11/8/97 ( Item 142 )

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**CLERK, BOARD OF SUPERVISORS**
KERN COUNTY ADMINISTRATIVE CENTER
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BAKERSFIELD, CALIFORNIA 93301

WHEN RECORDED MAIL TO:

**CLERK, BOARD OF SUPERVISORS**
KERN COUNTY ADMINISTRATIVE CENTER
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BAKERSFIELD, CALIFORNIA 93301

James Maples, Assessor-Recorder
Kern County Official Records

DOCUMENT #:0197142625

*0197142625*

JASON
Pages: 9
10/27/1997
9:37:40

Fees
Taxes
Other
TOTAL
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Stat. Types: 1

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**RESOLUTION 97-264**

CONDITIONAL USE PERMIT NO. 41, MAP 213, CONDITIONAL

CONDITIONAL USE PERMIT NO. 22, MAP 214 -

**VACATION OF A PORTION OF NEW EAGLE ROAD**

**TITLE OF DOCUMENT**

# BEFORE THE BOARD OF SUPERVISORS
## COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

Resolution No. 97-264
Reference No. _____

**CONDITIONAL USE PERMIT NO. 41 MAP NO. 213; CONDITIONAL USE PERMIT NO. 22, MAP NO. 214; AND VACATION OF A PORTION OF NEW EAGLE ROAD; APPROVE**

I, **SUE DAVIS,** Clerk of the Board of Supervisors of the County of Kern, State of California, do hereby certify that the following resolution, on motion of Supervisor McQuiston, seconded by Supervisor Patrick, was duly passed and adopted by said Board of Supervisors at an official meeting hereof this 8th day of September, 1997, by the following vote, to wit:

**AYES:** McQuiston, Perez, Patrick, Peterson, Parra

**NOES:** None

**ABSENT:** None

**SUE DAVIS**
Clerk of the Board of Supervisors
County of Kern, State of California

Karen Shatswell
Deputy Clerk

# RESOLUTION

Section 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, sections 65000, et seq. (known as the Planning and Zoning Law), the Kern County Board of Supervisors has adopted the Official Land Use and Zoning Ordinance for the County of Kern (Ordinance Code sections 19.02.010, et seq.), herein called the Zoning Ordinance; and

(b) The Zoning Ordinance establishes various classes of zones, prescribes land uses and regulations for the various zones, and adopts zoning maps for the purpose of dividing the County into zones and showing the zone boundaries; and

(c) The Zoning Ordinance regulates the use of buildings, structures, and land, as between agriculture, industry, business, residence, and other purposes, and other uses more specifically set forth in section 65850 of said Government Code; and

(d) The Kern County Planning Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which two official Zoning Maps have been adopted under sections 7297.228 and 7297.559 of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(e) Said parcels of real property are described on the attached Exhibit "A" and incorporated herein as if set forth in full; and

(f) Said application has been made pursuant to provisions of section 19.104.040 of said Ordinance Code, and requests a Conditional Use Permit as provided in sections 19.14.030 and 19.16.030, insofar as said requirements are applicable to the aforedescribed parcel of real property, and more particularly to allow a surface mining operation and reclamation plan on private and federally administered lands; and

(g) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Clerk of this Board, and reference is hereby made thereto for further particulars; and

(h) The Planning Department recommends that approval of the project not become effective unless prior to September 19, 1997, the property owner(s), acting through applicant, shall sign and file with the Kern County Planning Department and indemnity agreement approved by the County Counsel, which shall be substantially in the following form:

> Each Owner, acting through APPLICANT, shall defend, indemnify, and hold harmless the COUNTY and its agents, officers, and employees from any claim, action, or proceeding against the COUNTY or its agents, officers or employees, to attack, set aside, void, or annul this approval or any prior or subsequent project-related approval or conditions imposed by the COUNTY or any of its agencies, departments, commissions, agents, officers, or employees concerning this Project, or to impose personal liability against such agents, officers, or employees resulting from their involvement in the Project, which claim, action, or proceeding is brought within

the time provided by law, including any claim for private attorney general fees claimed by or awarded to any party from COUNTY. Each Owner, acting through APPLICANT agrees to reimburse COUNTY for any cost incurred by COUNTY in responding to any claim, action, or proceeding, including but not limited to, court costs, staff time, County Counsel's time at their non-County agency rate, and all other direct or indirect costs associated with the COUNTY'S response to any claim, action, or proceeding. The COUNTY may promptly notify the APPLICANT or any OWNER of any such claim, action, or proceeding, and, if the COUNTY should fail to cooperate fully in the defense, the Owner shall not thereafter be responsible to defend, indemnify, and hold harmless the COUNTY or its agents, officers, and employees pursuant to this condition. The COUNTY may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the COUNTY defends the claim, action, or proceeding in good faith. The Owner, acting through APPLICANT, shall not be required to pay or perform any settlement of such claim, action, or proceeding unless the settlement is approved by the APPLICANT or any OWNER. Each OWNER's obligations under this condition shall apply regardless of whether any permits or entitlements are or have been issued under this project, and shall apply to successors and assigns;

(i) In accordance with Chapter 3, Part 3, Division 9, of the Streets and Highways Code (sections 8300 et seq.), this Board, pursuant to applicant's request, declared its intention to vacate a portion of New Eagle Road; and

(j) The Planning Department has investigated this request and found as follows:

1) In order to mine the property, the applicant has had to acquire all rights in the area encompassing the affected portions of New Eagle Road; and

2) Since the affected portions of New Eagle Road will be used for mining purposes, it can be reasonably concluded that the road is unnecessary for present public use and no access rights will be terminated. During the course of mining, this segment of road will be necessary for nonmotorized transportation. Upon cessation of mining activities, the reclamation plan proposes to return the land to a similar premining land use;

3) As a condition of approval of this vacation, the Planning Department recommends that a condition be placed on its approval that upon cessation

of mining activities, the applicant re-establish access, either public or private, to all parcels affected by the vacation of New Eagle Road; and

4) The Planning Department has determined that it can be seen with certainty there is no possibility the proposed vacation may have a significant effect on the environment and, therefore, under the provisions of section 15061(b)(3) of the State CEQA Guidelines the evaluation of projects and the preparation and review of environmental documents do not apply thereto, and has so advised this Board; and

5) The Planning Department further recommends that approval be subject to retention of any appropriate utility easements; and

6) Affected property owners, public agencies and county departments were contacted for comment and no objections were received; and

(k) The Clerk of this Board has caused notice to be duly given of a public hearing in this manner in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Clerk of this Board; and

(l) An Environmental Impact Report (EIR) and proposed Mitigation Monitoring Report relating to said Conditional Use Permit was prepared by the Planning Department and was found to be complete and adequate in scope and was considered by the Department in its consideration of this matter; and

(m) The Clerk of this Board has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Clerk of this Board; and

(n) A copy of the report, recommendations of the Planning Department, and said EIR have been on file in the Office of the Clerk of this Board, available for examination during regular business hours by any interested person, at all times since the date of giving notice in this matter; and

(o) The Director of the Planning Department has furnished to this Board, and this Board has incorporated in the record of this matter, a document setting forth the significant environmental effects identified in said EIR, with proposed findings for consideration by this Board in relation to said significant effects for the purpose of section 21081 of the Public Resources Code and section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning Department appeared before the Board and gave additional testimony in support of the proposed findings; and

(p) During said hearing, this Board duly considered the adequacy and scope of said EIR and thereafter reviewed and considered the information therein

contained with respect to the merits of the matters under consideration; and

(q) Said public hearing has been duly and timely conducted and before making any findings on said EIR or any considerations of the proposal on its merits, this Board called for any objections or comments on said EIR and all persons desiring to be heard in said matters having been duly heard, and this Board having considered all of the testimony presented during said public hearing and the recommendations aforementioned, and said public hearing having been concluded;

Section 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Kern, State of California, as follows:

1. This Board finds the facts recited hereinabove are true and further finds that this Board has jurisdiction to consider, approve, and adopt the subject of this Resolution.

2. This Board finds and determines that the applicable provisions of the California Environmental Quality Act of 1970, the State CEQA Guidelines and the Kern County Guidelines have been duly observed in conjunction with said hearing and the considerations of this matter and all of the previous proceedings related hereto.

3. The project herein described is approved despite the existence of certain significant environmental effects identified in said EIR, and this Board hereby makes and adopts the findings with respect to each thereof set forth in Exhibit "B", appended hereto and made a part hereby by reference, pursuant to section 15091 of the State CEQA Guidelines (Title 14, California Code of Regulations) and section 21081 of the Public Resources Code (CEQA) and declares that it considered the evidence described in connection with each such finding. Pursuant to section 15093 of the State CEQA Guidelines, this Board hereby approves and adopts a "Statement of Overriding Considerations" (Exhibit "C") as recommended by the Planning Department.

4. This Board hereby approves and adopts the proposed Mitigation Monitoring Program attached hereto as Exhibit "D".

5. This Board finds and determines that said EIR is complete and adequate in scope and has been completed in compliance with the California Environmental Quality Act of 1970, and the State CEQA Guidelines and the Kern County Guidelines for implementation thereof, and that this Board has fully reviewed and considered the information in said EIR with respect to the subject of this Resolution, and said EIR is hereby declared to be certified in relation to the subject of this Resolution.

6. Pursuant to section 15061(b)(3) of the State CEQA Guidelines, the granting of the subject vacation is exempt from the requirements of the California Environmental Quality Act because it can be seen with certainty that there is no possibility

that the activity in question may have a significant effect on the environment.

7. It is the decision of this Board that the application herein described be, and it is hereby, approved, not to become effective unless prior to September 19, 1997, the property owner(s), acting through applicant, shall sign and file with the Kern County Planning Department an indemnity agreement approved by County Counsel, as recommended by Staff.

8. Development of the project is to be in substantial conformity with the plan as presented, subject to the conditions as set forth in Exhibit "E" attached hereto and incorporated herein by this reference as if set forth in full. Noncompliance with the adopted conditions of approval (Exhibit "E") may cause permit revocation proceedings in accordance with section 19.102.020 of the Kern County Ordinance Code.

9. This Board finds and determines that the proposed project is consistent with the applicable provisions of the Kern County General Plan and the Soledad Mountain-Elephant Butte and Vicinity Specific Plan.

10. This Board finds and determine that the proposed use is consistent with the purpose of the applicable district and is a use listed as a use subject to a conditional use permit. The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the County of Kern and the State of California. The proposed use will not be detrimental to the health, safety and welfare of the public or to property and residents in the vicinity.

11. This Board finds and determines that approval of this project will allow the development of a natural resource in accordance with Chapter 19.100 of the Zoning Ordinance.

12. This Board hereby further approves the vacation of a portion of New Eagle Road as described on Exhibit "F" attached hereto.

13. Pursuant to Section 8324 of the California Streets and Highways Code, this Board hereby determines that the referenced portion of the public access easement is unnecessary for preent public use and will be rendered untraversable by the proposed development for prospective public use. Consistency with California Streets and Highways Code will be maintained through a condition of approval for Conditional Use Permit Case No. 41, Map No. 213, which requires that upon cessation of mining activities, the applicant shall re-establish access, either public or private, to all parcels affected by the vacation of New Eagle Road prior to deeming reclamation complete.

14. Pursuant to Section 2381 of the California Streets and Highways Code, the area to be vacated is not useful for use by pedestrians, bicycles or equestrians.

15. This Board does hereby reserve to the County of Kern, its successors and/or assigns, the right to use the land described in Exhibit "F" for water, sewer, and gas pipes, telephone and power lines and poles and conduits and any and all other utility purposes; the right to continue or extend existing franchises; all appropriate and existing public utility easements; together with the free right of ingress and egress over and across such property, insofar as such right of ingress and egress is necessary including but not limited to maintenance, renewal, replacement, or access to improvements to effect the purpose of this reservation.

16. The Clerk of this Board shall cause a certified copy of this Resolution and Exhibit "F" only to be filed for record in the Office of the Kern County Recorder. Upon recordation of a certified copy of this Resolution, the vacation is complete.

17. The Clerk of this Board shall cause a Notice of Determination and Notice of Exemption to be filed with the County Clerk.

