

29. PROSPECTING PERMIT, MARIN COUNTY; JAMES McCALL McCAMPBELL - W.O. 6163, P.R.C. 3839.1.

After consideration of Calendar Item 22 attached, and upon motion duly made and carried, the following resolution was adopted:

PURSUANT TO SECTION 6891 OF THE PUBLIC RESOURCES CODE, THE COMMISSION AUTHORIZES THE ISSUANCE TO JAMES McCALL McCAMPBELL OF A TWO-YEAR PROSPECTING PERMIT, AUTHORIZING PROSPECTING FOR MINERALS OTHER THAN OIL AND GAS AND GEOTHERMAL RESOURCES ON 5800 ACRES MORE OR LESS OF SUBMERGED LAND SITUATE NEAR POINT REYES, MARIN COUNTY, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

ROYALTY PAYABLE UNDER ANY PREFERENTIAL LEASE ISSUED SHALL BE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

1. FOR GOLD, SILVER AND OTHER PRECIOUS MINERALS

$$R = 0.05 + .04 (V - .50)^2$$

2. FOR NONPRECIOUS METALLIC MINERALS

$$R = 0.05 + .04 (V - .35)$$

WHERE R = ROYALTY AS A FRACTION OF GROSS SALES

V = AVERAGE UNIT VALUE OF THE MATERIAL PROCESSED. (DOLLARS PER CUBIC YARD)

THE MAXIMUM ROYALTY FOR GOLD, SILVER AND OTHER PRECIOUS MINERALS SHALL NOT EXCEED 50 PERCENT OF THE AVERAGE GROSS SALES PRICE OF THE ORE.

THE MAXIMUM ROYALTY FOR ALL NONPRECIOUS METALLIC MINERALS SHALL NOT EXCEED 25 PERCENT OF THE AVERAGE GROSS SALES PRICE OF THE ORE.

ISSUANCE OF THE PERMIT SHALL BE SUBJECT TO THE CONDITIONS OUTLINED ON EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment

Calendar Item 22 (5 pages)

22.

APPLICATION FOR PROSPECTING PERMIT, MARIN COUNTY; JAMES McCALL McCAMPBELL - W.O. 6163.

An application has been received from James McCall McCampbell, an individual, for a permit to prospect for all minerals other than oil and gas and geothermal resources on 5800 acres more or less of submerged land in the Pacific Ocean situate near Point Reyes, Marin County.

Section 6891 of the Public Resources Code provides for the issuance to a qualified applicant of a prospecting permit for lands that are not known mineral lands.

The applicant proposes to conduct mineral exploratory operations offshore Point Reyes Peninsula by taking bottom samples and corings for laboratory analysis. If commercially significant mineral deposits can be located, it is intended that production operations would be undertaken with a large dredge or ship. It is planned to beneficiate the bottom material at sea by mechanical and hydraulic processes and transport ore concentrate into San Francisco Bay for mineral recovery at processing plants on shore.

The proposed prospect area occupies an area of submerged land and is, in general, not known to contain commercial deposits of minerals other than sand. The applicant does not propose to remove sand or sand and gravel. The applicant has submitted the statutory filing fee and permit fee, birth certificate, a description of the State lands involved, and statements of the use proposed, character and use of adjoining lands, and nature of the deposits to be developed.

The Department of Parks and Recreation, Division of Beaches and Parks, reports that issuance of the permit would have no effect upon any program or project of that Department.

The San Francisco Regional Water Quality Control Board will require that a Report on Waste Discharge be filed before dredging is begun. The board at such time will prescribe requirements for the waste discharge from the dredging operation.

The National Park Service of the Department of the Interior has discussed the application with Mr. McCampbell and does not consider the proposed operation to be detrimental to the Federal Government's interest at the seashore.

The Department of Water Resources has stated that it does not oppose issuance of the permit.

The U. S. Corps of Engineers has issued a Letter of Permission which authorizes the proposed prospecting, provided that the applicant notifies the U. S. Coast Guard in advance of any operations involving the use of anchor lines in order that navigation interests may be forewarned.

CALENDAR ITEM 22. (CONTD.)

The Department of Fish and Game, for the protection of fish and wildlife resources in the Point Reyes National Seashore Park area, has recommended that the following conditions be included in the permit:

1. Prospecting or commercial extraction operations shall not occur within one-half mile of the shore.
2. Prospecting or commercial extraction operations shall not cause turbidity in ocean waters greater than the background level of turbidity at a distance more than 600 yards beyond the site of operations or in kelp bed areas.
3. Settleable solids resulting from this operation shall be prohibited in rocky substrate areas and along the beaches.
4. In the event that commercial extraction operations are conducted, the operator shall conduct a monitoring program to document conditions Nos. 1, 2, and 3.
5. If commercial quantities of minerals are found, the Department of Fish and Game has requested the right to review the applicant's monitoring program for compliance with these conditions.

As required under Section 6890 of the Public Resources Code, the Office of the Attorney General has reviewed the application and has advised that it complies with applicable provisions of the Public Resources Code and with the Rules and Regulations of the State Lands Commission.

