

**DEPARTMENT OF FISH AND GAME**

Eastern Sierra-Inland Deserts Region  
Bishop Field Office  
407 W. Line Street  
Bishop, CA 93514  
(760) 872-1171



(1)

August 9, 2002

Mr. Hector Villalobos  
Field Office Manager  
Bureau of Land Management  
Ridgecrest Field Office  
300 S. Richmond Road  
Ridgecrest, CA 93555

**Environmental Assessment  
Cecil R Jackson Exploration Project  
Reclamation Plan #2001-01  
SCH #2001101047  
Inyo County**

Dear Mr. Villalobos:

The Department of Fish and Game (Department) has reviewed the Environmental Assessment (EA) and Reclamation Plan #2201-01 for Cecil R Jackson Exploration Project. The project site is located approximately 2.5 miles south of Ballarat on Wingate Road in the Panamint Range. C.R. Briggs requests to explore the Cecil R and Jackson property (a 3000-acre claim block) by construction of 100 acres of exploration drill roads. The proposed project is located within portions of Sections 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36, T22S, R44E. Reclamation will require bringing a berm back onto the roadway and reseeding. The project site is within an area known to be used by desert bighorn sheep, a State Fully Protected Species, and Townsend's big-eared bat, a State Species of Special Concern and BLM Sensitive Species.

The Department is providing comments on this EA as the state agency having the statutory and common law responsibilities with regard to fish and wildlife resources and habitats. California's fish and wildlife resources, including their habitats, are held in trust for the people of the State by the Department (Fish & Game Code section 711.7). The Department has jurisdiction over the conservation, protection, and management of

Mr. Hector Villalobos  
Cecil R Jackson Environmental Assessment  
August 9, 2002

fish, wildlife, native plants, and the habitats necessary for biologically sustainable populations of those species (Fish & Game Code section 1802). The Department's fish and wildlife management functions are implemented through its administration and enforcement of the Fish and Game Code (Fish & Game Code Section 702). The Department is a trustee agency for fish and wildlife under the California Environmental Quality Act (see CEQA Guidelines, 14 Cal. Code Regs. Sec. 15386(a)). The proposed project will also require a Streambed Alteration Agreement from the Department pursuant to Section 1603 of the Fish and Game Code. The Department is providing these comments in furtherance of these statutory responsibilities, as well as its common law role as trustee for the public's fish and wildlife.

The Department believes that the project description contained in the EA is not specific enough to meet NEPA and CEQA guidelines. The EA should contain a topographic map showing the boundaries of the claim block, the existing mine workings, the proposed 200' buffer (for Townsend's big-eared bat), and a general area where drill roads and drill holes are likely or expected to be constructed. The Department recognizes the difficulty in defining the boundaries of the project prior to conducting exploratory drilling. However, we believe that the proponent must have at least some idea of where they expect to start construction. Perhaps road corridors or general areas could be defined. In the absence of a defined boundary, the Department must consider the entire 3000-acre claim block as the project site. The EA also states that roads will be constructed to "a minimum safe width for travel". A maximum road width should be defined and included as a project condition. The EA also states that some existing disturbed areas already exist on the project site, and that "The project proponent may choose to use some of these disturbed areas". These disturbed areas should also be shown on a map, and a condition should be written similar to the following language "To the extent feasible, the proponent shall use disturbed areas as much as possible."

Under the current scenario, how will BLM determine when the 100-acre threshold of disturbance is reached?

The Department also believes that the Alternatives section is incomplete. There are no reasonable and feasible alternatives presented other than the project as proposed. The Department believes that NEPA requires a reasonable range of options that could accomplish the purpose and need. For example, the EA states that helicopter access to the Nostradamus site is being considered by the proponent. This could be an alternative for the entire project that should be considered in the EA.

The Department also believes that the cumulative impacts analysis found on Page 18 of the EA is incomplete. The EA states that the cumulative impact discussion from the FEIS for the Briggs Mine (BLM et al 1995) is incorporated by reference.

However, that analysis is incomplete for the purpose of this EA, since the Department believes that that document covered only the Briggs Mine. The total acreage discussed on Page 7 of the EA in Section 1.4 including the 577 acres within the Briggs Mine, 31 acres within the Gold Tooth Exploration Area, as well as the 3000 acres within the proposed project area, should be considered in the cumulative impact analysis. "Cumulative impact" is the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time." (40 CFR 1508.7). The Department believes there is a potential for significant cumulative impacts to Nelson's bighorn sheep as a result of ongoing and proposed mining and exploration activity along the west slope of the Panamint Range. These potential impacts should be discussed in the EA. The three-year study referenced on Page 15 of the EA focused on the Briggs Mine only, and results should not be extrapolated to encompass all future mining activities within the Panamint Range. Similarly, impacts to Townsend's big-eared bat within the Panamint Range may also be cumulatively significant. The EA fails to demonstrate that there will be no significant cumulative impacts to either of these species.

The Department has determined that Streambed Alteration Agreement will be necessary for those portions of the project within the washes. This permit requirement should be included on Page 10 of the EA under the discussion of other state, local, and federal permits required for the project.

Section 1603 of the Fish and Game Code requires any person who proposes a project that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake or use materials from a streambed to notify the Department before beginning the project. Similarly, under section 1601 of the Fish and Game Code, before any State or local governmental agency or public utility begins a construction project that will: 1) divert, obstruct, or change the natural flow or the bed, channel, or bank of any river, stream, or lake; 2) use materials from a streambed; or 3) result in the disposal or deposition of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into any river, stream, or lake, it must first notify the Department of the proposed project.

Notification is generally required for any project that will take place in or in the vicinity of a river, stream, lake, or their tributaries. This includes rivers or streams that flow at least periodically or permanently through a bed or channel with banks and watercourses having a surface or subsurface flow that support or have supported riparian vegetation.

Mr. Hector Villalobos  
Cecil R Jackson Environmental Assessment  
August 9, 2002

The Department has determined that the proposed project may substantially adversely affect existing fish or wildlife resources, and a Streambed Alteration Agreement from the Department will be required. The Streambed Alteration Agreement will also have to be reviewed in accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) before work may begin.

The Department provided comments to Inyo County in November, 2001, regarding the incompleteness of the proposed Reclamation Plan. A copy of that letter is attached for your information. The Department recommends that a condition requiring the Reclamation Plan to meet Performance Standards for Wildlife be required for the proposed project.

In summary, the Department believes that the EA as written contains incomplete information to support a Finding of No Significant Impact. The required information should be included in a revised EA. The Department also requests certain permit conditions be attached in order to strengthen proposed mitigation measures.

Thank you for the opportunity to provide comments on the proposed project. If you have any questions, please call Ms. Denyse Racine, Environmental Scientist, at (760) 872-1158.

Sincerely,



Darrell M. Wong, Supervisor  
Habitat Conservation Program

cc: Mr. Brian Grattidge, SCH

**DEPARTMENT OF FISH AND GAME**

Eastern Sierra-Inland Deserts Region  
Bishop Field Office  
407 W. Line Street  
Bishop, CA 93514  
(760) 872-1171



November 5, 2001

Mr. Charles Thistlethwaite  
Planning Director  
Inyo County Planning Department  
Post Office Drawer L  
Independence, CA 93526

**Mitigated Negative Declaration  
Cecil R Jackson Exploration Project  
Reclamation Plan #2001-01  
SCH #2001101047  
Inyo County**

Dear Mr. Thistlethwaite:

The Department of Fish and Game (Department) has reviewed the Mitigated Negative Declaration and Reclamation Plan #2201-01 for Cecil R Jackson Exploration Project. The project site is located approximately 2.5 miles south of Ballarat on Wingate Road in the Panamint Range. C.R. Briggs requests to explore the Cecil R and Jackson property (a 3000-acre claim block) by construction of 100 acres of exploration drill roads. Sixty percent will be in the lower alluvium area and forty percent on steep slopes. Reclamation will require bringing a berm back onto the roadway and reseeding. The project site is within an area known to be used by desert bighorn sheep, a State Fully Protected Species.

The Department is providing comments on this Reclamation Plan and Mitigated Negative Declaration (RP and MND) as the state agency having the statutory and common law responsibilities with regard to fish and wildlife resources and habitats. California's fish and wildlife resources, including their habitats, are held in trust for the people of the State by the Department (Fish & Game Code section 711.7). The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitats necessary for biologically sustainable populations of those species (Fish & Game Code section 1802). The Department's fish

8- 9-02; 3:27PM;DFG BISHOP OFFICE BLM RIDGECREST ; 1 /80 8/2 1284 \*  
Mr. Charles Thistlethwaite  
Cecil R Jackson Reclamation Plan  
November 5, 2001

and wildlife management functions are implemented through its administration and enforcement of the Fish and Game Code (Fish & Game Code Section 702). The Department is a trustee agency for fish and wildlife under the California Environmental Quality Act (see CEQA Guidelines, 14 Cal. Code Regs. Sec. 15386(a)). The proposed project will also require a Streambed Alteration Agreement from the Department pursuant to Section 1603 of the Fish and Game Code. The Department is providing these comments in furtherance of these statutory responsibilities, as well as its common law role as trustee for the public's fish and wildlife.

Section 1603 of the Fish and Game Code requires any person who proposes a project that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake or use materials from a streambed to notify the Department before beginning the project. Similarly, under section 1601 of the Fish and Game Code, before any State or local governmental agency or public utility begins a construction project that will: 1) divert, obstruct, or change the natural flow or the bed, channel, or bank of any river, stream, or lake; 2) use materials from a streambed; or 3) result in the disposal or deposition of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into any river, stream, or lake, it must first notify the Department of the proposed project.

Notification is generally required for any project that will take place in or in the vicinity of a river, stream, lake, or their tributaries. This includes rivers or streams that flow at least periodically or permanently through a bed or channel with banks and watercourses having a surface or subsurface flow that support or have supported riparian vegetation.

The Department has determined that the proposed project may substantially adversely affect existing fish or wildlife resources, and a Streambed Alteration Agreement from the Department will be required. The Streambed Alteration Agreement will also have to be reviewed in accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) before you may begin any work.

The Department believes that the project description contained in the MND is not adequate to meet CEQA guidelines. The Department has provided comments to the applicant and has met onsite with the applicant to discuss the applicant's proposal to disturb an as-yet undefined area within the 3000-acre claim block. The Department has provided input to the applicant that in order to use the existing MND to issue a Streambed Alteration Agreement, the project site must be better defined. The Department recognizes the difficulty in defining the boundaries of the project prior to conducting exploratory drilling. In the absence of a defined boundary, the Department must consider the entire 3000-acre claim block as the project site.

The MND does not adequately discuss the affected environment or potential impacts to biological resources. There are no facts in the record to support the conclusions reached in Section IV, Biological Resources, that the project will have a less than significant impact on wildlife, and that the project will not interfere substantially with movement of wildlife. Results of the 2001 bat surveys should be included in the MND.

The Reclamation Plan also does not meet reclamation standards set forth in Title 14, Section 3700-3713. Section 3703(b), Performance Standards for Wildlife, states that "Wildlife habitat shall be established on disturbed land in a condition at least as good as that which existed before the lands were disturbed by surface mining operations.....". The Reclamation Plan as submitted does not demonstrate that this standard will be met. The Reclamation Plan also does not demonstrate that the requirements in Section 3705, Performance Standards for Revegetation, or Section 3706, Performance Standards for Drainage, Diversion Structures, Waterways, and Erosion Control, will be met. The Revegetation Plan should be revised to include the requirements under these sections and recirculated for public review.

In summary, the Department believes that the Reclamation Plan and Mitigated Negative Declaration are incomplete as written. The Reclamation Plan should be rewritten to include performance standards as mandated in Title 14, Section 3700-3713. The Mitigated Negative Declaration does not contain an adequate project description, and the conclusions regarding less than significant impacts are not supported by documentation. The Mitigated Negative Declaration as written is not adequate for the Department to use in preparation of a Streambed Alteration Agreement. These documents should be rewritten and recirculated for public review.

Thank you for the opportunity to provide comments on the proposed project. If you have any questions, please call Ms. Denyse Racine, Environmental Scientist, at (760) 872-1158, or Ms. Alisa Ellsworth, Environmental Scientist, at (760)872-1173.

Sincerely,

Darrell M. Wong, Supervisor  
Habitat Conservation Program

cc: Mr. Brian Grattidge, SCH  
Mr. Jeff Aardahl, BLM



(2)

**GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT**  
157 Short Street \* Bishop, California 93514 \* (760) 872-8211 \* Fax (760) 872-6109

July 8, 2002

Hector A. Villalobos, Field Manager  
Bureau of Land Management  
Ridgecrest Field Office  
300 South Richmond Road  
Ridgecrest, CA 93555

**RE: *Environmental Assessment for the Cecil R - Jackson Exploration Plan of Operation***

Dear Mr. Villalobos:

Great Basin Unified APCD staff appreciates this opportunity to review and comment on the above mentioned project. We offer the following comments:

The District is aware of Canyon Resources' plan to conduct additional exploration in the Panamint Range. As a normal routine, the District usually exempts this category of activity from our permitting requirements. Water well drilling and exploratory mineral drilling is usually exempt because the machinery is vehicle mounted and the actual drilling project lasts only for only a short time at any one location.

CR Briggs staff should be aware that all projects in the District, permitted or unpermitted, are subject to unannounced site inspections and are also subject to the District's Prohibitory Rules. Three of these are important to mining operations; Ringelmann Chart (opacity), Fugitive Dust, and Nuisance. In order to comply with these regulations, the project proponent should consider assigning at least one full time water truck to suppress fugitive dust emission. In addition, CR Briggs will be reminded that dry drilling can produce large plumes of dust and that these dust emissions are subject our 20 % opacity limit.

If you have any questions or wish to discuss this matter further, please do not hesitate to call me.

Sincerely,

Larry Cameron  
Air Quality Specialist

cc: Chris Eckert, CR Briggs Corp.

# REGULATION IV - PROHIBITIONS

## RULE 400. Ringelmann Chart

A person shall not discharge into the atmosphere from any single source of emission whatsoever, any air contaminant for a period or periods aggregating more than three minutes in any one hour which is:

A. As dark or darker in shade as that designated as No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines; or

B. Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subsection (A) of this rule.

1. "An observer" is defined as either a human observer or a certified, calibrated, in-stack opacity monitoring system.

## RULE 401. Fugitive Dust

A. A person shall take reasonable precautions to prevent visible particulate matter from being airborne, under normal wind conditions, beyond the property from which the emission originates. Reasonable precautions include, but are not limited to:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land;
2. Application of asphalt, oil, water, or suitable chemicals on dirt roads, material stockpiles, and other surfaces which can give rise to airborne dusts;
3. Installation and use of hoods, fans, and fabric filters, to enclose and vent the handling of dusty materials. Adequate contaminant methods shall be employed during such handling operations;
4. Use of water, chemicals, chuting, venting, or other precautions to prevent particulate matter from becoming airborne in handling dusty materials to open stockpiles and mobil equipment; and
5. Maintenance of roadways in a clean condition.

B. This rule shall not apply to emissions discharged through a stack.

## RULE 402. Nuisance

A person shall not discharge from any source whatsoever, such quantities of air contaminants or other materials which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.



# United States Department of the Interior

NATIONAL PARK SERVICE  
Death Valley National Park  
Death Valley, California 92328

3

IN REPLY REFER TO:  
L7617 (01-020)

August 9, 2002

Memorandum

To: Area Manager, Ridgecrest Field Area, Bureau of Land Management

From: Superintendent, Death Valley National Park

Subject: Comments on the EA for the Briggs Mine Expansion Project  
Our Response Due: August 10, 2002

Thank you for providing us the opportunity to review and comment on the June 10, 2002 environmental assessment for the proposed project titled "Cecil R. - Jackson Exploration Plan of Operations." The proposed project entails CR Briggs Corporation conducting exploration drilling on BLM land west of Death Valley National Park with an eye toward ultimately expanding its existing heap leach gold mine.

Based on our review of the most recent EA and overall knowledge of the existing Briggs mine, we are concerned that the project will further isolate the ecosystems of the national park. The "edge effect" of impacts from adjacent lands on the flora and fauna within the park would effectively shrink the habitats of many species in the park. The park is concerned with the piecemeal approach in continuing to approve expansions to the mine based on incomplete and weak analyses of effects contained in a series of EAs, including this most recent one. Because of the close proximity of the area of potential effect to the park (less than 4 miles), the park is concerned with spillover effects to park resources and the fragmented effect on the park's ecosystem.

### Cumulative Impacts:

The EA fails to analyze the impacts associated with the expanded development of the mine. Because this expansion is a reasonably foreseeable impact associated with the proposal, it should be analyzed in compliance with NEPA.

Since NPS became involved in the original Briggs Mine DEIS in 1993, we have steadfastly maintained that the original EIS and subsequent expansion EAs are insufficient. For this reason, we maintain that these previous documents should not be incorporated by reference into more recent environmental documents. This incorporation by reference occurs again in the most recent exploration EA. Further, this EA attempts to "piece meal" the various components of the Briggs mining operation by only examining a small amount of exploration, and not addressing potential mining expansion that may come as a result of this exploration. In section 4 the EA states:

Cumulative impacts are the result of all past, present, and reasonably foreseeable future impacts, added together. For the purposes of this EA, the cumulative impact discussion from BLM et al. (1995) is adopted by reference. The reader should note that development of a mine is not considered a reasonably foreseeable impact of exploration and is outside the scope of this analysis. Most exploration projects are terminated for lack of success in finding ore. Moreover, it is not possible to predict even the most rudimentary elements (e.g., size, type, longevity, processing method, location) of a mine that might be developed in the event that the exploration project were successful. Lacking specifics, any attempt to analyze impacts of a potential future mine development project would be speculative and inappropriate in a NEPA document.

The park's August 8, 2002 comment memo disagrees with this statement. Since its opening, the Briggs mine has shown itself to be a very successful and profitable mine. The "track record" of this mine would indicate a good understanding of the geology and mineral potential of the area. It is doubtful that the mine proponents would expend time or funds exploring areas adjacent to the existing mine that may not contain economic quantities of gold. Past Briggs expansion efforts have been aimed more at delineation of the ore body than exploration of new areas. For this reason, the EA should fully address the possibility of expanded mining in this area.

Additional mining in the exploration area is likely and indeed the sole reason for exploration in the first place. The EA clearly states in section 1.1 that "[t]he purpose of the proposed action is to develop data to determine the quantity, concentration, and geometry of precious metals deposits in the proposed exploration area. The need for the proposed action is to satisfy free market demand for metals." The fact that the stated intent of this EA is to "satisfy free market demand for metals" shows that this proposal warrants NEPA analysis of mining as a reasonably foreseeable impact.

Bighorn Sheep:

We are concerned about the continued viability of bighorn sheep in the Panamint Mountain Range. The crest and the eastern slope are in the national park, however the western slope is not. In the mid-1990s, the Briggs Mine was established in Redlands Canyon, impacting the bighorn habitat in the last undeveloped spring in the mountain range. A study was done on the bighorn in the area to analyze the impact of the Briggs Mine. We believe the results demonstrate significant negative impact on the bighorn, and we specifically disagree with the statement in the EA that "the study (not released) showed no significant impact from the mining."

The purpose of the study was to gain knowledge in order to evaluate future land use development proposals. Now we are evaluating another proposal, so we must use the data collected for that purpose. The species has been lost over much of its natural range, including 16 mountain ranges in California. If incompatible land use development pressures continue on the west slope of the Panamint Mountains, the species would continue to decline. A significant degradation of the habitat would occur. This would represent an adverse impact on national park resources as a result of the project.

Visual Intrusion:

The construction of access road cuts and drill pads up the steep slopes of the Panamint Mountains would leave a permanent scar. Standard mineral land reclamation would not restore the area to its previous appearance. Therefore it would remain a permanent visual intrusion for visitors entering the national park from the west and drivers along the Trona Wildrose (Panamint Valley) Road.

Past comments by the park on the Briggs Mine have stated our concerns about night lighting impacts on the park. Past EAs have addressed night lighting in a manner that was not sufficient to us. This EA does not address night lighting at all. It is unclear if the proposed exploration operation will only occur during daylight hours, but the EA should at least address the issue.

Exotic Plants:

Disturbed ground is often a site of opportunity for the establishment and then the spread of non-native vegetation, weeds. Therefore both the Federal Noxious Weed Control Act and Executive Order 13112 need to be considered. In order to minimize the spread of non-native vegetation, we recommend that all equipment be pressure washed prior to entering the Panamint Valley for construction work at the project site.

We recommend that reclamation activities include a 10-year annual monitoring program for non-native vegetation. Importantly, there must be an agreed upon program already in place for eradicating any non-native vegetation observed during this monitoring. Such eradication must be effective prior the plants setting seed.

Please keep us on the mailing lists for this and similar activities.

James T. Reynolds

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# Timbisha Shoshone Tribe

August 1, 2002

2002 AUG 15 PM 1:12

RIDGECREST RESOURCE AREA  
RIDGECREST, CALIF.

Hector Villalobos, Field Manager  
Bureau of Land Management  
Ridgecrest Field Office  
300 South Richmond Road  
Ridgecrest, CA 93555-4436

## COUNCIL

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## STAFF

Barbara A. Durham  
*Administrator*

Geraldine Hannah  
*Fiscal Administrator*

**RE: *Environmental Assessment for the Cecil R. – Jackson Exploration Plan of Operation by the CR Briggs Corporation and the Confidential Draft Native American Consultation Study for the Cecil R. Jackson Gold Exploration Project by Michael Baksh, Ph.D., Tierra Environmental Services***

Dear Mr. Villalobos:

### **1. Confidential Draft Native American Consultation Study for the Cecil R. Jackson Gold Exploration Project by Michael Baksh, Ph.D., Tierra Environmental Services, May 6, 2002**

The *Confidential Draft Native American Consultation Study for the Cecil R. Jackson Gold Exploration Project* by Michael Baksh of Tierra Environmental Services clearly states the Timbisha Shoshone Tribe's opposition to the *Cecil R. – Jackson Exploration Plan* by the CR Briggs Corporation. During the meeting with Dr. Baksh on March 13, 2002, the Timbisha Shoshone Tribe was represented by the Historic Preservation Advisory Committee (Pauline Esteves, Ed Esteves, Grace Goad, Ken Watterson) and tribal Elder Agnes Sudway, a former resident of the Panamint Mountains. The Tribe opposes the proposed exploratory drilling in the Panamint Range, just as it opposes the present heap leach gold mine of CR Briggs. As Pauline Esteves stated on March 13, 2002, "Enough is enough."