18 The Clerk of this Board shall transmit copies of this Resolution to the following:

(a) Dir. Planning & Development Services
(b) Environmental Health Department
(c) Fire Department
(d) Public Works
(e) County Counsel

(f) Golden Queen Mining Company, Inc.
P.O. Box 820
Mojave, CA 93502-0820

BD:wl
#14520
97.2750

COPIES FURNISHED:
See above
9/22/97

# EXHIBIT "A"

## (LEGAL DESCRIPTION FOR SURFACE MINING & RECLAMATION PLAN)

The project area shown in the attached map consists of those portions of Sections 5, 6, 7 and 8, Township 10 North, Range 12 West, SBBM, Section 1, Township 10 North, Range 13 West, SBBM and Section 32, Township 11 North, Range 12 West, SBBM in Kern County, California, described as Parcel 1 and Parcel 2 below:

Parcel 1

Those portions of Sections 5, 6, 7 and 8, Township 10 North, Range 12 West, SBBM and Section 1, Township 10 North, Range 13 West, SBBM in Kern County, California, described as follows:

Beginning at the Northeast corner of Section 6, Township 10 North, Range 12 West, SBBM; thence, South 88° 30' West along the North line of Section 6 and the North line of Section 1, Township 10 North, Range 13 West, a distance of 6,056 feet to a point; thence, South 0° 22' West a distance of 1,462 feet, more or less, to a point on the Southeast boundary of Mojave Tropico/Silver Queen Road; thence, Southwesterly along the Scutheast boundary of Mojave Tropico/Silver Queen Road a distance of 4,525 feet, more or less, to a point on the North boundary of Section 12, Township 10 North, Range 13 West; thence, North 87° 37' East along the North boundary of Section 12 a distance of 1,603 feet to the Northeast corner of Section 12; thence, South 1° 49' West along the East boundary of Section 12 a distance of 5,317 feet to the Southeast corner of Section 12; thence, North 87° 29' East along the South boundary of Section 7 Township 10 North, Range 12 West a distance of 2,643 feet to the South one-quarter corner of Section 7; thence, North 2,585 feet to the Northwest corner of the Southeast quarter of Section 7; thence, North 88° 34' East along the North boundary of the Southeast quarter of Section 7 and the North boundary of the Southwest quarter of Section 8, Township 10 North, Range 12 West a distance of 3,762 feet to a point; thence, North 676 feet to a point; thence, North 88° 21' East 4,203 feet to a point on the East boundary of Section 8; thence, North 2° 21' West along the East boundary of Section 8 a distance of 2,006 feet to the

Northeast corner of Section 8; thence, South 89° 26' West 2,549 feet along the North boundary of Section 8 to the North one-quarter corner of Section 8; thence, North 4° 17' West 2,612 feet to the Northeast corner of the Southwest quarter of Section 5, Township 10 North, Range 12 West; thence, South 89° West 2,578 feet to the West one-quarter corner of Section 5; thence, North 2,474 feet along the Westerly boundary of Section 5 and the Easterly boundary of Section 6 to the point of beginning.

Parcel 2

That portion of Section 32, Township 11 North, Range 12 West, SBBM in Kern County, California, described as follows:

Beginning at the Southwest corner of said Section 32; thence, North 0° 6' East along the Westerly boundary of Section 32 a distance of 3,856 feet; thence, North 89° 0' East a distance of 460 feet; thence, South 2° 18' East a distance of 669 feet; thence, East a distance of 108 feet; thence, South 1° 21' East a distance of 3,191 feet to a point on the South boundary of Section 32; thence, South 88° 30' West along the South boundary of Section 32 approximately 677 feet to the point of beginning.



EXHIBIT "A"

EXHIBIT "B"

# ENVIRONMENTAL IMPACT FINDINGS REQUIRED BY CEQA GUIDELINES SECTION 15091 KERN COUNTY CONDITIONAL USE PERMIT FOR GOLDEN QUEEN MINING COMPANY, INC.'S SOLEDAD MOUNTAIN PROJECT

1. MINERAL RESOURCES (Natural Resources)

1.1 Significant Effect: The proposed project would result in the processing of approximately 60 million tons of ore during the life of the project.

Statement of Facts: The loss of mineral resources from mining is a significant and unavoidable impact. Alternatives that would eliminate or reduce this effect are the no action alternative and reduced project size alternative; specific economic and other considerations make these alternatives infeasible. The following applicant-proposed mitigation measure has been identified in the Environmental Impact Report/Environmental Impact Statement (EIR/EIS) and will be implemented as part of the approval for the project to ensure the project will not cover additional mineral resources, thereby minimizing the impact.

a. Exploration activity, drilling boreholes and analysis of rock samples, has been conducted to ensure mineral resources will not be covered by overburden or heap piles.

Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: The specific economic and other considerations make infeasible the project alternatives identified in the Final EIR/EIS. A statement of overriding consideration shall be issued by the Kern County Board of Supervisors.

## 2. PHYSIOGRAPHY AND GEOLOGY (Earth Resources)

### 2.1 Topography

2.1.1 Significant Effect: The proposed project would change the topography due to the creation of the open pit mine, heap leach piles and overburden material piles.

Statement of Facts: A change in the natural ground contours is a significant and unavoidable impact. The applicant-proposed mitigation measure will break up the unnatural angles at the top edges of the overburden piles. The topography of the open pit would be different from the existing topography and would be partially visible from Silver Queen Road. The following applicant-proposed mitigation measure has been identified in the EIR/EIS and will be implemented as part of the approval for the project to minimize the project impact:

a. During final reclamation, overburden will be graded to break up the unnatural angles at the top edges.

Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: The specific economic and other considerations make infeasible the project alternatives identified in the Final EIR/EIS. A statement of overriding consideration shall be issued by the Kern County Board of Supervisors.



EXHIBIT B

## 2.2 Geology and Seismology

2.2.1 Significant Effect: Potential ground motion from earthquakes could cause instability of slopes, pose a hazard to site facilities, or cause collapse of historic underground mine areas and above ground structures.

Statement of Facts: The following applicant-proposed mitigation measures have been identified in the EIR/EIS and will be implemented as part of the approval for the project to reduce the identified impact to a less than significant level:

a. Mine pit slopes will be evaluated throughout operations to assure that excavation occurs at a slope angle that is safe, considering actual rock strength and structural conditions encountered.
b. Old underground mining areas will be excavated or remediated.
c. Historical structures will be stabilized or removed by the applicant prior to site disturbance

The applicant-proposed mitigation measures are designed to minimize the potential impact from ground motion by continuous evaluation of mine pit slope angles.

Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: The proposed project is located in a geologic structurally complex area. No known faults are present within or adjacent to the

project site which demonstrate evidence of Holocene movement (during the last 200 years). Mitigation measures have been incorporated into the proposed project which avoid or substantially lessen the environmental effect as identified in the EIR/EIS.

3. SOILS (Earth Resources)

3.1 Significant Effect: The proposed project would result in the loss of soil over approximately 910 acres ( except for 220 acres salvaged for use as growth medium). The impact of erosion and loss of top soil is potentially significant.

Statement of Facts: The following applicant-proposed mitigation measures have been identified in the EIR/EIS and will be implemented as part of the approval for the project to reduce the identified impacts to less than significant levels:

a. Surface disturbance outside the project area will be kept to a minimum by clearly delineating operating areas to limit roads and vehicle traffic outside designated areas.
b. Growth media stockpiles will be stabilized by allowing germination of seeds naturally contained in the soil.
c. The feasibility of inoculation of soil with biological components will be investigated in test plots.
d. Site drainage will be inspected periodically to assure that excessive erosion is not occurring. In the event excessive erosion is identified, the drainage plan will be revised in consultation with Kern County.

The applicant-proposed mitigation measure will keep surface disturbance to a minimum. Stabilization of the growth media piles will minimize wind

erosion from these sources. Periodic evaluation of site drainage will assure that excessive loss of soil is not occurring from erosion.

Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: The potential loss of soil is an irretrievable commitment of soils resources. Soil from approximately 220 acres will be salvaged for use as growth media during site reclamation. The site does not contain any prime agricultural land. Mitigation measures have been incorporated into the proposed project which avoid or substantially lessen the environmental effect as identified in the EIR/EIS.

4. HYDROLOGY (Water Resources)

4.1 Surface Water

4.1.1 Significant Effect: The proposed project would alter the surface and have the potential to cause alteration of the existing drainage pattern resulting in erosion and/or flooding.

Statement of Facts: The following applicant-proposed mitigation measures have been identified in the EIR/EIS and will be implemented as part of the approval for the project:

a. Additional erosion prevention techniques include:
   - Site drainage will be retained onsite.
   - Site roads and drainage will be inspected by Golden Queen personnel after rainfall events which result in surface flow



EXHIBIT B

to ensure erosion prevention is maintained and upgraded as needed.

- Drainage from the tops of overburden piles will be directed away from the slopes toward the pit.

- Salvaged growth media will be stockpiled away from areas of concentrated drainage.
- Reclamation of disturbed areas will occur as soon as possible.

The applicant-proposed mitigation measures which have been incorporated into the proposed project avoid or substantially lessen the environmental effect as identified in the EIR/EIS.

Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: The project site is not located in a flood prone area; the annual average rainfall at the site is approximately 6.14 inches. A site drainage plan will be approved by Kern County with adoption of the Surface Mining and Reclamation Plan, which includes stabilization of drainage and erosion according to SMARA. BLM will regulate surface drainage modifications through review and approval of the Plan of Operations. A General Construction Activity Storm Water Permit will be obtained from the Lahontan Regional Water Quality Control Board.

4.1.2 Significant Effect: The proposed project would result in the potential degradation of surface water and groundwater quality. A monitoring plan has been prepared to assure compliance with the applicant-proposed mitigation measures.

Statement of Facts: The following applicant-proposed mitigation measures have been identified in the EIR/EIS and will be implemented as part of the approval for the project to reduce the identified impacts to less than significant levels:

a. The evaporation of water and, therefore, the need for make-up water will be minimized by the use of enclosed solution storage.
b. The overliner protective material placed in direct contact with the HDPE liner will not exceed one and one-half inches in diameter, and will not contain hard, sharp, angular pieces.
c. A cyanide destructing compound (e.g., hydrogen peroxide or calcium hypochlorite) will be maintained onsite for use in the event that a spill occurs.
d. Historical mining wastes and tailings will be tested and used onsite or, if indicated, disposed of at an offsite permitted disposal facility, removing any future threat of surface water contamination.
e. The Lahontan Regional Water Quality Control Board will be consulted prior to the use of dust suppression or soil stabilization chemicals.

Additionally, historical mining waste and tailings, which may degrade surface water discharge, will be removed from exposure to storm water. The tailings will be tested and disposed of offsite, used as liner material or processed with the ore on the heap leach pad.

The applicant designed mitigation measures are designed to minimize the potential for degradation of water quality. A monitoring plan has



EXHIBIT B

been prepared to assure compliance with the applicant-proposed mitigation measures.

Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: The project site does not contain any surface waters, including springs, seeps or intermittent streams. Regulatory requirements for the site include compliance with Waste Discharge Requirements to be issued by the Lahontan Regional Water Quality Control Board in accordance with Title 23 CCR, Chapter 15, Article 7. Above ground storage tanks will be regulated by the Lahontan Regional Board in accordance with the California Health and Safety Code, Chapter 6.67 and the California Porter-Cologne Water Quality Act of 1985. Storage of hazardous materials will be regulated by the 1994 Uniform Fire Code and a General Construction Activity Storm Water Permit will be obtained from the Lahontan Regional Board. Kern County will regulate activities through SMARA and the BLM will regulate activities through a Plan of Operations. Mitigation measures have been incorporated into the proposed project which avoid or substantially lessen the environmental effect as identified in the EIR/EIS.

4.2 Groundwater/Water Supply

4.2.1 Significant Effect: The proposed project will require a water withdrawal rate of 750 gpm, or approximately 1,200 acre-feet of water per year. Up to three water supply wells will be drilled to supply the water needs for the project. The increased pumping activities have

the potential to lower the groundwater level in the vicinity of the water supply wells.

Statement of Facts: The following applicant-proposed mitigation measures have been identified in the EIR/EIS and will be implemented as part of the approval for the project to reduce the identified impact to a less than significant level:

a. The evaporation of water and, therefore, the need for make-up water will be minimized by the use of enclosed solution storage.

b. Golden Queen will monitor the groundwater level on a monthly basis and compare the water level data collected by the monitoring program to water levels predicted by the groundwater drawdown model. In the event that the monitoring program shows that the actual water drawdown in the well, when corrected for well conditions, exceeds the predicted model for six consecutive months, Golden Queen will supplement the water supplied by the production wells with up to 300 gpm of water from Antelope Valley - East Kern Water Agency.

The proposed project will require a water withdrawal rate of approximately 750 gpm, supplied by onsite wells. Hydrology studies and modeling indicate that drawdown resulting from the increased pumping will not significantly affect the water supply in the area. The applicant will supplement water from its wells with up to 300 gpm of water from the Antelope Valley - East Kern (AVEK) Water Agency if

its monitoring program reveals exceedances between actual data and model results for six consecutive months.

Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: Mitigation measures have been incorporated into the proposed project which avoid or substantially lessen the environmental effect as identified in the EIR/EIS.

5. AIR QUALITY

5.1 Significant Effect: The primary impact to air quality from the proposed project would be particulate emissions from construction, wind erosion, blasting, hauling, loading and unloading. Particulate matter emissions from the project have the potential to impact visibility and air quality.

