

This Calendar Item No. C36 was approved as Minute Item No. 36 by the California State Lands Commission by a vote of 3 to 0 at its 6-2-03 meeting.

CALENDAR ITEM
C36

| | | |
|---|----|-------------|
| A | 13 | 06/02/03 |
| S | 03 | 503.1728 |
| | | P. Griggs |
| | | P. Pelkofer |

CONSIDER AUTHORIZING THE EXECUTIVE OFFICER TO ENTER INTO AN AGREEMENT FOR THE LONG-TERM LOAN OF TEN GOLD COINS FROM THE SS *BROTHER JONATHAN* SHIP WRECK FOR PUBLIC DISPLAY AT THE WELLS FARGO HISTORY MUSEUM IN SAN FRANCISCO

APPLICANT:

Wells Fargo Historical Services Department
420 Montgomery Street
San Francisco, California 94104

BACKGROUND:

The steamer *Brother Jonathan* sank in 1865, near Crescent City, California. In 1991, Deep Sea Research, Inc. (DSR) filed an admiralty suit against the vessel, claiming ownership and salvage rights. The Commission authorized counsel to intervene in the litigation and in 1999, before trial, DSR, the Commission, and the other parties, including Wells Fargo, signed a stipulation for entry of judgment in the matter of *Deep Sea Research, Inc. v. The Brother Jonathan*, United States District Court for the Northern District of California (C 91 3889 LCB). After DSR received its share of gold coins as a salvage award, the State retained 200 gold coins and numerous historic artifacts. As part of the settlement agreement, the Commission agreed to provide gold coins from the shipwreck for public display to Wells Fargo.

As a result, Wells Fargo has requested a long-term loan not to exceed 10 (ten) years of 10 (ten) gold coins for use in an exhibit at its San Francisco history museum. The coins are of interest to both the general public and coin collectors, who will benefit from their public display. The Commission will receive credit for loaning the coins to Wells Fargo.

Staff and Wells Fargo have proposed 10 (ten) coins with an appraised value of \$9,475 for the loan (see Exhibit A). Should Wells Fargo reject any coin, staff

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would exchange the coin(s) with a different coin of equal or greater value that is mutually acceptable. The maximum appraised value of the coins to be lent would not exceed \$15,000. Wells Fargo has agreed to provide insurance during the time the coins are in its custody with the Commission named as an additional assured.

Therefore, staff recommends that the Executive Officer be authorized to enter into and take all actions necessary to implement an agreement for the long-term loan not to exceed 10 (ten) years of 10 (ten) gold coins from the SS *Brother Jonathan* shipwreck with a total appraised value not to exceed \$15,000 for public display at the Wells Fargo History Museum in San Francisco.

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. The Wells Fargo History Museum has a professional museum staff and is widely recognized for its professional standards. It has agreed to display and store the coins in a secure and conservationally sound environment.
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.

EXHIBIT:

A: Coins Proposed for Loan

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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 THE EXECUTIVE OFFICER TO ENTER INTO AND TAKE ALL ACTIONS NECESSARY TO IMPLEMENT AN AGREEMENT FOR THE LONG-TERM LOAN NOT TO EXCEED 10 (TEN) YEARS OF 10 (TEN) GOLD COINS FROM THE SS *BROTHER JONATHAN* SHIPWRECK WITH A TOTAL APPRAISED VALUE NOT TO EXCEED \$15,000 FOR PUBLIC DISPLAY AT THE WELLS FARGO HISTORY MUSEUM IN SAN FRANCISCO.

EXHIBIT A

Coins Proposed for Loan

| Identification | Denomination | Year and Mint | Grade | Value |
|----------------|--------------|---------------|----------------|------------|
| #34 | \$5 | 1852 P | 40 | \$175 |
| #68 | \$20 | 1852 P | 50 | \$500 |
| #1452 | \$20 | 1865 S | 62 | \$3,500 |
| #184 | \$20 | 1864 S | 60 | \$1,800 |
| #1198 | \$20 | 1857 S | 45 | \$500 |
| #47 | \$5 | 1857 S | 45 | \$700 |
| #1002 | \$20 | 1856 S | 45 | \$500 |
| #1361 | \$20 | 1859 S | 58 | \$800 |
| #88 | \$20 | 1860 S | 53 | \$500 |
| #1745 | \$20 | 1863 S | 53 | \$500 |
| | | | TOTAL VALUE | \$9,475.00 |