The following is a partial transcript of the interview with Michael Baksh; Judyth Reed, BLM archaeologist, Ridgecrest Field Office; and Randall Porter, geologist and project lead for the BLM Ridgecrest Field Office, which took place at the CR Briggs office on March 13, 2002. Only the sections of the interview which deal most directly with the proposed project are transcribed here. The transcript expands upon the notes of Dr. Baksh by providing Timbisha views in greater detail.

### **INTERVIEW WITH AGNES SUDWAY, PAULINE ESTEVES, GRACE GOAD, AND KEN WATTERSON—3-13-02**

On March 13, 2002, the Timbisha Shoshone Tribe's Historic Preservation Advisory Committee (Pauline Esteves, Grace Goad, Ed Esteves, Ken Watterson) and the Tribal Historic Preservation Officer (Bill Helmer), facilitated an interview with Agnes Sudway, a Timbisha Shoshone tribal member with special knowledge of the Panamint

Range. Also present were Judyth Reed, archaeologist for the BLM, Ridgecrest Field Office, Randy Porter, geologist for the BLM, Ridgecrest Field Office, Michael Baksh, an anthropologist for Tierra Environmental Services, hired as an ethnographic consultant by the BLM, and Ed Sudway, husband of Agnes. The interview was held at the offices of the Briggs Mine in the Panamint Valley, south of Ballarat. No Briggs employees were present during the interview. Except where clarification is needed, questions or statements by Michael Baksh, Judyth Reed, or Randall Porter have not been repeated.

The interview was part of Section 106 consultation under the National Historic Preservation Act, regarding proposed exploratory drilling in the Panamint Range (the Cecil R. Jackson Exploration Project) by the CR Briggs Corporation. The interviews also provided information for an Environmental Assessment under the National Environmental Policy Act (NEPA).

The numbers on the left correspond to the elapsed time of the tape.

**29:47:** AGNES SUDWAY: There are a lot of burial sites in the Panamints around Johnson Canyon and Hanaupah Canyon, we didn't bury our dead in one place...they are all over, so they cannot be disturbed...Down in Eagle Borax, there were mounds there...and what was her name? [Hunt] Mrs. Hunt. She found these mounds, dug it up, took the bodies out, and I had always thought that she went in there and looked at them and then covered them up again. But she didn't. And when I was a kid, we used to ride through there on horseback, and I used to ask my mother, "What are those things there? What are they?" And she used to say, "Oh, those are where the Indians buried their mesquite beans." And that's what I always thought they were. But there was bodies in there.

ED SUDWAY: And your folks told you things so you wouldn't question any more about it...

AGNES SUDWAY: I don't think they knew, it was so old.

**32:00:** AGNES SUDWAY: But that project area in there...I don't think it was used much because there isn't anything there...there's just a few pine trees down that way and...nothing. We went straight over to that South Fork, and that's where the Indians picked the pine nuts up around through that South Fork and Pleasant Valley...Pleasant Canyon.

**33:00:** AGNES SUDWAY: Well, we don't want them disturbed. We don't want those campsites and all those places that Indians used, disturbed.

**35:00:** [Responding to a question Pauline Esteves asks Agnes in Shoshone]:  
AGNES SUDWAY: Yeah, sure it's sacred. Sure. Yes, it is. That mountain is sacred to us.

**35:24:** Pauline says (mostly in Shoshone) that Tom, Joaquin, and Caesar Hunter all used to come to the Panamints, such as Johnson Canyon, to pray.

**37:18:** AGNES SUDWAY: And my people used to have their prayer meetings up on these mountain ranges. I mean it was very important to them.

**38:50:** PAULINE ESTEVES: It's specific [referring to important sites after a question by Judyth Reed] because it's a mountain range, and each mountain range is known by the people for certain things...for certain peoples...you want to talk about boundaries...and they didn't have lines, they had mountains and valleys and all this kind of stuff. And which is specific enough if you want to take them to court, because we've been there, at the beginning of Briggs.

**51:44:** GRACE GOAD: All I can say is it's sacred, the whole mountain range is sacred to the Indian tribe.

**52:08:** MICHAEL BAKSH: With that in mind, and knowing what's being proposed in terms of the gold expansion, what comes to mind when you think of that, you've got a sacred mountain range, and this gold operation is being proposed...

**52:20:** GRACE GOAD: They shouldn't go any further.

**52:22:** MICHAEL BAKSH: What shouldn't go any further?

**52:30:** GRACE GOAD: The mine. They're putting pads out there...to us, this mountain, the Panamint Mountains, they are sacred to us. We didn't even want this mine here in the first place.

**52:45:** KEN WATTERSON: It's being desecrated, so we don't want it to be desecrated any further. Like we were saying, a lot of our people crossed these mountains to travel to places for meetings, prayer meetings, they stopped all along the range, as part of the whole sacredness of our people's beliefs.

**53:10:** PAULINE ESTEVES: And what the whole sacred also is what is in the mountains, the wildlife, the different areas where wildlife begins, and all the springs that are connected to the wildlife...Indians just don't think about themselves, they thought about what was up there also, this is how they say they are related to all that is alive, even down to the ground that they walk upon...so wildlife is out there... Like most of the tribes, they are saying to the different agencies, such as BLM and the Park Service, and anywhere else that is harming anything of significance to *them*, but is hardly significant to the other side, is that Indian people are always worried to all that is out there. It's our responsibility to take care of that. And so what most tribes are saying today is that "enough is enough." That old time saying I think is significant to the agencies, I think they understand that.

So when we did protest Briggs, we tried our very best to let them become aware of our feelings then, but it didn't mean nothing to them because business is business, and it's way beyond our control, and it's taken almost internationally, the mining people are, it's not always just within the States. They're affiliated with different other mining operations and different companies, and so what they do is business. And even so far as the D.C. level, where they have clout, and they could just say, on with the mining and to heck with the Indians, and that's the way that Briggs became. It's all business. Money exchanges made, boundary exchanges made, and we tried to get in there, but all we did get is our little bit of what we wanted in there. But as far as mining goes, I don't think it should be carried on any further. Talking about the whole environment and the whole ecosystem, no one could say that it's looking real good. It's looking very bad. Everyone knows that. And from that side, we support all the people that work towards keeping the area in its natural state, and not to have so much mining going on, disturbing everything that was there, and what for? For gold, and I don't know what gold does, but that's how they talk, it's all money, and I don't understand money at all. All I know is that there's a lot of harm...rather than just mining, they could have used different areas in different ways. They said they were going to put people back to work, and all they leave is ghost towns, and that's the history of mining. People with no jobs left.

**56:50 minutes until the end of first VCR tape. DV Tape begins: March 13, 2002: 12:07:04 pm.**

GRACE GOAD: The only way we can explain it to you is if you were an Indian, then that's the only way. 'Cause, we have our way of explaining. But English, it is hard.

PAULINE: Sacred.

GRACE GOAD: It's the only word you can use. But in English, it gets lost.

AGNES SUDWAY: Like I said, to you guys, the Holy Land, you know the Holy Land, Jerusalem and through there, you know how people feel about that, those places, it's the same here...now, am I right? [talking to Grace and Pauline].

PAULINE ESTEVES: My Elders always explained, "Now, look what they're doing to the land. And what for? Why are they doing this?" They couldn't understand why they were digging this up, digging this hill, and tearing down the trees, and it was all for mining...so they could get charcoal for their mill sites, and all this kind of stuff. They were even put to work for it. The same thing goes on...Briggs says that all the tribal people will have jobs, and all this kind of stuff. Such an old, old, story...so something has to be happening that is new. I've had my time with ethnographers...some good ones and some bad ones. It takes a good ethnographer to really write up in the English language what the people feel and what their concerns are. I've found that out. I have found some ethnographers that are very successful in what they do, to work from the Indian side. Then I had another ethnographer that was doing the same thing, but he didn't get to the right people, his resources were very scant, and he just wrote some very

flat words, with no meaning at all. Those people lost out, those people had to fight for what they wanted to happen, to negotiate with the people that was going to disturb their lands.

**KEN WATTERSON:** Take Coso Hot Springs, for example. That area has been used for thousands and thousands of years as a healing place. For the medicine, to get healed, to go there and pray. That was our church, that was our hospital. Now they have the geothermal project there....that's kind of sad that we can't really...people don't understand about Indian people, about how we feel about certain areas...

**12:27:43 pm : AGNES SUDWAY:** Up here near the Indian Ranch...one time, I don't know if you can see it now or not, but my mother said there was a place where they used to dance, and the ring is still there, where they used to dance, near Indian Ranch.

**ED SUDWAY:** What about the stick game and all that, is that the same place?

**AGNES SUDWAY:** No that was out of Johnson Canyon where they played that stick game.

**1:30:50 VCR TAPE ENDS. DV tape ends 12:41:42 pm.**

As the Historic Preservation Advisory Committee and Agnes Sudway stated above, the Panamint Range as a whole has traditionally been sacred to the Timbisha people. The short-term goal of desecrating a portion of the Panamint Range for gold sacrifices the long-range environmental and spiritual integrity of these mountains. These mountains can't be divided into "sacrificed" and "preserved" areas without inflicting harm within this unique "sky island" between Death Valley and Panamint Valley. As Pauline Esteves stated above, "Such an old, old, story...so something has to be happening that is new." What seems like "new" would just be a return to sustainable economic development of the region, a long-term goal of the Timbisha Shoshone Tribe.

In conclusion, the proposed *Cecil R. Jackson Gold Exploration Project* of the CR Briggs Corporation will have an adverse effect on the traditional and spiritual uses of the Panamint Range by the Timbisha Shoshone Tribe. These adverse effects cannot be mitigated because the proposed exploratory drilling continues the desecration already begun with current mining operations of CR Briggs.

## **2. *Environmental Assessment for the Cecil R. – Jackson Exploration Plan of Operation by the CR Briggs Corporation, June 10, 2002***

### **2. Proposed Action and Alternatives**

#### **2.2 No Action Alternative**

The Timbisha Shoshone Tribe recommends the "No Project Alternative" for the *Cecil R. – Jackson Exploration Plan of Operation by the CR Briggs Corporation*. The Tribe

never approved the present gold mine of CR Briggs, and does not approve the expansion of gold mine operations in the Panamint Range.

### **3. Affected Resources**

#### **3.8 Cultural Resources**

The Timbisha Shoshone Tribe did not receive a copy of *Historic Mines of the Southern Panamints: A Cultural Resources Inventory of the Cecil R. – Jackson Exploration Project*, by Jerry Schaefer and Collin O’Neill, ASM Affiliates, Inc. Encinitas, CA. August 2001. The Tribe was also not informed until after the fact that a survey had occurred, thus precluding a request for a Timbisha monitor to assist the archaeologists during their survey. The Tribe requests a copy of this report, and is willing to sign any *interim* confidentiality forms which the BLM may require for release. The Tribe hopes to soon schedule a meeting with BLM to discuss consultation and heritage data transfer MOUs.

#### **3.9 Native American Values**

The Timbisha Shoshone Tribe commends BLM for recommending that an ethnographer help with the consultation process, and for recommending that Agnes Sudway, a tribal expert on the Panamint Range, be given an opportunity to be interviewed. However, the “Native American Values” and “Cultural Resources” sections need to be better integrated.

A map depicting the Timbisha Shoshone Homeland and the Timbisha Natural and Cultural Preservation Area in relation to the Project area should be included here.

#### **3.10 Visual Resources**

A color photograph depicting the project area should be included here.

Another section, *National Parks*, should be included as a category of “Affected Resources.” The Project area is only within 2 miles of Death Valley National Park, and can be considered a negative impact on the Park.

### **4. Mitigation Measures and Impacts**

Contrary to what is stated, the proposed action may lead to a future action (a gold mine if exploratory results are positive) which will have a cumulative effect when measured against a similar past action (the present gold mine two miles to the south). The exploratory drilling doesn’t have to have positive results in order to precipitate negative cumulative effects on the environment, cultural resources, and Native American values. The exploratory drilling itself will impact the land with new roads and drill pads, and will further desecrate the Panamint Range. The proposed exploratory drilling and continued operations at the existing gold mine will have a negative cumulative effect on

the land and spiritual values of the Timbisha Shoshone Tribe. Continued desecration of sacred land is a negative cumulative effect whether or not the exploration is “successful.”

#### **4.8 Cultural Resources**

This section is impossible to evaluate without the report by Schaefer and O’Neill, 2001, by ASM Affiliates, Inc.

#### **4.9 Native American Values**

##### **4.9.1 Mitigation**

The “No Project Alternative” can be considered a mitigation for the proposed project. This would lessen the restoration necessary for the current gold mine of CR Briggs.

##### **4.9.1 Impacts**

Cumulative impacts of the project are stated in the following sentence of this section, “If the Proposed Action leads to full-scale mining and an expansion of Brigg’s operations, these impacts would be greatly increased and tribal members expressed great concern that this is what will happen.”

#### **4.10 Visual Resources**

Photographs depicting simulations of the drill roads and drill rigs from particular viewpoints should be in this section.

#### **4.11 Wilderness**

The “indirect impact to the perception of wilderness values” is also another negative cumulative effect of the proposed project, when coupled with the impacts of the existing gold mine.

The impacts and mitigation measures of the proposed project’s effect on Death Valley National Park (whose western boundary is approximately two miles from the Project area) needs to be analyzed. The two maps showing the Project areas should have scales for reference.

Thank you for the opportunity to comment on the Environmental Assessment.

Sincerely,



Bill Helmer

Tribal Historic Preservation Officer  
Timbisha Shoshone Tribe

California Native Plant Society  
Bristlecone Chapter  
P.O Box 364  
Bishop, CA 93515

(5)

August 8, 2002

RECEIVED  
BUREAU OF LAND MANAGEMENT  
2002 AUG 12 PM 3: 49  
RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

Bureau of Land Management  
Ridgecrest Field Office  
300 S. Richmond Road  
Ridgecrest, CA 93555

*noted HAW 8/12*

Dear Sir or Madam:

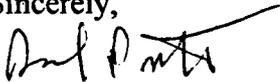
I am writing with regard to the Environmental Assessment (EA) for the proposed mineral exploration by the C.R. Briggs Corporation (CA – 065 –2002 – 082). In section 4 of the EA it is stated that “the development of a mine is not considered a reasonably foreseeable impact of the exploration and is outside the scope of this analysis.” (page 18). Given that the need for the exploration is to “satisfy the free market demand for metals” (page 2) and that the area is very close to a large existing mine and that proponents are in the business of mining, it is absurd to assert that development of a mine is not a reasonably foreseeable outcome of the proposed exploration.

The EA further states that it is not possible to predict “even the most rudimentary elements” (page 18) of a mine that might be developed should the exploration locate mineral deposits. By examining the range of mining techniques currently used and the financial resources available to project proponents, there is no reason proponents cannot analyze impacts of the most likely development scenarios. It strains credulity to argue that proponents are willing to invest a substantial amount of money in exploration of the area but have absolutely no idea of what sort of mine they might wish to build.

Development of a mine is a reasonably foreseeable impact of proposed exploration and a thorough Environmental Impact Statement should be written which considers impacts of different mining development scenarios. If this is not done, the obligation under the National Environmental Policy Act to consider cumulative impacts cannot be met.

Thank you for considering my comments.

Sincerely,



Daniel Pritchett  
Conservation Chair  
Bristlecone Chapter, CNPS

# California Native Plant Society

August 9, 2002

Hector Villalobos  
Ridgecrest BLM Field Manager  
300 South Richmond Road  
Ridgecrest, CA 93555

*metal HW 8/12/02*

6

**RE: Comments on Cecil R. – Jackson Exploration Plan of Operation,  
Metallic mineral exploration, EA No. CA – 065 – 2002 – 082**

Dear Mr. Villalobos,

The California Native Plant Society (CNPS) is a non-profit organization of more than 10,000 laypersons and professional botanists organized into 32 chapters throughout California. The mission of the California Native Plant Society is to increase the understanding and appreciation of California's native plants and to preserve them in their natural habitat through scientific activities, education, and conservation. In that context, CNPS has several comments, that when fully addressed, will significantly improve the document and add to the overall evaluation of the feasibility of the project.

From the plant perspective, the Draft Environmental Assessment (EA) fails to meet the NEPA requirements that the EA analyze the proposed action and other alternatives to provide a comparison among feasible alternatives, "thus sharply defining the issues and providing a clear basis for choice among the options by the decisionmaker and the public." (40 CFR 1502.14) for the following reasons:

- The document fails to describe the different distinctions in the Mojave Creosote Bush Scrub type, even though five different subtypes are referenced, although unfortunately not named in the document. What is the relative abundance of the subtypes on the project site, and in the surrounding area? How much of each subtype will be impacted? A species list identified by plant community "subtype" and dominants is not included. Without these basic data, evaluation of the proposed action is significantly hindered.
- What effect will "temporary" fragmentation have on the plant community? Even temporary disturbances to soils is directly linked with opportunities for exotic plant invasions (Bossard et al 2000). Exotic species invasions continue to be a significant threat to native vegetation, changing basic ecological functioning of the plant community and eliminating native fauna. This important issue was not addressed in the EA. CNPS requests a full evaluation of impact that fragmentation and exotic invasions pose to the remaining undisturbed plant series.
- Because no list is provided for sensitive plant species (although a total of 25 are indicated), it is impossible for CNPS to evaluate the comprehensiveness of the EA in addressing sensitive plant species issues. Furthermore, no reference is made to any document that is the



*Dedicated to the preservation of California native flora*

basis for the statement that "None of the 25 special status plant species were observed in the Project area." Information from our database (CNPS 2001) indicates that several annual/herbaceous perennial species have potential to occur in the proposed project area, and based on the lack of information provided in the document, we can not evaluate if appropriately timed surveys were implemented. If surveys were not conducted at the appropriate time of year, then no plants would be detected, although they could be present on the project site.

Other issues of concern in the EA include:

- Reclamation/revegetation issues. The document lacks specificity on what the reclamation/revegetation strategy actually is. There are a variety of definitions for reclamation, and under SMARA, reclamation success can be achieved by using strictly exotic species. Obviously, CNPS does not support this type of reclamation, and would be resolute that the disturbed areas be restored to pre-disturbance conditions, including appropriate species palettes that address density and diversity, and weed control to achieve clearly defined success criteria (which is also lacking in the document). Simply *"pulling side cast material up to the road surface and revegetating the surface"* and *"ripping of compacted surfaces"* (4.3.1 Mitigation) is no longer in conformity with current restoration technology. To truly mitigate the impacts of intentionally created disturbance on public lands, appropriate restoration must be implemented. Full discussion of this important issue must be included in the document.
- What opportunity for the interested public is there to participate in the proposed restoration if the proposed plan is limited to *"The BLM authorized officer would determine the seed mix to be used in reclamation upon inspection of the disturbed areas in the field."*? CNPS requests that the restoration plan be included as an Appendix to the document.
- The document is confusing about road restoration – *"Similarly, the BLM would determine, in the field, which roads would be reclaimed"*. This statement indicates that some new roads may not be reclaimed, which would increase the fragmentation and therefore decrease the function of the ecosystem (Debinski and Holt 2000). Clarification on which roads will be restored must be identified in the document to fully evaluate the impact of the proposed action.
- The document needs to recognize that some amount of plant habitat would be permanently impacted by the proposed project as stated *"Drill holes that do not intercept ground water would be refilled with drill cuttings, and the top three feet of each hole would be sealed with cement grout (holes that intersect the earth's surface are commonly capped with cement for public safety)... Once the bentonite seal is placed, the hole would be refilled with drill cuttings and the top three feet sealed with cement grout."* (2.1 Proposed Action Page 12). As you know, plants cannot grow in cement grout, and no description of

how large these drill holes will be are provided in the document, so it is impossible for CNPS to evaluate the effect of this permanent impact.

- If adequate gold concentrations are found from the project implementation that make it economically feasible to proceed with mining, no evaluation of short- and long-term impacts to the plant community/resources are identified. CNPS requests as part of this document that these impacts are evaluated. If the roads/drill sites are left undeveloped for a decade, short-term (?) impacts will include the opportunity for exotic vegetation to establish and invade adjacent non-project areas and poses a serious threat to the adjacent vegetation communities. Alternatively, if the project immediately goes into development, the permanent, long-term impacts of a mine need to be evaluated in this document, not in a subsequent EIS. Essentially, from our perspective, exploration for minerals is directly linked to development for minerals - not two separate actions. The full spectrum of impacts needs to be fully analyzed in this document.

Lastly, there is no evaluation in any of the sections of the significance of impacts from the proposed project on the affected resources, except the no-action alternative for wilderness. In order for you to evaluate if an EIS or a FONSI is appropriate, the document will need to determine how significant the impacts will be to each of the affected resources. This determination will require significance criteria and clearly stated significance determinations, based on evaluations/mitigations of the impacts.

CNPS submits these comments in the spirit of constructive criticism to enhance the EA. Thank you for the original deadline extension, and if you have any questions, please feel free to contact me at (323) 654-5943.

Sincerely,



Ilene Anderson  
 California Native Plant Society

Post-it* Fax Note	7671	Date	9/10/02	# of pages	3
To	Hector Villalobos	From	Ilene Anderson		
Co./Dept.	BLM-Ridgecrest	Co.	CNPS		
Phone #	760 384-5405	Phone #	323 654 5943		
Fax #	760 384-5499	Fax #	323 650 4620		

HARDCOPY SENT BY SNAILMAIL

cc: David Chipping, Conservation Director, CNPS  
 CNPS State Office

References:

Bossard C.C., J.M.Randall and M.C. Hoshovsky 2000. Invasive Plants of California's Wildlands. University of California Press, Berkeley, CA. Pgs. 360

CNPS (California Native Plant Society) 2001. Inventory of Rare and Endangered Plants of California. Special Publication No. 1, Sixth Edition. CNPS pgs. 387.

Debinski, D.M. and R.D.Holt 2000. A Survey and Overview of Habitat Fragmentation Experiments. Conservation Biology 14 (2): 342-355.



# Center for Biological Diversity

Protecting and restoring endangered species and wild places of North America and the Pacific through science, policy, education, citizen activism and environmental law.