Statement of Facts: The following applicant-proposed mitigation measures have been identified in the EIR/EIS and will be implemented as part of the approval for the project to reduce the identified impacts to less than significant levels:

a. Onsite equipment and vehicles will be maintained on a routine basis, as recommended by manufacturer manuals, to reduce exhaust emissions.
b. Monitoring stations for $PM_{10}$ will be established upwind and downwind from the processing facilities.
c. A mercury retort will be installed to control mercury emissions.
d. The size and number of blasts in the mine will be limited by good engineering design.



EXHIBIT B

e. The existing tailings piles will be removed, thereby reducing the long-term fugitive emissions from the site.

f. Reclamation of previously disturbed areas.

Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: The project is within the jurisdiction of the Kern County Air Pollution Control District which will require permitted sources be equipped with Best Available Control Technology and will require dust suppression techniques on mine roads and disturbed surfaces. Dispersion modeling indicates the project will not violate the Federal and California air quality standards for $PM_{10}$. Mitigation measures have been incorporated into the proposed project which avoid or substantially lessen the environmental effect as identified in the EIR/EIS.

## 6. BIOLOGY

### 6.1 Vegetative Resources

6.1.1 Significant Effect: Project activities would result in the disturbance of vegetation. The proposed project would disturb approximately 560 acres of the upper slope area of Soledad Mountain and 370 acres on the lower slope.

Statement of Facts: The following applicant-proposed mitigation measures have been identified in the EIR/EIS and will be implemented as part of the approval for the project to reduce the identified impact to a less than significant level:

EXHIBIT B

a. Project disturbance will be minimized to that necessary for safe and efficient operation. The limits of the construction areas will be clearly marked and vehicles and equipment will be confined to these areas.

b. Mature Joshua trees which may be disturbed will be salvaged and replanted in undisturbed areas within the property boundary.

c. The use of seedlings for revegetation will be investigated in test plots.

d. Fencing around the heap leach pile will remain in place until vegetation is established or as otherwise specified in the Reclamation Plan.

Reclamation activities and monitoring include a revegetation plan, onsite seed collection and test plots to evaluate reclamation methods.

Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: A Reclamation Plan will be adopted to revegetate disturbed areas. Mitigation measures have been incorporated into the proposed project which avoid or substantially lessen the environmental effect as identified in the EIR/EIS. A Mitigation Measure Monitoring Program will be adopted to ensure the implementation of those mitigation measures.

## 6.2 Wildlife Resources

6.2.1 Significant Effect: The proposed project would result in the disturbance of wildlife habitats.

Statement of Facts: The following applicant-proposed mitigation measures have been identified in the EIR/EIS and will be implemented as part of the approval for the project to reduce the identified impact to a less than significant level:

a. Grading for the project will be minimized to the extent consistent with safe and efficient operations to limit the total area of surface disturbance.

b. Routine distribution of cyanide solution on the top of the heap leach pad will occur via a drip irrigation system and the heap leach pads will be contoured to prevent surface ponding which could attract birds and small animals.

c. Containers of reagents will be stored within controlled reagent storage areas and kept closed, stored in enclosed areas, or otherwise managed to prevent access by wildlife.

d. Project waste will be properly managed at the site to control garbage that could attract wildlife.

e. The maximum vehicle speed will be 25 mph.

f. Wildlife habitat awareness will be included in the worker education program.

g. Some of the mine adits will be retained and gated and some of the mine shafts will be covered by grates to allow access by bats while excluding people.

Reclamation according to the Surface Mining and Reclamation Act of 1975 will return the project site to open habitat which includes native vegetation after mining is completed.

Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: No threatened or endangered animal or plant species have been identified or observed on the project site. Mitigation measures have been incorporated into the proposed project which avoid or substantially lessen the environmental effect as identified in the EIR/EIS.

7. CULTURAL AND HISTORICAL RESOURCES (Cultural Resources)

7.1 Significant Effect: Project related activities could disturb or destroy potentially significant sites.

Statement of Facts: The following mitigation measures to lessen the impact have been identified in the EIR/EIS and will be implemented as part of the approval for the project to reduce the identified impact to a less than significant level:

a. A Phase III Data Recovery (salvage excavation and architectural recording) will be conducted at four sites.

b. Seven sites will have an archaeological monitor review the area during grading activity.

In addition, the following applicant-proposed mitigation measures have been identified in the EIR/EIS and will be implemented as part of the approval for the project:

a. Should any previously unknown archaeological/cultural resources be discovered on private land during the course of mining or reclamation, work in the area of discovery shall be stopped and a qualified archeologist contacted to evaluate the find and, if necessary, mitigate impacts prior to resumption of work.

b. Artifacts from the historical sites will be used to establish a small display of historical mining activities onsite. After conclusion of the project, the items on display will be donated to a museum located in Kern County.

c. As part of the worker education program, construction contractors and operations personnel will be instructed regarding the sensitivity of cultural resources and the presence of laws against unauthorized collection and disturbance.

The sites on private land with scientific and historical value will have been subject to a Phase III Data Recovery (salvage excavation and architectural recording) prior to site disturbance. There were no sites on Federal land eligible for the National Register of Historic Places.

Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: Mitigation measures have been incorporated into the proposed project which avoid or substantially lessen the environmental effect as identified in the EIR/EIS.

8. VISUAL RESOURCES (Light and Glare/Aesthetics)

8.1 Significant Effect: The visual character of the site could be altered by project activities.

Statement of Facts: The following applicant-proposed mitigation measures have been identified in the EIR/EIS and will be implemented as part of the approval for the project to reduce the identified impact to a less than significant level:

a. Surface disturbance will be minimized to that required for safe and efficient operation.
b. Historical mining disturbance will be reclaimed.
c. Buildings and structures will be painted with nonreflective earthtone colors to blend with the predominant background.
d. Outdoor lighting for the mine pit and other areas of nighttime activities will be shielded and directed downward to reduce fugitive light. Light poles will be no higher than necessary for safe and efficient lighting. Low-pressure sodium bulbs or other appropriate technology will be used for outdoor lighting.

A reclamation plan approved by Kern County will include the removal of all buildings and foundations at the end of the project, grading of overburden piles and heap leach piles, and revegetation of disturbed areas. Dust control measures required by the Kern County Air Pollution Control District to control particulate emissions will minimize the potential visual impact of fugitive dust. Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: Visual resources for the project area were investigated using methods outlined in Section 8400 of the BLM Manual. The proposed project would cause some visual contrast with the surrounding land from more distant viewpoints. However, when the proposed project is viewed in relationship to other current and historical activities there is only a weak contrast. The project area would contrast slightly with the existing environment; however, due to viewing distance from the major travel routes, viewer sensitivity to the visual resources is considered to be low to moderate. Mitigation measures have been incorporated into the proposed project which avoid or substantially lessen the environmental effect as identified in the EIR/EIS.

9. NOISE

9.1 Significant Effect: Noise levels would increase in the vicinity of the proposed project due to construction and operations.

Statement of Facts: The following applicant-proposed mitigation measures have been identified in the EIR/EIS and will be implemented as part of the approval for the project to reduce the identified impact to a less than significant level:

a. Approximately 75 to 80 percent of construction activities will take place during daylight.
b. Blasting will occur during daylight one time per day and will be engineered to minimize the amount of explosives used, according to U.S. Bureau of Mines guidelines.

Noise levels at nearby residences must remain within the recommendations of the Noise Element of the Kern County General Plan. Machinery,

equipment and vehicles will be equipped with mufflers in accordance with MSHA requirements.

Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: During the operating life of the project, there would be an increase in ambient noise levels which would be perceptible to humans in the project vicinity, but these levels would not exceed maximum existing levels measured in the vicinity of the project area. Mitigation measures have been incorporated into the proposed project which avoid or substantially lessen the environmental effect as identified in the EIR/EIS.

10. LAND USE (Land Use/Population/Housing)

10.1 Significant Effect: The proposed project could conflict with the uses, plans, and goals of the community in the area.

Statement of Facts: The following applicant-proposed mitigation measures have been identified in the EIR/EIS and will be implemented as part of the approval for the project to reduce the identified impacts to less than significant levels:

a. Buildings and structures will be painted with non-reflective earthtone colors to blend with the predominant background.
b. Outdoor lighting will be shielded and directed downward to reduce reflective light.
c. Low-pressure sodium bulbs or other appropriate technology will be used for outdoor lighting.



EXHIBIT B

The proposed project will comply with all regulatory requirements cited in the EIR/EIS. Surface mining is a permitted use in the existing zoning districts subject to the requirement to obtain a Conditional Use Permit and approved Reclamation Plan.

Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: Mitigation measures have been incorporated into the proposed project which avoid or substantially lessen the environmental effect as identified in the EIR/EIS.

11. SOCIOECONOMICS (Economic Development/Fiscal Analysis)

11.1 Significant Effect: The proposed project could increase growth in the area, causing a shortage of housing and services.

Statement of Facts: The following applicant-proposed mitigation measure has been identified in the EIR/EIS and will be implemented as part of the approval for the project to reduce the identified impacts to a less than significant level:

a. Golden Queen is committed to hiring from the local population.

Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: Mitigation measures have been incorporated into the proposed project which avoid or substantially lessen the environmental effect as identified in the EIR/EIS.



EXHIBIT B

12. HEALTH HAZARDS/PUBLIC SAFETY (Human Health/Risk of Upset)

12.1 Significant Effect: The proposed project would create a potential hazard or threat to public safety.

Statement of Facts: The following applicant-proposed mitigation measures have been identified in the EIR/EIS and will be implemented as part of the approval for the project to reduce the identified impact to a less than significant level:

a. Fences will be erected around potentially hazardous areas to discourage entry by unauthorized mine personnel or visitors.
b. Historical mining operations will be removed or closed to the extent feasible.
c. Former mine waste will be removed.
d. Project design will be in accordance with a preconstruction design study.

Site operations, storage, use and disposal of all hazardous materials will be in accordance with Federal, state and local regulations, codes and rules. The routes of hazardous materials being shipped to and away from the proposed project will be coordinated with the California Highway Patrol or other appropriate agencies.

Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: Mitigation measures have been incorporated into the proposed project which avoid or substantially lessen the environmental effect as identified in the EIR/EIS.

13. TRAFFIC AND TRANSPORTATION (Transportation/Circulation)

13.1 Significant Effect: The proposed project would increase the level of traffic on roads in the vicinity of the project.

Statement of Facts: The following applicant-proposed mitigation measures have been identified in the EIR/EIS and will be implemented as part of the approval for the project to reduce the identified impacts to a less than significant level:

a. The entrance road from Silver Queen Road to the office area will be paved.

b. The applicant will provide a left-turn lane on Silver Queen Road at the entrance to the project site.

Authoritative Reference: Soledad Mountain Project Final EIR/EIS, Kern County Planning Department, September 1997.

Finding: The cumulative effects of the proposed project together with the foreseeable regional traffic growth would not degrade the level of service on Silver Queen Road. The cumulative effects on the State Route 14/58 intersection will be mitigated by the approved and funded Highway 58 bypass.

EXHIBIT "C"

# STATEMENT OF OVERRIDING CONSIDERATIONS REQUIRED BY CEQA GUIDELINES SECTION 15093 KERN COUNTY CONDITIONAL USE PERMIT FOR GOLDEN QUEEN MINING COMPANY, INC.'S SOLEDAD MOUNTAIN PROJECT

In accordance with Section 15093 of the California Environmental Quality Act (CEQA), a statement of overriding considerations is to be made by the Board as it balances the benefits of the proposal against its unavoidable environmental impacts.

The Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS) indicates the construction and operation of the project would result in the removal of up to 60 million tons of ore material from the ground and the extraction of precious metals from the ore. Due to the nature of the project, the impacts associated with the removal of the mineral resources from the land are unavoidable.

A significant impact of the project would be a change in topography due to the creation of the open pit mine, heap leach piles and overburden material piles. Reclamation of the project site will occur after mining operations have ceased, however, there would remain a significant change in the topography of the local landscape. This potentially significant impact could not be avoided or reduced to a level of insignificance through the adopted mitigation measures.

Although the Board recognizes that the project would result in the aforementioned potentially significant impacts, these potential impacts are considered to be acceptable in light of the anticipated benefits of the project. The primary benefit of the project would be the employment of approximately 250 people during the construction phase, and up to 230 people during the operation of the facility. A majority of the full-time employees are expected to be drawn from people who already live in the area.

EXHIBIT C

During the construction phase, expenditures for labor and materials would infuse approximately 13.7 million dollars into the regional economy. Two hundred and fifty construction workers would be employed, earning approximately 9.9 million dollars in wages. This economic activity would support an additional 166 workers with wages of 3.7 million dollars.

The project will create an estimated 230 full-time jobs representing 7.6 million dollars in wages, exclusive of benefits. The expenditures made by Golden Queen on goods, labor and other services will support another 136 jobs, which are expected to pay wages of 3.3 million dollars. The value added by the direct and indirect effects of this activity is forecast at 11 million dollars.

Between 1991 and 1994, Kern County is estimated to have lost 6,500 jobs (3.1 percent). These losses were partly attributable to a large number of job losses in defense and aerospace. Mineral resource employment in the county dropped by 3,900 jobs from 1984 to 1994, a 26.4 percent decline. Mineral resource's share of total employment in the county dropped from 8.5 percent in 1984 to 4.4 percent in 1994.

