

MINUTE ITEM

This Calendar Item No. 17
was approved as Minute Item
No. 17 by the State Lands
Commission by a vote of 3
to 0 at its 11-20-79
meeting.

CALENDAR ITEM

17.

SALVAGE PERMIT

11/79
W 21068
De La Cruz
PRC 5763

APPLICANT: The Brother Jonathan Company
c/o Frazer - Yamor Insurance
2nd and H Streets
Crescent City, California 95531

AREA, TYPE LAND AND LOCATION:
A 4.0 acre parcel of tide and submerged
land in the Pacific Ocean near Crescent
City; Del Norte County.

LAND USE: Selective salvage of artifacts from the
British freighter Queen Christina that
sank in 1907.

TERMS OF PROPOSED PERMIT:

Initial period: 1 year from December 1,
1979.

Renewal options: One successive period
of 1 year.

Public liability insurance: \$100,000/300,000
per occurrence for bodily
injury and \$50,000 for
property damage.

CONSIDERATION: 25% of the net salvage value of \$25,000
or less, and 50% 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 7% per annum if not paid within 15 days
of the due date.

PREREQUISITE TERMS, FEES AND EXPENSES:

Filing fee and processing costs have been
received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 & 2.

B. Cal. Adm. Code: Title 2, Div. 3.

A 2
S 2

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CALENDAR ITEM NO. 17. (CONTD)

OTHER PERTINENT INFORMATION:

1. The applicant proposes to selectively remove artifacts from a 1907 wreck of the British freighter Queen Christina. Removal of material from the site will be performed largely by hand with the possible aid of small air-lift devices.
2. All items removed from the site will be catalogued and be the property of the State until their description has been determined. The applicant proposes to retain all salvaged items in a private museum for the maritime history of the northern California Coast.
3. Staff has coordinated this project with the Office of Historic Preservation and will keep them apprised of the recovery of all material removed from the site.
4. The transaction is exempt from the requirements of Article 6.5 of Title 2 Cal. Adm. Code in that it is not considered a development project.
5. A Negative Declaration was prepared by the Commission's staff, pursuant to CEQA and implementing regulations.
6. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

Staff has coordinated this project with those agencies and organizations which nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

FURTHER APPROVALS REQUIRED:
North Coast Regional Coastal Commission.

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CALENDAR ITEM NO. 17. (CONTD)

EXHIBITS: A. Land Description. B. Location Map.
 C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY THE COMMISSION'S STAFF.
2. CERTIFY THAT THE NEGATIVE DECLARATION NO. 231 HAS BEEN COMPLETED IN COMPLIANCE WITH THE CEQA OF 1970, AS AMENDED, AND THE STATE EIR GUIDELINES, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIF EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
5. DETERMINE THAT THIS PROJECT IS EXEMPT FROM THE REQUIREMENTS OF ARTICLE 6.5 OF TITLE 2, OF THE CAL. ADM. CODE BECAUSE THIS ACTIVITY IS NOT A DEVELOPMENT PROJECT WITHIN THE MEANING OF THE COASTAL ACT AND ITS IMPLEMENTING GUIDELINES.
6. AUTHORIZE ISSUANCE TO THE BROTHER JONATHAN COMPANY OF A 1-YEAR SALVAGE PERMIT FROM DECEMBER 1, 1979, WITH LESSEE'S OPTION TO RENEW FOR ONE SUCCESSIVE PERIOD OF 1 YEAR; IN CONSIDERATION OF 25% OF THE NET SALVAGE VALUE OF \$25,000 OR LESS, AND 50% 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 7% PER ANNUM IF NOT PAID WITHIN 15 DAYS OF THE DUE DATE; FOR SELECTIVE SALVAGE OF ARTIFACTS FROM THE SUNKEN BRITISH FREIGHTER QUEEN CHRISTINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

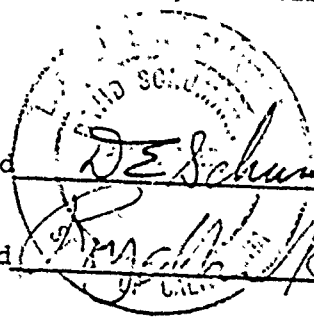
LAND DESCRIPTION

W 21068

A circular parcel of submerged land in Del Norte County, California, near Pt. St. George, situate in the Pacific Ocean, and more particularly described as having a radius point located at 41° 45' 46.5" North Latitude and 124° 15' 25" West Longitude; said circular parcel having a radius of 235.50 feet.

