

## RATTLER MINING CLAIMS RELINQUISHMENT

OMYA controls 80 acres on 4 placer claims in the Rattlesnake mountain area to the southeast of Lucerne Valley. The claims are in a contiguous group of 80 acres. The group of claims is located within the Bighorn Wilderness. The claims contain a significant white marble deposit, and most of the claims contain carbonate rock outcrops,

Biological surveys and examination of the endangered species maps indicates known populations of Cushenbury Buckwheat are located on the claims, and the area of the claims is considered medium and medium + quality potential habitat for Buckwheat, Milkvetch and Oxytheca.

RATTLER CLAIM GROUP	ATTRIBUTES	MITIGATION ACHIEVED BY RELINQUISHING CLAIMS
Rattler claims 14, 15, 16, 17  Location: SE 1/4 of SW 1/4 Section 7, and N1/2 of NW 1/4, and N 1/2 of NE 1/4, Section 18, T. 2N., R. 3E., SBBM	Claims contain significant deposit of white limestone	Area becomes closed to mineral entry
	Claims are located within Bighorn wilderness	Preserve wilderness area
	Known populations of Cushenbury Buckwheat on claims	Preservation of Endangered Species
	Potential habitat for Buckwheat M Potential habitat for milk-vetch M+	Preservation of 60 additional acres potential habitat
	Total acres of carbonate rock, potential T&E plant habitat on claims is about 60 acres	
	80 acre Claim area is covered with Pinion Juniper woodland greater density than Sentinel area.	Short Term Loss of 30 acres of Pinion
	Claim area has characteristics desirable for Bighorn occupation High potential for Bighorn Sheep	Loss of potential Bighorn Sheep habitat
	Claim area offers Wilderness experience, high visual quality	Short term loss of recreational activities

As can be seen, this claim group of 80 acres is a good choice to be relinquished for mitigation.

## **PROCEDURE FOR TRANSFERRING CLAIMS TO FOREST SERVICE AS MITIGATION**

OMYA has consulted with various Federal agencies including personnel from Bureau of Land Management (Department of Interior) who are in charge of regulating mining claims, and Ernie Deerking, and Raj Daniel of the San Bernardino National Forest (Department of Agriculture). All have indicated very clearly without any reservations, that mining claims may be relinquished, and are desirable as a form of mitigation.

Ernie Deerking, Raj Daniel and the BLM have all indicated the procedure for relinquishment of claims which are within the wilderness simply involves OMYA quitclaiming the Rattler claims to the Forest Service. The Forest Service allows the claims to lapse, and since the wilderness area is already closed to new mineral entry, no one else can stake any new claims, and the area becomes closed to mineral entry. All agency personnel have indicated that the procedure is simple to accomplish (Ernie Deerking and Raj Daniel personal communications August, September 1998).

The procedure would allow the area to be withdrawn permanently from mineral entry, and would allow the area to become protected from development and the wilderness and other desirable attributes protected.

## **DISCUSSION**

The discussion covers how many acres is adequate mitigation. For impacted Threatened and Endangered species the typical ratio has been 3/1. Three acres of mitigation, for each acre of T&E plant species to be disturbed. The Sentinel expansion is not impacting any T&E plants, or potential T&E habitat, thus from a legal standpoint no mitigation is legally required.

OMYA is potentially impacting some Bighorn sheep habitat, and will be removing 30 acres of pinion trees. Total disturbance is 30 acres. No T&E species are involved. Gail Vanderbie (District Ranger, Big Bear District) indicated that 2/1 was adequate for loss of pinion forest (personal communication July 1998). This ratio was utilized at the ski area.

The mining claims include four 20 acre placer claims and total 80 acres. The claims do contain a known white limestone deposit, and 60 acres of carbonate rock on the claims. The total disturbance of the Sentinel expansion is 31 acres

We are required to reclaim the Sentinel sites and the reclamation includes planting of native species including pinion trees. Indeed we currently have 1500 pinion seedlings waiting to be planted. Therefore, during the next 35 years we will be planting far more trees than we will be removing.

Rattler Claims contain 60 acres desirable carbonate plant habitat, and does contain two known populations of *Oxytheca*, as well as Pinion forest, potential Bighorn sheep habitat, and desirable wilderness characteristics.

Therefore 30 acres of short term disturbance, and relinquishment of 80 acres of mining claims is reasonable and appropriate, a ratio of 2.6 acres of mitigation land/1 acre of short term disturbance.