*Moted/HAN 7/29/02 (7)*

Tuesday, July 23, 2002

Mike Pool, BLM-CA State Director; Jim Abbott, Assoc. State Director, 916.978.4699 fax  
Hector Villalobos, BLM-Ridgecrest Field Office Manager, 760.384.5499 fax

RECEIVED  
BUREAU OF LAND MANAGEMENT  
2002 JUL 26 PM 1:25  
RIDGECREST RESOURCE AREA  
RIDGECREST FIELD OFFICE, CA.

Greetings Mr. Pool, Mr. Abbott and Mr. Villalobos,

On behalf of our over 7500 members across California and the nation, the Center offers the following comments in strong opposition to any expansion of the Briggs Mine. We further incorporate by reference the comments of Great Basin Minewatch, the Sierra Club, Tom Budlong, Bob Ellis and George Barnes.

Our members enjoy the public lands, wilderness and recreational values of the Panamint Range, Surprise Canyon and area around the Briggs Mine. Our interests would be badly harmed by any expansion of the mine. Therefore, we must insist BLM select the "no action" alternative.

We find the EA for this proposal fully inadequate and lacking in needed detail. By only considering two alternatives, the EA does not offer a "reasonable range of alternatives" as required by NEPA.

We are further concerned that there are deep legal problems with the bond for this mine; and expansion would certainly cause "undue degradation" to the CDCA.

When did BLM conduct scoping for this project? We do not recall BLM recently informing the public of scoping to allow us and others to comment on the scope of this proposal or offer our own alternatives.

Has BLM completed a biological assesment of this proposal and submitted it to USFWS along with a request for consultation under section 7 of the ESA? If so, please send the BA along with all other communications with USFWS about this proposed mine expansion – consider this a FOIA request for all communications between BLM, USFWS, NPS, the State of CA and the Timbisha Shoshone regarding proposed expansion of the Briggs Mine. Please respond with all documents within 20 working days, as required by federal law.

Expansion of the Briggs Mine would cause unacceptable harm to the "human environment" and wildlife, water quality and wilderness values of the Panamint Range.

We would much prefer to publicly support a BLM decision to protect the public interest by denying expansion of the Briggs Mine, rather than team with other conservationists to challenge in court an unwise BLM decision to allow expansion. We are prepared to strongly do either. Further degradation of the Panamints for a non-strategic metal, gold, is unacceptable.

Please do the right thing for America and deny expansion of the Briggs Mine.

Thank you,  
Daniel R. Patterson  
Desert Ecologist

Tucson • Idyllwild • Silver City • Phoenix • Berkeley • Bozeman • San Diego • Sitka

DANIEL R. PATTERSON, DESERT ECOLOGIST

POB 493 IDYLLWILD CALIFORNIA 92549

909.659.6053 x 306 TEL / 659.2484 FAX

DPATTERSON@BIOLOGICALDIVERSITY.ORG • WWW.BIOLOGICALDIVERSITY.ORG

# CORVA

CALIFORNIA OFF ROAD VEHICLE  
ASSOCIATION, INC.

July 19, 2002

RECEIVED  
BUREAU OF LAND MANAGEMENT

2002 JUL 24 PM 2:23

RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

3550 Foothill Blvd.  
Glendale, CA 91214  
800-339-2097 Ext. 215  
Fax: 818-957-4435  
EdWaldheim@aol.com

8

Mr. Randal Porter  
Geologist  
BLM Ridgecrest Field Office  
300 S. Richmond Road  
Ridgecrest, CA 93555

Re: CR Briggs Corporation EA CA065-2002-082

Dear Mr. Porter:

Thank you for forwarding the document and maps on the CR Briggs Corporation exploration. We want to let you know that we are in full support of CR Briggs Corporation.

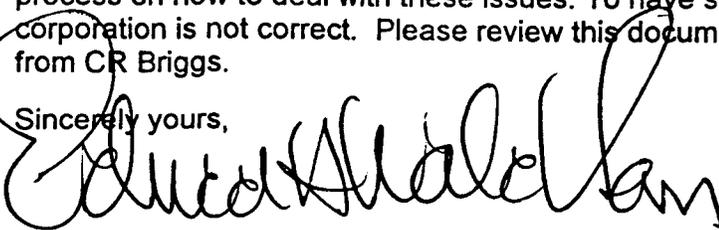
Chris Eckert, Environmental Coordinator of CR Briggs, explained the entire project to me. During my meeting with Chris, I pointed out that we want to make sure that all roads are maintained in the area. We do not want jeopardize any of these access points. He informed me that they would not be jeopardized.

However, now that I have read your report, you continue to make reference to mitigations by closing existing routes, Page 18, Page 19, and Page 24. We feel this is not acceptable.

If CR Briggs needs to build a road to their site and then reclaim it, we have no problem with that, but to put the burden of closing other trails not associated with this mining operation is tantamount to blackmail.

CORVA strongly objects to any road closures! We have a West Mojave Plan and a process on how to deal with these issues. To have something like this being forced on a corporation is not correct. Please review this document and remove those conditions from CR Briggs.

Sincerely yours,



Edward H. Waldheim  
President

cc: High Desert Multiple Use Coalition  
OHV Coalition  
CORVA Board of Directors

*"Dedicated to protecting our lands for the people, not from the people."*

**Death Valley  
Hiker Association**

Randy FV files  
Hector



(9)

noted [unclear] 2/11/02

RECEIVED  
BUREAU OF LAND MANAGEMENT  
2002 JUL 10 PM 4:40  
RIDGECREST RESOURCE AREA  
RIDGECREST, CA

Dear Mr. Villalobos,

I'm writing to express my opposition to the proposed expansion of the Briggs Mine operation in the Panamint Mountains. I have explored and hiked extensively in the Panamints and remember one particular hike following the route of Marly and Rosie's escape from Death Valley down through Redlands Canyon. Sitting on the edge of the Panamints we could see the destruction caused by the Briggs Mine. The thought of further expansion of this mine is very troubling. The long term visual scarring of this area can't possibly be worth the temporary economic benefits.

I hope you can appreciate this view of the issue and that you will not support further expansion of this mine.

Sincerely,  
George Hixtable



# THE DESERT PROTECTIVE COUNCIL INC.

A NON-PROFIT ORGANIZATION

P.O. BOX 3635 • SAN DIEGO • CALIFORNIA 92163-1635  
www.dpcinc.org

(10)

## DESERT PROTECTIVE COUNCIL ADVISORY PANEL

SYLVIA BROADBENT  
Professor of Archaeology

GEORGE W. COX  
Conservation Ecologist

PETE DANGERMOND  
Park Consultant

BETTY FORGEY  
Desert Tortoise Activist

MICHAEL FROME  
Author

AUGUST FRUGE  
Conservationist

LARRY IWERKS  
Wilderness Advocate

WILBUR MAYHEW  
Professor of Zoology

ART MONTANA  
Professor of Earth Sciences

ALLAN MUTH  
Biologist

KAREN SAUSMAN  
BioPark Director

ROBERT STEBBINS  
Herpetologist

LEONARD VINCENT  
Professor of Biology

HOWARD WILSHIRE  
Geologist

Mr. Hector Villalobos *noted HAV 8/13/02*  
Ridgecrest Field Manager  
300 South Richmond Road  
Ridgecrest, CA. 93555

August 7, 2002

Dear Mr. Villalobos,

The Desert Protective Council thanks you for the opportunity to comment on the Briggs Mine proposal to bulldoze exploration roads in the beautiful Panamint Mountains. Members of the Desert Protective Council have been visiting the Panamint Valley for many years, and cherish the area. Over the years, we have worked with the BLM and with the National Park Service to protect Death Valley National Park from internal and external degradation. The view of the Panamints across the valley from the Slate Range is one of breathtaking beauty. It is one of the few unspoiled panoramic views remaining in the Ridgecrest -Red Mountain-Trona part of the desert. This view is a precious part of our American natural heritage, and we take very seriously the possibility of tearing apart of this area of the Panamint Mountains. We view the bulldozing of "exploratory" roads from Ballarat to the current Briggs Mine up very steep slopes as a desecration. The creation of more cyanide heap-leach gold mine pits by the Briggs parent company would not only be incompatible with the preservation of the values the adjacent Death Valley National Park, but also undermine the BLM's mission to "manage the nation's public lands and resources in a combination of ways that best serves the American people" in the Ridgecrest Resource area.

If the exploration leads to an expansion of the Briggs Mine, it would bring about some short-term benefits: a few jobs, some economic activity for Ridgecrest, some good salaries for the mine's operators, big profits for the parent company, and permanent damage to the slopes, and to other natural resources in the area. The cumulative impacts of the exploration process and of what this exploration can lead to, must be considered, not merely the impacts of this exploration activity alone. After the ore is exhausted and the profits for a few have been made, the geologic slopes, which took millions of years to form, would take hundreds of

*To safeguard for wise and reverent use by this and succeeding generations those desert areas of unique scenic, scientific, historical, spiritual and recreational value, and, to educate children and adults to a better understanding of the deserts.*

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BUREAU OF LAND MANAGEMENT  
2002 AUG 12 PM 3:38  
RIDGECREST FIELD OFFICE AREA  
RIDGECREST, CALIF.

thousands of years to heal. Meanwhile, our ancestors would have to live with the ugly, scared remains.

The Desert Protective Council, because of the cumulative impacts of this damaging exploration on the entire area of the desert, including Death Valley National Park, urges the BLM to do a full analysis to uncover and describe all the effects of this proposed exploration project and require a full Environmental Impact Statement, not just an Environmental Assessment. Impacts to the air quality of the entire Panamint Valley, to the Timbisha-Shoshone Tribal Lands, to the precious viewshed of the area, must be analysed. Other alternatives besides the "no action" alternative should be explored.

The Desert Protective Council urges the BLM to preserve the natural heritage of the Panamint Range as the highest and best use of the area. Preservation of the plants and animals who live there, the cultural and archaeological resources, the opportunity for recreation and refreshment of the human spirit will best serve the BLM's principle of multiple use and sustainable yield.

Please add us to your mailing list for all information and actions on this proposed exploration.

Thank you very much for your work toward preserving our treasures of natural heritage on our desert public lands.

Sincerely,



Terry Weiner

Conservation Coordinator  
Desert Protective Council

RECEIVED  
BUREAU OF LAND MANAGEMENT

2002 JUL 22 PM 2: 22

RIDGECREST RESOURCE AREA  
RIDGECREST, CA.



11

Hector Villalobos  
BLM Ridgecrest Field Office Manager  
300 S. Richmond Road  
Ridgecrest, CA 93555

July 15, 2002

RE: Briggs Mine Environmental Assessment  
REQUEST EXTENSION OF COMMENT PERIOD TO 90 DAYS!

Dear Sir:

As you are well aware, Desert Survivors has a great interest in preserving the natural splendor of the Panamint Valley. Our members have enjoyed numerous hikes, backpacks, car camps, and special events there over the years. We appreciate the efforts the BLM and Park Service have made in working to keep the Panamint Valley a world class natural resource, the "other side" of Death Valley.

We are quite concerned with the proposal made by Canyon Resources to bulldoze over 22 miles of new roads in a relatively pristine area of the Panamints six miles north of the current mine and up to 4,000 feet on the mountainside.

We received our notice of the EA's release on July 2nd, called to request a copy on July 3rd, and received the material plus a hand-drawn map of proposed new roads on July 10th. This has left us with but two weeks to respond to this document. We feel that the potential long-lasting impacts of this mining expansion are so great that a longer comment period is in order. This is NOT a routine mine expansion! The Panamint Valley Landscape is a well-known area to visitors from around the world who enjoy its generally untrammelled ambience. Pushing through a "quick and dirty" approval to permanently mar this treasure must not be done under cover. The public must be given a chance to understand and react to this.

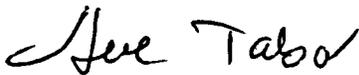
Desert Survivors would like this to be a 90 day comment period. A 30-day extension would end in mid-August still in the most hot time of the year and still in that period when many people are busy with other activities. By September 23 there will have been a reasonable opportunity for both your agency and other groups concerned about the valley's future spread the word about the mining company's plans.

Even though your EA claims that full reclamation will occur if mining does not proceed, "reclamation" of the bull-dozed construction of 22 miles of new roads on a steeply sloping mountainside does not reverse the immense visual and erosional impact that this project will generate. We know that you have limited options regarding this project due to the 1872 Mining Law. We know that you have a certain latitude with respect to the management of this exploration process and the preservation of this land from "undue degradation."

Desert Survivors considers this particular mining process to this particular area of public land as "undue degradation." We urge you to proceed slowly and deliberately with the knowledge that many people from all over the country and the world (yes, the world) who have experienced the Panamint Valley Landscape as it currently exists are or will be horrified by the proposed destruction this EA envisions.

We are counting on you, Hector, to hold the line here. We need more time, you need more time, the Panamint Valley needs more time. Let's at least wait 90 days.

Thanks for your attention. If you have any questions, feel free to contact us.



Steve Tabor, President  
Desert Survivors  
PO Box 20991  
Oakland, CA 94620-0991

(510) 769-1706

<[StevTabor@AOL.com](mailto:StevTabor@AOL.com)>

# Escalante Wilderness Project

2002 JUL 22 PM 2:27

PO Box 616, Escalante UT 84726

RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

12

15 July 2002

Hector Villalobos, Field Manager  
BLM Ridgecrest  
300 South Richmond Road  
Ridgecrest, CA 93555

RE: Briggs Mine Exploration Project EA

Dear Mr. Villalobos:

As previous visitors to the wonderfully wild and scenic Panamint Mountains, and as an organization advocating for wildlands preservation, we urge you to either reject the proposed Briggs Mine exploration or to reanalyze it more thoroughly in an EIS. The environmental injustice of further impacts to the tribal lands of the Timbisha Shoshone, as well as the visual and other cumulative impacts of not only the exploration but the potential new mine(s) to this pristine area certainly require analysis at the level of an EIS.

Canyon Resources has already created a huge, hideous, and geologically permanent scar in the southern Panamint Mountains. This company should be required to do major rehabilitation of this damage rather than allowed to increase the area devastated. There is no purpose to this supposedly benign exploration project other than to create a new major mine (or mines), thus we believe it should not occur at all.

Because of the cumulative impacts of this exploration—which Canyon Resources hopes will lead to expanded mine activity, an EIS should be prepared. No project should be approved after only a cursory EA, when it is obvious that further impacts will result from it! BLM should analyze possible scenarios that could develop as a result of this mine exploration, including the new mine hoped for by Canyon Resources.

Because road construction causes long-term scars in arid regions, the exact extent of new and “upgraded” roads needs to be revealed and analyzed in the EIS. Additionally, impacts to any potential Wilderness or Roadless areas should be analyzed (even if those areas are currently only proposed by citizen’s groups).

The visibility of the mine exploration (and potential new mine sites) needs to be analyzed. The Panamints are stunningly attractive, and visual impacts would greatly decrease visitor enjoyment. Notably, the area where Canyon Resources hopes to develop a new mine is visible along with a visitor’s first view of the Panamints when approaching from the south.

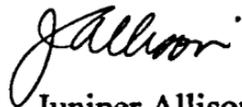
A complete economic analysis should be done as part of the EIS. This analysis will undoubtedly show the minimal and short-term benefits of increased mine activity, which

would end as soon as the gold were depleted (and mostly benefit the owners rather than the workers of Canyon Resources). Economic analysis should include the long-term costs of the permanent damage to one of our few remaining wild and scenic areas.

The EA recognizes the Timbisha Shoshone's strong relationship with the Panamints, and recognizes the impact to the Timbisha caused by the current mining and by proposed future mining activities (Sections 3.9 and 4.9). Despite this recognition of the problem, the EA fails to propose mitigation or solution. This environmental injustice must be addressed!

We urge you to reject this proposal. At the least, please reanalyze the proposal in a complete EIS. Future citizens will thank you for protecting this wild area from further destruction.

Sincerely,



Juniper Allison

*Member, Executive Committee, EWP*



**Great  
Basin  
Mine  
Watch**

1 Booth Street  
Reno, NV 89509

phone 775-348-1986  
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tom@greatbasinminewatch.org  
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Project

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**Tom Myers, Ph.D.**  
Director

**Karel Malloy**  
Program Associate

**Christie Whiteside**  
Program Associate

**Mary Adelzadeh**  
Community Organizer

July 8, 2002

13

RECEIVED  
BUREAU OF LAND MANAGEMENT  
2002 JUL 26 PM 1:34  
RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

Mr. Hector A. Villalobos  
Ridgecrest Field Manager  
Bureau of Land Management  
300 South Richmond Road  
Ridgecrest, CA 93555

Re: CR Briggs Mine Exploration Proposal

7/29/02

Dear Mr. Villalobos:

*noted Han*

Thank you for this opportunity to review the subject environmental assessment (EA). Our first comment is that the comment period should be extended from July 23 for one or two more months. We received our letter, which was dated June 24, after July 4. The EA was not included in the letter. (Note: in Nevada the cost of mailing Eas and DEISs is born by the project proponent. Canyon should have paid for an adequate mailing. Essentially, the minimum one-month is insufficient for a project with such a large potential impact. Reasonable, considered, well thought out public comment cannot be expected by July 23.

We find that the EA is lacking in detail, alternatives analysis and cumulative impacts and hereby formally request the BLM withdraw this EA and issue a complete environmental impact statement. The EIS must consider the reasonably foreseeable future impacts of the project including scenarios for a potential mine, a full range of alternative exploration projects including helicopter access and lateral drilling from the basin to the west and adequately analyze readily available data on many issues including reclamation and wildlife. This request will be expanded upon below.

**The EA ignores the reasonably foreseeable cumulative impacts of the project.**

The EA is insufficient in that it does not actually consider the full impacts of what will occur if Canyon is successful in locating a mineable deposit at this site. Based on the size of the project and previous exploration at the site, this exploration is clearly at the ore body delineation phase rather than the initial discovery phase; Canyon is certain that a mine will result from this project. Note that notice exploration project serial numbers CACA 033020, 033021 and 036887 occurred in this region in 1993, 1993, and 1996, respectively<sup>1</sup>.

<sup>1</sup>Data retrieval from BLM LR2000 data base, July 19, 2002.  
*Every truth passed through three stages before it is recognized. In the first, it is ridiculed. In the second, it is opposed. In the third, it is regarded as self-evident. Schopenhauer*

NEPA regulations define cumulative impact as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions” 43 CFR 1508.7. Clearly, a mine is reasonably foreseeable and should be considered in this analysis. Thus, the BLM has the responsibility to analyze the impacts of potential mines that could result from this project. Failure to do so violates the intent of the National Environmental Policy Act.

The National Environmental Policy Act (NEPA) is our basic national charter for protection of the environment. It establishes policy, sets goals (section 101), and provides means (section 102) for carrying out the policy. Section 102(2) contains "action-forcing" provisions to make sure that federal agencies act according to the letter and spirit of the Act. The regulations that follow implement section 102(2). Their purpose is to tell federal agencies what they must do to comply with the procedures and achieve the goals of the Act. 43 CFR § 1500.1(a)

Without fully examining the impacts of the resulting mine, it is not possible for this EA to be “action-forcing” or for it to “tell federal agencies what they must do to comply with the procedures and achieve the goals of the act”. NEPA is intended to assure that better decisions are made. 43 CFR § 1500.1(c). If the impacts are ignored, it is virtually guaranteed that the decision will not be the best possible or minimally adequate.

The effects associated with the consideration of the reasonably foreseeable mine clearly raise the effects of this proposal to the “significant” level. “Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is **reasonable to anticipate a cumulatively significant impact on the environment**. Significance cannot be avoided by terming an action temporary or by **breaking it down into small component parts**.” 43 CFR § 1508.27(b)7, emphases added. Because this action is related to a future mine which will have significant impacts, this project proposal therefore has significant impacts. Treating this as just an exploration is tantamount to “breaking it down into small component parts” to avoid significance is illegal.

**The EA also fails in its responsibility to analyze alternatives to the exploration.**

The BLM only considered in detail one action alternative, the plan proposed by CR Briggs. No other alternative was seriously considered. The only other alternative noted in any detail was the No-Action alternative. Regarding other potential alternatives, the EA’s **entire** alternatives analysis was limited to simple consideration of a simple reduction in exploration area which was rejected as not meeting the needs of the project proponent and as not decreasing the impacts below a threshold. EA at 10. This EA essentially gives CR Briggs carte blanche to explore all over a 3000 acre region. Assuming that decreasing the exploration area does not meet CR Briggs’ needs (an assumption which we reject), the BLM should have analyzed the alternatives of helicopter access, of no new roads, and of lateral drilling from the Panamint Valley. Alternatively, this project could have been phased to allow for reassessment and reanalysis of the

impacts after a smaller exploration had been completed. Failing all of that, the BLM must provide an analysis of why Briggs requires 100 acres; there is no description of the areas (especially no detailed maps) to be drilled and disturbed in the EA, therefore the public cannot consider whether there are alternatives.

No additional statements, let alone analysis, regarding other alternatives were provided to the public. There is no discussion of how these alternatives were “evaluated” or why these rejected alternatives “would not provide a significant environmental benefit.” *Id.* Such a failure to justify its decisionmaking violates NEPA as well as the Administrative Procedures Act.

42 USC 4332 (E)  
 “Section 102(2)(E) of NEPA requires that agencies ‘study, develop, and describe appropriate alternatives to recommended courses of action in *any* proposal which involves unresolved conflicts concerning alternative uses of available resources.’” *Ayers v. Espy*, 873 F.Supp. 455, 473 (D.Colo. 1994)(emphasis in original). “This provision is independent of the standard triggering preparation of an EIS and is not limited to proposed major actions significantly affecting the quality of the human environment.” *Id.*, citing *River Road Alliance, Inc. v. Corps of Engineers of United States Army*, 764 F.2d 445, 452 (7<sup>th</sup> Cir. 1985), *cert. denied*, 475 U.S. 1055, 106 S.Ct. 1283 (1986).

“While a federal agency need not consider all possible alternatives for a given action in preparing an EA, it must consider a range of alternatives that covers the full spectrum of possibilities.” *Ayers v. Espy*, 873 F.Supp. at 473. In *Ayers*, the Court explained that, “the government contends that the range of alternatives in an environmental assessment (EA) should not be held to the same standard as an environmental impact statement (EIS) ... I disagree.” *Id.* Thus, the BLM was required in this case to analyze all reasonable alternatives. In the Cecil R Jackson exploration plan, the BLM failed to seriously analyze **any** action alternative except the company’s chosen project.

