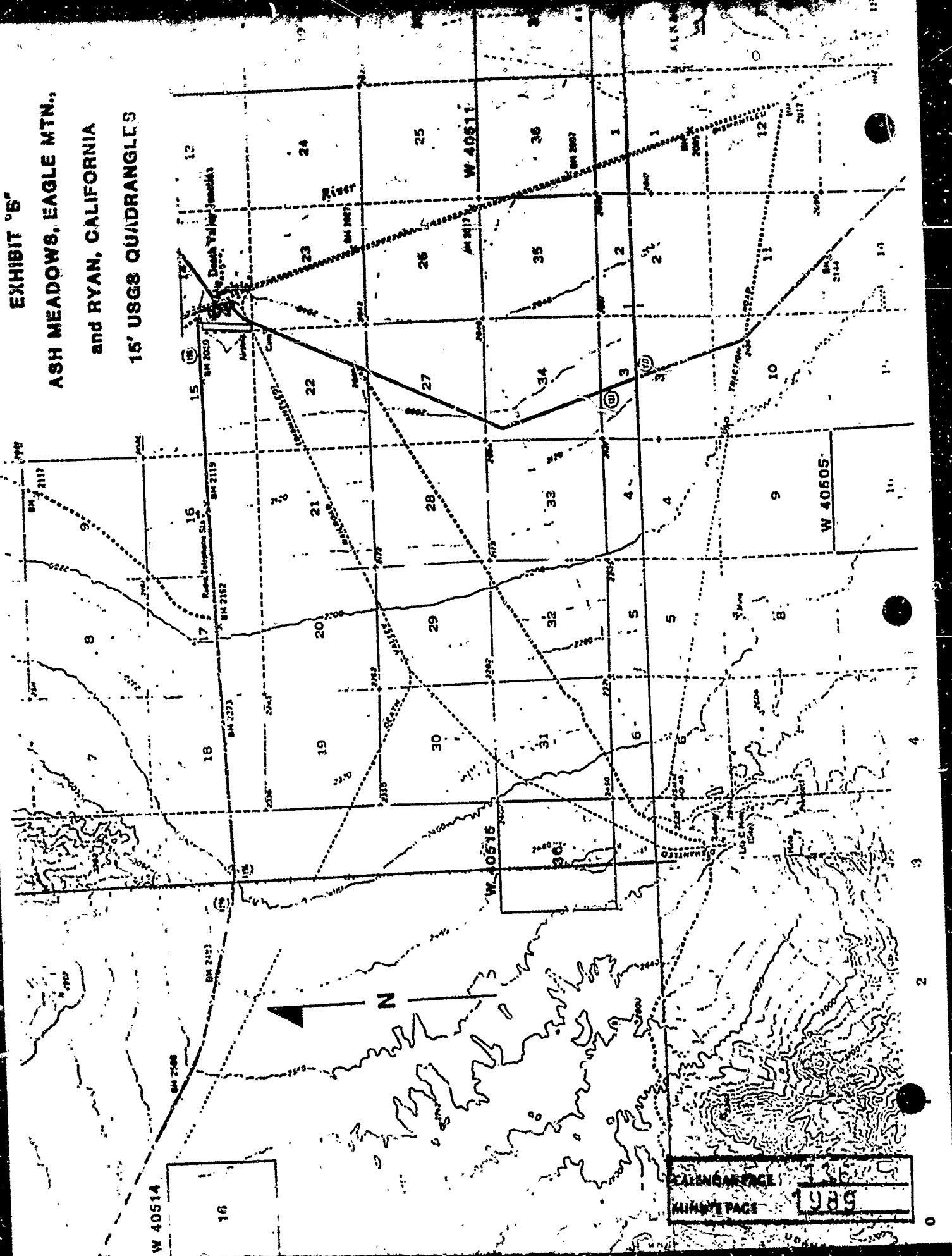
MARCH 1987

GJP



CALENDAR PAGE
MINUTE PAC 1988
Shepherd Min

EXHIBIT 'B'
ASH MEADOWS, EAGLE MTN.,
and RYAN, CALIFORNIA
15' USGS QUADRANGLES



W 40514

16

SCALE: 1:62,500
 DATE: 1989

EXHIBIT C
W 40505
4 Drillholes

SECTION 16
T24N R5E

16

Drill Hole
(Proposed)