END OF DESCRIPTION

Prepared


D. E. Schumann
R. M. [Signature]

Checked

Betty Eubank

Reviewed

Date

9/7/78

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EXHIBIT "B"

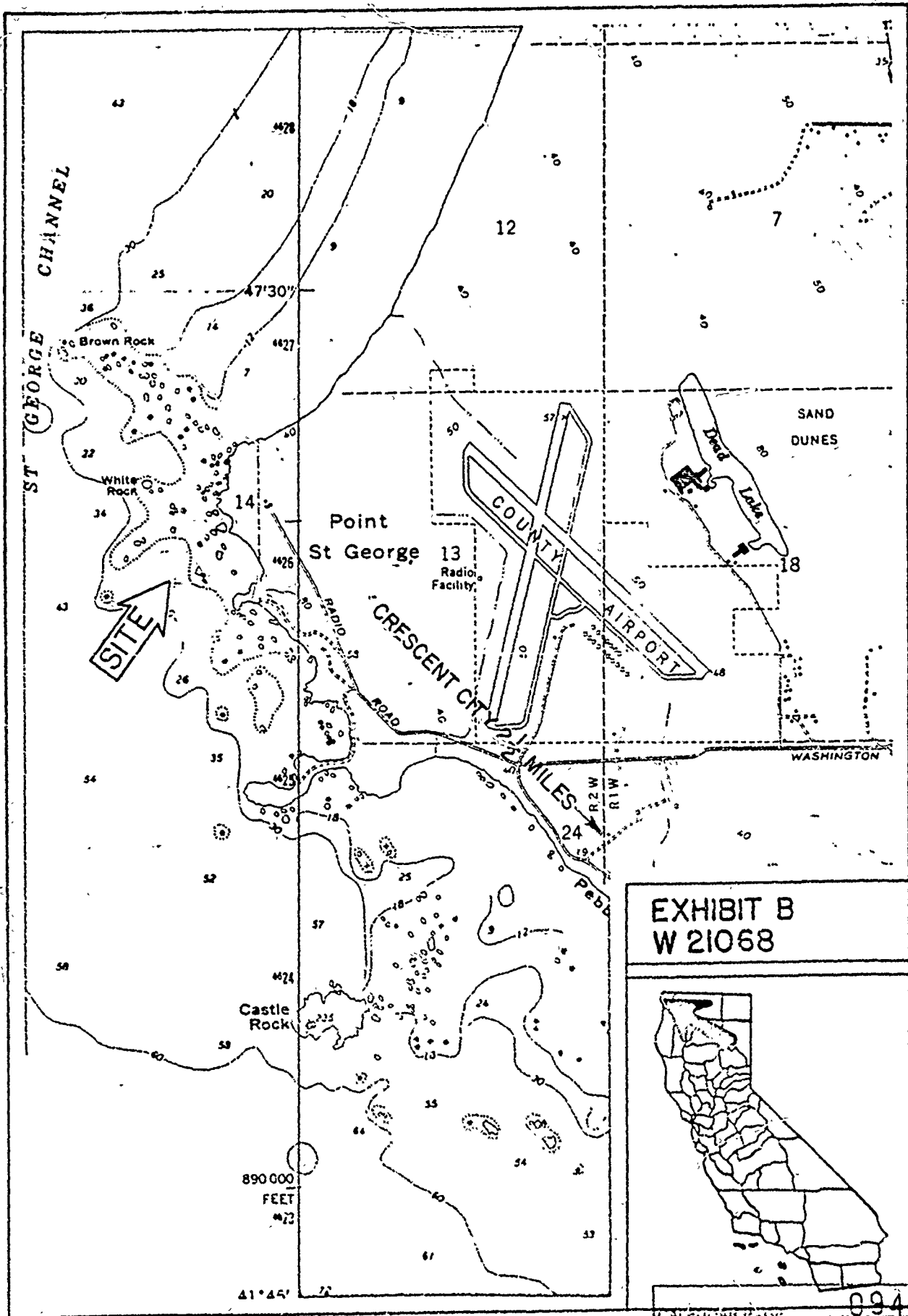


EXHIBIT B
W 21068



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NEGATIVE DECLARATION

Salvage of the Queen Christina

W. 21068

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, no 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, 1907 13th Street, Sacramento, CA 95814. Telephone No. (916) 322-7813.

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20. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required. N/A

Are the following items applicable to the project or its effects? Discuss below all items checked yes. (attach additional sheets as necessary)

YES NO

- 21. Change in existing features of any bays, tidelands, beaches, lakes or hills, or substantial alteration of ground contours.
- 22. Change in scenic views or vistas from existing residential areas or public lands or roads.
- 23. Change in pattern, scale or character of general area of project.
- 24. Significant effect on plant or animal life.
- 25. Significant amounts of solid waste or litter.
- 26. Change in dust, ash, smoke, fumes or odors in vicinity.
- 27. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.
- 28. Change in existing noise or vibration levels in the vicinity.
- 29. Site on filled land or on slope of 10 percent or more.
- 30. Use of disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.
- 31. Change in demand for municipal services (police, fire, water, sewage, etc.)
- 32. Increased fossil fuel consumption (electricity, oil, natural, gas, etc.)
- 33. Relationship to a larger project or series of projects.

ENVIRONMENTAL SETTING

- 34. Describe the *project site* as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach *photographs* of the site. Snapshots or polaroid photos will be accepted.
- 35. Describe the *surrounding properties*, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach *photographs* of the vicinity. Snapshots or polaroid photos will be accepted.

CERTIFICATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date 10-17-78

David B. Black
For _____

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ENVIRONMENTAL INFORMATION FORM

(To be completed by applicant)