IT IS RECOMMENDED THAT, PURSUANT TO SECTION 6891 OF THE PUBLIC RESOURCES CODE, THE COMMISSION AUTHORIZE THE ISSUANCE TO JAMES McCALL McCAMPBELL OF A TWO-YEAR PROSPECTING PERMIT, AUTHORIZING PROSPECTING FOR MINERALS OTHER THAN OIL AND GAS AND GEOTHERMAL RESOURCES ON 5800 ACRES MORE OR LESS OF SUBMERGED LAND SITUATE NEAR POINT REYES, MARIN COUNTY, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

ROYALTY PAYABLE UNDER ANY PREFERENTIAL LEASE ISSUED SHALL BE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

1. FOR GOLD, SILVER AND OTHER PRECIOUS MINERALS

$$R = 0.05 + .04 (V + .50)^2$$

2. FOR NONPRECIOUS METALLIC MINERALS

$$R = 0.05 + .04 (V - .3)$$

WHERE R = ROYALTY AS A FRACTION OF GROSS SALES

V = AVERAGE UNIT VALUE OF THE MATERIAL PROCESSED. (DOLLARS PER CUBIC YARD)

CALENDAR ITEM 22. (CONTD.)

THE MAXIMUM ROYALTY FOR GOLD, SILVER AND OTHER PRECIOUS MINERALS SHALL NOT EXCEED 50 PERCENT OF THE AVERAGE GROSS SALES PRICE OF THE ORE.

THE MAXIMUM ROYALTY FOR ALL NONPRECIOUS METALLIC MINERALS SHALL NOT EXCEED 25 PERCENT OF THE AVERAGE GROSS SALES PRICE OF THE ORE.

ISSUANCE OF THE PERMIT SHALL BE SUBJECT TO THE CONDITIONS OUTLINED ON EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachments: Exhibits "A" and "B"

EXHIBIT "A"

BEGINNING AT A POINT IN THE PACIFIC OCEAN WHICH BEARS SOUTH 87° 48' WEST 3,061.00 FEET FROM U.S.G.S. BM 612 VA; THE COORDINATES OF SAID STATION HAVE A CALIFORNIA ZONE 2 "x" VALUE OF 1,707,835.54 AND A "y" VALUE OF 121,732.70; THENCE FROM SAID POINT OF BEGINNING GENERALLY NORTHEASTERLY AND PARALLEL TO THE BEACH ALONG THE FOLLOWING COURSES AND DISTANCES: NORTH 37° 53' EAST 2,605.00 FEET, NORTH 23° 28' EAST 6,838.00 FEET, NORTH 20° 18' EAST 28,812.00 FEET; AND NORTH 17° 30' EAST 10,537.00 FEET MORE OR LESS TO A POINT WHICH BEARS SOUTH 56° 44' 05" WEST 6,633.22 FEET FROM U.S.C. & G.S. TRIANGULATION STATION ADAMS 1929; THENCE LEAVING SAID LAST-MENTIONED POINT NORTH 72° 30' WEST 5,280.00 FEET; THENCE SOUTH 17° 30' WEST 10,407.96 FEET; THENCE SOUTH 20° 18' WEST 28,537.01 FEET; THENCE SOUTH 23° 28' WEST 6,024.25 FEET; THENCE SOUTH 37° 53' WEST 1,937.20 FEET MORE OR LESS TO A POINT WHICH BEARS NORTH 52° 07' WEST 5,280.00 FEET FROM THE POINT OF BEGINNING; THENCE LEAVING SAID LAST-MENTIONED POINT SOUTH 52° 07' EAST 5,280.00 FEET TO THE POINT OF BEGINNING; CONTAINING 5,800 ACRES MORE OR LESS.

THE CALIFORNIA COORDINATE SYSTEM ZONE II HAS BEEN USED AS THE BASIS OF BEARING FOR THE PARCEL DESCRIBED HEREIN. ALL BEARINGS GIVEN ARE GRID BEARINGS. ALL DISTANCES ARE GRID DISTANCES.

EXCEPTING FROM THE ABOVE PARCEL ANY LAND WHICH LIES ABOVE THE ORDINARY HIGH WATER MARK OF THE PACIFIC OCEAN.

EXHIBIT "B"

Operating Conditions

1. A Report on Waste Discharge shall be filed with the San Francisco Regional Water Quality Control Board before dredging is begun.
2. Permittee shall notify the U. S. Coast Guard in advance of any operations involving the use of anchor lines in order that navigation interests may be forewarned.
3. Prospecting or commercial extraction operations shall not occur within one-half mile of the shore.
4. Prospecting or commercial extraction operations shall not cause turbidity in ocean waters greater than the background level of turbidity at a distance more than 600 yards beyond the site of operations or in kelp bed areas.
5. Settleable solids resulting from this operation shall be prohibited in rocky substrate areas and along the beaches.
6. In the event that commercial extraction operations are conducted, the operator shall conduct a monitoring program to document conditions Nos. 1, 2, and 3.
7. If commercial quantities of minerals are found, the Department of Fish and Game has requested the right to review the applicant's monitoring program for compliance with these conditions.