§ 3582.3 Consent and consultation.

Any mineral lease or permit shall be issued or renewed only with the consent of the Regional Director, National Park Service. Such consent shall be granted only upon a determination by the Regional Director that the activity permitted under the lease or permit shall not have significant adverse effect upon the resources or administration of the area pursuant to the authorizing legislation for the area. Any lease or permit issued shall be subject to such conditions as may be prescribed by the Regional Director to protect the surface and significant resources of the area, to preserve their use for public recreation and subject to the condition that site specific approval of any activity on the lease or permit shall be given only upon a concurrence by the Regional Director. All lease applications for reclamation withdrawn lands also shall be submitted to the Bureau of Reclamation for review.

Subpart 3583—Shasta and Trinity Units of the Whiskeytown-Shasta-Trinity National Recreation Area

§ 3583.0–3 Authority.

Authority for leasing mineral deposits within the Shasta and Trinity Units of the Whiskeytown-Shasta-Trinity National Recreation Area administered by the Forest Service is cited in §3500.0–3(c)(4) of this title.

§ 3583.1 Other applicable regulations.

§ 3583.1–1 Leasable minerals.

Except as otherwise specifically provided in this subpart, leasing of deposits of leasable minerals shall be governed by regulations in parts 3500, 3510, 3520, 3530, 3540 and 3550 of this title.

§ 3583.1–2 Hardrock minerals.

This subpart governs the leasing of hardrock minerals in the Shasta and Trinity Units of the Whiskeytown-Shasta-Trinity National Recreation Area. The terms and conditions of hardrock leases issued under this subpart shall be the same as those set out for hardrock leases in subpart 3561 of this title, except as specifically modified in this subpart.

§ 3583.2 Consent of Secretary of Agriculture.

Any mineral lease for lands subject to this subpart shall be issued only with the consent of the Secretary of Agriculture and subject to such conditions as he/she may prescribe after he/she finds that such disposition would not have significant adverse effects on the purpose of the Central Valley Project or the administration of the recreation area.

§ 3583.3 Applications for hardrock mineral leases.

No specific form is required. An application shall include the applicant’s name and address, a statement of holdings in accordance with subpart 3502 of this title, a description of the lands in accordance with subpart 3501 of this title, and the name of the mineral for which the lease is desired. The applicant shall state whether the mineral applied for can be developed in paying
quantities, stating the reasons there- 
for, and shall furnish such facts as are 
available to him/her respecting the 
known occurrence of the mineral, the 
character of such occurrence and its 
probable value as evidencing the exist-
ence of a workable deposit of such min-
eral. Each application must be filed in 
triplicate in the proper BLM office and 
must be accompanied by the filing fee 
for Shasta and Trinity hardrock min-
eral leases found in the fee schedule in 
§ 3000.12 of this chapter.

§ 3583.4 Hardrock mineral leases.

§ 3583.4–1 Leasing units.
Leasing units may not exceed 640 
acres consisting, if the lands are sur-
veyed, of legal subdivisions in reason-
ably compact form or, if the lands are 
not surveyed, of a square or rectan-
gular area with north and south and 
east and west boundaries so as to ap-
proximate legal subdivisions, described 
by metes and bounds and connected to 
a corner of the public survey by 
courses and distances. The authorized 
officer may prescribe a lesser area for 
any mineral deposit if such lesser area 
is adequate for an economic mining op-
eration.

§ 3583.4–2 Royalties, rentals and min-
imum royalties.
Rental and royalties shall be deter-
mained by the authorized officer on the 
basis of the fair market value, but in 
no event shall be less than:
(a) A rental of 50 cents per acre or 
fraction thereof payable in advance 
until production is obtained.
(b) A minimum royalty of $1 per acre 
or fraction thereof payable in advance 
after production is obtained.
(c) A production royalty of 2 percent 
of the amount or value of the minerals 
mined, the exact amount of royalty to 
be fixed prior to the issuance of the 
lease.

§ 3583.4–3 Special terms and condi-
tions.
Each lease shall contain provisions 
for the following:
(a) Diligent development of the 
leased property, except when oper-
ations are interrupted by strikes, the 
elements or casualties not attributable 
to the lessee, unless operations are sus-
pended upon a showing that the lease 
cannot be operated except at loss be-
cause of unfavorable market condi-
tions;
(b) Occupation and use of the surface 
shall be restricted to that which is rea-
sonably necessary for the exploration, 
development and extraction of the 
leased minerals, subject to any special 
rules to protect the values of the recre-
ation area;
(c) No vegetation shall be destroyed 
or disturbed except where necessary to 
mine and remove the minerals;
(d) Operations shall not be conducted 
in such a manner as to adversely affect 
the purpose of the Central Valley 
Project through dumping, drainage or 
otherwise;
(e) Structures shall not be erected or 
roads or vehicle trails opened or con-
structed without first obtaining writ-
ten permission from an authorized offi-
cer or employee of the Forest Service. 
The permit for a road or trail may be 
conditioned upon the permittee’s main-
taining the road or trail in passable 
condition satisfactory to the officer in 
charge of the area so long as it is used 
by the permittee or his/her successor;
(f) Reservation of the right to add 
additional terms to the lease when 
deemed necessary by the authorized offi-
cer or employee of the Forest Service 
for the protection of the surface, its re-
sources and use for recreation.

§ 3583.4–4 Duration of lease.
Leases shall be issued for period of 5 
years. Any lease in good standing, upon 
which production in paying quantities 
has been obtained, shall be subject to 
renewal for successive 5 year terms on 
such reasonable terms as may be pre-
scribed by the Secretary. An applica-
tion for renewal shall be filed in tri-
PLICATE in the proper BLM office at least 
90 days prior to the expiration of the 
current lease term unless the lands in-
cluded in the lease have been with-
drawn at the expiration of such term.

§ 3583.4–5 Lease by competitive bid-
ing.
Leases may be offered competitively 
for any lands applied for under this