GENERAL INFORMATION

1. Name and address of developer or project sponsor: Brother Jonathan Company
2. Address of project: Del Norte County, California
Assessor's Block and Lot number: N/A
3. Name, address, and telephone number of person to be contacted concerning this project: _____
Ted Fukushima, State Lands Commission, 1807 13th Street,
Sacramento, CA 95314 (916) 322-7813
4. Indicate number of the permit application for the project to which this form pertains: n/A
5. List and describe any other related permits and other public approvals required for this project, including those required by City, regional, state and federal agencies: _____
California Coastal Commission
6. Existing zoning district: N/A
Present use of site: N/A
7. Proposed use of site (Project for which this form is filed): Salvage of commercial vessel
near Crescent City.

PROJECT DESCRIPTION:

8. Site size. 3 acres
9. Square footage. N/A
10. Number of floors of construction. N/A
11. Amount of off-street parking provided. N/A
12. Attach plans. N/A
13. Proposed scheduling. Fall of 1978 or later depending on weather.
14. Associated projects. None
15. Anticipated incremental development. None
16. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household and household size expected. N/A
17. If commercial, indicate the type, whether neighborhood or city oriented, square footage of sales area, and loading facilities. N/A
18. If industrial, indicate type, estimated employment per shift, and loading facilities. N/A
19. If institutional, indicate the major function, estimated employment per shift, estimated community benefits, and community benefits to be derived from the project. N/A

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Environmental Setting

34. Project Site.

The project site is in the open ocean near Point St. George north of Crescent City, California. Exact location is a trade secret as defined under CEQA. The salvage site has many offshore rocks. High swells and submarine turbulence characterize the ocean. The ocean floor is rocky with sand pits in between. This is a minimum of benthic or pelagic except on rocks where an animal or plant can fasten itself. The vessel dates from a historical period, but is typical of contemporary freighters in construction and design. There was no cargo and no lives were lost.

