

This Calendar Item No. C35 was approved as Minute Item No. 35 by the California State Lands Commission by a vote of 3 to 0 at its 6-2-03 meeting.

CALENDAR ITEM
C35

A 70
S 35

06/02/03
W 30146
P. Griggs

CONSIDER AUTHORIZING THE TRANSFER OF OWNERSHIP OF AN HISTORIC ANCHOR FOUND ON STATE LANDS TO CRYSTAL COVE STATE PARK IN ORANGE COUNTY FOR UNDERWATER DISPLAY

APPLICANT:

Crystal Cove State Park
8471 Pacific Coast Highway
Laguna Beach, CA 92651

BACKGROUND:

A Caltrans contractor recovered this anchor in 2002 during dredging near the San Francisco Oakland Bay Bridge. Caltrans planned to conserve the anchor and put it on public display in a park near the bridge. The Commission transferred title to the anchor to Caltrans at the December 2002 meeting for this purpose on the condition that if Caltrans no longer wanted the anchor, it would be offered back to the Commission.

Caltrans made a good faith effort to properly conserve the anchor but discovered that the process would be far more expensive than it had anticipated. Without the process, the anchor would rapidly deteriorate when exposed to air. Caltrans negotiated with California State Parks for an alternative solution that would still allow public appreciation of the anchor. State Parks offered to place the anchor underwater at Crystal Cove State Park in Orange County where scuba divers and snorkelers could see and appreciate it.

Caltrans accepted this offer and the anchor was placed at the park in an accessible location about 20 feet deep. Although the anchor will gradually deteriorate, it will last much longer than if exposed to the air. Park staff will continue to monitor the anchor.

Caltrans has offered the anchor back to the Commission since it no longer wants the anchor, and Crystal Cove State Park has asked for the anchor. Therefore,

CALENDAR ITEM NO. C35 (CONT'D)

staff recommends that ownership of the anchor be accepted from Caltrans and be simultaneously transferred to Crystal Cove State Park.

PERMIT STREAMLINING ACT DEADLINE:

N/A

OTHER PERTINENT INFORMATION:

1. Public Resources Code, section 6313(a) provides: The title to all abandoned shipwrecks and all archaeological sites and historic resources on or in the tide and submerged lands of California is vested in the state. All abandoned shipwrecks and all submerged archaeological sites and submerged historic resources of the state shall be in the custody and subject to the control of the commission for the benefit of the people of the state of California. The commission may transfer title, custody, or control to other state agencies or recognized scientific or educational organizations, institutions or individuals by appropriate legal conveyance.
2. Crystal Cove State Park includes a popular underwater recreation area that is beach and boat accessible to snorkelers and scuba divers. The park's visitor center will provide information about the anchor to the public.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15060(c)(3)), the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060(c)(3) and 15378.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.
2. AUTHORIZE ACCEPTANCE OF THE ANCHOR FROM CALTRANS AND THE TRANSFER OF OWNERSHIP (TITLE) OF THE ANCHOR TO CRYSTAL COVE STATE PARK FOR UNDERWATER DISPLAY.