Drill Hole
(Proposed)

Drill Hole
(Proposed)

Drill Hole
(Proposed)

SL 13.2 Road

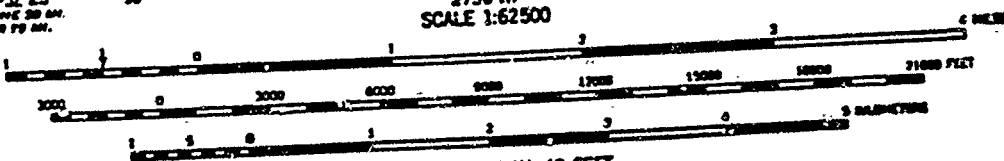
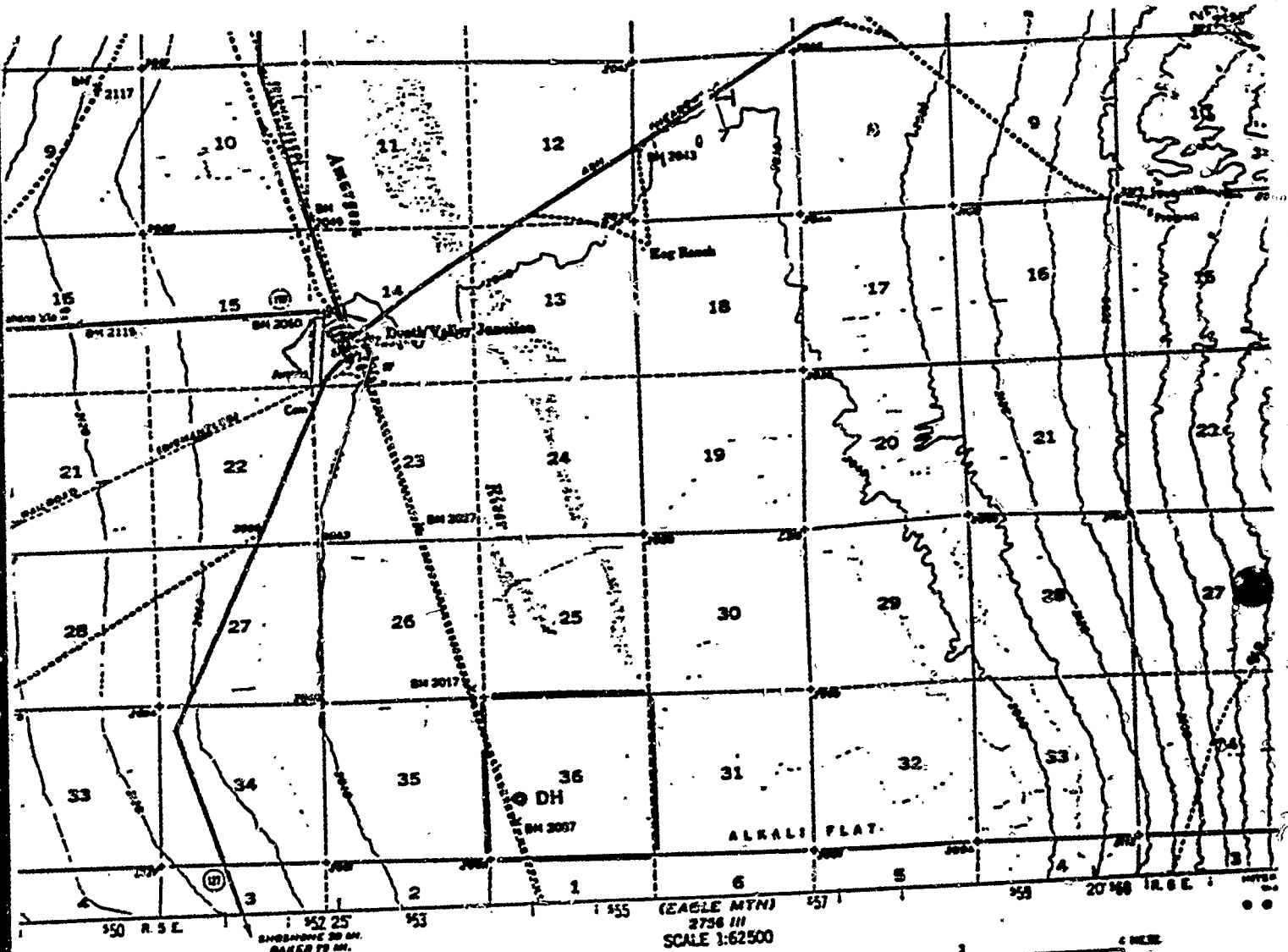
SL 12.0 Road