35. Surrounding Properties.

The surrounding area is similar to the project site: rocky and with heavy seas. Geologically, the coastal area near the wreck site consists of a Franciscan formation and marine sedimentary rock. The same structure extends out into the ocean in the form of submarine formations with occasional outcroppings called sea stacks. Sand and gravel are constantly washing over the ocean bottom in the area of the wreck. There are no known faults in the project area.

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Selected Bibliography

The California History Plan Vol. I - "Comprehensive Preservation Program" 1973, Department of Parks and Recreation.

"The Wreck of the Queen Christina", in Journal of Del Norte County Historical Society, p.3, 1953.

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Contacts with Authorities and Public Agencies*

Eric Gerstein, Fish and Game, October 13, 1976.

Professor W. Turrentine Jackson, University of California
at Davis, November 8, 1976.

Luisa Jaskulski, Corps of Engineers, November 1976.

Professor John H. Kimble, Pomona College, November 18, 1976.

Ernie Perry, Del Norte County Planning, November 1976.

William C. Seidel, State Historic Preservation Office,
October 13, 1976, October 6, 1976, September 13, 1978.

*NOTE TO READER: Much of the planning and review of this salvage project has been an ongoing project since 1970, when a Corps of Engineers Public Notice was circulated. The identity of this vessel has also been unknown until recently.

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ENVIRONMENTAL CHECKLIST FORM

I. BACKGROUND

- (A) Name of Proponent: Brother Jonathan Company
 (B) Address of Proponent: _____

 _____ Phone Number: _____
 (C) Date of Checklist Submitted: _____
 (D) Agency Requiring Checklist: _____
 (E) Name of Proposal, if applicable: Salvage of Queen Christina

II. ENVIRONMENTAL IMPACTS

(Explanations of all "yes" and "maybe" answers are required on attached sheets.)

- | | <u>Yes</u> | <u>Maybe</u> | <u>No</u> |
|--|------------|--------------|-------------|
| (A) <u>Earth</u> . Will the proposal result in: | | | |
| (1) Unstable earth conditions or in-changes in geologic substructures? | _____ | _____ | _____X_____ |
| (2) Disruptions, displacements, compaction or overcovering of the soil? | _____ | _____ | _____X_____ |
| (3) Change in topography or ground surface relief features? | _____ | _____ | _____X_____ |
| (4) The destruction, covering or modification of any unique geologic or physical features? | _____ | _____ | _____X_____ |
| (5) Any increase in wind or water erosion of soils, either on or off the site? | _____ | _____ | _____X_____ |
| (6) Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake? | _____ | _____ | _____X_____ |
| (7) Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? | _____ | _____ | _____X_____ |
| (B) <u>Air</u> . Will the proposal result in: | | | |
| (1) Substantial air emissions or deterioration of ambient air quality? | _____ | _____ | _____X_____ |
| (2) The creation of objectionable odors? | _____ | _____ | _____X_____ |

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- | | <u>Yes</u> | <u>Maybe</u> | <u>No</u> |
|--|------------|--------------|-------------|
| (3) Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? | _____ | _____ | _____X_____ |
| (C) <u>Water.</u> Will the proposal result in: | | | |
| (1) Changes in currents, or the course or direction of water movements, in either marine or fresh waters? | _____ | _____ | _____X_____ |
| (2) Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff? | _____ | _____ | _____X_____ |
| (3) Alterations to the course or flow of flood waters? | _____ | _____ | _____X_____ |
| (4) Change in the amount of surface water in any water body? | _____ | _____ | _____X_____ |
| (5) Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? | _____ | _____ | _____X_____ |
| (6) Alteration of the direction or rate of flow of ground waters? | _____ | _____ | _____X_____ |
| (7) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? | _____ | _____ | _____X_____ |
| (8) Substantial reduction in the amount of water otherwise available for public water supplies? | _____ | _____ | _____X_____ |
| (9) Exposure of people or property to water related hazards such as flooding or tidal waves? | _____ | _____ | _____X_____ |
| (D) <u>Plant Life.</u> Will the proposal result in: | | | |
| (1) Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, microflora and aquatic plants)? | _____ | _____ | _____X_____ |
| (2) Reduction of the numbers of any unique, rare or endangered species of plants? | _____ | _____ | _____X_____ |
| (3) Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? | _____ | _____ | _____X_____ |

