

MINUTE ITEM
This Calendar Item No. C6
was approved as Minute Item
No. 6 by the State Lands
Commission by a vote of 3
to 0 at its 8/10/88
meeting.

CALENDAR ITEM

A 61
S 25

C 06

08/10/88
W 24090 PRC 7227
Fong

GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT: Bentley Resources U.S., Inc.
P.O. Box 8019-145
Blaine, Washington 98230

AREA, TYPE LAND AND LOCATION:
A 0.263+-acre parcel of State school land
located near Ludlow, San Bernardino County.

LAND USE: Installation, operation, and maintenance of a
five-inch-diameter plastic water pipeline.

TERMS OF PROPOSED LEASE:
Initial period: Ten years beginning August 1,
1988.

Public liability insurance: Combined single
limit coverage of \$1,000,000.

CONSIDERATION: \$572.50 per annum; with the State reserving the
right to fix a different rental on each
fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and environmental costs have been
received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Adm. Code: Title 2, Div. 3; Title 14,
Div. 6.

CALENDAR ITEM NO. C 06 (CONT'D)

AB 884:

08/24/88.

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 444, State Clearinghouse No. 88062705. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA.

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. The Applicant requires a pipeline right-of-way across State school lands to supply water to their mining operation. The proposed use of State school lands is for a buried plastic pipeline no more than five inches in diameter. The water well and mine are not located on State school lands.

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. CERTIFY THAT A NEGATIVE DECLARATION, EIR ND 444, STATE CLEARINGHOUSE NO. 88062705, 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.

CALENDAR ITEM NO. C 06 (CONT'D)

3. AUTHORIZE ISSUANCE TO BENTLEY RESOURCES U.S., INC. OF A TEN-YEAR GENERAL LEASE - RIGHT-OF-WAY USE BEGINNING AUGUST 1, 1988; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$572.50, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; FOR A WATER PIPELINE FIVE INCHES IN DIAMETER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

W 24090

LAND DESCRIPTION

A strip of California State school land two feet wide in the N 1/2 of Section 16, T6N, R9E, SBM, San Bernardino County, California, the centerline of said strip being described as follows:

BEGINNING at the northwest corner of said Section 16; thence S 66° E, 5725 feet, more or less, to the east line of said Section 16.

END OF DESCRIPTION

PREPARED JULY 9, 1988, BY BIU 1.

CALENDAR PAGE	26
MINUTE PAGE	2029

STATE LANDS COMMISSION
1807 13TH STREET
SACRAMENTO, CALIFORNIA 95814

EXHIBIT "C"

PROPOSED NEGATIVE DECLARATION



EIR ND 444

File Ref.: W 24090

SCH#: 88062705

Project Title: Bentley Resources Water Pipeline

Project Proponent: Bentley Resources U.S., Inc.

Project Location: From water well in section 15 of township T.6N, R.9E, SBM to Bagdad-Chase mine in section 8 of township T.6N, R.8E, SBM, in San Bernardino County.

Project Description: Proposed placement of an underground plastic water pipe of less than 5" diameter.

Contact Person: GOODYEAR K. WALKER

Telephone: (916) 322-0530

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.

INITIAL STUDY FOR BENTLEY RESOURCES PIPELINE

Bentley resources U.S., Inc. (Bentley) plans to install a new water pipeline of less than five inches diameter from a well on their property (Section 15, Township T.6N, R.9E, SBM) to the Bagdad-Chase mine located in Section 8, Township T.6N, R.8E, SBM. This pipeline will require a right-of-way to be granted across a school lands parcel administered by the State Lands Commission. The route, and the SLC property crossed, is shown in Figure 1.

PROJECT DESCRIPTION

The applicants are also the operators of the Bagdad-Chase mine, located nine miles south of the town of Ludlow, in San Bernardino County. To continue economic operation of the mine, a new water well was put into operation approximately eight miles southeast of the mine. The applicant plans to bury a plastic water pipeline of less than five inches in diameter from this well to the mine. The right-of-way for this pipeline crosses land administered by the Federal Bureau of Land Management (BLM) and the State Lands Commission (SLC).

The method of installation will be to plow a ditch approximately one foot in depth, install the pipe sections, and backfill with the original spoils. The excavation and backfilling operation will use a bulldozer of less than 80 horsepower. The width of the disturbed zone will not exceed eight feet over the length of the right-of-way.