AGAR AVENUE

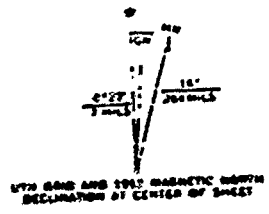
United States Borax & Chemical Corporation
T24N R5E

CALENDAR PAGE	112
MINUTE PAGE	990

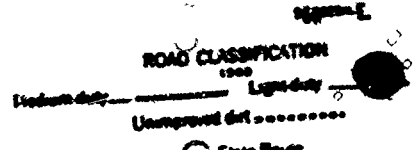
EXHIBIT D
W 40511
1 Drillhole



CONTOUR INTERVAL, 40 FEET
DOTTED LINES REPRESENT HALF-INTERVAL CONTOURS
DATUM IS MEAN SEA LEVEL

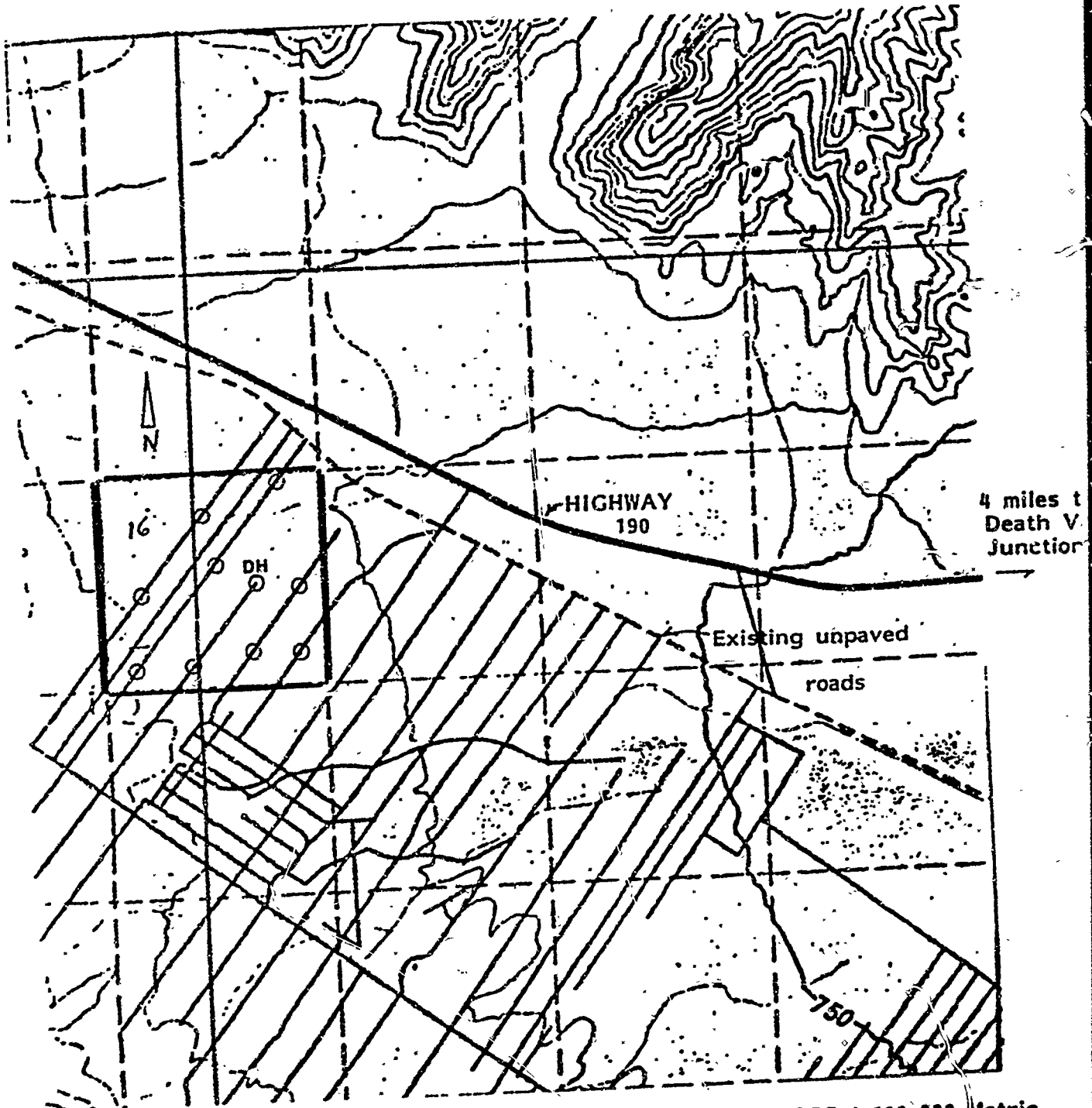