As home values decreased in the 1990's, the development of housing units slowed in both the Mojave and Rosamond areas. From 1990 to 1996, the average home prices reported by TRW/REDI Property Data in the Mojave area decreased from $64,550 to $48,550. Over the same period, the reported sales average in the Rosamond area decreased from $98,740 to $78,740.

The project area is located within the South of Mojave Elephant Butte Specific Plan which specifically provides for mining and processing silver and gold ores. In addition, the proposed project is a permitted use in the existing zoning districts, subject to approval of a Conditional Use Permit for a Surface Mining and Reclamation Plan. The project area is located within the disposal zone of the Bureau of Land Management's Western Mojave Land Tenure Adjustment Project and is consistent with the Bureau of Land Management's objectives for the area.

For the above reasons, the Board has approved the project while acknowledging the aforementioned potentially significant impacts associated with the project.

Even though the implementation of the project is the environmentally superior alternative, there would be significant impacts associated with its implementation.

However, no other alternative which reasonably meets the intent of the project would eliminate or reduce any of the unavoidable impacts of the project to levels of insignificance. Therefore, the Board did not select any of the project alternatives contained in the EIR/EIS in favor of the project.

EXHIBIT C

EXHIBIT "D"

MONITORING PROGRAM # 1

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Exploration activity, consisting of drilling boreholes and analysis of rock samples, has been conducted to ensure mineral resources will not be covered by overburden or heap piles.*

2. JUSTIFICATION (from EIR/EIS)

   *Project has the potential to cover mineral resources with overburden.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | X |
| State Land Commission | ___ | X |
| State Department of Parks and Recreation | ___ | X |
| California State University, Bakersfield | ___ | X |
| OTHER PUBLIC AGENCIES | | |
| Kern County Planning Department (Lead Agency) | X | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | X | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Boreholes have been drilled and samples analyzed.*
   B. *Mining area and overburden areas are delineated on permit application and Plan of Operations.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Kern County issuance of Surface Mining and Reclamation Plan approval.*
   B. *BLM approval of the Plan of Operations.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM #_2_

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *During final reclamation, overburden will be graded to break up the unnatural angles at the top edges.*

2. JUSTIFICATION (from EIR/EIS)

   *Natural ground contours will be significantly modified.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield | ___ | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Requirement for grading of overburden included in approved reclamation plan.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Lead Agency will confirm adherence to mitigation measure prior to deeming reclamation complete.*
   B. *Lead Agency will file inspection results in case file.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM #_3_

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Mine pit slopes will be evaluated by the applicant throughout operations to assure that excavation occurs at a slope angle that is safe, considering actual rock strength and structural conditions encountered.*

2. JUSTIFICATION (from EIR/EIS)

   *Steep slopes may cause safety hazard.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield | ___ | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Applicant will adhere to data contained in existing Slope Stability Analysis.*
   B. *Applicant will revise the Slope Stability Analysis if necessary.*
   C. *Applicant will provide a pit slope report reviewed by a California Registered Engineering Geologist or Professional Civil Engineer to Kern County annually.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Compliance with Slope Stability Analysis shall be verified by Lead Agency during performance of annual inspections.*
   B. *Lead Agency will file inspection reports in the case file.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM #_4_

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Old underground mining areas will be excavated or remediated.*

2. JUSTIFICATION (from EIR/EIS)

   *Earthquakes could cause collapse of old underground mine areas.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield | ___ | x |
| OTHER PUBLIC AGENCIES | | |
| Kern County Planning Department (Lead Agency) | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Applicant will excavate or remediate old underground mining areas where feasible.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Compliance will be verified during performance of annual inspections by the Lead Agency.*
   B. *Lead Agency will file inspection reports in the case file.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM #_5_

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Historical structures will be stabilized or removed by the applicant prior to site disturbance.*

2. JUSTIFICATION (from EIR/EIS)

   *Earthquakes could cause collapse of historical structures.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield | ___ | x |
| OTHER PUBLIC AGENCIES | | |
| Kern County Planning Department (Lead Agency) | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Applicant will effect the stabilization or removal of historical structures prior to site disturbance.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Applicant will submit proof of stabilization or removal to Lead Agency prior to site disturbance.*
   B. *Lead Agency will file documentation in case file.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM #_6_

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Surface disturbance outside the project area will be kept to a minimum by clearly delineating operating areas to limit roads and vehicle traffic outside designated areas.*

2. JUSTIFICATION (from EIR/EIS)

   *Minimizing surface disturbance will reduce potential loss of topsoil.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield | ___ | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Property boundary limits shall be clearly marked prior to the commencement of mining operations.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Proof of boundary delineation shall be submitted to the Lead Agency.*

   B. *Annual inspection by the Lead Agency shall confirm adherence to mitigation measure over the life of the project.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 7

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Growth media stockpiles will be stabilized by allowing germination of seeds naturally contained in the soil.*

2. JUSTIFICATION (from EIR/EIS)

   *Seed germination will reduce potential loss of topsoil.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | | x |
| State Land Commission | | x |
| State Department of Parks and Recreation | | x |
| California State University, Bakersfield | | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | |
| Bureau of Land Management, Ridgecrest Resource Area | x | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Except for noxious weeds, applicant will not hinder natural germination of seeds in the growth media stockpile.*
   B. *If stabilization is not achieved by natural germination of seeds, the applicant shall consult with the Lead Agency as to another method of stabilization to be employed.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Growth media stockpile stabilization will be verified by Lead Agency during performance of annual inspections.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 8

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *The feasibility of inoculation of soil with biological components will be investigated in test plots.*

2. JUSTIFICATION (from EIR/EIS)

   *Inoculation with biological components may promote plant growth and enhance reclamation.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ____ | x |
| State Land Commission | ____ | x |
| State Department of Parks and Recreation | ____ | x |
| California State University, Bakersfield | ____ | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | ____ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ____ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Test plots will be established and inoculated with biological components within three years of the commencement of mining operations.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Results of the test plots will be submitted to the Lead Agency.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 9

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Site drainage will be inspected periodically to assure that excessive erosion is not occurring. In the event excessive erosion is identified, the drainage plan will be revised in consultation with the Kern County Planning Department.*

2. JUSTIFICATION (from EIR/EIS)

   *Potential loss of topsoil could occur from erosion.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | | X |
| State Land Commission | | X |
| State Department of Parks and Recreation | | X |
| California State University, Bakersfield | | X |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | X | |
| Bureau of Land Management, Ridgecrest Resource Area | X | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Periodic inspections will be performed as needed by applicant during wet season.*
   B. *Applicant will revise the site drainage plan as necessary should excessive erosion occur.*
   C. *Applicant will submit the site drainage plan for review and approval to the Lead Agency.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Compliance with approved site drainage plan will be verified during performance of annual inspections by the Lead Agency.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 10

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

*Additional erosion prevention techniques include:*

- *Site drainage will be retained onsite.*
- *Site roads and drainages will be inspected by Golden Queen personnel after rainfall events which result in surface flow to ensure erosion prevention is maintained and upgraded as needed.*
- *Drainage from the tops of overburden piles will be directed away from the slopes toward the pit.*
- *Salvaged growth media will be stockpiled away from areas of concentrated drainage.*
- *Reclamation of disturbed areas will occur as soon as possible.*

2. JUSTIFICATION (from EIR/EIS)

*Potential erosion resulting from alteration of drainage pattern.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | | X |
| State Land Commission | | X |
| State Department of Parks and Recreation | | X |
| California State University, Bakersfield | | X |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | X | |
| Bureau of Land Management, Ridgecrest Resource Area | X | |
| Lahontan Regional Water Quality Control Board | X | |

4. MONITORING AGENCY/FIRM:

*Kern County Planning Department, BLM and Lahontan Regional Board*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

A. *Site drainage plan included in Surface Mining and Reclamation Plan approved by Kern County.*
B. *Erosion control methods included in the Plan of Operations issued by BLM.*
C. *Submit and obtain approval of a General Construction Activity Storm Water Permit from the Lahontan Regional Water Quality Control Board.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

A. *Copy of approved General Construction Activity permit to be submitted to Kern County and BLM for placement in the case file.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

Prepared By: _____ Date: _____

**EXHIBIT D**

MONITORING PROGRAM #_11_

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *The overliner protective material placed in direct contact with the HDPE liner will not exceed one and one-half inches in diameter, and will not contain hard, sharp, angular pieces.*

2. JUSTIFICATION (from EIR/EIS)

   *Potential degradation of surface water and groundwater quality from project activities.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield | ___ | x |
| OTHER PUBLIC AGENCIES | | |
| Kern County Planning Department (Lead Agency) | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |
| Lahontan Regional Water Quality Control Board | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department, Lahontan Regional Board and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Liner design included in Report of Waste Discharge for review and approval.*

   B. *Installation of the liner will be subject to quality assurance/quality control.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Issuance of and compliance with Waste Discharge Requirements issued by Regional Board.*
   B. *Copy of Waste Discharge Requirements shall be submitted to Kern County for placement in case file upon issuance.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

**EXHIBIT D**

MONITORING PROGRAM # 12

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *A cyanide destructing compound (e.g., hydrogen peroxide or calcium hypochlorite) will be maintained onsite for use in the event that a spill occurs.*

2. JUSTIFICATION (from EIR/EIS)

   *The presence of cyanide results in the potential for a spill and the potential to degrade water quality.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | | X |
| State Land Commission | | X |
| State Department of Parks and Recreation | | X |
| California State University, Bakersfield | | X |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | X | |
| Bureau of Land Management, Ridgecrest Resource Area | X | |
| Lahontan Regional Water Quality Control Board | X | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Applicant will maintain a cyanide destructing agent onsite.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Proof of the cyanide destructing compound will be submitted to the Lead Agency and Regional Board for placement in case file prior to receipt of cyanide onsite.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 13

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Historical mining wastes and tailings will be tested and processed with the ore on the heap leach pad or, if indicated, disposed of at an offsite permitted disposal facility, removing any future threat of surface water contamination.*

2. JUSTIFICATION (from EIR/EIS)

   *Potential degradation of surface water and groundwater from existing wastes and tailings.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | X |
| State Land Commission | ___ | X |
| State Department of Parks and Recreation | ___ | X |
| California State University, Bakersfield | ___ | X |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | X | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | X | ___ |
| Kern County Waste Management Department | X | ___ |
| Lahontan Regional Water Quality Control Board | X | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department, Lahontan Regional Board and Kern County Waste Management Department*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Historical wastes and tailing will be sampled and analyzed by an EPA-certified laboratory.*
   B. *Laboratory analysis will be submitted to the Lahontan Regional Board and Kern County Waste Management and Lead Agency for review and approval.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Copies of approved laboratory analysis submitted to Lead Agency for placement in case file.*
   B. *If the waste is not treated as ore, final deposition will be in accordance with existing regulations as approved by the regulatory agencies.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

**EXHIBIT D**

MONITORING PROGRAM # 14

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *The Lahontan Regional Board will be consulted prior to the use of dust suppression or soil stabilization chemicals.*

2. JUSTIFICATION (from EIR/EIS)

   *Potential degradation of surface water or groundwater quality from chemicals.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | | x |
| State Land Commission | | x |
| State Department of Parks and Recreation | | x |
| California State University, Bakersfield | | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | |
| Bureau of Land Management, Ridgecrest Resource Area | x | |
| Lahontan Regional Water Quality Control Board | x | |

4. MONITORING AGENCY/FIRM:

   *Lahontan Regional Board, Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Applicant will submit list of dust suppression or soil stabilization chemicals to the Lahontan Regional Board for review and approval prior to their application.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Copy of Lahontan Regional Board approval shall be submitted to Lead Agency for placement in case file.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 15

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *The evaporation of water and, therefore, the need for makeup water will be minimized by the use of enclosed solution storage.*

2. JUSTIFICATION (from EIR/EIS)

   *Potential drawdown of groundwater levels from project activities.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | | x |
| State Land Commission | | x |
| State Department of Parks and Recreation | | x |
| California State University, Bakersfield | | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | |
| Bureau of Land Management, Ridgecrest Resource Area | x | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Enclosed storage will be constructed in accordance with the approved plan.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Compliance will be verified by Lead Agency during performance of annual inspection.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM #_16_

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Golden Queen will monitor the groundwater level on a monthly basis and compare the water level data collected by the monitoring program to water levels predicted by the groundwater drawdown model. In the event that the monitoring program shows that the actual water drawdown in the well when corrected for well conditions exceeds the predicted model for six consecutive months, Golden Queen will supplement the water supplied by the production wells with up to 300 gpm of water from Antelope Valley - East Kern Water Agency.*

