

# Staff Report 43

## **APPLICANT:**

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Red River Creek Mining Group LLC

## **PROPOSED ACTION:**

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Issuance of a Non-exclusive Geological Survey Permit

## **AREA, LAND TYPE, AND LOCATION:**

Approximately 640 acres of State's 100 percent reserved mineral interest school land, Section 16, Township 30 South, Range 42 East, Mount Diablo Baseline & Meridian, State Parcel Number 170-537, located about 22 miles north of Kramer Junction, in San Bernardino County (see Exhibits A and B, attached). The surface of the State parcel is owned by multiple private owners, all of whom have agreed to allow the Applicant to continue accessing the surface.

## **AUTHORIZED USE:**

Geological information collection: Mapping, sampling, and hand-augering.

## **TERM:**

1 year, July 1, 2022, through June 30, 2023.

## **SPECIFIC PERMIT PROVISIONS:**

The general terms of this geological survey permit require the Applicant to provide staff with advance notification of the prospecting activities. Staff may obtain copies of all geological data derived from surveys under this permit upon request.

## **PROJECT DESCRIPTION:**

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The Applicant is applying for a 1-year geological survey permit on the State parcel to collect geological information from hand-augering (using a handheld, gas powered auger) up to 11 holes to a maximum depth of 20 feet below ground to collect soil and sediment samples. The sampling and logging will be conducted

using a two-man crew with an attending geologist and will be completed in 3 - 4 days. Entry and travel onto the State parcel would be from approved Bureau of Land Management roads.

The work performed under the proposed permit involves an initial survey by walking the State parcel and mapping surface features, such as drainage patterns and erosional exposure.

The initial survey would be followed by a soil sample collection that would consist of hand-augering up to 11 shallow holes to evaluate mineralization in several key subsurface units, primarily consisting of sand, silt, and clay deposits of the playa. The Applicant will conduct hand-augering on existing disturbed areas, such as established Bureau of Land Management off-highway vehicle roads on the open playa. The Applicant will accomplish augering using a gas-powered post-hole auger (hand-held device) with 4-inch-diameter bits, capable of penetration in loose or compacted soils to a depth not exceeding 20 feet.

The Applicant will not use any drilling fluids or mud products for hand-augering the samples. The samples taken would range in weight from 15 - 25 pounds of material and will be collected and shipped to a certified analytical laboratory for assay of gold, silver, copper, and platinum group minerals. The Applicant will record GPS locations at each drilling site, including before and after photographs to use for monitoring control. Any excess materials not taken for sampling will be backfilled into the augered hole and each site will be returned to its previous (prior to augering) condition.

## **STAFF ANALYSIS AND RECOMMENDATION:**

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The data collected under this permit will be used to provide insight into the geological characteristics and economic potential for mineralization such as of gold, silver, copper, and platinum group discovered on the State parcel. The Applicant is responsible for acquiring surface owner consent for access from all surface owners.

### **AUTHORITY:**

Public Resources Code sections 6005, 6212.2, 6216, and 6301; California Code of Regulations, title 2, section 2100.

### **STATE'S BEST INTERESTS:**

The proposed permit contains restrictions that protect public rights and environmental resources; for example, the permit is non-exclusive and is limited to 1

year. In addition, the permit does not grant any preferential right to a lease, and any future consideration of a lease must meet statutory requirements and compliance with the California Environmental Quality Act. Given the Commission's fiduciary role to utilize school lands in support of the California State Teacher's Retirement System, the State benefits by exploration of its lands to determine possible future commercial uses. The proposed permit will allow the Applicant to survey the parcel in a safe and efficient manner with no disturbance to any vegetation or items of historical or archeological significance. The surveying activities are conducted in a manner that not only protects the environment but also public health and safety.

To ensure the surveying will not have any effect on the threatened desert tortoise, which are known to inhabit the State parcel and the surrounding area, the Applicant must adhere strictly to the desert tortoise best management practices included in the proposed permit.

#### **CLIMATE CHANGE:**

As stated in *Safeguarding California Plan: 2018 Update* (California Natural Resources Agency 2018), climate change is projected to increase the frequency and severity of natural disasters related to flooding, drought, and storms. This site can be vulnerable to the aforementioned events, including dust storms and flash flooding from thunderstorms, and to a lesser extent, wildland fires. The surrounding land may be vulnerable to these weather events; however, these projected climate change effects are not expected to affect the uses of the State parcel for surveying purposes.