In addition, by failing to adequately identify or analyze the full scope of resources (the cumulative impacts discussed above) which are to be impacted by the project, the BLM could not have considered an adequate range of alternatives. At a minimum, the BLM failed to analyze the impacts on bighorn sheep, groundwater, and the history of reclamation in the area. (See discussion below.) To satisfy NEPA, “[t]he agency must explicate fully its course of inquiry, its analysis and its reasoning.” *Dubois v. U.S. Department of Agriculture*, 102 F.3d 1273, 1287 (1<sup>st</sup> Cir. 1996). An agency decision must always have a rational basis that is both stated in the written decision and demonstrated in the administrative record accompanying the decision. *Kanawha & Hocking Coal & Coke Co.*, 112 IBLA 365, 368 (1990). So far for this project, the administrative record concerning resources to be impacted is very sparse. The decision must be made in a “careful and systematic manner.” *Edward L. Johnson*, 93 IBLA 391, 399 (1986). The record must demonstrate a “reasoned analysis of the factors involved, made in due regard for the public interest.” *Alvin R. Platz*, 114 IBLA 8, 15-16 (1990). By ignoring the resources listed above and by not considering alternatives, the agency simply could not have adequately explained its course of analysis in determining the range of reasonable alternatives.

One additional alternative the BLM failed to analyze that falls within the “full spectrum of alternatives” is the phased exploration alternative. Given the roadless nature of the area, the BLM should have considered an alternative where the operator would be required to confirm more extensively the mineral value in the area along the existing road or by helicopter before constructing new roads and drill pads in pristine areas. Such alternatives are completely in line with federal case law and the agency’s duty to protect the resources under its control. See United States v. Richardson, 599 F.2d 290, 291 (9th Cir. 1979)(holding that federal land agencies “may require the locator of an unpatented mining claim on [federal lands] to use nondestructive methods of prospecting.”).

The Supreme Court has made crystal clear the obligation of an agency to document its analysis in the record when making a decision otherwise left to the agency’s discretion (as is the case herein). In Burlington Truck Lines v. United States, it held:

There are no findings and no analysis here to justify the choice made, no indication of the basis on which the [agency] exercised its expert discretion. We are not prepared to and the Administrative Procedure Act will not permit us to accept such ... practice. ... Expert discretion is the lifeblood of the administrative process, but “unless we make the requirements for administrative action strict and demanding, expertise, the strength of modern government, can become a monster which rules with practical limits on its discretion.” 371 U.S. 156, 167 (1962)(internal citations omitted).

Hence, an agency’s explanation of the basis for its decision must be documented in and supported by an administrative record, which includes a “rational connection between facts found and the choice made.” Bowen v. American Hospital Ass’n, 476 U.S. 610, 626 (1986). The failure to analyze alternatives and the failure to identify all of the resources put at risk by the project’s reasonably foreseeable impacts violates NEPA and the Administrative Procedure Act (“APA”), 5 U.S.C. § 706. The BLM must take “a hard look at the alternatives and explain its reasons for rejecting them.” Coalition on Sensible Transp., Inc. v. Dole, 642 F.Supp. 573, 593 (D.D.C. 1986), *aff’d*, 826 F.2d 60 (D.C. Cir. 1987). It has done neither in this case.

### **The EA fails to adequately consider mitigation**

The EA lacks the required analysis and review of mitigation measures as required by NEPA. NEPA requires that mitigation measures be reviewed in the NEPA process -- not in some future decision. “[O]mission of a reasonably complete discussion of possible mitigation measures would undermine the ‘action-forcing’ function of NEPA. Without such a discussion, neither the agency nor other interested groups and individuals can properly evaluate the severity of the adverse effects.” Robertson v. Methow Valley Citizens Council, 490 U.S. 332, 353 (1989).

NEPA regulations require that an EIS: (1) “include appropriate mitigation measures not already included in the proposed action or alternatives,” 40 CFR § 1502.14(f); and (2) “include discussions of: . . . Means to mitigate adverse environmental impacts (if not already covered under 1502.14(f)).” 40 CFR § 1502.16(h). The CEQ also has stated that: “All relevant, reasonable mitigation measures that

could improve the project are to be identified, even if they are outside the jurisdiction of the lead agency or the cooperation agencies. . .” Forty Most Asked Questions Concerning CEQ’s National Environmental Policy Act Regulations, 46 Fed. Reg. 18026, 18031 (March 23, 1981). In addition, under 40 CFR § 1505.2(c), the agency is required to: “State whether all practicable means to avoid or minimize environmental harm from the alternative selected have been adopted, and if not, why they were not. A monitoring and enforcement program shall be adopted and summarized where applicable for any mitigation.”

The failure of the EA to specify the specific mitigation and other requirements fails this duty. In addition, the EA fails to specify the monitoring and enforcement program that must be required. According to the CEQ, “[a]ny such measures that are adopted must be explained and committed in the ROD.” Forty Questions, *supra*, 46 Fed. Reg. at 18036. This has not been done in this case. Unverified and as-yet undocumented final monitoring and mitigation measures fundamentally flaws the EA.

In this case, the EA largely listed mitigation measures without any detailed analysis of their implementation or effectiveness. This approach was squarely rejected by the Ninth Circuit:

The Forest Service’s perfunctory description of mitigation measures is inconsistent with the “hard look” it is required to render under NEPA. “Mitigation must be discussed in sufficient detail to ensure that environmental consequences have been fairly evaluated.” Carmel-By-The-Sea v. Dept. of Transportation, 123 F.3d 1142, 1154 (9<sup>th</sup> Cir. 1997) (quoting Robertson v. Methow Valley Citizens Council, 490 U.S. 332, 353 (1989)). **“A mere listing of mitigation measures is insufficient to qualify as the reasoned discussion required by NEPA.”** Northwest Indian Cemetery Protective Association v. Peterson, 795 F.2d 688, 697 (9<sup>th</sup> Cir. 1986), *rev’d on other grounds*, 485 U.S. 439 (1988).

It is also not clear whether any mitigating measures would in fact be adopted. Nor has the Forest Service provided an estimate of how effective the mitigation measures would be if adopted, or given a reasoned explanation as to why such an estimate is not possible. . . . The Forest Service’s broad generalizations and vague references to mitigation measures . . . do not constitute the detail as to mitigation measures that would be undertaken, and their effectiveness, that the Forest Service is required to provide. Neighbors of Cuddy Mountain v. U.S. Forest Service, 137 F.3d 1372 (9<sup>th</sup> Cir. 1998) (emphasis added).

The EA’s failure to meet its mitigation duties under NEPA is made more problematic by the BLM’s admission that reclamation/mitigation of similar ground disturbances in the past have been largely unsuccessful (see, e.g., reclamation discussion herein). The BLM cannot approve this Project until it has analyzed, and assured, the effectiveness of all mitigation/reclamation measures.

## EA Specific Comments

**Reclamation:** The EA states that CR will reclaim the site after exploration has ceased. On steep roads, CR will pull “side cast material up to the road surface” and rip “compacted surfaces”. EA at 18. The EA does not mention anything about the salvage of top soil. The BLM should require that CR salvage all available top soil at all sites. Otherwise, reclamation seeding will surely fail.

The BLM states that because of all the mining in the area and the studies prepared, they understand the site and the impacts likely to result from the project. “In all, BLM has prepared at least one EIS and six EAs for mining exploration on the western flank of the Panamint Range in the past 10 years. The work from these prior studies, and follow-up monitoring of the mining and exploration operations, comprises an extensive body of environmental knowledge on the Panamint Range and the effects of mining and mining exploration on the area.” EA at 6. This extensive knowledge should be used to discuss past reclamation at the region. All of these EAs have been subject to 3809 reclamation standards, yet there are several mentions of unreclaimed exploration scars. For example, “[i]n certain areas within the Project boundary, the vegetation has been disturbed by prior mineral exploration and not reclaimed. Without reclamation, these areas have been slow to revegetate.” EA at 12. Because this area qualified for wilderness during the California Desert Protection Act and was only left out as a gift to mining, much of this unreclaimed exploration must be relatively recent. The notice explorations cited on page 1 also occurred since 1993. For these reasons, the BLM in the EA should analyze the success of previous reclamation near the site. It is only through such an analysis that the BLM can be certain that the best reclamation possible will occur at this site. This applies to sections 4.2 and 4.3 in the EA.

**Bonding:** The EA fails to discuss bonding for this project. Bonding is an essential part of any mine plan, whether for mining or exploration. The public must be able to review these documents. As the EPA noted in a letter concerning the Phoenix Project in northeast Nevada, “[w]e believe that the failure of the DEIS to require that BMG post financial assurances to ensure compliance with environmental standards results in an inadequate discussion under NEPA of the measure to mitigate adverse environmental effects of the project.”<sup>2</sup> The BLM is avoiding needed analysis by not considering the bonding in the EA.

As we discussed in our scoping letter, Canyon should post a minimum of \$5000 per acre for disturbance in this dry region.

In our scoping letter, we also noted that CR Briggs currently has a bond based on real estate and other instruments that the BLM no longer accepts. We hereby formally request that you recalculate the bond as required under the new 3809 regulations and require CR Briggs to provide the new bond amount in a currently acceptable instrument.

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<sup>2</sup>Letter from Laura Yoshii, Acting Regional Administrator, EPA Region 9, to Gerald Smith, BLM Field Office Manager, Battle Mountain, NV, dated May 4, 2001.

We also noted that Canyon Resources was potentially weak economically which further calls attention to the need for adequate bonding. We provided a detailed analysis based on SEC reports and newspaper articles. That analysis from our scoping letter is attached to this letter for inclusion in the administrative record for this project.

**Air Quality:** The EA states the area is not in attainment for particulate matter (PM10) under the state standards. The EA should provide a discussion as why the area is out of attainment, explain the amount that CR contributes to this problem at the Briggs Mine and predict the added effects caused by this project. It is also essential that the EA show that the project will comply with the prevention of significant deterioration program and increment analysis under the Clean Air Act. The EA fails to do all of these things.

“Baseline data was collected to support the Briggs Project EIS/EIR, and operational data has been collected at monitoring stations north and south of the Briggs Mine since December 1995.” EA at 11. The BLM should analyze this in the EA.

The area is likely in an air basin that has had its baseline date for increment analysis under the prevention of significant deterioration program of the Clean Air Act triggered. For this reason, this project most likely must undergo this increment analysis. Please address this in the new EIS.

**Groundwater:** The discussion on groundwater is paltry and does not make use of readily available information. For example, the existing Briggs mine surely has drilled wells to encounter groundwater; at least, they have developed a water supply well. The EA states that the depth to groundwater in bedrock is unknown. EA at 13. The EA then goes on to assume that the exploration will not encounter groundwater without any basis. EA at 19. The EA should provide a more detailed discussion of the bedrock groundwater that would be impacted should the drilling reach it. Id. Because any water found would likely be associated with fractures; the drill holes could establish a hydraulic cross-connection between aquifer levels. The mitigation, plugging the holes, will not sufficiently stop this potential pollution.

**Surface Water:** The BLM states that Canyon will be required to follow a stormwater permit, but does not discuss the requirements of that permit. Id. At a minimum, the EA should discuss the best management practices to be used to prevent runoff and erosion from reaching surrounding drainages.

**Wildlife:** The BLM should require Canyon to analyze and publish the results of the bighorn sheep study they funded as part of the Briggs approval. “The BLM, Death Valley National Park, California Department of Fish and Game, and CR Briggs sponsored a three-year study of the effects of the Briggs Mine on bighorn sheep. The study (not released) showed no significant impact from the mining operation.” EA at 14. It is our understanding that the data was collected as part of a thesis project but that the data was never analyzed. The EA provides no information nor references for this data or analysis, thus the statement that there was “no significant impact” is legally insufficient.

“The threatened desert tortoise is the primary focus of mitigative and protective efforts in the Mojave Desert area. Consultation with the U.S. Fish and Wildlife Service under section 7 of the Act has produced a biological opinion for exploration projects.” EA at 4.

**Native American Resources:** The EA highlights the complete incompatibility of mining and Native American spiritual values. Essentially, Canyon proposes to explore and eventually mine in a church. There is no mitigation. The land is Western Shoshone being part of the treaty lands included in the Treat of Ruby Valley. Mining here is unacceptable.

**Wilderness:** The BLM is incorrect to say there are no direct impacts to wilderness values. EA at 22. The EA states without analysis that there will be no noise heard in the surrounding wilderness due to drilling; this is not true, during a quiet evening, the sounds of drill rigs can be heard for miles. Mitigation should include a limit to the times that drilling can occur. Air pollution caused by this exploration can also directly affect the wildernesses. To the extent that roads will be built (not to mention the future mining activity), there will be substantial visual effects to the wilderness values.

The EA fails to discuss what class the area is under the California Desert Conservation Area. It also fails to note that the standard is nonimpairment, not unnecessary or undue degradation. The relevant section in the Federal Lands Policy and Management Act:

Subject to valid existing rights, nothing in the Act shall affect the applicability of the United States mining laws on the public lands within the California Desert Conservation Area, except that all mining claims located on public lands within the California Desert Conservation Area shall be subject to reasonable regulations as the Secretary may prescribe to effectuate the purposes of this section. Any patent issued on any such mining claim shall recite this limitation and continue to be subject to such regulations. **Such regulations shall provide for such measures as may be reasonable to protect the scenic, scientific, and environmental values of the public lands of the California Desert Conservation Area against undue impairment**, and to assure against pollution of the streams and waters within the California Desert Conservation Area. 43 U.S.C § 1781 (f) emphasis added

This nonimpairment standard applies to all lands in the CDCA. The new 3809 regulations do not define undue impairment. In the original rulemaking, the BLM rejected arguments that a separate rulemaking to define undue impairment was necessary. Rather, the BLM wrote that the regulation “requires the filing of a plan of operations for any activity in the California Desert Conservation Area beyond that covered by casual use. The plan would be evaluated to **ensure protection against “undue impairment”** and against pollution of the streams and waters with the Area.” 45 FR 78902, 78909, bold emphasis added. This EA for Canyon’s proposed exploration fails to perform an evaluation that this project “ensure protection against ‘undue impairment’”

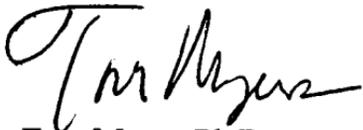
**Socio-economic Benefits:** The EA failed to give a realistic discussion of the social and economic impacts of this project, and the future mining. The number of jobs created are minimal and likely are not new in that most of the newly employed people would have jobs elsewhere if there were no

Briggs Mine. There is short-term economic activity for Ridgecrest. Being short-term, it leads to concomitant boom and bust problems. Canyon Resources' CEO will draw a large annual salary; this has no local benefit. The project, if successful, will contribute to the world about 0.1% of the world's gold production. A few years after Briggs is done, any short term benefits will be forgotten and no longer relevant.

The document fails to talk about the negative social/economic impacts of the project and future mining. The area depends on tourism more than any other activity for its economic activity. The scarred mountains left by Canyon will forever be a drain on the economy because few people will actually visit the area once mining ceases.

We thank you for considering our comments. If you have questions, please contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Myers". The signature is fluid and cursive, with a large initial "T" and "M".

Tom Myers, Ph.D.  
Executive Director

cc: Roger Flynn, Western Mining Action Project  
Timbisha Shoshone

## Attachment

### Briggs Financial Information

#### From Letter from Great Basin Mine Watch to BLM Ridgecrest, dated August 1, 2001

All of the following cited information regarding Canyon Resources activities and financial status is taken from either newspaper articles or the company's filings with the Securities and Exchange Commission.

Canyon Resources defaulted on a bond at the CR Kendall Mine north of Livingston, Montana. The following story excerpted from the *Helena Independent Record* describes the story of Canyon Resource's default in excellent detail:

The state formally has demanded that an insurance company forfeit Canyon Resources Corp.'s \$1.9 million bond to the state to help pay for cleaning up the firm's closed CR Kendall gold mine near Lewistown. But even the \$1.9 million won't begin to cover the full cleanup near the mine in central Montana. In August, the Department of Environmental Quality said it needed \$14.2 million in bonds, which included the \$1.9 million, to cover the cost of cleanup.

State DEQ Director Mark Simonich, directed an official from United States Fidelity and Guarantee Co. in St. Paul, Minn., to send the money within 30 days of the receipt of the letter. The letter was sent by certified mail on Thursday to USF&G and Canyon Resources and made public on Monday.

Simonich said this is the largest bond forfeiture ordered by the department to his knowledge.

In the accompanying forfeiture order, Simonich cited a state law requiring the department to order a bond forfeiture if the reclamation is not properly completed in conformity with the reclamation plan within two years after mining is completed or abandoned. He noted that CR Kendall stopped its ore removal operations at the Kendall Mine in January 1995 and concluded its leaching operations by January 1998.

The order said that DEQ advised CR Kendall Aug. 18 that it must complete the reclamation and placement of subsoil in the valley and authorized placement of topsoil by the end of 2001. On Sept. 21, Richard DeVoto, president of CR Kendall, told the department that CR Kendall lacked the funds to complete the projects as ordered.

DeVoto could not be reached for comment Monday.

Asked if Montana taxpayers would be stuck paying the rest of the reclamation costs if Canyon Resources doesn't provide more money, Simonich said Monday. "We're trying to make sure that doesn't happen. I think it's fairly certain that Canyon may not pay for all of it."

Simonich said the department would ask the 2001 Legislature to authorize the state issuing bonds to cover reclamation costs in cases where the company can't pay. The state would use the state's resource indemnity tax to cover the debt servicing.

He said he anticipated difficulties in getting the bond from USF&G because Canyon Resources may go to court to stop it. **Once Canyon forfeits a bond of that magnitude, it makes it more difficult for it to obtain future surety bonds for its other mining operation in California,** Simonich said.

Although Canyon closed the CR Kendall Mine, the mining permit is still in the company's name and Canyon is responsible for the reclamation.

Canyon disputed the higher bond payment sought by the state as unnecessary and possibly illegal.

DEQ assessed a \$300,000 water quality fine against Canyon Resources, and the company still hasn't paid a cent, according to Bonnie Gestring, community organizer for the Montana Environmental Information Center. "Canyon Resources has been dragging its heels on this reclamation for a long time, and the downstream land owners have been paying the price both in water quality and water quantity," Gestring said. "We certainly support the department in this action. However, we wish they had done it earlier because an entire reclamation season has been done."

As a result, the earliest the reclamation work could be done will be next summer, she said.

Gestring said the mining cleanup was "enormously under bonded," although the bonding likely will be increased. She contended the department gave Canyon Resources "far too much leeway" and didn't take the

necessary regulatory action to protect downstream landowners, Montana taxpayers and the environment. She said the environmental group supports legislative efforts to close reclamation bonding loopholes in state law. Canyon Resources, based in Golden, Colo., also was trying to get government approval to mine gold near Lincoln, northwest of Helena. That proposed mine was stopped in its tracks by a voter-passed ballot measure adopted by Montanans that bans future gold mines that use the cyanide heap leaching technique. (State Revokes Mine's 1.9 Million Bond, *Helena Independent Record*, 12/5/00, emphases added.)

Canyon Resources fought the bond revocation. According to a company press release issued more than two months later:

Canyon Resources Corporation ... today announced that its wholly-owned subsidiary, CR Kendall Corporation (CRK), has completed an agreement with the Montana Department of Environmental Quality (DEQ) under which \$1,869,000 held by CRK's reclamation surety will be remitted to the DEQ for use in continuing required reclamation at the Kendall minesite. Under the agreement, the DEQ's November 2000 order declaring a default by CRK in fulfillment of its reclamation duties and declaring forfeiture of CRK's reclamation bond, is withdrawn. It is expected that the DEQ will administer bids and a contract for reclamation work during 2001, using the remitted funds. CRK will continue as minesite owner and proprietor, working cooperatively with the DEQ with respect to completion of site reclamation. Canyon Resources Press Release, 2/14/01. (See [www.canyonresources.com](http://www.canyonresources.com))

Interestingly, we found no stories in the Helena Independent Record website generated from this press release. In their filings with the federal Securities and Exchange Commission (SEC), Canyon states the following regarding clean-up at Kendall.

The Company has spent approximately \$6.9 million on reclamation and closure activities at the Kendall Mine through December 31, 2000, and expects to spend an additional \$2.2 million through mine closure. At December 31, 2000, the Company has fully accrued for its remaining anticipated expenditures. The Company has maintained a \$1.9 million bond with the Montana Department of Environmental Quality (DEQ) to ensure appropriate reclamation. In October 1999, the DEQ issued a determination notice for an increase in the bond amount to \$8.1 million. In August 2000, the DEQ further revised the bond amount to \$14.2 million, and ordered that the leach pads be recontoured, capped, and top-soiled by the end of 2000. The Company believes that the \$8.1 and \$14.2 million bond amounts are inappropriate and has appealed the actions of the DEQ. In November 2000, the DEQ declared that CR Kendall was in default of its reclamation obligations at the Kendall site and ordered the \$1.9 million bond forfeited. In February 2001, CR Kendall entered into an agreement with the DEQ under which (i) the underlying cash of \$1.9 million supporting the bond was transferred to an interest bearing account at the DEQ for use in continuing reclamation at the Kendall minesite, (ii) the DEQ order declaring a default and forfeiture of the reclamation bond was withdrawn, and, (iii) the appeals regarding bond amounts were stayed. The Company is working cooperatively with the DEQ with the objective of completion of the reclamation of the Kendall minesite. (Canyon Resources 10-K Filing for 2000, page 9, emphases added.)

By reaching this agreement, Canyon does not have a formal default notice on its record. Great Basin Mine Watch is concerned about Canyon's bonding at Briggs. In the same SEC filing, Canyon describes its bonding at Briggs as follows:

The Briggs Mine operates under a number of permits issued by state, local and federal agencies. Moreover, the Company was required to post a \$3.03 million reclamation bond to ensure appropriate reclamation and a \$1.01 million bond to ensure adequate funds to mitigate any "foreseeable release" of pollutants to state waters. The Company also maintains a \$0.144 million reclamation bond for exploration at the Briggs Mine. Surety bonds at the Briggs Mine are partially collateralized as follows: (i) \$0.1 million held directly by the Surety; (ii) a bank Letter of Credit in the amount of \$0.2 million which is collateralized with cash; and (iii) a security interest in

28,000 acres of real property mineral interests in Montana. In addition, the Company has agreed to make additional cash deposits with the Surety totaling \$1.5 million over a three year period at the rate of \$0.5 million per year, commencing June 30, 2001. (Canyon Resources 10-K Filing for 2000, page 10, emphases added.)

