

## TRANSFER OF FUNCTIONS

California Debris Commission abolished and functions transferred to Secretary of the Army by Pub. L. 99-662, title XI, §1106, Nov. 17, 1986, 100 Stat. 4229, set out as a note under section 661 of this title.

**§ 666. Noting conditions of navigable channels**

The said commission shall from time to time note the conditions of the navigable channels of said river systems, by cross-section surveys or otherwise, in order to ascertain the effect therein of such hydraulic mining operations as may be permitted by its orders and such as is caused by erosion, natural or otherwise.

(Mar. 1, 1893, ch. 183, § 6, 27 Stat. 508.)

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**§ 667. Annual reports**

Said commission shall submit to the Chief of Engineers, for the information of the Secretary of the Army, on or before the 15th day of November of each year, a report of its labors and transactions, with plans for the construction, completion, and preservation of the public works outlined in this chapter, together with estimates of the cost thereof, stating what amounts can be profitably expended thereon each year. The Secretary of the Army shall thereupon submit same to Congress on or before the meeting thereof.

(Mar. 1, 1893, ch. 183, § 7, 27 Stat. 508; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501.)

## CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

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**§ 668. "Hydraulic mining" and "mining by hydraulic process" defined**

For the purposes of this chapter "hydraulic mining" and "mining by the hydraulic process" are declared to have the meaning and application given to said terms in the State of California.

(Mar. 1, 1893, ch. 183, § 8, 27 Stat. 508.)

**§ 669. Petition by hydraulic miners**

The individual proprietor or proprietors, or in case of a corporation, its manager or agent appointed for that purpose, owning mining ground in the territory in the State of California mentioned in section 663 of this title, which it is desired to work by the hydraulic process, must file

with said commission a verified petition, setting forth such facts as will comply with law and the rules prescribed by said commission.

(Mar. 1, 1893, ch. 183, § 9, 27 Stat. 508.)

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**§ 670. Surrender to United States of right to regulate debris of mine**

Said petition shall be accompanied by an instrument duly executed and acknowledged, as required by the law of the said State, whereby the owner or owners of such mine or mines surrender to the United States the right and privilege to regulate by law, as provided in this chapter, or any law that may be enacted after March 1, 1893, or by such rules and regulations as may be prescribed by virtue thereof, the manner and method in which the debris resulting from the working of said mine or mines shall be restrained, and what amount shall be produced therefrom; it being understood that the surrender aforesaid shall not be construed as in any way affecting the right of such owner or owners to operate said mine or mines by any other process or method in use in said State on March 1, 1893: *Provided*, That they shall not interfere with the navigability of the aforesaid rivers.

(Mar. 1, 1893, ch. 183, § 10, 27 Stat. 508.)

**§ 671. Petition for common dumping ground, etc.**

The owners of several mining claims situated so as to require a common dumping ground or dam or other restraining works for the debris issuing therefrom in one or more sites may file a joint petition setting forth such facts in addition to the requirements of section 669 of this title; and where the owner of a hydraulic mine or owners of several such mines have and use common dumping sites for impounding debris or as settling reservoirs, which sites are located below the mine of an applicant not entitled to use same, such fact shall also be stated in said petition. Thereupon the same proceedings shall be had as provided for herein.

(Mar. 1, 1893, ch. 183, § 11, 27 Stat. 508.)

## REFERENCES IN TEXT

Herein, referred to in text, means act Mar. 1, 1893, which comprises this chapter.

**§ 672. Notice of petition for dumping grounds, etc.; hearing**

A notice specifying briefly the contents of said petition and fixing a time previous to which all proofs are to be submitted shall be published by said commission in some newspaper or newspapers of general circulation in the communities interested in the matter set forth therein. If published in a daily paper such publication shall continue for at least ten days; if in a weekly paper in at least three issues of the same. Pending publication thereof said commission, or a committee thereof, shall examine the mine and premises described in such petition. On or before