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- | | <u>Yes</u> | <u>Maybe</u> | <u>No</u> |
|---|------------|--------------|-----------|
| (4) Reduction in acreage of any agricultural crop? | _____ | _____ | <u>X</u> |
| (E) <u>Animal Life.</u> Will the proposal result in: | | | |
| (1) Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects or microfauna)? | _____ | _____ | <u>X</u> |
| (2) Reduction of the numbers of any unique, rare or endangered species of animals? | _____ | _____ | <u>X</u> |
| (3) Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? | _____ | _____ | <u>X</u> |
| (4) Deterioration to existing fish or wildlife habitat? | _____ | _____ | <u>X</u> |
| (F) <u>Noise.</u> Will the proposal result in: | | | |
| (1) Increases in existing noise levels? | _____ | _____ | <u>X</u> |
| (2) Exposure of people to severe noise levels? | _____ | _____ | <u>X</u> |
| (G) <u>Light and Glare.</u> | | | |
| Will the proposal produce new light or glare? | _____ | _____ | <u>X</u> |
| (H) <u>Land Use.</u> | | | |
| Will the proposal result in a substantial alteration of the present or planned land use of an area? | _____ | _____ | <u>X</u> |
| (I) <u>Natural Resources.</u> Will the proposal result in: | | | |
| (1) Increase in the rate of use of any natural resources? | _____ | _____ | <u>X</u> |
| (2) Substantial depletion of any non-renewable natural resource? | _____ | _____ | <u>X</u> |
| (J) <u>Risk of Upset.</u> | | | |
| Does the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions? | | | |

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	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
(K) <u>Population.</u>			
Will the proposal alter the location, distribution, density, or growth rate of the human population of an area?	_____	_____	_____X_____
(L) <u>Housing.</u>			
Will the proposal affect existing housing, or create a demand for additional housing?	_____	_____	_____X_____
(M) <u>Transportation/Circulation.</u> Will the proposal result in:			
(1) Generation of substantial additional vehicular movement?	_____	_____	_____X_____
(2) Effects on existing parking facilities, or demand for new parking?	_____	_____	_____X_____
(3) Substantial impact upon existing transportation systems?	_____	_____	_____X_____
(4) Alterations to present patterns of circulation or movement of people and/or goods?	_____	_____	_____X_____
(5) Alterations to waterborne, rail or air traffic?	_____	_____	_____X_____
(6) Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?	_____	_____	_____X_____
(N) <u>Public Services.</u> Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas?			
(1) Fire protection?	_____	_____	_____X_____
(2) Police protection?	_____	_____	_____X_____
(3) Schools?	_____	_____	_____X_____
(4) Parks or other recreational facilities?	_____	_____	_____X_____
(5) Maintenance of public facilities, including roads?	_____	_____	_____X_____
(6) Other governmental services?	_____	_____	_____X_____

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(O) Energy. Will the proposal result in:

(1) Use of substantial amounts of fuel or energy? X

(2) Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy? X

(P) Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:

(1) Power or natural gas? X

(2) Communications systems? X

(3) Water? X

(4) Sewer or septic tanks? X

(5) Storm water drainage? X

(6) Solid waste and disposal? X

(Q) Human Health. Will the proposal result in:

(1) Creation of any health hazard or potential health hazard (excluding mental health)? X

(2) Exposure of people to potential health hazards? X

(R) Aesthetics.

Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view? X

(S) Recreation.

Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities? X

(T) Archaeological/Historical.

Will the proposal result in an alteration of a significant archeological or historical site, structure, object or building? X

Yes Maybe No

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Yes Maybe No

(U) Mandatory Findings of Significance.

- (1) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? _____ X
- (2) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future) _____ X
- (3) Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.) _____ X
- (4) Does the project have environmental effects which will cause substantial adverse effects on human beings either directly or indirectly? _____ X

III. DISCUSSION OF ENVIRONMENTAL EVALUATION

IV. DETERMINATION

On the basis of this initial evaluation:

- I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION WILL BE PREPARED.
- I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

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Date: 10-17-78

David B. Black
(Signature)

For: _____

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