The total bond at Briggs is \$4.04 million including its \$3.03 million reclamation bond and \$1.01 million water quality bond. Based on the SEC filing, **there was only \$0.3 million in cash on this bond at the end of June, 2001.** While not specified in the filings, the 28,000 acres in Montana is believed to be the McDonald and Seven-up Pete properties. It is probable that the 28,000 acres of Montana mineral interests are worthless because of the ban on the use of cyanide in Montana, based by the citizens of Montana in 1998 and codified as follows:

### Montana Cyanide Initiative

82-4-390. Cyanide heap and vat leach open-pit gold and silver mining prohibited. (1) Open-pit mining for gold or silver using heap leaching or vat leaching with cyanide ore-processing reagents is prohibited except as described in subsection (2).

(2) A mine described in this section operating on November 3, 1998, may continue operating under its existing operating permit or any amended permit that is necessary for the continued operation of the mine.

History: En. Sec. 1, I.M. No. 137, approved Nov. 3, 1998; amd. Sec. 1, Ch. 457, L. 199

Currently, Briggs is Canyon's only money making mine. If the current exploration is unsuccessful, the company may be unable to complete the reclamation at Briggs. According to their most recent S-3 form:

**WE MAY NOT BE ABLE TO EXTEND THE LIFE OF THE BRIGGS MINE.** Our only income and revenue producing asset is the Briggs Mine, located in California. We placed our Briggs Mine in production in 1996 and it has produced 323,792 ounces of gold through the end of 2000. Our current mine plan indicates that unless we find additional gold reserves, mining at the Briggs Mine will cease mid 2002 and gold production from the heap leach piles will cease in the first quarter of 2003. We are exploring for additional gold reserves adjacent to the mine but there can be no assurance that our exploration program will be successful. (Canyon Resources Form S-3, filed May 22, 2001, page 4, emphasis in original)

Further problems result from the fact that Canyon Resources has lost almost \$24,000,000 in the past three years.

The Company recorded a net loss of \$12,072,800, or \$1.03 per share, on revenues of \$34,726,300 in 2000. This compares to net income of \$203,500, or \$0.02 per share, on revenues of \$30,904,500 in 1999. The 2000 results include a charge of \$11 million in connection with a write-down of the Briggs Mine assets to fair market value. (Canyon Resources 10-K filing, page 26)

The Company recorded net income of \$203,500, or \$0.02 per share, on revenues of \$30,904,500 in 1999. This compares to a loss before extraordinary item and cumulative effect of changes in accounting principles of \$2,849,300, or \$0.25 per share, and a net loss of \$12,058,900, or \$1.04 per share, on revenues of \$35,246,600 in 1998. (Canyon Resources 10-K filing, page 29)

During the first quarter of 2001, the highest and lowest price observed for Canyon's stock was \$1.32 and that is a drop from \$15.52 in the second quarter of 1996. [www.canyonresources.com/investor/invest.html](http://www.canyonresources.com/investor/invest.html) . On March 24, 2000, there was a reverse stock split, thus the most recent high value is only 4.25% of the value in 1996. With approximately 14,000,000 shares of common stock outstanding, it is clear that the losses during 1998 and 2000 approximate the current market valuation of the company.



14

August 10, 2002

**High Desert Multiple-Use Coalition**

Mr. Randall Porter  
Bureau of Land Management  
Ridgecrest Field Office  
300 S. Richmond Rd.  
Ridgecrest, Ca 93555

*noted that 8/12/02*

Via e-mail, facsimile transmission, and U.S. mail

**RE: Cecil R. - Jackson Exploration Plan of Operation Environmental Assessment**

The following comments are submitted on behalf of the High Desert Multiple Use Coalition, Inc.

**COMMENT 1**

The EA is inadequate in informing the public of the exact boundaries of the proposed area and includes only a very poor map that vaguely indicates the general area under consideration. The EA should include a detailed map of the area that clearly shows all existing roads.

**COMMENT 2**

We are adamantly opposed to requiring the project proponent to rehabilitate any existing roads associated with the mineral exploration project or within the general area considered by this Environmental Assessment (EA).

**COMMENT 3**

The enactment of the so-called Desert Protection Act seriously diminished the availability of vehicle based primitive backcountry recreational opportunities and further losses are expected with the finalization of the Northeastern Colorado, Northeast Mojave, and the West Mojave Management Plans. In addition, the closure of Surprise Canyon has directly eliminated an important opportunity to experience technical four wheel-drive operation in the immediate area of the Panamint Mountains.

The BLM should consider the cumulative effects of the ongoing wholesale closure of roads currently taking place within the California Desert Conservation Area (CDCA) when assessing the value of the roads proposed to be closed under this EA.

**COMMENT 4**

The EA fails to provide adequate justification as to why the existing routes need to be closed. Although there are vague references to the effect on PM-10 air quality regulations

**Conservation NOT Confiscation**  
**P.O. Box 1167, Ridgecrest, California 93556**

associated with future recreational use of the existing roads, there is no quantified estimate of the overall positive benefits closing the existing roads might have. Nor are there any noteworthy resource issues associated with the recreational use of the existing routes cited in the EA. There are no riparian areas, vegetation concerns, specific cultural impacts, or appreciable potential to adversely affect wildlife associated with the existing routes being used for recreational purposes.

#### COMMENT 5

According to the EA, "In 1991, the 3,000-acre project area currently proposed for exploration by Briggs comprised part of the lands being proposed for wilderness designation by proponents of the California Desert Protection Act. These lands were later dropped (deleted) from the final wilderness areas approved by Congress in the California Desert Protection Act of 1994. These deleted lands were not retained as Wilderness Study Areas (WSAs) but were released, either as Class L or M multiple-use lands." Therefore, we contend that the BLM should manage the area as Congress intended, multiple-use lands which include motorized recreation.

#### COMMENT 6

The EA recognizes that recreational uses of the area include dispersed hiking, camping, rock collecting, four wheeling, and investigating old mining camps. However, the EA is woefully inadequate in considering the social and economic value of these activities and how they contribute to the quality of life for local residents and visitors. We insist that these factors be evaluated and included in the EA.

#### COMMENT 7

Many visitors to the Panamint Mountains are handicapped or physically unable to enjoy the vast majority of the area that is currently inaccessible to vehicle uses. The EA should consider how the loss of motorized access caused by the reclamation of existing roads would affect physically challenged persons who are protected by the Americans with Disabilities Act.

#### COMMENT 8

Section 4.13 of the EA, Social and Economic Values, is deficient because it lacks full consideration of the social and economic value of motorized access to the project area. According to a publication by the California Department of Parks and Recreation, a survey prepared by Sacramento State University's Institute for Social Research documented that off-highway recreation annually generates more than \$3 billion in economic activity statewide, generates roughly \$1.6 billion in personal income, and affects 43,000 jobs. Thus, we contend that the EA must include an analysis of the social and economic impacts of this project as they relate to motorized recreation.

#### COMMENT 9

The EA states, "Under the no action alternative, there would be no change in recreational use of the area." Given the choice between the Preferred and the No Action Alternatives, we would have to support the No Action Alternative. However, we propose a modified alternative as follows. First, allow the exploration to go forward as in the preferred alternative but allow the existing roads to remain open for public recreational use. Second, evaluate all of the new roads that will be constructed in association with this project for future recreational uses. Factors that

should be included for consideration are access for dispersed hiking, camping, rock collecting, four wheeling, investigating old mining camps, study of historic mining, hunting, launch sites for hang-gliding, scenic viewpoints, and access for Americans with disabilities.

**COMMENT 11**

In conclusion, we are deeply offended by the cavalier attitude toward motorized recreation that is illustrated by the preparers of this environmental document. This EA clearly exemplifies the severe bias against vehicle based recreation that is becoming more and more associated with your agency.

Thank you for your consideration and this opportunity to express our concerns.

A handwritten signature in black ink, appearing to read "R Schiller". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

Ron Schiller, Chairman  
High Desert Multiple Use Coalition



**Public Employees for Environmental Responsibility**

2001 S Street, NW • Suite 570 • Washington, D.C. 20009 • 202-265-PEER(7337) • fax: 202-265-4192  
e-mail: info@peer.org • website: http://www.peer.org

15

May 26, 2001

Randy Porter  
Bureau of Land Management  
300 S. Richmond Road  
Ridgecrest, CA 93555-4436

Dear Mr. Porter,

PEER would appreciate receiving a copy of the EA and Operations Plan for the proposed expansion of the Briggs Mine.

Thank you,

Howard Wilshire  
Chairman of the Board  
3727 Burnside Rd.  
Sebastopol, CA 95472

RIDGECREST RESOURCE AREA  
RIDGECREST, CA

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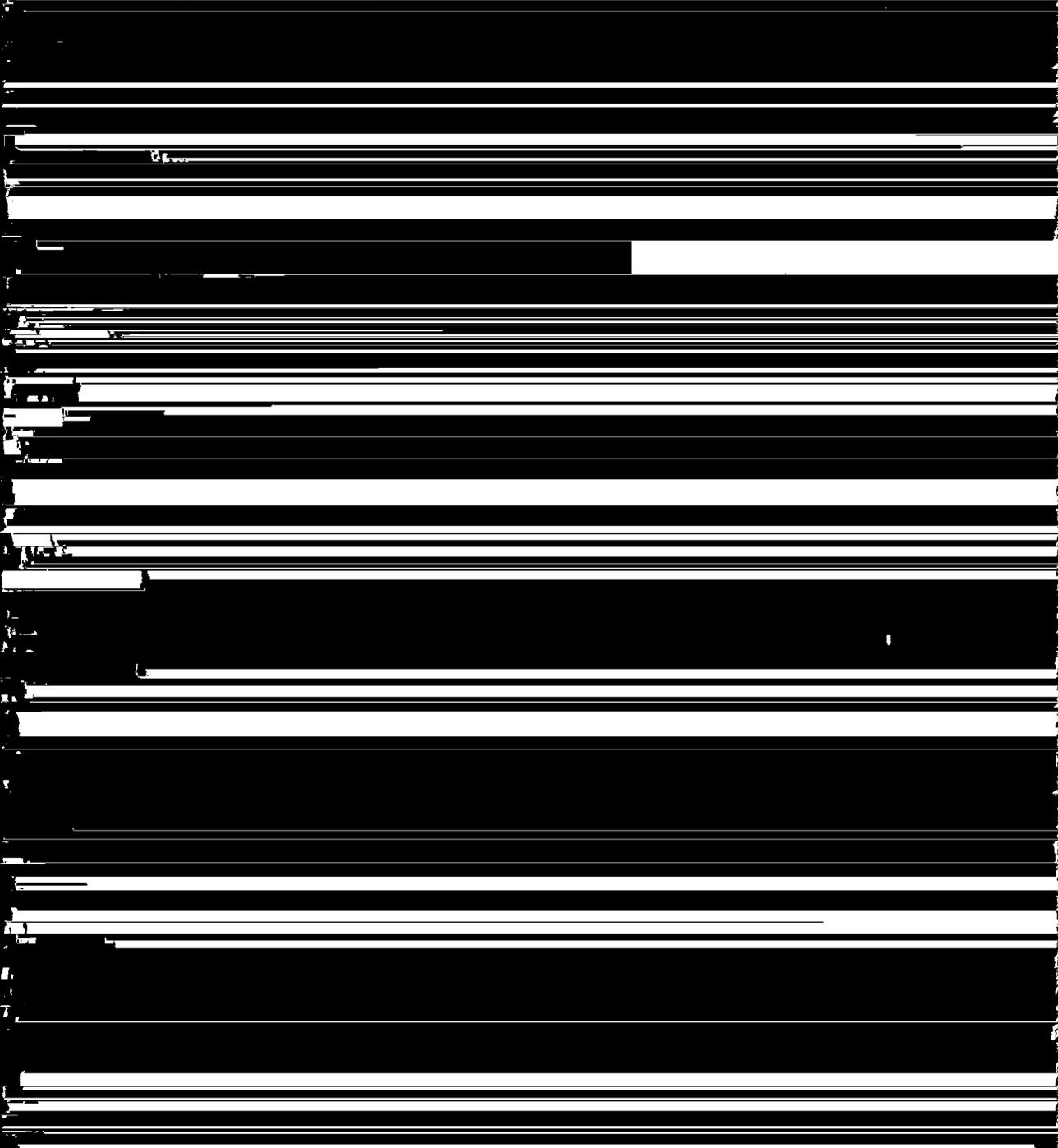
RED ROCK AUDUBON SOCIETY

16

July 22, 2002

Hector Villalobos  
Ridgecrest BLM Field Manager  
300 South Richmond Road  
Ridgecrest, CA 93555

RE: Briggs Mine Exploration Environmental Assessment



Tom Meyers  
Great Basin Mine Watch  
PO Box 10262  
Reno, NV 89510

Howard Wilshire  
PEER  
3727 Burnside Road  
Sebastopol, CA 95472

Ms. Wilma Wheeler  
Sierra Club, Range of Light Chapter  
Box 1973  
Mammoth Lakes, CA 93546

## **INDIVIDUALS**

Adolph B. Amster  
1418 Sydnor Ave.  
Ridgecrest, CA 93555

Edie Harmon  
Box 444  
Ocotillo, CA 92259

Dan Randolph  
Box 2414  
Durango CO 81302

Mike Tobin and Jenny Pursell  
18 Paseo Cuarto  
Salinas, CA 93908

Anna Zacher  
Box 34  
Olancho, CA 93549

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RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

**OWENS PEAK GROUP  
KERN KAWEAH CHAPTER  
SIERRA CLUB**

Post Office Box 1569, Ridgecrest, CA 93556

17

7/11/02

Dear Mr. Villalobos,

This is to comment on the proposed test drilling by C. R. Briggs in Panamint Valley.

We understand the reason for the exploration, but the potential harm to the environment is high. Even careful rehab of roads after the event cannot entirely mitigate the damage that may occur.

We urge you to do an EIS on this project before permitting any on-the-ground work.

Many Thanks,

*Jeanie S. Haye*  
Jeanie Stillwell Haye  
Conservation Chair



**Range of Light Group**  
 Toiyabe Chapter, Sierra Club  
 P.O. Box 1973  
 Mammoth Lakes, CA, 93546

Inyo & Mono Counties  
*One Earth, One Chance.*

Hector Villalobos, Field Manager  
 Randy Porter, Geologist  
 BLM Ridgecrest  
 300 South Richmond Road  
 Ridgecrest, CA 93555

*note to W 8/12/02*  
 (18)

August 10, 2002

Re: Briggs Mine Proposal - Cecil R-Jackson Exploration Plan of Operations Environmental Assessment  
 EA Number CA - 065 - 2002 - 082

Dear Mr. Villalobos:

On behalf of the Sierra Club Range of Light (RoL) Group, which represents Sierra Club members in Inyo and Mono Counties, I submit the following comments on the Environmental Assessment for the Cecil R-Jackson Exploration Plan of Operations.

First of all, the Range of Light Group believes that an Environmental Assessment is inadequate to fully describe the impacts that would occur to this sensitive area if the exploration proposal is permitted to go forward. A full Environmental Impact Study is needed. | 10

It is the contention of the RoL Group that the EA does not adequately "analyze the environmental impacts and mitigation of impacts associated with the proposed Project. It also determines whether significant impacts would result if the proposed action or alternatives were implemented." as stated in 1. Introduction. There is not enough detail in the EA to determine all the significant impacts associated with this proposal.

The EA does not address the cumulative impacts of the proposed action at all. Section 4 states "Cumulative impacts are the result of all past, present, and reasonably foreseeable future impacts, added together. For the purposes of this EA, the cumulative impact discussion from BLM et. al. (1995) is adopted by reference. The reader should note that development of a mine is not considered a reasonably foreseeable impact of exploration and is outside the scope of this analysis." This statement clearly does not recognize the intent of Canyon Resources (owner of Briggs Mines) as stated on Canyon Resources website: "The Company holds 14,000 acres of mining claims in the Panamint Range of southeastern California adjacent to the operating Briggs gold mine. At least six gold occurrences on this claim block have mineable gold reserves or gold mineralization encountered in drillholes. Canyon plans to systematically explore the entire claim block with the objective of the development of several mine on the Panamint Range Property." (<http://www.canyonresources.com/projects/explore.html>) Because of the publicly stated intent of Canyon Resources, the cumulative impacts of the proposed actions must be addressed. This added to the current Briggs mining activity means there will be a great cumulative impact to the Panamint Mountains. | 6

1.3.1 The EA recognizes that "the California desert environment is a total ecosystem that is extremely fragile, easily scarred, and slowly healed;" .."the California desert environment and its resources, including certain rare and endangered species of wildlife, plants, and fishes, and numerous archeological and historic sites, are seriously threatened by air pollution, inadequate Federal management authority, and pressures of increased use, particularly recreational use, which are certain to intensify because of the rapidly growing population of southern California;" Because the desert is fragile, easily scarred, and

slowly healed and because this desert area is sacred to the Timbisha Shoshone Americans, mining exploration permits must not be granted without full review and consideration of all the impacts, thus, an EIS is needed.

2.1. ... "The proposed exploration would affect up to 100 acres within a proposed area of approximately 3000 acres."

4.3.2 Impacts. "The Project would temporarily remove up to 100 acres of vegetation. Reclamation would reestablish vegetation on the disturbed areas." This clearly does not take into account the intent of Canyon Resources. The above paragraph quotes Canyon Resources' statement that they plan to systematically explore the entire claim block of 14,000 acres. All this exploration and mining activity so close to wilderness areas, to Death Valley National Park, and to the California Desert Conservation Area is unacceptable. The visual impacts alone make these activities unacceptable. The scars left by mining activity and even the exploration activity would be there for hundreds if not thousands of years. The EA states that it would take 50 years for the vegetation to be restored in disturbed areas. This further bolsters the fact that the cumulative impacts must be considered.

The BLM website has a Notice of Intent to prepare an amendment to the California Desert conservation Area Plan and an EIS for Surprise Canyon in Panamint Mountains. The notice is a result of BLM finding that Surprise Canyon has been degraded by motor vehicle use. The degradation of nearby Surprise Canyon is another reason to consider the cumulative impacts to the Panamint Mountains of mining, exploration, and off-road vehicle use.

The Briggs Proposal EA does recognize that the Panamint Mountains are the home range of the Timbisha Shoshone and the impact and insult to the Timbisha resulting from the current Briggs mining and the proposed exploration. However, the EA has no provisions for mitigation or any solutions to offer. In view of this, the "No Action Alternative" is the better choice. The Range of Light Group opposes those actions which would further degrade the lands the Timbisha hold sacred.

The EA recognizes that the proposal would not add any significant economic benefits to Inyo County. It would negatively impact the scenic values of the Panamint Mountains and detract from Death Valley Park and the nearby wilderness areas. Thus the negative impact to tourist would likely outweigh any short term small economic benefit. In addition, even with mitigation there would be permanent impacts to the landscape.

#### "1.1 Purpose and Need for the Proposed Action

The purpose of the proposed action is to develop data to determine the quantity, concentration, and geometry of precious metals deposits in the proposed exploration area. The need for the proposed action is to satisfy free market demand for metals."

There is no shortage of the minerals which Briggs (Canyon Resources) hopes to mine. Ninety percent of gold mined is used for jewelry. The price of gold has been comparatively low for numerous months showing there is no great market demand.

Because of the potential impacts, the disadvantages of permitting this exploration far outweigh any advantages. This exploration and subsequent mining will cause permanent damage to the Panamint Mountains. The "No Action" alternative is clearly the better choice. If the BLM does not select the "No Action" alternative, we request an Environmental Impact Study. Thank you for the opportunity to comment.

Sincerely,



Wilma Wheeler, Chair  
Range of Light Group



# SIERRA CLUB

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2002 JUL 26 ~~Southern Nevada Group~~

P.O. Box 19777, Las Vegas, NV 89132  
RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

Hector Villalobos  
Ridgecrest BLM Field Manager  
300 South Ridgecrest Road  
Ridgecrest, CA 93555

19

RE: the Briggs Mine in the Panamints

Dear Sir,

July 23, 2002

I am writing as a representative of the 2,000 members of the Southern Nevada Group of the Sierra Club. We are concerned about the mining that continues to threaten the environment in our surrounding area.

In particular with respect to the proposed expansion of the Briggs mine in the Panamints, we are concerned that:

- there needs to be a full analysis of the expansion to uncover and describe all impacts. This would require a full EIS.
- the cumulative impact needs to be considered, not just the impact of the exploration proposed in the expansion
- the EIS must include the impacts to the Timbisha Shoshone on their way of life and their values and cultural resources
- the values of recreation and natural vistas must be given at least equal weight to the mining value. There needs to be a recognition that even with reclamation, the impact to recreation and natural vistas in some ways will last forever.

Sincerely,

*Jane Feldman*

Jane Feldman  
Conservation Chair



3750 El Canto Drive  
Spring Valley, CA 92077  
August 8, 2002

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RIDGECREST RESOURCE AREA  
RIDGECREST, CA.  
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*noted 8/13*

Hector Villalobos, Field Manager  
Ridgecrest Field Office  
300 South Richmond Road  
Ridgecrest, CA 93555

Dear Mr. Villalobos,

Thank you for the opportunity to comment on the EXPANSION OF THE BRIGGS MINE.

I am deeply concerned about this massive proposal along the western flank of the Panamint Mountains, its close proximity to some of the deserts very special places as well as the potential for physical and chemical problems to lands lying below in the Panamint Valley.

In order to get a look at the big picture, I referred to two BLM maps: the Darwin Hills and the Ridgecrest maps of the Special Edition (1998) Surface Status Desert Access Guide Series.

Current Mine Site:	Section 14, T22S, R44E
Town of Ballarat:	Section 4, T22S, R44E

This is a distance of approximately six miles, though the exact distance is difficult to estimate because of the distorted section lines lying near the 3990000mN marker.

The boundary of the expansion is located within a mile or so of the Manly Peak Wilderness Area, Death Valley Wilderness, the Surprise Canyon ACEC and several whole or portions of State Lands.

The project appears to cross ten or twelve canyons flowing from Death Valley and the lower reaches of the Panamints.

The expansion area is visible from miles and miles away in almost three directions. The massive piles of the Mesquite Mine in Imperial Valley are but mere specks compared to the Briggs proposal.