2. JUSTIFICATION (from EIR/EIS)

   *Potential drawdown of water levels due to project activities.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield | ___ | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Applicant will monitor water withdrawal on a monthly basis and make comparisons to model.*
   B. *Applicant shall cause an annual report to be prepared based upon monthly monitoring and submitted to the Lead Agency for review and approval.*
   C. *If drawdown exceeds modeling analysis for six consecutive months, the Lead Agency will be notified immediately.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Annual report to be placed in Lead Agency case file.*
   B. *AVEK water will be used to supplement project water should modeling analysis be exceeded for six consecutive months.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM #_17_

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Onsite equipment and vehicles will be maintained on a routine basis, as recommended by manufacturer manuals, to reduce exhaust emissions.*

2. JUSTIFICATION (from EIR/EIS)

   *Potential impacts to air quality from project activities.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ____ | x |
| State Land Commission | ____ | x |
| State Department of Parks and Recreation | ____ | x |
| California State University, Bakersfield | ____ | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Land Agency) | x | ____ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ____ |
| Kern County Air Pollution Control District | x | ____ |

4. MONITORING AGENCY/FIRM:

   *Kern County Air Pollution Control District, Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Applicant will maintain equipment as recommended by manufacturer.*
   B. *Applicant will keep maintenance records onsite.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Applicant will make maintenance records available to Kern County APCD on request.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 18

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Monitoring stations for $PM_{10}$ will be established upwind and downwind from the processing facilities.*

2. JUSTIFICATION (from EIR/EIS)

   *Potential impact to visibility and air quality from project activities.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield | ___ | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |
| Kern County Air Pollution Control District | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Air Pollution Control District and Kern County Planning Department*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Applicant will submit the location of monitoring stations to Kern County APCD for review and approval prior to the commencement of mining activity in the open pit.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Copy of Kern County Air Pollution Control District approval shall be submitted to the Lead Agency for placement in case file prior to commencement of mining operations.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 19

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *A mercury retort will be installed to control mercury emissions.*

2. JUSTIFICATION (from EIR/EIS)

   *Mitigation measure recommended to reduce potential mercury emissions to atmosphere.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield | ___ | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |
| Kern County Air Pollution Control District | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Air Pollution Control District*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Applicant shall apply to Kern County APCD for an Authority to Construct for a mercury retort.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Copy of Authority to Construct and Permit to Operate issued by Kern County APCD shall be submitted to the Lead Agency for placement in case file upon issuance.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT "D"

MONITORING PROGRAM # 20

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *The size and number of blasts in the mine will be limited by good engineering design.*

2. JUSTIFICATION (from EIR/EIS)

   *There will be an incremental increase in noise and potential impact to visibility and air quality as a result of project activities.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ____ | x |
| State Land Commission | ____ | x |
| State Department of Parks and Recreation | ____ | x |
| California State University, Bakersfield | ____ | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | ____ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ____ |
| Kern County Air Pollution Control District | x | ____ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department, Bureau of Land Management and Kern County APCD*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *The applicant shall provide the Lead Agency, Southern California Gas Company and Kern County APCD with a schedule of blasting times prior to commencement of blasting operations.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *The Lead Agency shall file the blasting schedule in the case file.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 21

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *The existing tailings piles will be removed, thereby reducing the long-term fugitive emissions from the site.*

2. JUSTIFICATION (from EIR/EIS)

   *Potential impact to visibility and air quality due to fugitive dust from wind erosion.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | | X |
| State Land Commission | | X |
| State Department of Parks and Recreation | | X |
| California State University, Bakersfield | | X |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | X | |
| Bureau of Land Management, Ridgecrest Resource Area | X | |
| Kern County Air Pollution Control District | X | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Existing tailings will be used onsite, reprocessed or disposed of at an offsite permitted disposal facility.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Removal of tailings will be verified during performance of annual inspection by the Lead Agency.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM #_22_

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *The adopted reclamation plan shall include reclamation of previously disturbed areas.*

2. JUSTIFICATION (from EIS/EIS)

   *Potential impact to visibility and air quality due to fugitive dust from wind erosion.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield | ___ | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |
| Kern County Air Pollution Control District | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department, BLM and Kern County Air Pollution Control District*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *The reclamation of previously disturbed areas is included in the adopted Lead Agency Surface Mine & Reclamation Plan and approved BLM Plan of Operation.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

**EXHIBIT D**

MONITORING PROGRAM #_23_

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3.098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Project disturbance will be minimized to that necessary for safe and efficient operation. The limits of the construction areas will be clearly marked and vehicles and equipment will be confined to these areas.*

2. JUSTIFICATION (from EIR/EIS)

   *Project activities will result in disturbance of vegetation.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | x | |
| State Land Commission | | x |
| State Department of Parks and Recreation | | x |
| California State University, Bakersfield | | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | |
| Bureau of Land Management, Ridgecrest Resource Area | x | |
| United States Fish and Wildlife Service | x | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Property boundary limits shall be clearly marked prior to the commencement of mining operations.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Proof of boundary delineation shall be submitted to the Lead Agency.*
   B. *Annual inspection by the Lead Agency shall confirm adherence to mitigation measure over the life of the project.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

**EXHIBIT D**

MONITORING PROGRAM # 24

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Mature Joshua trees which may be disturbed will be salvaged and replanted in undisturbed areas within the property boundary.*

2. JUSTIFICATION (from EIR/EIS)

   *Project activities may result in disturbance of Joshua trees.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | x | |
| State Land Commission | | x |
| State Department of Parks and Recreation | | x |
| California State University, Bakersfield | | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | |
| Bureau of Land Management, Ridgecrest Resource Area | x | |
| United States Fish and Wildlife Service | x | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Mitigation measure has been included as a condition of approval in Lead Agency adopted Surface Mine and Reclamation Plan and BLM approved Plan of Operations.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 25

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *The use of seedlings for revegetation will be investigated in test plots.*

2. JUSTIFICATION (from EIR/EIS)

   *Project activities will result in disturbance of vegetation.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | X | |
| State Land Commission | | X |
| State Department of Parks and Recreation | | X |
| California State University, Bakersfield | | X |

OTHER PUBLIC AGENCIES

| | | |
|---|---|---|
| Kern County Planning Department (Lead Agency) | X | |
| Bureau of Land Management, Ridgecrest Resource Area | X | |
| United States Fish and Wildlife Service | X | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Test plots will be established within three years of the commencement of mining operations.*
   B. *Seedlings will be planted in test plots.*
   C. *The test plots will be monitored to determine success rate of seedlings.*
   D. *Applicant shall cause a report to be prepared which discusses the outcome of the test plots and any transplant criteria developed as a result.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Reports concerning the results of the test plots will be forwarded to the Lead Agency for review and placement in case file.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM #_26_

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Fencing around the heap leach pile will remain in place until vegetation is established or as otherwise specified in the Reclamation Plan.*

2. JUSTIFICATION (from EIR/EIS)

   *Project will result in disturbance of vegetation.*

3. TRUSTEE AGENCIES

| | JURISDICTION | |
|---|---|---|
| | YES | NO |
| State Department of Fish and Game | x | |
| State Land Commission | | x |
| State Department of Parks and Recreation | | x |
| California State University, Bakersfield | | x |
| OTHER PUBLIC AGENCIES | | |
| Kern County Planning Department (Lead Agency) | x | |
| Bureau of Land Management, Ridgecrest Resource Area | x | |
| United States Fish and Wildlife Service | x | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Applicant will place fencing around the heap leach pile.*
   B. *Proof of fencing shall be submitted to the Lead Agency.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Compliance will be verified during performance of annual inspections by the Lead Agency during the life of the project.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

**EXHIBIT D**

MONITORING PROGRAM #_27_

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Grading for the project will be minimized to the extent consistent with safe and efficient operations to limit the total area of surface disturbance.*

2. JUSTIFICATION (from EIR/EIS)

   *The project construction and operation will disturb or alter wildlife habitats.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | x | |
| State Land Commission | | x |
| State Department of Parks and Recreation | | x |
| California State University, Bakersfield | | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department | x | |
| Bureau of Land Management, Ridgecrest Resource Area | x | |
| United States Fish & Wildlife Service | x | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Property boundary limits shall be clearly marked prior to the commencement of mining operations.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Proof of boundary delineation shall be submitted to the Lead Agency.*
   B. *Annual inspection by the Lead Agency shall confirm adherence to mitigation measure over the life of the project.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

**EXHIBIT D**

MONITORING PROGRAM # 28

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Routine distribution of cyanide solution on the top of the heap leach pad will occur via a drip irrigation system and the heap leach pads will be contoured to prevent surface ponding which could attract birds and small animals.*

2. JUSTIFICATION (from EIR/EIS)

   *Ponding of the cyanide solution could be hazardous to birds and small animals.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | x | |
| State Land Commission | | x |
| State Department of Parks and Recreation | | x |
| California State University, Bakersfield | | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | |
| Bureau of Land Management, Ridgecrest Resource Area | x | |
| United States Fish & Wildlife Service | x | |
| Lahontan Regional Water Quality Control Board | x | |

4. MONITORING AGENCY/FIRM:

   *Lahontan Regional Water Quality Control Board*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Operation is delineated on application for Surface Mining and Reclamation Plan and Plan of Operations.*
   B. *Heap leach pads will be fenced to exclude large animals.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Access to heap leach will be made available to regulatory agencies for inspection purposes to verify adherence with mitigation measure.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

**EXHIBIT D**

MONITORING PROGRAM # 29

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Containers of reagents will be stored within controlled reagent storage areas and kept closed, stored in enclosed areas, or otherwise managed to prevent access by wildlife.*

2. JUSTIFICATION (from EIR/EIS)

   *Reagents have the potential to be harmful to wildlife.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | x | |
| State Land Commission | | x |
| State Department of Parks and Recreation | | x |
| California State University, Bakersfield | | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | |
| Bureau of Land Management, Ridgecrest Resource Area | x | |
| United States Fish & Wildlife Service | x | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Reagents will be stored in a manner that prevents access by wildlife.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Access to reagent storage will be made available to regulatory agencies for inspection purposes to verify adherence to mitigation measure.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 30

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Project waste will be properly managed at the site to control garbage that could attract wildlife.*

2. JUSTIFICATION (from EIR/EIS)

   *Project waste may have the potential to harm wildlife.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | X | |
| State Land Commission | | X |
| State Department of Parks and Recreation | | X |
| California State University, Bakersfield | | X |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | X | |
| Bureau of Land Management, Ridgecrest Resource Area | X | |
| United States Fish & Wildlife Service | X | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *A litter control program shall be implemented to reduce the attractiveness of the project site to common ravens, coyotes and any other desert tortoise predators. All trash shall be promptly placed in covered containers which shall be removed from the work site on a regular basis for disposal at an authorized landfill.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *A copy of the litter control program shall be submitted to the regulatory agencies.*
   B. *Access to trash storage areas will be made available to regulatory agencies for inspection purposes to verify adherence to mitigation measure.*
   C. *Any loss of wildlife will be reported to the regulatory agencies*
   D. *In the event of loss of wildlife, applicant will take measures to prevent reoccurrence.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

**EXHIBIT D**

MONITORING PROGRAM # 31

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *The maximum vehicle speed will be 25 mph.*

2. JUSTIFICATION (from EIR/EIS)

   *Excess speed may have the potential to harm wildlife.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | x | |
| State Land Commission | | x |
| State Department of Parks and Recreation | | x |
| California State University, Bakersfield | | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department | x | |
| Bureau of Land Management, Ridgecrest Resource Area | x | |
| United States Fish & Wildlife Service | x | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Existing routes of travel shall be used during project activities to the maximum extent practical in order to minimize any potential impacts to tortoise or tortoise habitat not slated for development. Speed limits on unposted access roads leading to and from the mining site, ore processing areas, equipment stockpile or overburden areas, and other facilities shall not exceed 25 miles per hour. Project-related vehicle use shall be confined to designated routes.*
   B. *Applicant will post speed limit signs as approved by the Lead Agency.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Applicant shall submit proof to the Lead Agency that signs have been installed prior to the commencement of mining activity.*
   B. *Lead Agency shall verify compliance of sign posting during performance of annual inspection.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

**EXHIBIT D**

MONITORING PROGRAM # 32

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Wildlife habitat awareness will be included in the workers education program.*

2. JUSTIFICATION (from EIR/EIS)

   *Worker education will help prevent the potential harm to wildlife.*

3. TRUSTEE AGENCIES

| | JURISDICTION | |
|---|---|---|
| | YES | NO |
| State Department of Fish and Game | X | |
| State Land Commission | | X |
| State Department of Parks and Recreation | | X |
| California State University, Bakersfield | | X |
| OTHER PUBLIC AGENCIES | | |
| Kern County Planning Department | X | |
| Bureau of Land Management, Ridgecrest Resource Area | X | |
| United States Fish and Wildlife Service | X | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Prior to onset of mining activities, all employees shall be required to attend an endangered species education program. The program shall include information on the biology and occurrence of the desert tortoise and other sensitive species in the project area, measures being implemented for the protection of these possible species and their habitats during project activities, and means by which individual employees can facilitate this process. The employee education program shall be received, reviewed and approved by the Bureau of Land Management, California Department of Fish and Game and the United States Fish and Wildlife Service at least 15 days prior to the presentation of the program. The program may consist of a class or video developed by a qualified biologist (knowledgeable desert tortoise biologist approved by the Bureau of Land Management) and presented by a person trained by a qualified biologist. Wallet-sized cards with important information for workers are recommended. All employees shall attend the education program prior to initiation of construction activities. The Golden Queen Mining Company is responsible for ensuring that the education program is developed and presented prior to conducting activities. New employees shall receive formal approved training prior to working onsite. The program shall cover the following topics at a minimum:*