Prospecting Permit:
Drill Hole Location Map
Section 36, T25N, R5E S.B.B.&M.
Revised 12/9/86



CALENDAR PAGE 138
MINUTE PAGES MEADOWS, NEV.-C.
1986

EXHIBIT E
W 40514
10 Drillholes



Source: USGS 1:100,000 Metric Topographic Map (1986)

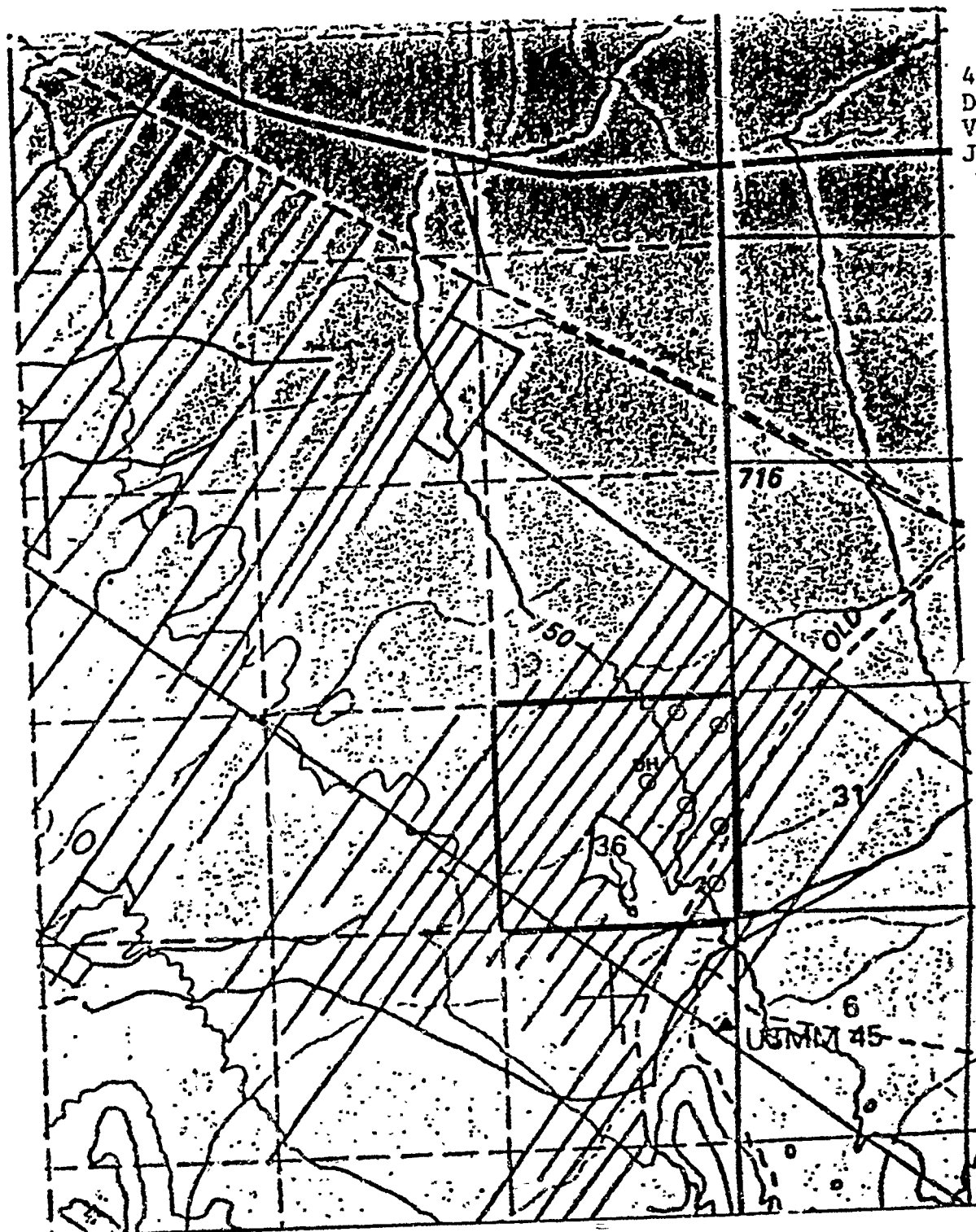
Detailed Location Map: Shirley Project
Section 16, T25N, R4E, S.B.B.&M.