However, the size of the visual impacts is probably minor in importance to the chemical and physical damage potential of the mining operations and facilities which could be caused by the incredible force of waters pouring down any, or even all, of the canyons along the expansion area. The possibilities of cyanide and/or other chemicals flowing onto the alluvial fans and Panamint Valley below boggle the mine.

It is impossible to believe that an EA is a sufficient document. The problems surrounding even the EA, and its hearings, must give some indication of the problems involved. An EA would not include comments, analyses, stipulations etc. of jurisdictions adjacent to the expansion area, i.e. Death Valley National Park, State Schools Lands, County, relative to liabilities, responsibilities and so forth, in addition to all of the elements necessary to conform with CEQA as well as NEPA.

In addition to the mine, per se, there other concerns, such as the illegal use of slag: Attachment A Apparently, there are opportunities for economic gain, far away from Ballarat.

The Expansion is a massive project which should be thoroughly analyzed and reviewed by California, the Department of Interior (BLM, NPS) and the public.

It is possible that the Ridgecrest Field Office has received instructions from Washington. I refer to the action by Interior to rescind the rule of former Secretary of Interior, Bruce Babbitt, that mining was not always the "best and highest use" of BLM lands, and that the Bureau of Land Management was authorized to deny a mining permit, especially in the case of the Glamis Mine at Indian Pass, Imperial County.

This particular Expansion of the Briggs Mine, as of August 20, 2002, will have impacts on future generations of plants, animals and people for eons to come.

Certainly, there is time to prepare a full Environmental Impact Statement/Environmental Impact Report before any Record of Decision is issued.

Respectfully submitted,

  
Harriet Allen

c: Superintendent, Death Valley National Park

Thursday, April 21, 1994

THE SAN DIEGO UNION-TRIBUNE

# 2 go on trial in export of mining slag

By VALERIE ALVORD  
Staff Writer

For nearly 30 years, Bill Snavely and Daryl Westerfeld crushed and smelted gold from the rocks of the Mojave Desert.

They were little more than desert rats using their wits and experience to coax a living from the bare earth, says an attorney for Snavely.

But federal prosecutors say that after the men's separate mining operations were evicted from public lands in Rosamond and Mojave they violated environmental laws by trying to export hazardous leftovers, called slag, to Mexico. Yesterday, Snavely, 67, and Westerfeld, 60, sat in a federal courtroom as a prosecutor presented evidence in the first federal criminal enforcement action in the nation involving mining waste.

Assistant U.S. Attorney Melanie Pierson told a jury that Snavely and Westerfeld knew that the slag contained high contents of lead. But, Pierson said, they tried to pass it off as valuable mining ore that could be smelted for high quantities of gold and silver.

Pierson told the jury that the two miners were stopped in the process of sending about 350 tons of the material to a small smelting operation in Mexico. She said exporting it would have saved them the \$70,000 to \$100,000 it would have cost to properly dispose of the hazardous waste.

Before they tried to send the slag to Mexico, she said, they had been stopped in the process of dumping it in a Kern County landfill.

But lawyers for the miners told the jury that the material did contain valuable minerals and added that Snavely and Westerfeld believed that they had the approval of the Environmental Protection Agency and the Bureau of Land Management when they began exporting the slag in 1992.

Outside the courtroom yesterday, Snavely's lawyer, Mario Conte, contended that the government was using the case to set a dangerous precedent in the mining industry.

"They didn't go after the big mining companies," Conte said. "They took on two little guys, so that anytime they wanted to they could say mining slag is hazardous waste."

Pierson refused to discuss the case with a reporter.

Both Snavely and Westerfeld had been involved in mining operations on government lands for several decades. Westerfeld owned a smelter in Mojave, called A&W Smelter and Refiners Inc. Snavely, a chemist, had a facility called Osage Industries in Rosamond.

In 1991, the Bureau of Land Management told them both to vacate the government land and return it to its natural state.

Together, they managed to dispose of tons of ore and slag, the defense contends. Only 350 tons — a very small quantity by industry standards — remained, and a deal was made with a Mexican refinery to ship it there. Snavely and Westerfeld were to pay the transportation costs of about \$20,000, and the refinery was to give them 50 percent of the profits from the precious metals that were to be smelted from the slag, defense lawyers said.

The first two trucks arrived, but Mexican officials stopped the next shipment and tested it for hazardous waste.

Mining industry insiders said yesterday that the predicaments of Snavely and Westerfeld could present a snapshot of the decline of a colorful and important industry.

"If everything they say is true, these men may well be an example of how the entire government under the Clinton administration is treating the small miner," said Bill Tilden, chairman of the mining industry's Public Lands Committee. "We've decided in this country that we don't like small prospectors anymore."

Warren Coalson, a San Diego County mining consultant, said the case could set a disastrous precedent for the mining industry.

"The government wants to classify all mining spoils as hazardous waste, and if that happens it's just one more nail in the coffin of the mining industry," Coalson said.

BY FAX 760-384-5400

5499

(21)

3750 El Canto Drive  
Spring Valley, CA 91977  
August 11, 2002

Hector Villalobos, Field Manager  
Ridgecrest Field Office  
300 south Richmond Road  
Ridgecrest, CA 93555

Case # CACA-42806  
3809(P)  
CA-650.52

Dear Mr. Villalobos,

It would be deeply appreciated if you would be so kind as to accept the following correction to my comment letter of August 8th and attach it to the letter.

Replace all uses of the "expansion" with "exploration"

I certainly know the difference between the two. However, the term "exploration" for this particular action of Briggs Mine is still synonymous with the word "expansion" for the whole project as documented in your DECISION RECORD, Finding of No Significant Impact and Approval of the CR Briggs Mine Pit Expansion under 43 CFR 3809, dated January 11, 2002.

My letter of August, except for typos, still stands as submitted.

Respectfully,



Harriet Allen

c: Death Valley Superintendent

1418 Sydnor Ave.  
Ridgecrest, CA 93555  
June 7, 2001

22

Mr. Randy Porter  
Bureau of Land Management  
300 S. Richmond Rd.  
Ridgecrest, CA 93555-4436

Dear Mr. Porter,

I am writing about the proposed expansion of the CR Briggs mine on the face of the Panamint Range.

I would appreciate being placed on the mailing list to receive a copy of the Environmental Assessment when it is issued.

Thank you.

Sincerely yours,



Adolph B. Amster

RECEIVED  
BUREAU OF LAND MANAGEMENT  
2001 JUN 12 AM 6:56  
RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

23

Randy Porter  
BLM, Ridgecrest Field Office  
300 South Richmond Road  
Ridgecrest, CA 93555

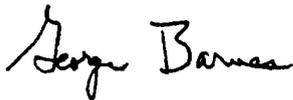
RECEIVED  
BUREAU OF LAND MANAGEMENT  
9 August 2002  
2002 AUG 12 PM 3:43  
RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

Re: EA for Cecil R. - Jackson Exploration Plan of Operation,  
EA CA-065-2002-082, CACA 42806, June 10,2002

Dear Mr. Porter:

I believe there is a serious flaw in this EA in that no map showing the planned road network for the drill pads is provided. Without such a map the location of the specific impacts is impossible to determine and comment on. The only map in this EA is a general location map and the statement that "the proposed exploration would affect up to 100 acres within a proposed area of approximately 3000 acres" is too vague to provide impact location information.

I believe this EA should be reissued with the appropriate map which would allow you to receive comments specific enough to assess whether or not an EIS is needed in this case.



George Barnes  
960 Ilima Way  
Palo Alto, CA 94306-2617

**RUSSELL BLALACK**

1081 Milky Way, Cupertino, CA 95014  
Phone: (408) 996-9750 FAX: (408) 996-9234

RECEIVED  
BLM MANAGEMENT  
2002 JUL 15 PM 3:03  
RIDGECREST RESOURCE AREA  
RIDGECREST, CALIF.

Hector Villalobos, Field Manager  
BLM Ridgecrest  
300 South Richmond Rd.  
Ridgecrest, CA 93555.

24

Friday, July 12, 2002

Dear Field Manager Villalobos,

*Proposed expansion of the Briggs gold mine in the Panamint Range*

I am Russell Blalack, resident of California, citizen of the United States of America. I am writing to express my concern about the proposed expansion of the Briggs open pit heap-leach gold mine in the Panamint Range, and the need for an EIS analysis.

I ask that the BLM

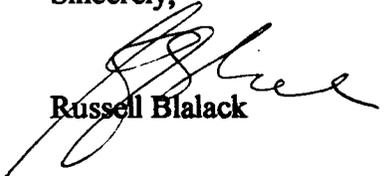
Canyon-Resources Inc., in its existing Briggs open pit heap-leach gold mine in the Panamint Range, has already torn a huge, permanent hole in the area along the South Park Canyon Road. Now CRI wants to expand the mining.

In order to expedite the expansion, you of the BLM released an Environmental Assessment (EA) for the project that is a rudimentary analysis that fails to address most key ecological issues.

For example, the Briggs EA was silent on the potential cumulative impacts of mining in the area. In order to determine the project's true impact on the local environment, a comprehensive Environmental Impact Statement (EIS) must be conducted.

I ask that the BLM perform a comprehensive EIS, as the law and the particulars of this case require.

Sincerely,



Russell Blalack

RECEIVED  
BUREAU OF LAND MANAGEMENT  
2002 AUG 28 PM 1:39  
RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

JUDE K. BRENNAN  
8324 Regents Rd., #2B  
San Diego, California 92122

August 5, 2002

25

Hector Villalobos  
Ridgecrest BLM Field Manager  
300 South Richmond Road  
Ridgecrest, California 93555

Randy Porter  
BLM Ridgecrest  
300 South Richmond Road  
Ridgecrest, California 93555

**RE: BRIGGS MINE EXPLORATORY DRILLING ENVIRONMENTAL ASSESSMENT (EA)**

Dear Gentlemen:

I understand the comment period on this matter has been extended to August 10, 2002.

As you know, the C. R. Briggs Mine in the southern Panamint Mountains started operations in 1996. Since then they have created a large open-pit, cyanide heap-leach gold mine adjacent to the western boundary of Death Valley National Park. A direct quote from the parent company's web site states: "... plans to systematically explore with the objective of the development of several mines on the Panamint Range Property." Thus, the current mine, which is the subject of the BLM's current environmental assessment, is only the beginning of C.R. Briggs' intentions and plans. The new proposal is to create at least 22 miles of new roads higher up on the mountainside and six miles north of the present site in Panamint Valley, so that mining can continue there. As a result, a full and complete formal analysis is in order. Please also consider the following points:

- The cumulative impact of this project - - mining causes PERMANENT damage - - and what it can lead to must be considered, not merely the present exploration activity alone.
- The current EA points out the importance of the land to the Timbisha Shoshone, but proposes no amends.
- Gold is not the only valuable resource connected with this area; undisturbed, open desert areas, natural vistas and recreation places have eternal value and importance. By exploiting the valley for gold, its natural values will be consumed and lost forever.
- The current EA essentially considers no alternative other than no exploration. Other viable alternatives must be considered and made public.
- Most importantly, a full analysis (Environmental Impact Statement) is needed to discover and report all environmental, economical and fiscal impacts of this project.

I appreciate your attention and time and thank you for protecting the future of the Panamint Valley.

Sincerely,  
*Jude K. Brennan*  
Jude K. Brennan

/jkb

26

July 9, 2002

Hector Villalobos  
BLM Ridgecrest  
300 S Richmond Road  
Ridgecrest, CA 90555

Dear Hector,

We talked yesterday about extending the comment period on the Briggs Mine exploration EA. It should be extended, at least another month to August 23, if not longer.

1. This is a matter of some importance. Lots of EAs cover subjects that are relatively benign and not controversial. Considering the potential consequences of this action, to disallow adequate time for public comment in favor of expediency of the project is unsound. It's been over a year since the original notice was sent. Another month or two can't hurt.
2. The notice was issued immediately prior to the Fourth of July holiday, this year a 4-day holiday at minimum. This eats into the comment period.
3. Further subtracting from the comment period is the time of year- mid-summer when a lot of people are vacationing and not available to pay attention to these kinds of matters.
4. The EA was not included in the mailing. I got a copy and have sent it to quite a few people. I don't have your mailing list, so those people must get it themselves. This lack of information about the action further delays ability to understand the EA and respond to it.
5. I am "peeling the onion" in learning of the project. Neither the EA or the notice detailed the locations of the exploration roads. I talked to Randy Porter today, found that maps of the roads exist, and he emailed them to me - I will send them to others. It takes time for people interested in understanding the proposal to learn these things.

Other people tell me that the public notification for the existing mine did not draw a lot of response. It's possible that this was because the project was not well known, because the process was too quick. We must not risk such with this action. Responsibility to public lands demands this.

Sincerely,



Tom Budlong

Voice: 310-476-1731

Fax: 310-471-7531

email: TomBudlong@Bigfoot.com

THOMAS S. BUDLONG  
3216 MANDEVILLE CANYON ROAD  
LOS ANGELES, CA 90049-1016

RECEIVED  
BUREAU OF LAND MANAGEMENT  
2002 JUL 22 PM 2:34  
RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

27

July 19, 2002

Hector Villalobos  
Randy Porter  
BLM Ridgecrest Field Office  
300 S Richmond Road  
Ridgecrest, CA 93555

Dear Hector and Randy,

Following are my comments on the Briggs Exploration EA. The EA is formally described as:

- Title Cecil R. - Jackson Exploration Plan of Operation
- EA Number: CA-065-2002-082
- Case File Number: CACA 42806
- Date: June 14, 2002

1. **Comment Period Extension:** The comment period should be extended from July 23 for one or two more months. I expressed this request in my letter to you dated July 9. Essentially, the minimum one-month is insufficient for a project with such a large potential impact. Reasonable, considered, well thought out public comment cannot be expected by July 23.

As an example, there has not been time for me to receive copies of some of the references given in the EA. These were not included with the EA, and they are not of the nature to be instantly available.

The EA itself was not included in the public notice of its availability, and it takes time for those interested in the subject to understand that it must be obtained, and to go about obtaining it.

2. **Cumulative Impact:** A major question is cumulative impact, which is specifically avoided in the EA (p.18).

It is improper to divide a large project into small pieces, each of which has a small and therefore acceptable impact, when the total impact would be large and unacceptable. Such a divide-and-conquer technique avoids the major issue and could end in an unacceptable impact which would not have been allowed if the total were presented at the start of a project.

The EA cites lack of precision with respect to activity following the exploration as the reason. Given the highly developed knowledge of mining available to the mining industry, and the fact that the BLM has considerable experience with respect to the effects (as stated on p.7 of the EA, under Related Activities), the most likely subsequent activities can be identified. Once identified, their impacts can be analyzed.

It is also proper for the BLM and CR Briggs to know the potential impact, so they can judge the propriety of proceeding. Indeed, the most probable impact could require mitigation that would make the most probable project uneconomic.

3. **No Justification for the Exploration:** In the EA's cumulative impact discussion the EA states (p.18) "... development of a mine is not considered a reasonably foreseeable impact of exploration...". An implicit assumption connected to this exploration is that the exploration has the potential to discover mineable ore. Without this assumption there can be no motive for exploration. If development of a mine

Hector Villalobos, Randy Porter, page 1 of 3.

is not considered reasonable then neither is the exploration, and the request for exploration should be denied. The BLM cannot approve of such a project unreasonably.

To put it another way: It is presumed that the purpose of exploration is to determine if a mine is viable, hence a mine is a reasonable outcome. If a mine is indeed not reasonably foreseeable, then exploration is not reasonably justified.

**4. Groundwater:** The EA states that depth to water in the bedrock (I presume this refers to the exploration area) is unknown (p.14). Then on page 20 the EA states that it is not expected to hit ground water. These statements conflict. The conflict must be resolved.

The EA implies that concrete plugging a hole that hits water stops any potential damage, if done to government standards. Assurance is needed that these government standards reflect the latest state of knowledge in these situations, and that when applied would provide a reasonable probability of controlling potential damage. We all know that government standards are often well behind current knowledge and state-of-the-art.

**5. Restoration:** The EA talks about returning the contour of the exploration roads to prior condition, and reseeded. The only technique mentioned is reseeded prior to winter rain.

The EA does not mention the goal. This is wilderness quality land—it was a Wilderness Study Area prior to passage of the Desert Protection Act. The goal must be to restore the land to its condition before exploration. As such, the plant community after exploration must match the prior condition – essentially the same as the adjacent non-disturbed areas. There must be assurance that this is the goal and that the techniques to be used have the highest probability of achieving that goal. The EA must describe possible corrective measures to be taken if the goal is not achieved in the time allotted.

I would emphasize that the goal is restoration, not reclamation, and we must be careful when using these two words. The dictionary definition of restoration is returning to prior condition, and that must be the goal. Lesser goals which only partially heal the damage are unacceptable and could well lead to significant impact of this wilderness quality area. Lesser goals include reclamation. I note that the EA uses the word ‘reclaim’ quite often, and does not use the word restore. This is unacceptable.

The current mine has a topsoil program. There is no mention of a topsoil program for this exploration. Perhaps it is not needed. If so, that should be stated.

**6. Alternatives:** Essentially, one alternative is described. ‘No Action’ is mentioned, but realism dictates that this alternative would not be chosen, considering the EA’s minimal impact analysis. Other alternatives must exist. There is one mention of possible helicopter access in the high Nostradamus areas, but more extensive use of helicopters is not considered. It is even possible that helicopter access would make restoration easier.

Not being a mining engineer, I am not aware that other techniques do or do not exist. If indeed, there is no other way to explore the area, the EA should state that, to show that alternatives have been considered.

**7. Timbisha Shoshone:** The EA recognizes that the Timbisha consider the exploration and mining to be an extreme ‘insult’ to their territory and culture. Also described in the EA is the BLM’s effort to understand their situation. But after all this consideration, nothing is proposed for relief. The reason stated for not providing relief is that no one can think of any form of relief. This is not surprising, since no alternatives were presented in the EA. It would seem that helicopter access might be some form of relief. I get the feeling that failure to think of something is a convenient way to ignore the problem.

Although not stated, I suspect the Timbisha have not asked for relief, and I suspect this is so out of reticence to deal with the problem, either because of culture or their failed experience in trying to stop the current mine. (I may change this opinion after reading the references cited in the EA—I have not had time to obtain them.) This reticence is not reason to ignore them. Like a trial defendant who refuses counsel for any reason, they must be considered.

**8. Environmental Impact Statement:** The above comments show a substantial number of questions and deficiencies in the EA. A 24 page document, in EA intent and style, is just not enough for an action with so much potential impact. The only way the impact of the proposed action can be measured and understood is with an Environmental Impact Statement. We must not be surprised after the project is complete by impacts that had not been considered before the project was started. It is unacceptable to say “Gee, we should have thought of that before. Well, we can’t do anything about it now – the damage is done.”

Sincerely,



Tom Budlong

Voice: 310-476-1731

Fax: 310-471-7531

email: [TomBudlong@Bigfoot.com](mailto:TomBudlong@Bigfoot.com)

THOMAS S. BUDLONG  
3216 MANDEVILLE CANYON ROAD  
LOS ANGELES, CA 90049-1016

RECEIVED  
BUREAU OF LAND MANAGEMENT  
2002 AUG 25 PM 1:58  
RIDGECREST RESOURCE AREA  
RIDGECREST, CA

August 1, 2002

Hector Villalobos  
Randy Porter  
BLM Ridgecrest  
300 South Richmond Road  
Ridgecrest, CA 93555

28  
Master HW 8/1/02

Dear Hector and Randy,

Re: The Briggs Exploration EA (Formally, EA No. CA-065-2002-082,  
Case File Number CACA 42806)

This letter presents information that shows that the proposed Briggs exploration has a very high probability of resulting in a mine. Under such circumstance, a cumulative impact analysis and a comprehensive EIS should be considered mandatory.

Canyon Resources' website has the following text<sup>1</sup> (the emphasis is mine):

In the Jackson-Cecil R area, two miles north of the Briggs Mine, drill access has been constrained to just the immediate area at Cecil R and the southern edge of the Jackson target. **Drilling at Cecil R has defined 2.2 million tons of mineralized rock containing 84,000 ounces of gold, with an average grade of 0.038 opt**, which occurs along a flat-lying fault. No vertical feeder structure has yet been encountered at Cecil R. To the south at **Jackson, several drillholes have encountered high-grade mineralization (50 ft of 0.064 opt, 75 ft of 0.068 opt, 30 ft of 0.116 opt)** associated with vertical structures. This structural zone and its splays extend to the north before passing beneath gravel cover. The entire structural zone in outcrop contains anomalous gold mineralization which warrants extensive drill testing. This same structural zone may have been the feeder conduit for the Cecil R deposit 6000 feet to the north. Thus, the **Jackson-Cecil R area represents an excellent exploration target with the opportunity for potential development of a mineable gold deposit**. The higher gold grades in the Jackson area, than at Briggs, offer encouragement for a deposit which may have lower costs of production than at Briggs.

The current mine has been working with gold values around .025 opt. These values at Cecil R and Jackson— .038, .064, .068, .116 —are a lot higher. The prospect of mineable ore is indeed high.

Section 4 of the EA discusses cumulative impact. The discussion includes the statement:

...development of a mine is not considered a reasonably foreseeable impact of exploration...

<sup>1</sup> <http://www.canyonresources.com/projects/explore.html>

Note specifically the sentence from the Canyon Resources quote above:

Thus, the *Jackson-Cecil R area represents an excellent exploration target with the opportunity for potential development of a mineable gold deposit.*

The Canyon Resources quote and the EA quote are obviously in conflict.

The roads proposed for exploration are quite dense. They support exploration for delineation of an ore body, not exploration in hopes of finding an ore body where none is known. And, the Canyon Resources quote essentially states that an ore body has been found.

The only conclusion can be that this exploration is being done to define the extent of an ore body that has known indication of being a better mine than the operation that has been running for the last six years. A mine resulting from the exploration is a quite high probability—Canyon Resources states this—and under these circumstances we must carefully analyze the full impact of the exploration and the mine. Peeling off the exploration as a separate impact is specifically what the cumulative impact analysis requirement prohibits.

Here is another quote from the same website (again, the emphasis is mine):

The Company holds 14,000 acres of mining claims in the Panamint Range of southeastern California adjacent to the operating Briggs gold mine. At least *six gold occurrences on this claim block have mineable gold reserves* or gold mineralization encountered in drillholes. Canyon plans to systematically explore the entire claim block with the objective of the *development of several mines on the Panamint Range Property.*

It's clear that the proposed exploration is not an isolated project. There is every possibility it will result in a mine.