EXHIBIT D

- *Distribution of listed and candidate species*
- *General behavior and ecology of these species*
- *Sensitivity to human activities*
- *Legal protection*
- *Penalties for violation of State and Federal laws*
- *Reporting requirements*
- *Project mitigation measure*

B. *Applicant will submit the worker education program to the Lead Agency and the Bureau of Land Management, California Department of Fish and Game and the United States Fish and Wildlife Service.*

C. *Golden Queen shall designate a field contact wildlife mitigation measures representative (FCR) who shall be responsible for overseeing compliance and for the coordination on compliance with the Bureau of Land Management. The name and phone number of the FCR will be supplied in writing to the BLM. The FCR shall have the authority to halt any action that might result in harm to a desert tortoise. The FCR shall have a copy of all terms and conditions.*

D. *The FCR will be informed in the event that a desert tortoise is observed or there is a sign of desert tortoise during mining. Employees shall be notified that they are not authorized to handle or otherwise move desert tortoise encountered on the project site.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

A. *Copies of program approval shall be submitted to Lead Agency for placement in case file.*

B. *Applicant will provide the Lead Agency with proof of completion of worker education program for each employee. FCR will be identified to regulatory agencies.*

7. COMMENTS:

Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

Prepared By: _____ Date: _____



EXHIBIT D

MONITORING PROGRAM # 33

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Some of the mine adits will be retained and gated and some of the mine shafts will be covered by grates to allow access by bats, while excluding people.*

2. JUSTIFICATION (from EIR/EIS)

   *Fencing some mine shafts and adits will retain bat habitat and prevent human intervention.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | x | |
| State Land Commission | | x |
| State Department of Parks and Recreation | | x |
| California State University, Bakersfield | | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | |
| Bureau of Land Management, Ridgecrest Resource Area | x | |
| United States Fish and Wildlife Service | x | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Map detailing location of gated adits and mine shafts covered by grates shall be submitted to Lead Agency within one year of the commencement of mining.*
   B. *The shaft feature on the west edge of proposed cell 3 of heap leach pad #1 and the shaft feature on the west edge of proposed cell #4 of heap leach pad #1 will be backfilled in the warm season (May through September). Existing timber will be burned before backfilling to prevent voids or subsidence. The shaft feature above and southeast of the former Karma Mine will be backfilled slowly between May and September if it is not consumed by the open pit mine.*
   C. *Monitoring of bats using the gated adits and shafts will be done two years after commencement of operations, then every three years thereafter for at least three monitoring periods. If no bats are found for two consecutive monitoring periods, after the initial monitoring period, then monitoring will be discontinued.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Compliance will be verified during performance of annual inspections by the Lead Agency.*
   B. *Results of each monitoring session will be submitted to BLM.*

7. COMMENTS:
8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____
   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 34
FOR
*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Artifacts from the historical sites will be used to establish a small display of historical mining activities onsite. After conclusion of the project, the items on display will be donated to a museum located in Kern County.*

2. JUSTIFICATION (from EIR/EIS)

   *Artifacts from the historical sites may be of public interest.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield | x | ___ |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *A public display will be created onsite within one year of the commencement of mining operations. Displayed items will be donated to a museum located in Kern County at the conclusion of the project.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *The public display will be verified by the Lead Agency during performance of annual inspections.*
   B. *Applicant will donate items to a Kern County museum at the conclusion of the mining project and provide proof to the Lead Agency prior to deeming reclamation complete.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 35

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *As part of the worker education program, construction contractors and operations personnel will be instructed regarding the sensitivity of cultural resources and the presence of laws against unauthorized collection and disturbance.*

2. JUSTIFICATION (from EIR/EIS)

   *Worker education will help prevent the loss of cultural resources.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield (SSJVIC) | x | ___ |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Applicant will develop a worker education program prior to the commencement of mining activities that includes sensitivity of cultural resources and the presence of laws against unauthorized collection and disturbance.*
   B. *The worker education program will be submitted to the Lead Agency and SSJVIC for review and approval.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Copy of SSJVIC approval shall be submitted to Lead Agency for placement in case file.*
   B. *Proof of completion of the worker education program by all employees will be submitted to the Lead Agency and SSJVIC for placement in case file.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 36

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *If any unknown archaeological/cultural resources are discovered on private land during the course of the mining or reclamation, work in the area of discovery shall be stopped and a qualified archeologist contacted to evaluate the find and, if necessary, mitigate impacts prior to resumption of work.*

2. JUSTIFICATION (from EIR/EIS)

   *Project-related activities could disturb or destroy potentially-significant sites.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | X |
| State Land Commission | ___ | X |
| State Department of Parks and Recreation | ___ | X |
| California State University, Bakersfield (SSJVIC) | X | ___ |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | X | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | X | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Applicant shall notify the Lead Agency if archaeological/cultural resources are discovered.*
   B. *An archeological report completed by a qualified archaeologist shall be forwarded to the Lead Agency and SSJVIC.*
   C. *Proof of any mitigation measures shall be submitted to the Lead Agency.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Prior to recommencement of work in affected areas, written verification of compliance shall be submitted to the Lead Agency by the project archaeologist.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

**EXHIBIT D**

MONITORING PROGRAM # 37

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *A Phase III Data Recovery (salvage excavation and architectural recording) will be conducted at four sites.*

2. JUSTIFICATION (from EIR/EIS)

   *Project related activities could disturb or destroy potentially significant sites.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | | X |
| State Land Commission | | X |
| State Department of Parks and Recreation | | X |
| California State University, Bakersfield | X | |

OTHER PUBLIC AGENCIES

| | | |
|---|---|---|
| Kern County Planning Department (Lead Agency) | X | |
| Bureau of Land Management, Ridgecrest Resource Area | X | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Phase III Data Recovery (salvage excavation and architectural recording) will be conducted at the four sites identified in Section 3.7.1.1 of the EIR/EIS prior to the commencement of mining activity in those areas.*
   B. *A Phase III report shall be forwarded to the Lead Agency.*
   C. *Proof of any mitigation measures shall be submitted to the Lead Agency.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Prior to recommencement of work in affected areas, written verification of compliance shall be submitted to the Lead Agency by the project archaeologist.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM #__38__

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Seven sites will have an archaeological monitor review the areas during grading activity.*

2. JUSTIFICATION (from EIR/EIS)

   *Project related activities could disturb or destroy potentially significant sites.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ____ | X |
| State Land Commission | ____ | X |
| State Department of Parks and Recreation | ____ | X |
| California State University, Bakersfield | X | ____ |

OTHER PUBLIC AGENCIES

| | | |
|---|---|---|
| Kern County Planning Department (Lead Agency) | X | ____ |
| Bureau of Land Management, Ridgecrest Resource Area | X | ____ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *An archaeological monitor will be onsite during grading activity.*
   B. *The archaeological monitor will record and collect any archeological data that may be uncovered.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *The archaeological monitor will report any information uncovered or mitigation measures developed to the Lead Agency in accordance with the procedures set out in mitigation measure #36.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 39

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Surface disturbance will be minimized to that required for safe and efficient operation.*

2. JUSTIFICATION (from EIR/EIS)

   *Minimizing surface disturbance will reduce the potential to affect visual resources.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield | ___ | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Areas of surface disturbance are delineated in the adopted Surface Mining & Reclamation Plan. Mining shall be performed in accordance with Section 3503(a)(1) of SMARA.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Annual inspection performance by the Lead Agency will verify adherence to the approved plan and SMARA.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM #_40_

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Historical mining disturbance will be reclaimed.*

2. JUSTIFICATION (from EIR/EIS)

   *Reclamation of historical disturbance will reduce the potential to affect visual resources.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield | ___ | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Areas to be reclaimed are delineated on the adopted Surface Mining & Reclamation Plan.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Reclamation of historical disturbance shall be verified by Lead Agency prior to deeming reclamation complete.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

**EXHIBIT D**

MONITORING PROGRAM # 41

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Buildings and structures will be painted with nonreflective earthtone colors to blend with the predominant background.*

2. JUSTIFICATION (from EIR/EIS))

   *The landscape color consists of brown, tans and grays. Earthtone colors will mitigate effects to visual resources.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | X |
| State Land Commission | ___ | X |
| State Department of Parks and Recreation | ___ | X |
| California State University, Bakersfield | ___ | X |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | X | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | X | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Building and structures constructed by applicant will be painted with earthtone colors.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Compliance shall be verified prior to finalizing of building permit or issuance of a Certificate of Occupancy.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 42

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Outdoor lighting for the mine pit and other areas of nighttime activities will be shielded and directed downward to reduce fugitive light. Light poles will be no higher than necessary for safe and efficient lighting. Low-pressure sodium bulbs or other appropriate technology will be used for outdoor lighting.*

2. JUSTIFICATION (from EIR/EIS)

   *Fugitive light from the project area may be visible at night.*

3. TRUSTEE AGENCIES

| | JURISDICTION | |
|---|---|---|
| | YES | NO |
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield | ___ | x |
| OTHER PUBLIC AGENCIES | | |
| Kern County Planning Department (Lead Agency) | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Outdoor lighting shall be designed and installed in accordance with the mitigation measure.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Lead Agency will verify adherence to measure during annual inspection conducted in accordance with SMARA requirements.*
   B. *Lead Agency shall file a Notice to Correct (Kern County Zoning Ordinance 19.100.070) should the mitigation measure not be adhered to.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM #_43_

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Approximately 75 to 80 percent of construction activities will take place during daylight.*

2. JUSTIFICATION (from Initial Study)

   *Noise from the mining operations has the potential to cause significant impact to the level of noise in the area of the project.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield | ___ | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Construction schedule will be designed so the majority of activity is during daylight hours.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *30-days prior to commencement of construction, the applicant shall file a construction schedule with the Lead Agency for placement in case file.*
   B. *Lead Agency shall file a Notice to Correct (Kern County Zoning Ordinance 19.100.070) should this applicant proposed mitigation not be adhered to.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

**EXHIBIT D**

MONITORING PROGRAM # 44

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Blasting will occur during daylight, one time per day, and will be engineered to minimize the amount of explosives used, according to United States Bureau of Mines guidelines.*

2. JUSTIFICATION (from EIR/EIS)

   *Noise from blasting has the potential to cause significant impact to the level of noise in the area of the project.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | X |
| State Land Commission | ___ | X |
| State Department of Parks and Recreation | ___ | X |
| California State University, Bakersfield | ___ | X |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | X | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | X | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *The applicant shall provide the Lead Agency with a tentative schedule of blasting times prior to commencement of blasting operations.*
   B. *The applicant shall adhere to United States Bureau of Mines guidelines.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *The Lead Agency shall file the blasting schedule in the case file.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 45

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Golden Queen has committed to hiring from the local population.*

2. JUSTIFICATION (from EIR/EIS)

   *The project could increase growth, causing a shortage of housing and services.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ____ | x |
| State Land Commission | ____ | x |
| State Department of Parks and Recreation | ____ | x |
| California State University, Bakersfield | ____ | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | ____ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ____ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project)

   A. *Available positions will be published in local newspapers.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor)

   A. *Copies of the newspaper publications will be submitted to the Lead Agency for insertion in the case file.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 46

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Fences will be erected around potentially hazardous areas to discourage entry by unauthorized mine personnel or visitors.*

2. JUSTIFICATION (from Initial Study)

   *The project could create a potential health hazard or threat to public safety.*

3. TRUSTEE AGENCIES

| | JURISDICTION | |
|---|---|---|
| | YES | NO |
| State Department of Fish and Game | ___ | X |
| State Land Commission | ___ | X |
| State Department of Parks and Recreation | ___ | X |
| California State University, Bakersfield | ___ | X |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | X | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | X | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Fences will be established to prevent public access to the mine, heap leach pads and working areas prior to the commencement of mining activity.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *The existence of the fences shall be verified by the Lead Agency during performance of annual inspections.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM #_47_

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Historical mining operations will be removed or closed to the extent feasible.*

2. JUSTIFICATION (from Initial Study)

   *Historical mining sites may be a threat to public safety.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | _X_ |
| State Land Commission | ___ | _X_ |
| State Department of Parks and Recreation | ___ | _X_ |
| California State University, Bakersfield | ___ | _X_ |
| OTHER PUBLIC AGENCIES | | |
| Kern County Planning Department | _X_ | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | _X_ | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Applicant will remove or close historical mining operations to the extent feasible.*
   B. *Prior to January 1, 1999, the applicant shall submit a plan for the closure or removal of historical mining operations to the Lead Agency for review and approval.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Compliance shall be verified during performance of annual inspections by the Lead Agency.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 48