MAP B (Revised 12/8/86)

CALENDAR PAGE	129
MINUTE PAGE	1992

W40514

EXHIBIT F
W 40515
6 Drillholes



4 miles to
Death
Valley
Junction
→

Detail Location Map: Katie C Project
Section 36, T25N, R4E, S.B.B. & M.

Revised 12/9/86

W40515

CALENDAR PAGE	140
MINUTE PAGE	1993

W 40505
W 40511
W 40514
W 40515

DETAILED PROJECT DESCRIPTION

United States Borax & Chemical Corporation proposes to conduct mineral exploration in the four permit areas by drilling up to a maximum of 21 exploratory holes, six inches in diameter, up to 2000 feet deep. All drill holes will be located along existing dirt roads. Please refer to Exhibits A and B for location of projects. Refer to Exhibits C, D, E and F for individual parcel maps showing location of proposed drill holes and existing roads.

Drill sites will not require leveling an area. Drilling will be accomplished by a truck mounted drill rig such as a Failing 1500 or equivalent. Drilling shall be initiated with a percussion air unit and drilled to total depth unless water is encountered. Upon encountering water, drill mud will be mixed in a portable mud pit and drilling will resume using standard rotary drilling techniques. The drill mud if required, will be made up from naturally occurring bentonite. Any chemical additives will be non-toxic and biodegradable. If drilling encounters significant quantities of swelling clays, a polymer based mud will be utilized. Drill holes shall be sampled by a geologist at approximately ten foot intervals. Two to five pound samples shall be collected from the interval and taken off-site for assaying for a variety of elements.

Accessory equipment includes a water tank, mud pit, desander and shale shaker, all truck mounted. A utility pickup truck and trucks for transportation of personnel shall be utilized. The use of portable mud pits eliminates any excavation for that purpose and further lessens any environmental impacts.

No new road construction will be permitted. To assure safe access for drilling equipment and personnel, existing roads on the State sections may be cleared and smoothed with a grader but not widened.

Surface disturbance shall be minimal since all activities are confined to existing roads. Each hole if drilled to 2,000 feet amounts to a removal of 15 cubic yards. Therefore the maximum excavated volume will be 315 cubic yards for the entire project.

CALENDAR PAGE
MINUTE PAGE

141
1984

Drill holes, if dry, shall be abandoned by backfilling drill cuttings in the hole. Drill holes penetrating water will be abandoned by placing a cement plug above the water zone and backfilling the remaining hole with drill cuttings. Any drill cuttings remaining after abandonment shall be spread evenly over the drill site so as to blend with the existing area.