Sincerely,

A handwritten signature in black ink that reads "Tom Budlong". The signature is fluid and cursive, with a long horizontal stroke at the end.

Tom Budlong

Voice: 310-476-1731

Fax: 310-471-7531

email: TomBudlong@Bigfoot.com

THOMAS S. BUDLONG  
3216 MANDEVILLE CANYON ROAD  
LOS ANGELES, CA 90049-1016

RECEIVED  
BUREAU OF LAND MANAGEMENT

2002 AUG 12 PM 3:41

RIDGECREST RESOURCE AREA  
RIDGECREST, CA  
August 8, 2002

(29)

*Tom Budlong 9/13/02*

Hector Villalobos, Randy Porter  
BLM Ridgecrest  
300 South Richmond Road  
Ridgecrest, CA 93555

Dear Hector and Randy,

Re: The Briggs Exploration EA (Formally, EA No. CA-065-2002-082,  
Case File Number CACA 42806)

This letter further emphasizes my August 1 letter to you.

1) The EA states:

...development of a mine is not considered a reasonably foreseeable impact of exploration...

2) Canyon Resources' website contradicts this:

...the Jackson-Cecil R area represents an excellent exploration target with the opportunity for potential development of a mineable gold deposit. ...

We must presume that Canyon Resources knows more about the site than the BLM. Therefore, it appears there is a high probability the exploration will turn into a mine.

3) I just received a copy of your April 26 letter to CR Briggs (copy attached). It states:

...while conducting significant surface impacting operation on public lands...

This is in reference to the current mine.

There can be only one conclusion: A mine is a probable result of the exploration, and a mine has significant impact.

A finding of no significant impact with respect to the exploration EA would therefore be incorrect.

Sincerely,



Tom Budlong

Voice: 310-476-1731

Fax: 310-471-7531

email: TomBudlong@Bigfoot.com

*Randy - EIT & file. Pls. consider these comments. Thanks Hector*

*noted by 2/15/02*

RECEIVED  
BUREAU OF LAND MANAGEMENT  
11 July, 2002

2002 JUL 12 PM 3:06

RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

30

To: Hector Villalobos, Field Manager, Ridgecrest BLM  
From: Derek Cooper, Citizen

Subj: Comments on EA number CA-065-2002-082, Case File #  
CACA 42806

Dear Hector,

After reviewing the above document, I have some concerns regarding the reclamation requirements of "existing roads" that might be used for the core drilling by CR Briggs Corporation.

**Section 2.1: Proposed Action states: "some of the drill roads that the project would use are existing roads that are not subject to any reclamation plan. To the extent that the Project proponent uses these existing drill roads, these roads would be subject to the reclamation requirements of this plan, resulting in a reduction in total disturbance".** This statement is a contradiction. You state "existing roads" are not subject to reclamation, but then you say if they are used by Briggs they will be subject to the reclamation plan. Am I to assume that if Briggs uses "any" existing road, then they are subject to reclamation, which in turn will close these roads? As access to South Park Canyon is in the Cecil R area is it possible that access to this canyon would be "reclaimed and closed" if used by Briggs?

**Section 4.12.2 Impacts: This paragraph further states "moreover, in the event that the project Proponent chooses to use some of the old Drill roads, those roads would be reclaimed, resulting in a net loss of recreational opportunity for off road vehicles in the area".**

Although I am in favor of the core drilling, any loss of existing Access roads is not an acceptable alternative. As more and more roads, used by off road vehicles, have been closed due to Congressional Action and Lawsuits by the so-called Environmentalists, any closure of any existing road is unacceptable. I believe you should correct this document by stating that any existing road used by Briggs in their core drilling be restored to its present day condition for continued use for off road vehicular recreation.

Another option for your consideration would be that all new Roads created by the drilling process would be evaluated for their possible Recreational value to be left open after the project is completed. This alternative could expand instead of decrease vehicular recreational opportunities.

Thank you for your time and consideration on this matter and please put me on your mailing list for any updates or information released by your office on this matter.

*D2*  
V/r Derek Cooper  
625 W. Wasp  
Ridgecrest, Ca 93555  
760-371-3049

5  
5

31

RECEIVED  
BUREAU OF LAND MANAGEMENT

2002 AUG 14 PM 1:43

RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

August 9, 2002

*Handwritten signature and date: 8/14/02*

Hector Villalobos  
BLM Ridgecrest  
300 S. Richmond Rd.  
Ridgecrest, CA 93555

**RE: Briggs Mine Expansion EA 065-2002-082**

Dear Mr. Villalobos:

I understand that this proposed expansion would allow the Briggs Mine to cut 40 miles of exploration roads up to an elevation of 4000 feet in the Panamint Mt.s, 6 miles north of the present mine, and nearly twice as high up into the mountains as the current mine operation extends. This would be an extremely significant and permanent impact to these mountains and to the scenic qualities of the whole area, as well as to this area's cultural and historic values.

A proposal to cause this degree of disturbance demands a thorough analysis of alternatives and consequences, and full opportunity for public input and review. This proposal should be the subject of an extensive EIS, not swept through in the form of a quick EA with the false assumption that the expansion would have no significant impact.

I have hiked over the Slates into Panamint Valley, just south of the Briggs mine, and from there up into the Panamint Mts. Like many others I also often drive over the Slates on Highway 178 as a scenic route to Death Valley or to hike and carcamp in Panamint Valley, so I know exactly how glaring and ugly the scars from these exploration roads would be to desert travelers in this amazingly scenic area. Bad as the present mine is, at least it is somewhat behind and to the south as 178 comes into the valley. But the proposed expansion area would be in full view of drivers on their way to Death Valley as they came over the Slates into Panamint Valley.

I have also hiked and backpacked in the Panamints, have driven up Golar Wash, and have planned and hoped to someday explore up South Park canyon, --now the center of the proposed expansion area. These mountains are infinitely more valuable as natural, scenic, cultural and historical resources now and for the future than they are as short term sources of gold ore, which has almost no "real" value. It is not rare, has little or no strategic or industrial importance, and there is enough of it stockpiled above ground to provide jewelry and dental fillings for thousands of years.

Panamint Valley is one of our few huge and nearly pristine desert valleys, as well as being an important cultural site from ancient times to the present. It and the mountains surrounding it should be treasured and protected, not given away to mining interests without due process, close scrutiny, or full public disclosure and debate.

Please require that the proposed expansion be the subject of a thorough EIS.

Sincerely,

A handwritten signature in black ink, appearing to read "Ingrid Crickmore". The signature is fluid and cursive, with a long horizontal flourish at the end.

Ingrid Crickmore  
1290 Hopkins St. #37,  
Berkeley, CA 94702-1164

32  
July 21, 2001

RECEIVED  
BUREAU OF LAND MANAGEMENT

2002 JUL 25 PM 1:07

Neeraj Villalobos

Ridgecrest BLM Field Manager

300 South Richmond Road

Ridgecrest, CA 93555

MANAGEMENT RESOURCE AREA  
RIDGECREST, CA.

Dear Manager Villalobos,

I am very concerned about the CR Briggs Mine's plans to systematically explore with the objective of the development of several mines on the Panamint Range Property. An Environment Impact Statement is needed to uncover and describe all effects this would have to the area. The concerns of the Timbisha Shoshone must be taken into consideration as well as the natural vistas. The cumulative impact of this expansion can lead to a most undesirable precedent.

Thank you,

S

Estelle Delgado

14123 Liberty Way

Victorville, CA 92392

August 2, 2002

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BUREAU OF LAND MANAGEMENT

33

2002 AUG 15 PM 1:55

RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

Hector Villalobos, Field Manager  
BLM Ridgecrest Field Office  
300 South Richmond Road,  
Ridgecrest, CA 93555

*Walden 8/7/02*

**Subject: Briggs Mine Expansion**

Dear Mr. Villalobos,

I am deeply concerned about the environmental damage that will result from the exploration for expansion of the Briggs on the Panamint Range Property adjacent to the western boundary of our unique Death Valley National Park.

The Bureau of Land Management recently issued an Environmental Assessment (EA) to describe the effects of the exploration, but specifically avoids a description of the subsequent mine if the exploration is successful. The exploration is made to look relatively benign, when in fact the result could be destruction of the Panamint vista way beyond what has been done already. It is urgent for an environmental impact statement to be done to assess the full effect of the intention of the exploration.

The mine can only be beneficial in the short term, but the rape and devastation of mining is PERMANENT and will not heal for millions of years. By exploiting the land for the value of gold our natural world is gone forever.

Sincerely,



Lana E. Fisher  
4322 1/2 Montgomery Street  
Oakland, California 94611

BUREAU OF LAND MANAGEMENT  
2002 JUL 24 PM 2:18

RIDGECREST RESOURCE AREA  
RIDGECREST, CA

July 20, 2002

Hector Villalobos, Field Manager  
BLM Ridgecrest  
300 South Richmond Road  
Ridgecrest, CA 93555

Dear Hector Villalobos,

I am writing in regard to the recent release of the Environmental Assessment describing the Briggs Mine's proposed exploration of new areas in the Panamint Mountains.

I believe that an Environmental Assessment is inadequate and a detailed Environmental Impact Statement is needed for this proposed project. I recognize that the EA is just for the exploration project but I feel it is imperative that any decision for further exploration also takes into consideration what the impact will be if future mining in this area is to take place. Section 4 of the EA states "...development of a mine is not considered a reasonably foreseeable impact of exploration and is outside of the scope of the analysis." For any future mining in the spectacular Panamint mountains, I feel it is necessary to consider any and all reasonably foreseeable impacts of exploration.

Section 4 further states that is not possible to predict "...the most rudimentary elements of a mine" that would possibly result from a successful exploration project and any attempt to analyze potential future impacts of a mine is speculative. I believe the present site of the Briggs mine clearly illustrates the result of a successful exploration project.

I would like to add a personal note. Family, friends and myself have been visiting Panamint valley and the Panamint Mountains for over twenty-five years. We enjoy camping, hiking and off-pavement recreation. I consider this area to be one of the most pristine desert areas in the West. The startup of the Briggs mine was a disappointment but its present location is "out of the way". Further growth of this project, especially northward along the Panamint escarpment, will ultimately be a detriment to the uniqueness of this area.

Thank you for your time and consideration on this matter.

*Terry L. Frewin*

Terry L. Frewin

*Pls. consider these comments. Hector*

M. H. H.

8/16/02

Mr. Hector Villalobos  
Ridgecrest BLM Field Manager  
300 S. Richmond Rd.  
Ridgecrest, CA  
93555

Dear Mr. Villalobos:

I am writing about the Briggs Mine Expansion  
Exploratory Drilling Environmental Assessment.

I urge the BLM to require a full  
Environmental Impact Statement on the proposed  
project. I am very concerned that mine  
expansion will scar the landscape permanently.  
Once a natural landscape is badly  
damaged, it is hard to convince people to  
properly take mitigation steps — they  
see the damaged land and think ~~there~~  
their efforts would <sup>be</sup> better spent protecting →

10

pristine wilderness. The Panamints have already been damaged, and we need to take steps to prevent further damage.

Expansion of the Briggs mine is not going to provide enough economic benefit over a long enough time to make the visual damage, and for the Timbisha Shoshone, spiritual damage, justified.

Thank you for your careful consideration of this issue.

Sincerely yours,

Kelly Fuller (Kelly Fuller)

131 W. Ivy St.

San Diego, CA

92101

RECEIVED  
BUREAU OF LAND MANAGEMENT

2002 AUG 15 PM 1:49

RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

36

Rosemarie Gresset  
2210 Eastwood Dr.  
Santa Rosa, CA 95404

August 2, 2002

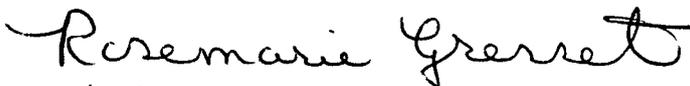
Randall Porter  
BLM Ridgecrest  
300 S Richmond Road  
Ridgecrest, CA 93555

Dear Mr. Porter,

In June of this year I had the opportunity to visit several canyons in the Panamint Mountains. I also saw the existing mining operations of the Briggs mine Corp. It seems that there are plans to expand this type of mining to new sites within the area (Environmental Assessment Report, Cecil R. - Jackson Exploration Plan of Operation, dated June 14, 2002). I would strongly urge you to oppose expansion of heap-leach cyanine mining as it already has despoiled a truly beautiful oasis of quiet. The Panamints are relatively close to large and crowded urban centers; they are an invaluable natural resource for modern harried city-dwellers to get away from it all. What plans are there in place to restore the already raped areas of operation?

I also wonder to what extent the current mining operations affect the air quality? I noticed the air was rather hazy in the basin area near the mining. If you allow new roads to be built in the area, let these be roads be carefully planned away from riparian corridors and let them be for recreational use. I hope you protect this beautiful land from further degradation by a small economic interest. I hope you work towards preserving this unique -and so far relatively untouched- natural environment for the enjoyment of many generations to come.

Sincerely,



Rosemarie Gresset  
Concerned Citizen and Ca. taxpayer

*noted HW 8/7* (37)

Hector Villalobos / Randy Porter  
B.L.M. Ridgecrest  
300 S Richmond Road  
Ridgecrest, CA 93555

RECEIVED  
BUREAU OF LAND MANAGEMENT  
2002 AUG 27 PM 1:43  
RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

Emmett C Harder  
18201 Muriel ave  
San Bernardino, CA 92407  
echco@msn.com  
http://www.wemweb.com/RealAdventure  
Phone (909) 887 3436  
FAX (909) 887 3436  
Cel-Phone 909.260.7189

To Hector Villalobos / Randy Porter

### Comment on Briggs Mine Proposal

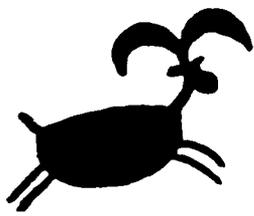
Dear Sirs

Contrary to comments I have heard, I think that there is nothing wrong with any exploration or mine development in the Cecil R-Jackson area. I have been in and around the Panamints for over fifty five years and I have interests in that part of the country still. I am a historian and a writer and I have written a popular book about that part of Death Valley. I also teach Desert Study Classes for CSU San Bernardino CA.

This letter is in support of the Briggs Mines and there endeavors that I believe will help improve economic conditions in the Ridgecrest and surrounding areas. Thank you.

Emmett C Harder





38

**Elden E. Hughes**

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BUREAU OF LAND MANAGEMENT

**14045 Honeysuckle Lane - Whittier, California 90604 - (562) 941-5306**

2002 JUL 22 PM 2:26  
RIDGECREST RESOURCE AREA  
RIDGECREST July 20, 2002

Randy Porter  
BLM Ridgecrest  
300 S Richmond Rd.  
Ridgecrest, CA 93555

RE: Comment on Briggs Mine expansion EA 065-2002-082

I first visited the Panamints in 1938 and I have been returning regularly. The viewshed of the Panamint Valley and Panamint escarpment to over 11,000 feet is one of the great vistas in America. The act empowering the Bureau of Land Management, the Federal Land Policy and Management Act of 1976 says, "the California desert environment is a total ecosystem that is extremely fragile, easily scarred, and slowly healed." The special clauses on protection and viewsheds could be speaking directly about the Panamints.

The mountains have been scared and the greatest scar is the present Briggs Mine. Any expansion of this mine should be the subject of a full EIS and the requirement for a full EIS extends to the proposed exploration.

This EA plays games with numbers. When it speaks of 100 acres of disturbance it is really talking about more than 40 miles of roads. These scars will not heal in the lifetime of anybody now living or their children to the seventh generation. This is a major action being contemplated. An EA and certainly this EA does not do the job. To say there will be little surface disturbance can be likened to cutting across the Mona Lisa with a razor blade. Almost no surface area is destroyed, just the masterpiece.

This EA does not provide an adequate comment period being less than 30 days and then the EA was not made generally available without the time lost in asking for it.

The EA does not begin to consider cumulative impacts. It must.

The EA does not adequately cover the needs of the Timbisha Shoshone and any proposed mitigations.

The EA considers only two alternatives, the proposal and no action. There are many intermediate alternatives which should be analyzed. Such analysis is provided only in the requested full EIS.

Sincerely,

Chair  
Sierra Club  
California/Nevada  
Desert Committee



Linn Gum

03/26/02 09:48 AM

To: Randy Porter/CASO/CA/BLM/DOI@BLM

cc:

Subject: Briggs Gold Mine expansion

Randy,

Please place a copy of this correspondence in the Briggs expansion project case file.

Thank you.

Linn

—— Forwarded by Linn Gum/CASO/CA/BLM/DOI on 03/26/02 09:51 AM ——



Loretta Pedersen

03/25/02 09:09 AM

To: Hector Villalobos/CASO/CA/BLM/DOI@BLM, Linn  
Gum/CASO/CA/BLM/DOI@BLM

cc:

Subject: Briggs Gold Mine expansion

—— Forwarded by Loretta Pedersen/CASO/CA/BLM/DOI on 03/25/02 10:25 AM ——



zhuxtab@WellsFargo.  
COM

03/18/02 08:05 AM

To: lpederse@ca.blm.gov

cc:

Subject: Briggs Gold Mine expansion

Mr. Hector Villalobos, Field Manager  
BLM, Ridgecrest Field Office  
300 S. Richmond Road  
Ridgecrest, CA 93555

Dear Mr. Villalobos,

As a regular visitor to the Death Valley region, I am particularly concerned about impacts on the area such as the proposed expansion of the Briggs Gold Mine in the Panamint Valley. This mine area effects the scenic beauty of Panamint Valley and is specifically located along the historic route of the Manly-Rogers party. I would like to voice my opposition to the expansion of this already intrusive mine operation. I would also appreciate any additional information you may have on this, or to be included on appropriate mailing lists, or referred to additional information sources.

Sincerely,

George Huxtable  
Death Valley Hiker Association  
1673 Toyon Court  
San Mateo, CA 94403

DV2HIKER@AOL.COM

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BUREAU OF LAND MANAGEMENT

2002 JUL 24 PM 2: 17

RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

LaVerne Ireland

116 Touchstone Place

West Sacramento, CA 95691-4613

phone/fax (916) 371-3480

e-mail [lireland@ix.netcom.com](mailto:lireland@ix.netcom.com)

July 20, 2002

Hector Villalobos  
Ridgecrest BLM Field Manager  
300 South Richmond Road  
Ridgecrest, CA 93555

Re: Briggs Mine

Come on, now! Let's have a full analysis of all impacts, not just a gloss-over of somebody's "exploration". The only point to mining exploration is subsequent mining. You haven't said one thing about the mining part -- an appallingly destructive activity. Gold mining is an ephemeral business that leaves poisonous destruction in its wake, from which the miners simply walk away.

You can do much better.

*LaVerne Ireland*

Stephen Knuttel  
8500 LaSalle Ave.  
Cotati, CA 94931

4.1

RECEIVED  
BUREAU OF LAND MANAGEMENT  
2002 JUL 19 PM 2:27  
RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

16 July 2002

*Handwritten signature and date: [Signature] 7/19/02*

Hector Villalobos  
BLM Ridgecrest  
300 S Richmond Road  
Ridgecrest, CA 93555

Dear Mr. Villalobos,

I have had the opportunity to read the Environmental Assessment Report, *Cecil R. - Jackson Exploration Plan of Operation*, dated June 14, 2002 and find it particularly disturbing that you intend to open the Panamint Mountains to increased mining activities at the same time that you are restricting recreational usage because of environmental reasons. In the same year that I found out that Surprise Canyon was closed to off road vehicle travel to protect the fragile riparian vegetation, the BLM now proposes to allow exploratory drilling for the future use of strip mining using the cyanide leachate technique.

In the Environmental Assessment Report, it is proposed that new roads be constructed to allow for the movement of drilling equipment and crews. However, there seems to be a trend with the BLM and National Park System to continue to restrict off road vehicle travel and close dirt roads that have been in existence for years. Additionally, I fail to see the need for construction of these access roads. As a geologist, I have worked on several exploratory drilling projects where helicopters have been used to transport all drilling equipment and crews to minimize the environmental impact in the area. This is indicated as a possibility in the EA, and if drilling is to be done in these areas, helicopter access should be mandated, not just a possibility. If the Briggs Corporation is so intent on the construction of new roads, why don't you suggest to them that they construct a new road to be built around the riparian vegetation in Surprise Canyon so that this area could be reopened to the general public for off road vehicle use? If they are to take away the use of one area of the Panamint Mountains shouldn't they be required to provide additional areas for uses by the general public in return for their drilling and mining operations?

The Environmental Assessment Report also seems to miss the point about the real need for protection in the Panamint Mountains. Every Environmental Assessment Report that I have seen always addresses the local fauna and flora, the Townsend's big-eared bats, etc., and the Native American values. However, they rarely address the average American values of the majority of hard working taxpayers in this county, the ones that just want to get away from work on the weekend to enjoy the clean air and quiet of the desert.

Of course, these days the air quality is not what it was to be in the past. I have been out to the Panamint Valley several times over the last couple years since the Briggs mine

started operations and the dust in the air has noticeably increased. It is very apparent that the source of this dust is the mining operations as it is visible from most roads that traverse the valley. Additional mining will only make this worse. It seems that campfires are being restricted in the National Parks because of the haze they cause in the Valley. These sources are minimal compared to the dust caused by the mining operation. If campfires are to be restricted, why shouldn't the mining be restricted too, as it is a major cause of the dust?

The Panamint Mountains are close at hand to large population centers and yet offer an abundance of quiet and solitude to many people. I have been vacationing and exploring the Death Valley and Panamint Mountains area for 30 years and the simple stark beauty of the area never ceases to amaze me. Over the last several years I have used the Panamint Mountains for this purpose at an increasing rate because it is still one of the few relatively unspoiled areas in California where one can really find peace and quiet. This is the true gold in the Panamint Mountains and this is what should really be protected.

The Briggs Corporation has their open pit mine and they have already done enough damage to the area for one person's lifetime. If they want to do more mining, maybe you should wait to see how they restore their current area of operations before you allow them to destroy another area of the Panamint Mountains.

I respectfully request that you limit the mining activities in the area and return the area to the needs of the people of the State of California. To continue to destroy the peace and quiet of the Panamint Mountains and just strip mine it away would truly be a loss and a waste of a beautiful natural resource.

Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Knuttel". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Stephen Knuttel

*noted HAN 8/7/02*  
RECEIVED  
BUREAU OF LAND MANAGEMENT

**Marcus Libkind**  
1391 Moselle Court  
Livermore, California 94550

2002 AUG 7 PM 1:41

Phone: (925) 455-5816

FAX: (925) 455-4826

E-mail: [mllibkind@earthlink.net](mailto:mllibkind@earthlink.net)

RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

42

August 4, 2002

Hector Villalobos  
Ridgecrest BLM Field Manager  
300 South Richmond Road  
Ridgecrest, CA 93555

Dear Mr. Villalobos,

I know I am late in writing, but I hope that you will still consider my comments on the proposed expanded exploration by CR Briggs Mine.

In my younger days when I lived closer to the area I hiked and camped in the Panamint Mountains and enjoyed Death Valley on many occasions. I choose to write because I want to make sure that my daughter and others will have the same opportunities I have had to enjoy this wonderful area as a recreational resource.

It seems to me that the environmental assessment is lacking in that by law an EA must include a broad range of alternatives. The subject EA only considers two alternatives – full exploration or no exploration. I can't believe that there are no other alternatives that lie somewhere in between.

Another issue is that the EA does not consider the ramifications of future mining if the exploration is successful. The importance of analyzing future mining now is that if future mining is not acceptable, then there is no reason to proceed with the exploration. This is significant because the exploration itself will create scars that will last for generations to come. So why damage this natural resource that is enjoyed by many for exploration if the mining itself is not be feasible.

The bottom line is that an analysis of the future mining project must be looked at before the exploration begins.

Thank you for your time and consideration.

Very truly yours,

*Marcus Libkind*  
Marcus Libkind

Landy FYI 9 files.

Hector

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BUREAU OF LAND MANAGEMENT

2002 JUL 18 PM 2:19

43

July 15, 2002

RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

*Handwritten note:* mtd had 7/18/02

Mr. Hector Villalobos  
Field Manager  
Bureau of Land Management  
Ridgecrest Field Office  
300 South Richmond Road  
Ridgecrest, CA 93555

Dear Mr. Villalobos,

I am greatly concerned about the proposed expansion of the Briggs Mine in Panamint Valley. The valley is one of the largest, mostly undeveloped desert valleys in California and is partly within Death Valley National Park, as well as several wilderness areas. It is one of the great American scenic treasures and the proposed expansion will create a terrible eyesore and increase air pollution. At the active mining site Manly Falls has already been destroyed. Do we really want to destroy forever more of Panamint Valley, one of the greatest national treasures that we possess?

Sincerely,



Paul Menkes  
1014 Creston Road  
Berkeley, CA 94708

44

# CONVERSATION RECORD

TIME

DATE

Aug 2, 2002

TYPE

VISIT

CONFERENCE

TELEPHONE

INCOMING

OUTGOING

ROUTING

NAME/SYMBOL

INT

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

ORGANIZATION (Office, dept., bureau, etc.)

TELEPHONE NO.

Barbara S. Miller

SUBJECT

Briggs Mine, Cecil R. - Jackson

SUMMARY

Barbara S. Miller

10303 Sugar Pipe Ct

Grass Valley CA 95949

Called on telephone. She wants to register her opposition to Briggs mine exploration. Opposition to the project.

ACTION REQUIRED

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

Randall K. Porter

8/2/2002

ACTION TAKEN

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BUREAU OF LAND MANAGEMENT

2002 AUG 15 PM 1:52

RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

(45)

15869 Heatherdale Rd.  
Victorville, CA 92394  
July 30, 2002

note HW 8/7/02

Hector Villalobos  
BLM Field Manager  
Ridgecrest, CA. 93555

Dear Mr. Villalobos:

I wish to comment on the proposal Brigg  
mine exploration in the Panamint Mountains.  
While this exploration would be damaging enough,  
the potential damage if mining is conducted in  
this area must also be taken into consideration.  
A full analysis is needed to address all alternatives and  
the cumulative impact of exploration and what that  
exploration could lead to.

The scars of this activity will last for  
many, many decades, so the short term gains  
must be weighed very carefully against the  
devastation to this beautiful desert area.

Sincerely,  
Pauline Moss

August 7, 2002

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BUREAU OF LAND MANAGEMENT

2002 AUG 19 PM 1:15

RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

Ted Peck  
28219 Stillwater Drive  
Menifee, CA. 92584

Mr. Randy Porter  
BLM  
Ridgecrest Field Office  
300 S. Richmond Rd.  
Ridgecrest, CA. 93555

Dear Mr. Porter,

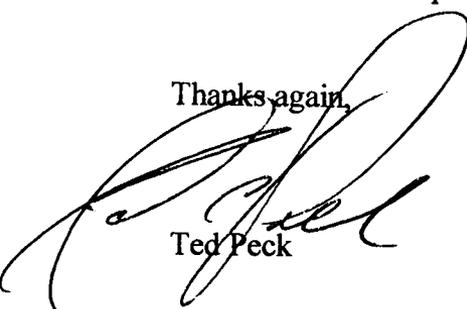
I am writing you regarding my concern over the expansion of mining activity in the Briggs Camp and Mine area of the Panamint Mountain range.

I wanted to be on record to indicate that I am opposed to any further expansion of mining activity in this area.

I would like to see the area preserved, in tact, as close to its current state as possible.

Please I ask respectfully that you would take my concerns and the concerns of many others into account prior to making a final decision on this issue.

Thanks again,



Ted Peck

Mike Tobin & Jenny Pursell  
18 Paseo Cuarto  
Salinas, CA 93908

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BUREAU OF LAND MANAGEMENT  
2001 MAY 11 PM 12:32  
RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

47

May 7, 2001

Dear Mr. Porter,

I am writing to you today because of my concern of the proposed expansion of the Briggs Project specifically called the Cecil R. - Jackson Exploration Project. This project and its infrastructure will entail a 5-mile area. That will have a significant impact on flora, fauna, and terrain.

I believe that because of the size of this area and its impact on natural resources that a full environmental impact study, not an environmental assessment should be implemented. I have followed this; the Briggs project, since its inception and my understanding was that this was only to be a 6-year project. With this new project in the making there will be years added to mining activities on the south west side of this magnificent mountain range, The Panamints. I strongly oppose this added project and would like to be kept up on any aspects of this including the environmental studies.

My husband is also strongly opposed to this project.

Thank you for your time and attention to this matter.

Sincerely,

Jenny Pursell

Michael W. Tobin

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BUREAU OF LAND MANAGEMENT

(48)

July 21 02

2002 JUL 24 PM 2:14

RIO DE LOS RIOS RESOURCE AREA  
RIO DE LOS RIOS NATIONAL MONUMENT  
RIO DE LOS RIOS NATIONAL ANTIQUARIAN MONUMENT

Hector Villalobos

Regional BLM Field Mgrs

Re: Bigg Mine / Panamint Range

I believe a full EIS is required to fully evaluate the cumulative effects of strip mining along the Panamint Range.

Pleasant, natural and cultural values should be considered and evaluated along with the permanent devastation that will result from expanded mining.

Thank you.

Jack Robbins  
139 Stonewall Rd  
Berkeley CA 94705

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2002 AUG 18 PM 1:37

RIDGECREST RESOURCE AREA  
RIDGECREST, CA.



**Mark J. Saylor, DDS, MS**  
*practice limited to ORTHODONTICS*

49

August 5, 2002

  
Hector Villalobos  
Ridgecrest BLM Field Manager  
300 South Richmond Rd.  
Ridgecrest, CA 93555

**RE: CR Briggs Mine in the southern Panamint mountains**

Dear Mr. Villalobos,

Concerning the Environmental Assessment recently completed for the CR Briggs mine in the southern Panamint mountains, I feel that limiting the EA to the effects of the exploration alone, is very inadequate. What is really needed is a full EIS which addresses the effects of the subsequent mine if the exploration is successful. An analysis of the potential and probable mining activity must be done to understand the full effect of the intention of the exploration.

Respectfully,



Subj: **Drilling exploration in Panamint Range**  
Date: 07/07/2002 1:20:54 PM Pacific Daylight Time  
From: *schiller@ridgecrest.ca.us (schiller)*  
Reply-to: *schiller@ridgecrest.ca.us (schiller@ridgecrest.ca.us)*  
To: *rporter@ca.blm.gov (rporter@ca.blm.gov)*  
CC: *maranjer@ridgenet.net (Mary & Jerry Grimsley (E-mail)), samiam@iwvisp.com (Sam Merk (E-mail)), dcooper182@mchsi.com (Derek Cooper (E-mail)), edwaldheim@AOL.com (Ed Waldheim (E-mail)), chris.eckert@verizon.net (Chris Eckert (E-mail))*

Mr. Porter,

I am contacting you regarding the proposed drilling exploration project in the Panamint Mountains. According to your 6/24/02 notice regarding this project, I can obtain a copy of the environmental assessment by contacting you via e-mail. Please provide me with a copy of this document. I would prefer to receive it electronically via the internet, if possible. If you cannot send it via e-mail please contact me during working hours at 939-2114 and I will make arrangements to pick it up at your office.

In addition, your 6/24/02 notice states, "All associated holes, access roads, drill pads, and other disturbance will be subject to a reclamation requirement guaranteed by a financial bond". At this time we would like to comment that we are totally in support this project but are adamantly opposed to the reclamation of any roads, routes, or trails that are in existence prior to beginning this project.

Thank you for your valuable time and consideration.

Ron Schiller, Chairman  
High Desert Multiple Use Coalition

----- Headers -----

Return-Path: <schiller@ridgecrest.ca.us>  
Received: from rly-yc04.mx.aol.com (rly-yc04.mail.aol.com [172.18.149.36]) by air-yc03.mail.aol.com (v86\_r1.15) with ESMTP id MAILINYC33-0707162054; Sun, 07 Jul 2002 16:20:54 -0400  
Received: from castor.ridgenet.net (castor.ridgenet.net [199.120.150.29]) by rly-yc04.mx.aol.com (v86\_r1.15) with ESMTP id MAILRELAYINYC43-0707162048; Sun, 07 Jul 2002 16:20:48 -0400  
Received: from ron-schiller (pm032.ridgenet.net [204.154.246.32])  
by castor.ridgenet.net (8.11.0/8.11.0) with SMTP id g67JNbH08872;  
Sun, 7 Jul 2002 12:23:37 -0700

Received: by localhost with Microsoft MAPI; Sun, 7 Jul 2002 13:19:59 -0700

Message-ID: <01C225B8.FE784420.schiller@ridgecrest.ca.us>

From: schiller <schiller@ridgecrest.ca.us>

Reply-To: "schiller@ridgecrest.ca.us" <schiller@ridgecrest.ca.us>

To: "rporter@ca.blm.gov" <rporter@ca.blm.gov>

Cc: "Mary & Jerry Grimsley (E-mail)" <maranjer@ridgenet.net> ,

"Sam Merk (E-mail)" <samiam@iwvisp.com> ,

"Derek Cooper (E-mail)" <dcooper182@mchsi.com> ,

"Ed Waldheim (E-mail)" <edwaldheim@AOL.com> ,

"Chris Eckert (E-mail)" <chris.eckert@verizon.net>

Subject: Drilling exploration in Panamint Range

Date: Sun, 7 Jul 2002 13:19:49 -0700

X-Mailer: Microsoft Internet E-mail/MAPI - 8.0.0.4211

MIME-Version: 1.0

Content-Type: text/plain; charset="us-ascii"

Content-Transfer-Encoding: 7bit

21 July 2002  
4 Longfellow Rd.  
Winchester, MA 01890

Re: proposed Briggs Mine expansion, Panamint Valley

RECEIVED  
BUREAU OF LAND MANAGEMENT

2002 AUG 28 PM 1:43

Dear Sir:

Although I live in the Boston area, I have quite a fondness for the Panamint Valley, and the Mojave desert in general. For the past 13 years I have spent one or two week-plus vacations in the general vicinity of the current Death Valley National Park annually. My first trips were limited to Death Valley proper, as information (trails, maps, road conditions) was most easily available to me from far away. It wasn't until about my third visit that I crossed Towne Pass westward and realized that there were more places as beautiful and inviting exploration as much as Death Valley itself. In fact, it is precisely this less settled, less well known, more off-the-beaten track aspect which makes Panamint Valley even more special, at a time when there are simply fewer and fewer wild places in the US.

The paved road up the middle of the valley is one of those wonderful relaxing desert drives, across the wide open spaces with views of the Panamints and Argus Range, little traffic, close to the desert. But I have been more interested in foot travel. I've hiked the Panamint crest with only a short break the whole way from Aguerberry Point to south of Porter Peak, hiked up Surprise and Happy canyons multiple times (it is especially wonderful to walk the desert next to running water) as well as many of the other canyons on the west side of the Panamints. I regularly get up to the Panamint Dunes, and also the ridges north and south of Towne Pass.

Panamint Valley has a sense of being wild and undeveloped, despite the little automated radar station, the military aircraft, the few lights at Panamint Springs, and the remains of Ballarat. To get more wild, one needs to brave rougher roads and try the Saline Valley. It is exactly that wildness, despite the presence of paved roads, which is threatened by the Briggs mine. I was not happy to see that mine open; its dust and lights at night interfere with the natural splendor of the area. But it's pretty far south and up the side canyon a ways, and the Panamint Crest has petered out by then. In any case, that mine is now a reality.

I strongly object to expansion of that mine, however, especially with the proposed new areas to the north. These new explorations will be much more visible, especially on the road up from the south end of the valley and the drive through the valley, and the required access roads will tear up more of the valley floor in an increasingly visible location. Although on the west side of the range, the higher elevations for the proposed activity come dangerously close to what is now protected land within the boundaries of the national park, and I fear they will impact the wilderness aspects of that land west of the crest, which was wisely included in the park.

Please, let the preservation of wild areas for future generations overcome the short term need for a small profit, and restrict the expansion of the Briggs mine. The mine may provide profit for the operators and a few local jobs; the wilderness nature of the valley provides recreational opportunities for desert lovers from around the country. The long term value of the Panamint Valley is not in mineral extraction, but recreational use and maintaining one of the few remaining wild and scenic areas of the Mojave.

Sincerely,

  
Chris Schmandt

RECEIVED  
BUREAU OF LAND MANAGEMENT

Hector Villalobos *Mesa 9/17/02*  
BLM Ridgecrest Field Office Manager  
300 S. Richmond Road  
Ridgecrest, CA 93555

2002 AUG 27 PM 1:42

DESERT RESOURCE AREA  
RIDGECREST, CA.

52

August 3, 2002

RE: Briggs Mine Environmental Assessment  
REQUEST FOR AN ENVIRONMENTAL IMPACT STUDY

Dear Sir:

As you are well aware, Desert Survivors has a great interest in preserving the natural splendor of the Panamint Valley. Our members have enjoyed numerous hikes, backpacks, car camps, and special events there over the years. We appreciate the efforts the BLM and Park Service have made in working to keep the Panamint Valley a world class natural resource, the "other side" of Death Valley.

Thank you for giving us an extension in time to make our comments. We continue to be quite concerned with the proposal made by Canyon Resources to bulldoze over 22 miles of new roads in a relatively pristine area of the Panamints six miles north of the current mine and up to 4,000 feet on the mountainside.

Upon reading your Environmental Assessment we were struck by the lack of attention to several critical issues: Visual Resources, Cultural Resources, Air Pollution, and Reclamation. Basically this project will impair the visual resources of one of the largest remaining pristine landscape in the United States. This is a critical part of the world-class "out-back" destination for thousands of tourists each year. The proposed project is right in the middle of things. You give a cursory treatment of the visual resources and imply that "reclamation" will fully restore the landscape to its pre-existing condition.

Desert Survivors believes that a FULL ENVIRONMENTAL IMPACT STUDY is necessary for this project.

The two key issues which proved compelling in the Glamis Mine decision by the former BLM Solicitor were the damage to the Quechan Tribe's cultural landscape and the damage to the Visual Resource of the landscape in question.

The Briggs Mine is operating in much the same situation. Here the Timbisha have declared the Panamints to be sacred lands to their tribe and have opposed any mining. Here the visual resource of the greater Panamint Valley is an already internationally known asset.

Your assessment has not truly addressed these larger issues. Congress has had legislation introduced this session favoring stronger protection for Native American sacred lands. The state legislature of California has under consideration a similar measure. Now is not the time to rush forward and allow

further damage without careful study of all the impacts. We are not given this in your assessment.

Your assessment describes a visual impact from two locations. It does not in any way address the total landscape issues of the probable impacts to the larger valley. It gives vague reassurances that "reclamation" will cover the damage, but admits this is not adequate restoration.

Your assessment describes a one-time mechanical doze-and-seed reclamation strategy. This is not a satisfactory measure for steep slopes and you are well aware of that. Real restoration is an expensive and long-term process. Your assessment does not address that.

Your assessment does not give us any figures for air pollution. You have been tracking the current mine for years now, with what result? We can see periodic clouds of dust rising from the mine. We can see the valley landscape shrouded with the mine-caused pollution. What have you measured?

Your assessment does not give us any information on this status of current reclamation by this company for its current mining operation. You have numerous reports available. Are they performing? Will they likely be able to perform in the future? What is the financial position of the mining company? Have they even begun to reclaim the mined area they have already damaged? Has any reclamation been done at all? A full EIS would give a more complete picture on what reclamation is being done now and whether compliance could be expected in the future.

Let's take the time for a full EIS here. Now is not the time to rip and tear. Let's really scratch our heads on this one. Any damage is right on the wall and it won't go away with anti-graffiti spray. We will all be stuck with it.

Desert Survivors considers this particular mining process to this particular area of public land as "undue degradation". We urge you to proceed slowly and deliberately with the knowledge that many people from all over the country and the world (yes, the world) who have experienced the Panamint Valley Landscape as it currently exists are or will be horrified by the proposed destruction this EA envisions.

We need more information here, you need the added information and the Panamint Valley needs greater consideration than you have so far given.

Let's get started on that EIS!

Thanks for your attention. If you have any questions, feel free to contact us.



Steve Tabor, President

Bob Ellis, Board Member at Large

Desert Survivors

P.O. Box 20991

Oakland, CA 94620-0991

(510) 769-1706

RECEIVED  
BUREAU OF LAND MANAGEMENT

2002 AUG 13 PM 1:08

RIDGECREST FIELD OFFICE AREA  
RIDGECREST, CA.

53

BRIAN WEBB - ARCHITECT  
604 THUNDERCLOUD LANE  
LONE PINE CALIFORNIA 93545

760 876 5218 FAX 760 876 8738  
[bwgw@qnet.com](mailto:bwgw@qnet.com)

August 9 2002

*noted HAW 8/14/02*

Mr. Randy Porter  
B L M  
Ridgecrest Field Office  
300 S Richmond Road  
Ridgecrest CA 93555

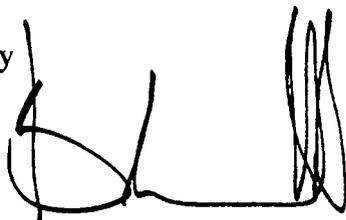
Dear Mr. Porter

This letter expresses my opposition to further investigation and development by Canyon Resources of the Panamint Valley north of the Briggs mine [previously Manly Falls].

My primary objection is visual. The resultant ziggurat of debris out on the valley floor in front of the Briggs mine is aesthetically intrusive and is a precursor of more and, possibly, larger dumps. These will have an adverse visual impact on one of the main visitor routes to Death Valley N P. Panamint is a pristine valley – or was until Briggs. Further exploration – probably requiring bulldozer roads scaring high on the mountain and visible over large distances should not be allowed.

I urge you to deny the application for this exploratory work.

Sincerely



C/ Hector Villalobos

RECEIVED  
BUREAU OF LAND MANAGEMENT

2002 JUL 15 PM 2:50

RIDGECREST RESOURCE AREA  
RIDGECREST, CA.

54

15457 Eto Camino Road  
Victorville, CA 92394  
July 9, 2002

Hector Villalobos, Field Manager  
BLM Ridgecrest Office  
300 South Richmond Road  
Ridgecrest, CA 93555

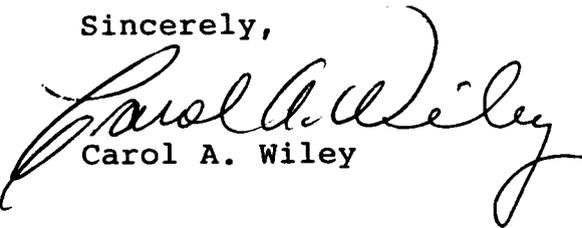
Dear Mr. Villalobos:

I am writing to express my concern about the proposed mine exploration by Briggs Mine. While they have already scared the landscape, creating a huge hole, they now wish to do further damage in pristine areas of the Panamint Mountains, near Death Valley National Park.

Of major concern is that the area of exploration is very close to beautiful Surprise Canyon, a riparian jewel of the Panamints. This extremely unique and beautiful area should be protected, rather than having additional mining nearby.

Thank you for your consideration of this issue.

Sincerely,

  
Carol A. Wiley



Howard Wilshire  
<howardw@monitor.n  
et>

07/27/2002 09:58 AM

55

To: hvillalo@ca.blm.gov  
cc:  
Subject: Briggs Mine EA

Dear Mr. Villalobos,

Public Employees for Environmental Responsibility (PEER) is of the opinion that the EA for the Briggs Mine exploration is completely inadequate, and requests that a full EIS be prepared.

The EA's assessment that some 100 acres to be disturbed by exploration roads is insignificant flies in the face of a very large scientific literature on the impacts of roads. At an average width of 12 feet for the roads, 100 acres amounts to nearly 69 miles of roads in areas where they do not now exist. The width of a roadway, however, is not a measure of its entire environmental impact—roads fragment habitat, divert drainages, cause erosion and sedimentation, introduce noise impacts, invite entry by recreational vehicles which use them as staging areas to expand the land damage, and others, all of which are felt far beyond the boundaries of the roads themselves. PEER believes that a proper assessment of the real impacts of the proposed project requires an EIS with a serious review of current scientific literature. This should also allow a rational assessment of cumulative impacts.

Thank you,

Howard Wilshire  
Chair, Board of Directors  
Public Employees for Environmental Responsibility  
3727 Burnside Rd.  
Sebastopol, CA 95472