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**NOTICE OF DECISION**

May 1, 2018

Project Darwin, LLC  
ATTN: Jack Stone  
P.O. Box 29  
Darwin, CA 93522

**SUBJECT: Approval of Amendment of Conditional Use Permit No. 2007-04/Project Darwin, LLC.**

On April 25, 2018, the Inyo County Planning Commission considered the above action, which would allow for the addition of crushing and processing operations to the already permitted mining operations at the Darwin Mine, located approximately 1 mile north of the community of Darwin. Also the Planning Commission considered an addendum to the original Negative Declaration of Environmental Impact, which demonstrated that there is no substantial evidence that the changes to the project will have a significant effect on the environment. After deliberation, the Planning Commission voted 3-0 to approve the amendment to the project and the addendum to the Negative Declaration with the following Conditions of Approval:

**Conditions of Approval:**

- 1.) All Conditions of Approval from the original Conditional Use Permit are still in full effect and are not modified by this amendment.
- 2.) The applicant shall obtain all necessary permits required by implementation of the amendment to CUP 2007-04. Building Permits for upgrading of the existing building for the Pilot Plant will be obtained and the building brought up to Code as required by the Inyo County Building and Safety Department prior to beginning any ore processing. Any permits required by GBUAPCD, Inyo County Environmental Health and Lahontan Regional Water Quality Control Board shall be obtained prior to implementing any crushing or ore processing.
- 3.) The applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action or proceeding against the County, its advisory agencies, appeal boards, or its legislative body concerning the amendment to CUP 2007-04/Project Darwin, LLC or applicant's failure to comply with conditions of approval.

### **Requirements of the Inyo County Road Department**

Condition #8 of the original Conditional Use Permit (CUP) requires Darwin Mine, LLC to enter into an agreement with the Inyo County Road Department concerning improvements to Darwin Road. Note that the official name of this road is the Olancho-Darwin Road. The Road Department conducted an inspection of the Olancho-Darwin Road and has requested the following conditions will be required for compliance with Condition #8 of the original CUP.


- 1.) Haul trucks are limited to 45 miles per hour on the Olancho-Darwin Road, due to its age and condition.
- 2.) Any access roads to be used by haul trucks that intersect the Olancho-Darwin Road must intersect at a 90 degree angle.

The second condition here may require an encroachment permit from the Inyo County Road Department. Darwin Mine, LLC should work with the Inyo County Road Department to obtain any permits and to verify that implementation of the above 2 conditions satisfies Condition #8 of the original CUP.

It should also be noted that all final decisions of the Planning Commission may be appealed to the Board of Supervisors by the applicant or any interested person. Appeals must be filed in writing to the Inyo County Board of Supervisors within 10 calendar days, for the amendment to the Conditional Use Permit and 15 Calendar Days, for the CEQA determination, of the action by the Planning Commission. The amendment to CUP 2007-04/Project Darwin, LLC will be through the appeal period on May 5, 2018 and the CEQA determination on May 10, 2018.

If there are any questions regarding the above information, please contact the Planning office.

Respectfully,



Tom Schaniel  
Associate Planner, County of Inyo