#### **CULTURAL RESOURCES REVIEW:**

Staff conducted a review of publicly available cultural resources data, which did not indicate presence of significant cultural/archaeological resources on the State parcel. Staff also reviewed information from the cultural resources' sensitivity model developed and managed by the California Energy Commission that did not indicate significant cultural resources on the State parcel. Considering the information given from these sources, the nature of the sampling and implementation of inadvertent discovery protocols, staff does not expect any disturbance to cultural or tribal resources. If the Applicant submits a new application for other proposed activities, a separate cultural resources review, tribal outreach, and environmental justice outreach may be conducted, if appropriate.

## **CONCLUSION:**

For all the reasons above, staff believes the approval of the permit application is in the best interests of the State. Staff recommends approval of this non-exclusive geological survey permit application.

## **OTHER PERTINENT INFORMATION:**

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1. Approval or denial of the application is a discretionary action by the Commission. Each time the Commission approves or rejects a use of State school land, it exercises legislatively delegated authority and responsibility as trustee of the State's lands as authorized by law. If the Commission denies the application, the Applicant will not be authorized to conduct geological surveys on State school land. Upon expiration or prior termination of the permit, the applicant has no right to a new permit or automatic renewal of this permit.
2. The State parcel is located within a sensitive biological area along the edges of the dried Cuddeback Lakebed, south of the Golden Valley Wilderness. The Bureau of Land Management considers the federal lands within the Cuddeback Lake region to be an Area of Critical Environmental Concern (ACEC) known as the Fremont-Kramer ACEC Unit. Because the ACEC is a federal classification of lands, this classification does not apply to the State's parcel, but the State parcel appears to have a similar biological character to the adjacent ACEC lands. In the future, if more intensive exploration is proposed, the Commission will consider the neighboring use of lands and the project's cumulative impacts, if any, including the surrounding activities.
3. Staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 6, Information Collection; California Code of Regulations, title 2, section 2905, subdivision (e)(3).

Authority: Public Resources Code section 21084; California Code of Regulations, title 14, section 15300; and California Code of Regulations, title 2, section 2905.

## **EXHIBITS:**

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- A. Land Description
- B. Location Map
- C. Geologic Survey Permit

## **RECOMMENDED ACTION:**

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It is recommended that the Commission:

### **CEQA FINDING:**

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, title 14, section 15061 as a categorically exempt project, Class 6, Information Collection; California Code of Regulations, title 2, section 2905, subdivisions (e)(3).

### **PUBLIC TRUST AND STATE'S BEST INTERESTS:**

Find that proposed permit is in the best interests of the State.

### **AUTHORIZATION:**

Authorize issuance of a non-exclusive geological survey permit to Red River Creek Mining Group LLC to conduct geological information collection for the period starting July 1, 2022, through June 30, 2023, on State's 100 percent reserved mineral interest school land, as shown on Exhibit A and B, attached and incorporated by reference herein.