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Former mine waste will be removed.*

2. JUSTIFICATION (from EIR/EIS)

   *Former mine wastes are a potential health hazard.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | | X |
| State Land Commission | | X |
| State Department of Parks and Recreation | | X |
| California State University, Bakersfield | | X |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department | X | |
| Bureau of Land Management, Ridgecrest Resource Area | X | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Former mine waste will be removed and disposed of in an appropriate manner. Tailings piles will be used as liner material or be included with the ore and processed on the heap leach pad. Structures and old equipment will be sent to appropriate landfills.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Removal of former mine waste will be verified by the Lead Agency during performance of annual inspections.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 49

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Project design will be in accordance with a preconstruction design study.*

2. JUSTIFICATION (from Initial Study)

   *The project could create a potential health hazard or threat to public safety.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | ___ | x |
| State Land Commission | ___ | x |
| State Department of Parks and Recreation | ___ | x |
| California State University, Bakersfield | ___ | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department | x | ___ |
| Bureau of Land Management, Ridgecrest Resource Area | x | ___ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and BLM*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Project design has been incorporated into adopted Lead Agency Surface Mining and Reclamation Plan and approved BLM Plan of Operations.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

EXHIBIT D

MONITORING PROGRAM # 50

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *The entrance road from Silver Queen Road to the office area will be paved.*

2. JUSTIFICATION (from EIR/EIS)

   *The project will increase the level of traffic on roads in the vicinity of the project.*

3. TRUSTEE AGENCIES

| | JURISDICTION YES | JURISDICTION NO |
|---|---|---|
| State Department of Fish and Game | | X |
| State Land Commission | | X |
| State Department of Parks and Recreation | | X |
| California State University, Bakersfield | | X |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | X | |
| Bureau of Land Management, Ridgecrest Resource Area | X | |
| Kern County Roads Department | X | |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Applicant will pave the entrance road from Silver Queen Road to the office prior to the commencement of mining activities.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Proof of paving will be submitted to the Lead Agency.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

**EXHIBIT D**

MONITORING PROGRAM # 51

FOR

*CUP #22 Map #214*
*CUP #41 Map #213*
*213-6 3 098 Streets & Highways*
Golden Queen Mining Company, Inc.

1. MITIGATION MEASURE:

   *Provide a left-turn lane on Silver Queen Road at the entrance to the project site.*

2. JUSTIFICATION (from EIR/EIS)

   *The project will increase the level of traffic on roads in the vicinity of the project.*

3. TRUSTEE AGENCIES

| | JURISDICTION | |
|---|---|---|
| | YES | NO |
| State Department of Fish and Game | ____ | x |
| State Land Commission | ____ | x |
| State Department of Parks and Recreation | ____ | x |
| California State University, Bakersfield | ____ | x |
| **OTHER PUBLIC AGENCIES** | | |
| Kern County Planning Department (Lead Agency) | x | ____ |
| Bureau of Land Management, Ridgecrest Resource Area | ____ | x |
| Kern County Roads Department | x | ____ |

4. MONITORING AGENCY/FIRM:

   *Kern County Planning Department and Kern County Roads Department*

5. PROCEDURE - STEPS TO COMPLIANCE (unique to each project):

   A. *Applicant will construct the left-turn lane prior to the commencement of mining activities.*

6. COMPLIANCE (each procedure step to be signed off and dated by monitor):

   A. *Proof of the left-turn lane will be submitted to the Lead Agency.*

7. COMMENTS:

8. Fees: _____ Receipt #: _____ Date: _____ Rec'd By: _____

   Prepared By: _____ Date: _____

**EXHIBIT D**

EXHIBIT "E"

## CONDITIONS OF APPROVAL

Conditional Use Permit Case No. 41, Map No. 213
Conditional Use Permit Case No. 22, Map No. 214

(1) The surface mining and reclamation plan shall consist of the staff report, the Environmental Impact Report, and the resolution adopted for the request. Mining and reclamation shall be in substantial conformity with the approved plan, and the approved plan shall be revised to include the following conditions of approval.

(2) Surface mining operation shall be in accordance with Chapter 19.100 of the Zoning Ordinance.

(3) Should a conflict occur between the statistical data shown on the plan and the conditions of approval, the conditions of approval shall prevail.

(4) Future expansion or construction associated with this use shall occur only upon approval of another conditional use permit or an amendment to the conditions of this permit.

*(5) Exploration activity, consisting of drilling boreholes and analysis of rock samples, has been conducted to ensure mineral resources will not be covered by overburden or heap piles.

*(6) During final reclamation, overburden will be graded to break up the unnatural angles at the top edges.

*(7) Mine pit slopes will be evaluated by the applicant throughout operations to assure that excavation occurs at a slope angle that is safe, considering actual rock strength and structural conditions encountered.

*(8) Old underground mining areas will be excavated or remediated.

*(9) Historical structures will be stabilized or removed by the applicant prior to site disturbance.

*(10) Surface disturbance outside the project area will be kept to a minimum by clearly delineating operating areas to limit roads and vehicle traffic outside designated areas.

*(11) Growth media stockpiles will be stabilized by allowing germination of seeds naturally contained in the soil.

*(12) The feasibility of inoculation of soil with biological components will be investigated in test plots.

*(13) Site drainage will be inspected periodically to assure that excessive erosion is not occurring. In the event excessive erosion is identified, the drainage plan will be revised in consultation with the Kern County Planning Department.

EXHIBIT E

*(14) Additional erosion prevention techniques include: (a) Site drainage will be retained onsite; (b) Site roads and drainages will be inspected by Golden Queen personnel after rainfall events which result in surface flow to ensure erosion prevention is maintained and upgraded as needed; (c) Drainage from the tops of overburden piles will be directed away from the slopes toward the pit; (d) Salvaged growth media will be stockpiled away from areas of concentrated drainage; (e) Reclamation of disturbed areas will occur as soon as possible.

*(15) The overliner protective material placed in direct contact with the HDPE liner will not exceed 1 1/2 inches in diameter, and will not contain hard, sharp, angular pieces.

*(16) A cyanide destructing compound (e.g., hydrogen peroxide or calcium hypochlorite) will be maintained onsite for use in the event that a spill occurs.

*(17) Historical mining wastes and tailings will be tested and processed with the ore on the heap leach pad or, if indicated, disposed of at an offsite permitted disposal facility, removing any future threat of surface water contamination.

*(18) The Lahontan Regional Board will be consulted prior to the use of dust suppression or soil stabilization chemicals.

*(19) The evaporation of water and, therefore, the need for makeup water will be minimized by the use of enclosed solution storage.

*(20) Golden Queen will monitor the groundwater level on a monthly basis and compare the water level data collected by the monitoring program to water levels predicted by the groundwater drawdown model. In the event that the monitoring program shows that the actual water drawdown in the well when corrected for well conditions exceeds the predicted model for six consecutive months, Golden Queen will supplement the water supplied by the production wells with up to 300 g.p.m. of water from Antelope Valley - East Kern Water Agency.

*(21) Onsite equipment and vehicles will be maintained on a routine basis, as recommended by manufacturer manuals, to reduce exhaust emissions.

*(22) Monitoring stations for $PM_{10}$ will be established upwind and downwind from the processing facilities.

*(23) A mercury retort will be installed to control mercury emissions.

*(24) The size and number of blasts in the mine will be limited by good engineering design.

*(25) The existing tailings piles will be removed, thereby reducing the long-term fugitive emissions from the site.

*(26) The adopted reclamation plan shall include reclamation of previously disturbed areas.

*(27) Project disturbance will be minimized to that necessary for safe and efficient operation. The limits of the construction areas will be clearly marked and vehicles and equipment will be confined to these areas.

**EXHIBIT E**

*(28) Mature Joshua trees which may be disturbed will be salvaged and replanted in undisturbed areas within the property boundary.

*(29) The use of seedlings for revegetation will be investigated in test plots.

*(30) Fencing around the heap leach pile will remain in place until vegetation is established or as otherwise specified in the Reclamation Plan.

*(31) Grading for the project will be minimized to the extent consistent with safe and efficient operations to limit the total area of surface disturbance.

*(32) Routine distribution of cyanide solution on the top of the heap leach pad will occur via a drip irrigation system and the heap leach pads will be contoured to prevent surface ponding which could attract birds and small animals.

*(33) Containers of reagents will be stored within controlled reagent storage areas and kept closed, stored in enclosed areas, or otherwise managed to prevent access by wildlife.

*(34) Project waste will be properly managed at the site to control garbage that could attract wildlife.

*(35) The maximum vehicle speed will be 25 mph.

*(36) Wildlife habitat awareness will be included in the workers education program.

*(37) Some of the mine adits will be retained and gated and some of the mine shafts will be covered by grates to allow access by bats, while excluding people.

*(38) Artifacts from the historical sites will be used to establish a small display of historical mining activities onsite. After conclusion of the project, the items on display will be donated to a museum located in Kern County.

*(39) As part of the worker education program, construction contractors and operations personnel will be instructed regarding the sensitivity of cultural resources and the presence of laws against unauthorized collection and disturbance.

*(40) If any unknown archaeological/cultural resources are discovered on private land during the course of the mining or reclamation, work in the area of discovery shall be stopped and a qualified archeologist contacted to evaluate the find and, if necessary, mitigate impacts prior to resumption of work.

*(41) A Phase III Data Recovery (salvage excavation and architectural recording) will be conducted at four sites.

*(42) Seven sites will have an archaeological monitor review the areas during grading activity.

*(43) Surface disturbance will be minimized to that required for safe and efficient operation.

**EXHIBIT E**

*(44) Historical mining disturbance will be reclaimed.

*(45) Buildings and structures will be painted with nonreflective earthtone colors to blend with the predominant background.

*(46) Outdoor lighting for the mine pit and other areas of nighttime activities will be shielded and directed downward to reduce fugitive light. Light poles will be no higher than necessary for safe and efficient lighting. Low-pressure sodium bulbs or other appropriate technology will be used for outdoor lighting.

*(47) Approximately 75 to 80 percent of construction activities will take place during daylight.

*(48) Blasting will occur during daylight, one time per day, and will be engineered to minimize the amount of explosives used, according to United States Bureau of Mines guidelines.

(49) Upon cessation of mining activities, the applicant shall re-establish access, either public or private, to all parcels affected by the vacation of New Eagle Road prior to deeming reclamation complete.

*(50) Golden Queen has committed to hiring from the local population.

*(51) Fences will be erected around potentially hazardous areas to discourage entry by unauthorized mine personnel or visitors.

*(52) Historical mining operations will be removed or closed to the extent feasible.

*(53) Former mine waste will be removed.

*(54) Project design will be in accordance with a preconstruction design study.

*(55) The entrance road from Silver Queen Road to the office area will be paved.

*(56) Provide a left-turn lane on Silver Queen Road at the entrance to the project site.

(57) Prior to commencement of mining operations, the applicant shall post or establish and maintain with the Director of Kern County Engineering and Survey Services Department one of the following:

(a) An irrevocable letter of credit.

(b) A surety bond.

(c) A trust fund in accordance with the approved financial assurances to guarantee the reclamation work will be completed in accordance with the approved reclamation plan.

The financial institution or surety company shall give the County at least 120 days notice of intent to terminate the letter of credit or bond. Financial assurances shall be reviewed annually and adjusted in accordance with the Surface Mining and Reclamation Act of 1975 (SMARA) requirements to substantiate that adequate funds exist to ensure

EXHIBIT E

reclamation of all existing disturbed acreage and the maximum amount of acreage expected to be disturbed during each coming calendar year.

(58) Prior to commencement of mining operations, permanent bench marks shall be established to verify the maximum permitted depths of mining authorized by this permit.

(59) Prior to commencement of smelting operations, the applicant shall cause a baseline soil analysis for mercury to be prepared around the proposed smelter facility and submit it to the Kern County Planning Department for placement in the applicable case file.

(60) The applicant shall comply with all requirements of the California Regional Water Quality Control Board. Any approvals or permits issued by that agency shall be submitted to the Kern County Planning Department and incorporated into the approved surface mining and reclamation plan by reference.

(61) The project shall comply with the goals and objectives of the Noise Element of the Kern County General Plan.

(62) If a single-family residence is constructed on private land which lies within the projected 65 dB contour line northeast of the project area as shown in Exhibit 3.9-1 of the Environmental Impact Report, it will be ensured that the noise levels at the residence will remain within the recommendations of the Noise Element of the Kern County General Plan using both of the following methods:

(a) Noise levels will be monitored to determine if the noise levels are above the recommended limits.

(b) If noise levels are above the recommended limits, measures will be taken to reduce the noise level to acceptable levels.

The measures will include the construction of berms using overburden material to shield the noise and will include reduction of work in the area of the residence during the hours of 10:00 p.m. to 7:00 a.m..

