

**Appendix D. Inyo County Correspondence – Letter
Dated November 16, 2010 and Letter Dated December
17, 2010**



Inyo County Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
(760) 872-2706
FAX: (760) 872-2712
E-Mail: InyoPlanning@qnet.com

November 16, 2010

Don Wedman, President, CEO
0877887 BC Ltd./CMC Metals Ltd.
369 Terminal Avenue, Suite 305
Vancouver, B.C. V6A 4C4

RE: Bishop Mill

Dear Mr. Wedman:

This letter is a follow up of our conversation regarding the Bishop Mill located northeast of Bishop and west of State Route 6 in Inyo County (Section 4, Township 6 South, Range 33 East, M.D.B.&M.).

The Bishop Mill is located on Bureau of Land Management (BLM) property. As such, the County has no land use jurisdiction except for mining reclamation pursuant to State Surface Mining and Reclamation act of 1975 (SMARA). BLM and the State of California have signed a memorandum of understanding (MOU) years ago allowing local agencies (Inyo County) to implement the provisions of SMARA and BLM lands.

However, in this case, SMARA **does not** apply pursuant to Section 2714, Subsection C, Conditions 1, 2 & 3 of SMARA, which states:

“2714. This chapter does not apply to any of the following activities:”

C). “Operation of a plant site used for mineral processing, including associated onsite structures, equipment, machines, tools, or other materials, including the onsite stockpiling and onsite recovery of mined materials subject to all of the following:”

- 1). The plant site is located on lands designated for industrial or commercial uses in the applicable county or city general plan.
- 2). The plant site is located on lands zoned industrial or commercial or are contained within a zoning category intended exclusively for industrial activities by the applicable city or county.

3). None of the minerals being processed are being extracted onsite.

4). Not applicable.

In addition, the current operation of the Bishop Mill does not meet the definition of a surface mining operation as defined by section 2735 of SMARA.

If you have any question regarding the above please contact me at (760) 878-0405.

Thank you,



Adena Fansler, Inyo County
Mining Inspector

cc: Linda Arcularius, 1st District supervisor
Bernadette Lavato, BLM – Bishop
James Pompy, OMR
Tamerle M. Lundquist, LRWQCB
Mark Willow, SRK
Peter Bond
Allen Berry

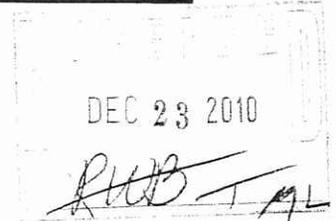


Inyo County Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
(760) 872-2706
FAX: (760) 872-2712
E-Mail: InyoPlanning@qnet.com

December 17, 2010

Richard Booth
Lahontan Regional Water Quality Control Board
2501 Lake Tahoe Blvd.
So. Lake Tahoe, CA 96150



RE: Bishop Mill

Dear Mr. Booth:

This letter is a follow up of our conversation on 12/17/2010 regarding the Bishop Mill located northeast of Bishop and west of State Route 6 in Inyo County (Section 4, Township 6 South, Range 33 East, M.D.B.&M.).

As stated in the 11/16/2010 letter (attached), the Bishop Mill is located on Bureau of Land Management (BLM) property. As such, the County has no land use jurisdiction except for mining reclamation pursuant to State Surface Mining and Reclamation act of 1975 (SMARA).

Inyo County does not require a permit for the above operation; therefore, Inyo County is not a responsible agency.

If Lahontan requires a permit from the operator of the Bishop Mill then Lahontan would be considered the responsible agency to perform the necessary CEQA review.

If you have any further question regarding the above please contact me at (760) 878-0405.

Thank you,

Adena Fansler, Inyo County
Mining Inspector

Attached: November 16, 2010 letter