Additional mitigation measures proposed by U.S. Borax & Chemical Corporation include:

- 1) Vehicular traffic to be kept to a minimum and at a speed limit of 20 miles per hour to reduce wildlife road mortality.
- 2) All casing pipe, if needed for drilling, will be removed if possible.
- 3) Drill sites will be cleaned of all trash and debris.

W 40505
W 40511
W 40514
W 40515

ENVIRONMENTAL SETTING

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

Applicant Responses:

1. The site is a gradually sloping alluvial surface covered mainly by coarse sand, cobbles, and boulders. The project site is in a desert type environment, typified by low humidity, high/low temperature extremes and low rainfall. Vegetation is primarily sagebrush and greasewood. No sensitive, rare, threatened or endangered plants, fish or wildlife occur on the project site (CDCA Plan, 1980, BLM). There is nothing of special interest on the section regarding animals cultural, historical or scenic aspects. There are no structures on the project site and the only improvements are several graded dirt roads on the section.
2. The surrounding area is a gradually sloping alluvial surface covered mainly by coarse sand, cobbles and boulders. There are no structures on the surrounding area and the only improvements are several graded dirt roads. No sensitive, rare, threatened or endangered plants, fish or wildlife occur in the project area (CDCA Plan, 1980, BLM). The surrounding area is currently being actively explored for gold and other minerals. At least five companies have active exploration efforts in the area. Mining has been and continues to be the major use of the area.
3. A. Some noise and dust will be present in the immediate vicinity of the drill rig during the actual drilling operation.
B. Should the drill holes penetrate water-bearing rocks, upon abandonment, a cement plug shall be placed above the water-bearing zone, and the remainder of the hole shall be backfilled with cuttings.

CALENDAR PAGE	147
MINUTE PAGE	1996

ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST - PART II

Form 13.20 (7/82)

File Ref: 10508, 10509, 10510, 10511, 10512, 10513, 10514, 10515

I. BACKGROUND INFORMATION

A. Applicant: United States Borax & Chemical Corporation
1802 West Grant Road, Suite 108
Tucson, Arizona 85745

B. Checklist Date: 05 / 04 / 87

C. Contact Person: Gregory J. Felka
Telephone: (215) 590-5207

D. Purpose: Prospecting for borate and other valuable minerals.

E. Location: W40505:Sec 16, T24N, R5E, SBBM, Inyo Co., W40511:Sec 36, T25N, R5E, SBBM, Inyo Co.,
W40514:Sec 16, T25N, R4E, SBBM, Inyo Co., W40515:Sec 36, T25N, R4E, SBBM, Inyo Co.

F. Description: Drill up to 21 holes to a maximum depth of 2000 feet along existing roads.
Remove a 2 to 5 pound sample every ten feet for off site assaying. Properly
abandon drill holes.

G. Persons Contacted:
Verne Blake - Associate Wildlife Biologist
Department of Fish and Game
407 Westline Street, Room 8
Bishop, CA 93514

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

A. Earth. Will the proposal result in:

- 1. Unstable earth conditions or changes in geologic substructures?
2. Disruptions, displacements, compaction, or overcovering of the soil?
3. Change in topography or ground surface relief features?
4. The destruction, covering, or modification of any unique geologic or physical features?
5. Any increase in wind or water erosion of soils, either on or off the site?
6. Changes in deposition or erosion of beach sands, or change in siltation, deposition, or modification of the channel of a river or stream or the bed of the stream or any bay, inlet, or lake?
7. Exposure of all people or property to geologic hazards such as earthquakes, landslides, or tsunamis?

Yes Maybe No

Grid of checkboxes for Yes, Maybe, No corresponding to items 1-7.

PLS. SEND PAGE 1997

- 1. Substantial air emissions, or a substantial 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 resource?