The SLC right-of-way concerns the School Lands parcel located at Section 16, Township T.6N, R.9E, SBM. The requested right-of-way is two feet wide over approximately 5,725 feet long, for a total just over one-quarter of an acre.

The BLM has granted a right-of-way for that portion of the pipeline route that is on their lands.

ENVIRONMENTAL SETTING

The parcel lies in the Mojave Desert, on an outwash plain on the eastern slopes of the Bullion Mountains. It is within the California Desert Conservation Area (CDCA).

CALENDAR PAGE	<u>29</u>
MINUTE PAGE	<u>2032</u>

The site itself is a sparsely vegetated gravel plain, sloping south a fairly constant 3%. The BLM characterizes the area as "scrub--low diversity, low cover" vegetation zone. Croesote bushes predominate.

AIR QUALITY

The air quality at the site ranges from good to excellent, with an average visual range of 25 miles or more. Particulates are the most common pollutants, with the major sources being wind storms and operations at the adjacent 29 Palms Marine Corps Training Facility.

SURFACE WATER

There is no known source of permanent surface water within tens of miles of the project site. Two small washes carry very intermittent storm run-off to the south, where they join an ill-defined channel crossing the northern portion of the Marine Corps facility.

SOILS

Intricate patterns of washes, alluvial fans, and dissected alluvial fans are common in this region, with various soil groups spread widely. The project site is an undissected gravel outwash fan. The CDCA management plan classifies the soil at the site as "low sensitivity". No "desert pavement" exists at the site.

VEGETATION

Although plant cover is sparse throughout the region, vegetation is very important to the functioning of desert ecosystems. The CDCA management plan recognized several different floral assemblages in the area, and established areas of protection for rare, threatened and endangered plant species; as well as for "unusual plant assemblages" (UPA's).

The project site is classified under the CDCA system as "scrub", with low densities of croesote bush/burro bush predominating. No UPA's or protected species were found within several miles of the site.

CALENDAR PAGE	30
MINUTE PAGE	2033

WILDLIFE

While the desert is home for many unique animals, vast stretches are sparsely populated. The CDCA's management plan divided the region into wildlife ecosystems, with the project site being placed into the "North Central Colorado Desert". Several lizard species, two species of rattlesnake, antelope jackrabbit and two common kangaroo rat species are known at the project site. No sensitive species are found at the site, although Bighorn Sheep have been seen in the mountains five miles to the west. Wild horses and burros are not found at the site.

CULTURAL RESOURCES

The desert region of southern California has a long and varied prehistoric and historic record, but settlement and use of the region has always been sparse. Cultural resource surveys done in conjunction with the establishment of the CDCA and for a gas pipeline one mile northeast of the proposed right-of-way found no prehistoric or historic sites. The project's location, on an exposed alluvial fan, far from any water source, argues strongly that no undiscovered sites would exist at this location.

LAND USE

The SLC parcel and adjacent sections have no current users, except for the Marine Corps Training Facility immediately to the south. The site and surrounding area is too barren for grazing, and no mineral prospects have ever been discovered. There is a mining district in the mountains to the west. No surface or useable groundwater exists on the SLC parcel.

PROJECT IMPACTS AND MITIGATIONS

Due to the small scale and brief duration of the proposed project no significant environmental impacts are expected since the mitigations discussed below are included as part of the project.

The project's construction crews will be on SLC property for approximately four days, working eight hours per day. Typical emissions data for a single bulldozer of this class, and a support pick-up truck, will not create

CALENDAR PAGE	31
MINUTE PAGE	2034

any air quality violations as long as the vehicles meet California emission standards. Vehicles used in the project will be currently registered by the California Department of Motor Vehicles. Thus meeting state emission standards. A slight temporary increase in particulates will be caused by traversing the site, plowing the ditch, and backfilling operations. This impact is expected to be insignificant.

The ditch will be backfilled with the original spoils material, and returned to its original contours. No erosion, liquefaction or settling is expected due to the absence of water.

While smaller shrubs along the right-of-way may be cleared, mature bushes and any trees encountered must be avoided. Any plant with a main trunk diameter in excess of two inches will be avoided when plowing the ditch. The extreme low density of vegetation along the route will make this an easy task, and will result in no impact.