(63) The applicant shall make available for public review mine sampling and analytical data for mercury and cyanide during regular business hours.

(64) All wastes including smelter slag will be handled in accordance with federal, State, and local regulations, including proper characterization and disposal in a permitted facility or recycled where appropriate.

(65) In the event of a commercial power outage, backup power shall be provided for heap leach pumping operations in the form of diesel powered electric generators. The applicant shall notify the California Regional Water Quality Control Board in the event of a commercial power outage and at such times when commercial power is restored.

**EXHIBIT E**

(66) If during the course of development any previously unknown oil, gas, or injection wells are discovered, work in the area of discovery shall be stopped and the Department of Conservation/Division of Oil, Gas, and Geothermal Resources contacted to evaluate the find and, if necessary, remedial operations implemented prior to resumption of work.

(67) The following conditions of approval, (a) through (f), shall apply only to surface mining operations conducted outside of nonjurisdictional or federal lands:

(a) All necessary building permits must be obtained. Permits may include, but are not limited to, the following: commercial coaches, buildings, cargo containers, equipment foundations as required by the Kern County Code of Building Regulations, water tanks, pressure vessels, and appurtenant equipment as required by the Uniform Building Code.

(b) Prior to the issuance of building permits, the method of water supply and sewage disposal shall be as required and approved by the Kern County Environmental Health Services Department.

(c) Prior to the issuance of building permits, fire flows and fire protection facilities shall be as required and approved by the Kern County Fire Department.

(d) Parking spaces shall be provided in accordance with Section 19.82 of the Kern County Zoning Ordinance.

(e) All signs shall be approved by the Director of the Kern County Planning Department prior to installation.

(f) All used oil (as defined in Section 25250.1 of the California Health and Safety Code) shall be disposed of in accordance with all local, State, and federal regulations following consultation with the Kern County Environmental Health Services Department/Hazardous Materials Section, State of California Department of Health Services, and the Environmental Protection Agency. All used oil and other wastes shall be transported by a registered waste hauler.

(68) All stockpiles shall be limited to the confines of the subject site unless expansion is approved in accordance with conditions of approval of this permit.

(69) The operator shall notify the County within 30 days of the final cessation of all mining activities.

(70) Where surface mining operations result in the compaction of the soil, ripping, disking, or other means shall be used prior to revegetation in accordance with the approved reclamation plan.

(71) Topsoil shall be separated and immediately reapplied or stockpiled as necessary for use in reclamation of the site. Reclamation shall require the reapplication of a minimum of

EXHIBIT E

four inches of topsoil prior to reseeding. In the event that stockpiled topsoil is insufficient to provide this uniform depth, imported top soil or soil amendments shall be utilized. Depth of topsoil may be decreased or eliminated altogether if test plots demonstrate to the satisfaction of the Kern County Planning Department that revegetation will occur in accordance with the performance standards identified in the approved reclamation plan.

(72) Upon completion of all mining activity, all mined slopes shall be finished to a final overall slope not to exceed .5:1 (horizontal to vertical)/63.4 degrees. Steeper slopes will be deemed acceptable if a slope stability analysis has been certified by a California registered engineering geologist or professional civil engineer and submitted to the Kern County Planning Department for review and approval in accordance with SMARA and Section 19.100 of the Kern County Zoning Ordinance.

(73) Upon completion of mining, waste rock stockpiles shall be recontoured to a final overall slope of 1.8:1 (horizontal to vertical) and revegetated in accordance with the approved reclamation plan.

(74) Site reclamation shall include the shaping of waste materials followed by an application of topsoil to heap and waste rock stockpiles where necessary to achieve final grade slopes in conformance with the approved reclamation plan. Reclamation shall also include the revegetation of the pit floors. Revegetation of pit floors shall not be required until final cessation of all mining activities as authorized by this approval. Revegetation of final pit floors shall not be required if subsequent discretionary approvals expanding or intensifying the permitted mining operation are approved before cessation of mining activities authorized by this permit or expiration of an Interim Management Plan approved pursuant to Section 2770(h) of SMARA.

(75) Prior to deeming reclamation complete, all structures and equipment, excluding utilities, shall be removed or converted to other permitted uses compatible with the existing zone. No abandoned structures, abandoned equipment, or unused stockpiles of material are to be left on the mining site.

(76) Prior to deeming reclamation complete, all drill holes, water wells, and monitoring wells shall either be converted to an allowable use or abandoned in accordance with applicable State and local requirements in effect at the time of abandonment

(77) Final reclamation shall not be considered complete until all excavated areas have been graded and/or fenced as noted in the approved reclamation plan, and accompanying cross sections and all disturbed areas replanted or reseeded using plantings or a seed mixture and rate of application as specified in the approved reclamation plan.

(78) Final reclamation, as specified in the approved reclamation plan, shall be completed within the time constraints provided in the approved plan. If this conditional use permit is terminated, or if mining operations on the property cease for 12 consecutive months without the submittal and subsequent approval of an Interim Management Plan in

**EXHIBIT E**

accordance with SMARA provisions (Section 2770(h)), the operation shall be considered completed, and reclamation work shall begin within 12 months.

(79) At such time as the proposed use of subject property is vacated or abandoned, the owner shall be held responsible for removing all abandoned structures, abandoned equipment, and unused stockpiles.

(80) The operator shall notify the County within 30 days after the completion of all reclamation work, as required by the approved reclamation plan.

(81) The Board of Supervisors shall have the authority to authorize County or private personnel to go on the site of the mine and any adjacent property of the permittee for the purpose of performing work to accomplish the reclamation plan, if the permittee fails to perform or conform to requirements imposed by any order made under Sections 19.100.070 through 19.100.090 of the Kern County Zoning Ordinance within a fixed or reasonable time.

(82) The person conducting or in charge of all surface mining operations shall make the same open and available for such inspection during regular County business hours, or at such other times as may be mutually agreed upon by him and the Zoning Enforcement Officer.

(83) The property owner shall be fully responsible for compliance by any lessee of the site to all conditions of this permit, and failure to comply or conform thereto may be cause for immediate revocation of this permit by the Board of Zoning Adjustment.

(84) The owner or operator shall submit an initial report and reporting fee to the Department of Conservation/Office of Mine Reporting and Reclamation Compliance no later than 30 days from the date of this approval.

(85) All of the above conditions shall apply to all areas mined after January 1, 1976.

(86) Any change of operator shall require the submittal of a new statement of responsibility by the new operator to the Director of the Kern County Planning Department.

(87) Noncompliance with the adopted conditions of approval may result in enforcement action and/or the imposition of penalty fees in accordance with the procedures set out in Sections 19.100.070 through 19.100.090 of the Kern County Zoning Ordinance.

*** DENOTES MITIGATION MEASURE**

**EXHIBIT E**

**EXHIBIT "F"**

**(LEGAL DESCRIPTION FOR STREET VACATION)**

Complete Legal Description of the Property

County Road 990 (also known as New Eagle Road) lies within Section 31, T 11 N, R 12 W and Section 6, T 10 N, R 12 W, SBBM. The road was dedicated as a public road by order of the Kern County Board of Supervisors entered April 12, 1937 in Minute Book 39 at Page 487 (Appendix I). This request for street vacation only affects that portion of the road lying within Section 6, T 10 N, R 12 W, SBBM. Therefore, the legal description of the road to be abandoned is as follows:

That portion of a 60 foot wide road known as County Road 990, described in Board of Supervisors Minutes Book 39, Page 487 lying within Section 6, T 10 N, R 12 W, SBBM, the centerline of which is described as follows:

> Beginning at a point in the south boundary of Section 31, T 11 N, R 12 W, SBBM which point bears North 88° 17' East a distance of 1679.62 feet from the Southwest corner of said Section 31; thence South 6° 33' 30" East, a distance of 1453.33 feet; thence on and along a circular curve of 400 foot radius, concave to the West, a distance of 216.42 feet to a point on the present oiled road in the Northwest quarter of Section 6, T 10 N, R 12 W, SBBM.

**EXHIBIT "F"**

Item # 1

RECEIVED WITH FEE
RECEIPT # [illegible]

NOTICE OF DETERMINATION

(CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970)

TO WHOM IT MAY CONCERN:

1. The Board of Supervisors of the County of Kern has approved the following described project in the County of Kern, State of California:

a. Applicant or sponsoring agency or department:
Golden Queen Mining Company, Inc.

b. Name of Project:
Conditional Use Permit No. 41, Map No. 213;
Conditional Use Permit No. 22, Map No. 214

c. Location of Project:
Located within an unincorporated area of eastern Kern County; on and around Soledad Mountain, west of State Route 14 and south of Silver Queen Road.

d. Description of Project:
Conditional Use Permits to allow a surface mining operation and reclamation plan on private and federally administered lands.

2. The form of such approval and the date thereof is:

Resolution No. 97-264; Adopted 9/8/97

Ordinance No. _____; Adopted _____

3. The Board of Supervisors of the County of Kern has determined that said project in its approved form will have a significant effect on the environment.

4. An Environmental Impact Report (EIR) and a Mitigation Monitoring Program were prepared pursuant to the California Environmental Quality Act of 1970 (CEQA) and the State CEQA Guidelines and was received and considered by said Board and certified as required by section 15090 of the State CEQA Guidelines.

5. Mitigation measures and a Mitigation Monitoring Program were made as conditions of approval of the project. Findings were made pursuant to section 15091 of the State CEQA Guidelines. A Statement of Overriding Considerations was adopted for the project, pursuant to section 15093 of the State CEQA Guidelines.

6970

**Notice of Environmental Document**
**Posted by County Clerk on** 9-23-97
**and for 30 days thereafter, Pursuant to**
**Section 21152(C), Public Resources Code**

6. It is hereby certified that a copy of said EIR with comments and responses is available and may be examined by any interested person during regular business hours at the following location:

Clerk of the Board of Supervisors
Kern County Administrative Center, 5th Floor
1115 Truxtun Avenue, Bakersfield, California 93301

Dated this 8th day of September, 1997.

SUE DAVIS
Clerk of the Board of Supervisors
County of Kern, State of California

Telephone No. 861-2167

Karen Shatswell
Deputy Clerk

BD:wl
#15008

# CERTIFICATE OF FEE EXEMPTION

## De Minimis Impact Finding

**Applicant:** Golden Queen Mining Company, Inc. (PP96238)

P.O. Box 820
Mojave, CA 93502-0820

**Project Title/Location (include County):**

(a) Conditional Use Permit Case No. 41, Map No. 213; (b) Conditional Use Permit Case No. 22, Map No. 214

Soledad Mountain, south side of Silver Queen Road, 1 1/2 miles west of State Route 14, approximately five miles southwest of Mojave; County of Kern

**Project Description:**

A Conditional Use Permit to allow a surface mining operation and reclamation plan on private and federally administered lands, in accordance with the Surface Mining and Reclamation Act of 1975 (SMARA) (Section 19.100), in the A-1 (Limited Agriculture) and E (2 1/2) RS (Estate - 2 1/2 acres - Residential Suburban Combining) Districts

**Findings of Exemption (attach as necessary):**

Mitigation has been incorporated into this project which reduces the impacts on wildlife resources to a level of insignificance. These mitigation measures are as follows:

(a) Project disturbance will be minimized to that necessary for safe and efficient operation. The limits of the construction areas will be clearly marked and vehicles and equipment will be confined to these areas.

(b) Mature Joshua trees which may be disturbed will be salvaged and replanted in undisturbed areas within the property boundary.

(c) The use of seedlings for revegetation will be investigated in test plots.

(d) Fencing around the heap leach pile will remain in place until vegetation is established or as otherwise specified in the Reclamation Plan.

(e) Grading for the project will be minimized to the extent consistent with safe and efficient operations to limit the total area of surface disturbance.

(f) Routine distribution of cyanide solution on the top of the heap leach pad will occur via a drip irrigation system and the heap leach pads will be contoured to prevent surface ponding which could attract birds and small animals.

(g) Containers of reagents will be stored within controlled reagent storage areas and kept closed, stored in enclosed areas, or otherwise managed to prevent access by wildlife.

(h) Project waste will be properly managed at the site to control garbage that could attract wildlife.

(i) The maximum vehicle speed will be 25 mph.

(j) Wildlife habitat awareness will be included in the workers education program.

(k) Some of the mine adits will be retained and gated and some of the mine shafts will be covered by grates to allow access by bats, while excluding people.

This Board has found and determined that the Final Environmental Impact Report (FEIR) prepared for this project has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines and the County EIR Guidelines, and that this Board has reviewed and considered the information contained in said FEIR before making its decision on the hereinmentioned project. This Board has made findings pursuant to Sections 15091 and 15093 of the California Environmental Quality Act which are attached hereto and made a part hereof.

**Certification:**

I hereby certify that the County of Kern has made the above finding(s) and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code.

Ted James

(Chief Planning Official)

Title: Director of the Planning Department
Lead Agency: Planning Department
Date: September 8, 1997

SFD:ma