## **EXHIBIT A**

**A2498**

### **LAND DESCRIPTION**

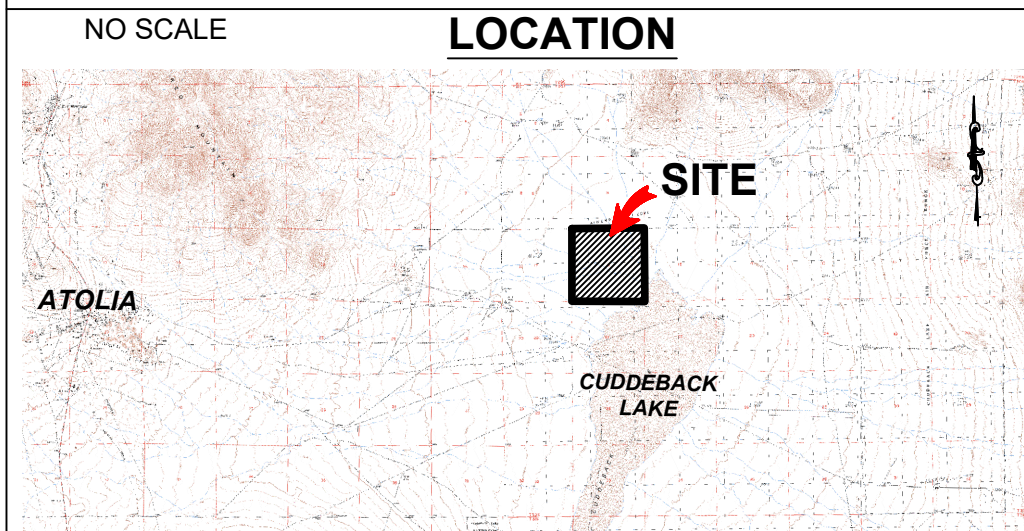
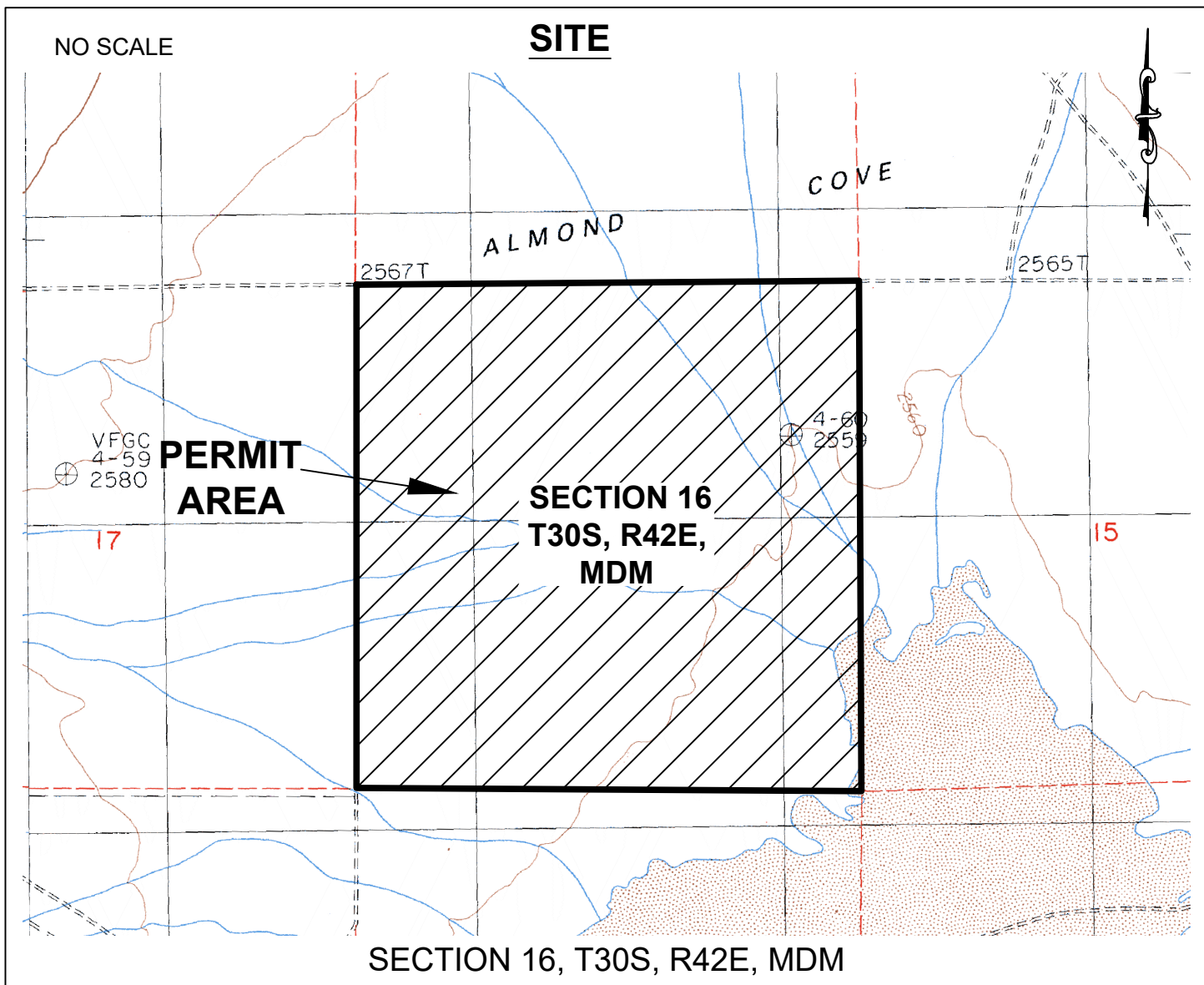
That certain parcel of State School Land in San Bernardino County, State of California, more particularly described as follows:

Section 16, Township 30 South, Range 42 East, Mount Diablo Meridian, as shown on the Official U.S. Government Township Plat approved January 19, 1856.

### **END OF DESCRIPTION**

Prepared 04/01/2020 by the California State Lands Commission Boundary Unit.





MAP SOURCE: USGS QUAD

THIS EXHIBIT IS SOLELY FOR PURPOSES OF GENERALLY DEFINING THE LEASE PREMISES, IS BASED ON UNVERIFIED INFORMATION PROVIDED BY THE LESSEE OR OTHER PARTIES AND IS NOT INTENDED TO BE, NOR SHALL IT BE CONSTRUED AS, A WAIVER OR LIMITATION OF ANY STATE INTEREST IN THE SUBJECT OR ANY OTHER PROPERTY.

**Exhibit B**  
A2498  
RED RIVER CREEK MINING  
GROUP, LLC  
MINERAL PROSPECTING  
PERMIT  
SAN BERNARDINO COUNTY



TS 04/01/2020



## Exhibit C Geological Survey Permit

Permittee: **Red River Creek Mining Group LLC**

**A2498**

Reddien, Charles: [creddienesq@aol.com](mailto:creddienesq@aol.com)

Permit No. \_\_\_\_\_

This non-exclusive permit authorizes **Red River Creek Mining Group LLC** to conduct geological surveys on Section 16, Township 30 South, Range 42 East, MDM, State Parcel Number 170-537, in San Bernardino County, subject to certain program conditions found in Public Resources Code sections 6005, 6212.2, 6216, and 6301. This permit should be kept on hand during geological survey operations.

Permit term: July 1, 2022 - June 30, 2023

Authorized survey area: All 640 acres of state School land on Section 16, Township 30 South, Range 42 East, MDM, State Parcel Number 170-537, located about 22 miles north of Kramer Junction, in San Bernardino County.

Authorized survey equipment: Hand tools such as small shovels, rock hammers, and hand-powered soil augers are authorized for use during geologic survey activities. The Applicant is required to provide staff with advance notification of the prospecting activities and the specifications of the equipment to be employed.

Operational Requirements: The Permittee shall adhere strictly to the following conditions:

1. Permittee shall not bring dogs or firearms onto the site.
2. Permittee will minimize the number of vehicles on location, to be used only on established roads, and will observe a 15 mile per hour speed limit. The vehicles shall be in proper working order and free of any fluid leaks to ensure tortoise do not ingest harmful fluids.
3. Permittee shall not touch or handle any tortoises.
4. Permittee shall check under and around any parked vehicle prior to moving the vehicle. If a tortoise is under it, the vehicle shall not be moved until the tortoise leaves the vicinity of the vehicle.
5. Permittee shall not take samples from rock piles that could reasonably be sheltering a tortoise or burrow.



6. If any tortoise or burrow is spotted on State land, permittee shall not pursue activities within a 25-foot radius of the animal or burrow.
7. Permittee shall contain all trash, litter and debris and remove them from the site to avoid attracting predators such as ravens or coyotes. Additionally, Permittee shall not leave on the site any rope, cord, twine or other material that may entangle tortoises.
8. Staff may obtain copies of all geological data derived from surveys under this permit upon request.

Tribal monitoring and protection of cultural resources: Permittee shall notify the Commission's Tribal Liaison immediately upon any inadvertent discovery of artifacts, cremation sites, or human remains, and shall direct sampling activities away from any such discovery to ensure it is left undisturbed.

Permit Contact: Ricky Lee, by email, at [ricky.lee@slc.ca.gov](mailto:ricky.lee@slc.ca.gov) or phone 562.256.1521