

MINUTE ITEM

8/26/65

31. APPLICATION FOR PERMIT TO EXPLORE AND EXCAVATE FOR ARCHAEOLOGICAL FINDS ON TIDE AND SUBMERGED LANDS OF DRAKES BAY, MARIN COUNTY; COUNCIL OF UNDERWATER ARCHAEOLOGY - W.O. 5714, P.R.C. 3362.1.

After consideration of Calendar Item 37 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO THE COUNCIL OF UNDERWATER ARCHAEOLOGY A THREE-YEAR PERMIT TO EXPLORE FOR AND EXCAVATE HISTORICAL AND ARCHAEOLOGICAL FINDS ON TIDE AND SUBMERGED LANDS OF DRAKES BAY, AS SHOWN ON EXHIBIT "B" ON FILE IN THE LOS ANGELES OFFICE OF THE COMMISSION, SUBJECT TO CONDITIONS LISTED ON EXHIBIT "A" ATTACHED AND MADE A PART HEREOF.

Attachment

Calendar Item 37 (2 pages)

37.

APPLICATION FOR PERMIT TO EXPLORE AND EXCAVATE FOR ARCHAEOLOGICAL FINDS ON TIDE AND SUBMERGED LANDS OF DRAKES BAY, MARIN COUNTY; COUNCIL OF UNDERWATER ARCHAEOLOGY - W.O. 5714.

The Council of Underwater Archaeology, a scientific nonprofit organization, has requested a permit to explore and excavate for archaeological finds on tide and submerged lands in Drakes Bay (see Exhibit "B").

Public Law 87-657,76, Stat. 538, authorized the Secretary of the Interior to establish the Point Reyes National Seashore under the National Park Service. The Act included the tide and submerged lands of Drakes Bay to a distance of 1,320 feet from the "average high tide line" of the Pacific Ocean.

Assembly Bill No. 1024, "An act to convey certain tide and submerged lands to the United States in furtherance of the Point Reyes National Seashore", was approved by the Governor on July 9, 1965 (Ch. 933, Stats. 1965). The bill granted "...all of the right, title, and interest of the State of California... in and to all of the tide and submerged lands or other lands beneath navigable waters situated within the boundaries of the Point Reyes National Seashore".

The Council of Underwater Archaeology has requested permission to explore and excavate in various areas of Drakes Bay, some of which will be within the grant area, others of which will be on State land. The primary purpose of the operation is historical and archaeological research, and the project has the approval and support of the National Park Service.

The exploration will be done from two small boats using electronic equipment and experienced divers. No structures of any sort will be built in the bay. The applicant has given assurance that a shellfish-culture allotment area will not be disturbed.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE TO THE COUNCIL OF UNDERWATER ARCHAEOLOGY A THREE-YEAR PERMIT TO EXPLORE FOR AND EXCAVATE HISTORICAL AND ARCHAEOLOGICAL FINDS ON TIDE AND SUBMERGED LANDS OF DRAKES BAY, AS SHOWN ON EXHIBIT "B" ON FILE IN THE LOS ANGELES OFFICE OF THE COMMISSION, SUBJECT TO CONDITIONS LISTED ON EXHIBIT "A" ATTACHED AND MADE A PART HEREOF.

Attachment
Exhibit "A"

EXHIBIT "A"

W.O. 5714

The Council of Underwater Archaeology has agreed to the following conditions as part of the permit:

- (1) The State of California shall receive 25 percent and the Council of Underwater Archaeology shall receive 75 percent of the total value of finds.
- (2) The State of California shall have first choice, within the ratio specified in (1) above, to any of the material found.
- (3) Employees of the State of California or other recognized specialists in the fields of history, archaeology, or similar profession shall have the right to examine those artifacts that remain in the hands of the Council of Underwater Archaeology. The Council will not dispose of any artifacts for a period of at least one year.
- (4) The Council and its members shall have the right to examine and to study those artifacts that become the property of the State of California.
- (5) The Council shall have the right of first publication of any historical material discovered.