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

Cultural Resources

Yes Maybe No

- 1. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archaeological site? Yes Maybe No
- 2. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object? Yes Maybe No
- 3. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values? Yes Maybe No
- 4. Will the proposal restrict existing religious or sacred uses within the potential impact area? Yes Maybe No

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? Yes Maybe No
- 2. Does the project have the potential to achieve short term, to the disadvantage of long-term, environmental goals? Yes Maybe No
- 3. Does the project have impacts which are individually limited, but cumulatively considerable? Yes Maybe No
- 4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? Yes Maybe No

III. DISCUSSION OF ENVIRONMENTAL EVALUATION (See Comments Attached)

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

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 03 20 1 87

J. Ferguson
For the State Lands Commission

CALENDAR PAGE	147
MINUTE PAGE	200

S 40505
W 40511
W 40514
W 40515

.II. Discussion of Environmental Evaluation

A 2. Disruption, displacement, compaction and overcovering of the soil will occur in the immediate vicinity of the drill sites. All drill sites will be cleaned of all trash and debris and all drill holes will be backfilled. A minimum amount of disruption and compaction of the soil will occur when the drilling equipment is moved on and off a site.

A 5. An increase in wind and water erosion of the disturbed soil at the drill sites will take place during wind and rain storms.

A 6. Should the drill holes penetrate water bearing rocks, upon abandonment a cement plug shall be placed above the water bearing zone, and the remainder of the hole shall be backfilled with cuttings.

F 1. The operating drill rig and accessory activities will temporarily increase the existing noise levels.

The four State sections and surrounding vicinity are designated "Open Space - 40 acres" by the Inyo County Planning and Zoning Department.

The area surrounding the four State parcels is used predominantly for mineral exploration. The parcels are in part being prospected for their close proximity to the Lila C Mine which produced borates currently valued in excess of \$50 million.

Parcel W 40505 is bounded entirely by the Bureau of Land Management Wilderness Study Area (WSA) - 147 (Greenwater Range). Parcel W 40511 is bordered on the east by BLM WSA - 145 (Resting Spring Range). The other two parcels are not within or adjacent to BLM Wilderness Study Areas.

Parcel W 40511 is crossed by the old railroad grade of the Tonopah and Tidewater RR. All track and ties have been removed. The northeast quarter of parcel W 40514 is crossed by the old Death Valley Railroad grade. The southeast quarter of parcel W 40515 is crossed by an old railroad grade which once connected the Lila C Mine to the Death Valley Railroad.

Additional mitigation measures proposed by the staff of the State Lands Commission include the following.

1. Access routes and areas of surface disturbance shall be inspected to determine if burrowing animals are present and would be adversely affected. If potential impacts could occur, prospecting activities shall be located where burrows and wildlife would not be adversely affected. The project operator should specifically avoid burrowing areas of the desert tortoise, a State protected species.
2. Diversion of the natural flow or changes in the channel, bed or banks of any river, stream, or lake will require notification to the Department of Fish and Game as called for in the Fish and Game code. This notification (with fee) and the subsequent agreement must be completed prior to initiating any such changes. Notification should be made after the project is approved by the lead agency.
3. Permittee shall perform all activities so as to minimize impact on vegetation. No vegetation may be removed.
4. Upon abandonment, if casing can not be removed from the hole for any reason, the casing shall be cut 5' below ground level and a 20' plug of impervious material shall be placed at the top of the hole. Suitable impervious materials include neat cement, sand-cement grout, concrete and bentonite clay.
5. Permittee shall notify the staff of the State Lands Commission two weeks prior to commencing operations.

CALENDAR PAGE	149
MINUTE PAGE	2002

SECTION C. ASSESSMENT OF ENVIRONMENTAL IMPACTS (Applicant Response)

All phases of a project, from 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]	[]

SECTION C: ASSESSMENT OF ENVIRONMENTAL IMPACTS

Discuss items 6, 8 and 13 answered "maybe."

6 & 8: Some dust, fumes and noise will be present in the immediate vicinity of the drill rig during operations.

13: An open pit or underground mine might be developed at this site.

CALENDAR PAGE	100
MINUTE PAGE	2003

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 United States Borax & Chemical Corporation Date: 10-2-86

~~Title:~~ _____

Agent: Michael H. Rauschkolb Date: 10-2-86

Title: Michael H. Rauschkolb
Land Agent, Land Department

CALENDAR PAGE	<u>157</u>
MINUTE PAGE	<u>2004</u>