

MINUTE ITEM

This Calendar Item No. C09
was approved as Minute Item
No. 9 by the State Lands
Commission by a vote of 2
to 0 at its 10/25/84
meeting.

CALENDAR ITEM

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C09

10/25/84
WP 6356
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APPROVAL OF A SALVAGE PERMIT

PRC 6356

APPLICANT: The Brother Jonathan Company
P.O. Box 1190
Crescent City, California 95531

AREA, TYPE LAND AND LOCATION: Three parcels of tide and submerged lands
totalling 27 acres in the Pacific Ocean near
Crescent City, Del Norte County.

LAND USE: Selective salvage of artifacts from the British
freighter Queen Christina and salvage of
artifacts and the remaining intact hull of the
Brother Jonathan, a passenger ship.

TERMS OF ORIGINAL PERMIT:

Initial period: One year beginning
November 1, 1982.

Renewal options: Extended for one year from
November 1, 1983.

Public liability insurance: Combined single
limit coverage of \$300,000.

Consideration: \$675 - use of land area for
one year. 25 percent of the
net salvage value of \$25,000
or less, and 50 percent of
the net salvage value in
excess of \$25,000. Said sum
shall be due on the first of
the month following the sale
and bear interest at the rate
of 12 percent per annum if
not paid within 15 days of
the due date.

CALENDAR ITEM NO. C 0 9 (CONT'D)

TERMS OF PROPOSED PERMIT:

Initial period: One year beginning
November 1, 1984.

Public liability insurance: Combined single
limit coverage of \$300,000.

CONSIDERATION: \$675 - use of land area for
one year. 25 percent of the
net salvage value of \$25,000
or less, and 50 percent of
the net salvage value in
excess of \$25,000. Said sum
shall be due on the first of
the month following the sale
and bear interest at the rate
of 12 percent per annum if
not paid within 15 days of
the due date.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14,
Div. 6.

OTHER PERTINENT INFORMATION:

1. The Brother Jonathan Company is requesting approval of a new permit because weather conditions are so unpredictable it is impossible to dive most of the year and they have been unable to complete the salvage operation. The conditions of the proposed permit will be identical to the original permit terms.

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2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15025), the staff has previously prepared a Proposed Negative Declaration identified as EIR ND 319, State Clearinghouse No. 82101301. Such Proposed Negative Declaration was prepared and circulated for public review pursuant to the provisions of CEQA and certified by the Commission on November 29, 1982. Staff believes that the document is still sufficient for this activity.

Based upon the Initial Study, the Proposed Negative Declaration and the comments received in response thereto, there is no substantial evidence that the project will have a significant effect on the environment. (14 Cal. Adm. Code 15074(b))

APPROVALS OBTAINED:

California Coastal Commission; this project is exempt from United States Army Corps of Engineers permit in preview of Section 10 of the River and Harbor Act which became regulation July 22, 1982.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Negative Declaration - Queen Christina.
- D. Negative Declaration - Brother Jonathan.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT A NEGATIVE DECLARATION, EIR ND 319, STATE CLEARINGHOUSE NO. 82101301, WAS PREPARED FOR THIS PROJECT PURSUANT TO THE PROVISIONS OF THE CEQA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

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2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

3. AUTHORIZE ISSUANCE TO THE BROTHER JONATHAN COMPANY OF A ONE-YEAR SALVAGE PERMIT, FROM NOVEMBER 1, 1984; IN CONSIDERATION OF \$675 FOR USE OF LAND AREA FOR ONE-YEAR, 25 PERCENT OF THE NET SALVAGE VALUE OF \$25,000 OR LESS, AND 50 PERCENT OF THE NET SALVAGE VALUE IN EXCESS OF \$25,000. SAID SUM SHALL BE DUE ON THE FIRST OF THE MONTH FOLLOWING THE SALE AND BEAR INTEREST AT THE RATE OF 12 PERCENT PER ANNUM IF NOT PAID WITHIN 15 DAYS OF THE DUE DATE; FOR SELECTIVE SALVAGE OF ARTIFACTS FROM THE SUNKEN BRITISH FREIGHTER QUEEN CHRISTINA AND SALVAGE OF ARTIFACTS AND THE REMAINING INTACT HULL OF THE BROTHER JONATHAN, A PASSENGER SHIP, THAT SANK IN 1865 ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 6356

Three square parcels of submerged land in the Pacific Ocean near Point St. George, Del Norte County, California, said parcels being 626.13 feet on each side and their centerpoints being located at 41° 46' 46" North Latitude and 124° 15' 27" West Longitude, 41° 46' 46.5" North Latitude and 124° 15' 34" West Longitude, 41° 46' 45" North Latitude and 124° 15' 39" West Longitude.

END OF DESCRIPTION

PREPARED AUGUST 13, 1982 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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NEGATIVE DECLARATION

WP 6356

Salvage of the Queen Christina

This Negative Declaration is prepared pursuant to Section 15083, California Administrative Code, Title 14, Division 6 and is based upon an Initial Study pursuant to Sections 15080 and 15066 thereof.

Description

It is proposed to selectively salvage artifacts from a freighter that sank in 1907. The operation will take place near Crescent City, specifically off Point St. George in shallow water. It is expected that only a few days will be required for the project, although this is dependent on the weather. All items found will be catalogued and be the property of the State until their disposition is determined. The salvor intends to place all materials found and kept into a private museum for the maritime history of the northern California coast.

Determination

An Initial Study has been prepared and it is determined that the proposed project will not have a significant effect upon the environment.

(1) The proposed project will have no cumulative impacts, or adverse effects on humans.

(2) There will be minimal impacts upon fish and other marine organisms of the project environment.

(3) Salvage of the Queen Christina, a British freighter of a historical period is believed to be noncontroversial in terms of the historical elements of CEQA and the California History Plan. This determination rests upon the type of vessel, non-cargo, and possible prior salvage. See attachment to Initial Study checklist.

(4) Uses of public services, energy, and other resources are not applicable or are insignificant.

This Negative Declaration was prepared by the staff of the State Lands Commission. Additional copies may be obtained from Ted. T. Fukushima, State Lands Commission, 1807 13th Street, Sacramento, CA 95814. Telephone No. (916) 322-7813.

EXHIBIT "D"

PROPOSED NEGATIVE DECLARATION

EIS NO 319

File Ref.: WP 6356

SCH#: 50131001

Project Title: Brother Jonathan Ship Salvage.

Project Location: Pacific Ocean, Del Norte County.

Project Description: Salvage and Archeological Reconnaissance of Historical Vessel, the Brother Jonathan.

This NEGATIVE DECLARATION is prepared pursuant to the requirements of the California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code), the State CEQA Guidelines (Section 15000 et seq., Title 14, of the California Administrative Code), and the State Lands Commission regulations (Section 2901 et seq., Title 2, of the California Administrative Code).

Based upon the attached Initial Study, it has been found that:

- the project will not have a significant effect on the environment.
- the attached mitigation measures will avoid potentially significant effects.

Contact Person: Ted T. Fukushima
1807-13th Street
Sacramento, CA 95814
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