

**CALENDAR ITEM
C56**

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06/01/2009
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**CONSIDER APPLICATION FOR A SALVAGE PERMIT – SCIENTIFIC RESEARCH,
ON SOVEREIGN LANDS IN THE SACRAMENTO RIVER,
SOUTHEAST OF CLARKSBURG, IN SACRAMENTO COUNTY,
TO CONDUCT AN ARCHAEOLOGICAL FIELD SCHOOL
ON A SUBMERGED ABANDONED SHIPWRECK.**

APPLICANT:

PAST Foundation
1929 Kenny Road
Columbus, OH 43210

AREA, LAND TYPE, AND LOCATION:

The area of sovereign lands in the Sacramento River, Sacramento County, near the town of Clarksburg, containing a submerged abandoned shipwreck (the exact location is confidential to protect the site).

AUTHORIZED USE:

To conduct scientific research, collect limited samples and conduct limited dredging to facilitate identification of vessel construction as part of an archaeological field school on a submerged abandoned shipwreck.

LEASE TERM:

1 year, beginning June 1, 2009.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

BACKGROUND:

A large Gold-rush era wooden sailing ship was discovered submerged in the Sacramento River near Clarksburg about six years ago by a local diver. The

CALENDAR ITEM NO. **C56** (CONT'D)

vessel sits in water ranging from 9 to 17 feet deep, depending on river flows. The semi-intact vessel appears to be a copper clad, ocean going vessel about 100 feet in length. Construction details, including tool marks are still visible on the hull features. Outer hull planking is still attached to the massive stem post and keel. It is currently unknown how the vessel sank, but it may have run aground at this location, drifted onto the site from upstream, served as a nearby landing, or been intentionally scuttled. The PAST Foundation conducted non-disturbing research dives (no Commission permit required) on the vessel in 2006 and 2007.

The PAST Foundation (PAST) is a public non-profit, educational organization with 501(c)(3) status. PAST's website is:
<http://www.pastfoundation.org/index.htm>

PROPOSED ARCHEOLOGICAL RESEARCH:

PAST proposes to conduct an archaeological field school on the vessel to document its construction methods. Ships of this era are rare and few were built from written plans, so careful recording of the ship's key diagnostic structural features can significantly increase knowledge of mid-19th century shipbuilding. This information will help guide future identification and comparison of other archaeological shipwreck sites.

Recent river flows have deposited a small amount of sediment (about five cubic yards) inside the vessel's hull that will be removed by a small two-inch suction dredge to uncover the ship's timbers. The exhaust hose will be weighted and sandbagged on the river bed at the downstream end of the shipwreck site to minimize turbidity.

PAST also proposes to take small samples of wood and metal from the vessel for laboratory testing and identification. These samples would be destroyed during the testing. No historic artifacts (other than the vessel itself) are believed to be present because river flows have washed through the hull. Should any significant historic artifact(s) be discovered, PAST would notify CSLC staff. It is recommended that the Executive Officer be delegated the authority to approve collection of any significant historic artifact(s) that are discovered, provided that sufficient funding is available from non-Commission sources to conserve the artifact to accepted archaeological standards. Any such artifacts would belong to the State and be under the jurisdiction of the Commission unless further action is taken to transfer title, custody or control.

CALENDAR ITEM NO. **C56** (CONT'D)

Proposed fieldwork includes one week on the shipwreck site in August 2009, at which time the adult students will map in detail the exposed hull under the supervision of the PAST faculty. Archaeologists will work off a pontoon or other work boat platform that will be moored on the site during the day but removed at the end of work each day. All access by the archaeological team will be by water. It is expected that one to two small boats will be available to ferry archaeologists and equipment, as needed. A maximum of 14 people would work on the site. PAST will file a dive plan with the California State Parks Dive Safety Officer and the U.S. Coast Guard. An assigned divemaster will be on the surface and the surface work boat will fly a dive flag alerting boaters of divers in the water. The shipwreck is within ten feet of the river bank, out of the way of normal river traffic.

During the field work, PAST will continuously report to the public through the PAST website the progress of the scientific research and the learning process of the field school. In addition, PAST will prepare a field report, sample results, and a nomination to both the California Register of Historical Resources and the National Register of Historic Places if the vessel is determined to be eligible to those registers as expected. These written reports will be provided to Commission staff.

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. PAST must obtain any other required approvals or permits from other agencies having jurisdiction over the activities prior to issuance of the Permit or prior to the start of in-water activities if issuance of the Permit is required prior to approval by other agencies.

CALENDAR ITEM NO. **C56** (CONT'D)

3. For Salvage Exploration, Collection of Limited Samples

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 6, Information Collection; Title 2, California Code of Regulations, section 2905 (e)(6).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

For Limited Dredging to Facilitate Documentation

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 4, Minor Alterations to Land, Title 14, California Code of Regulations, section 15304.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CALENDAR ITEM NO. **C56** (CONT'D)

CEQA FINDING:

For Salvage Exploration, Collection of Limited Samples

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 6, INFORMATION COLLECTION; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (e)(6).

For Limited Dredging to Facilitate Documentation

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 4, MINOR ALTERATIONS TO LAND; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15304.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

1. AUTHORIZE ISSUANCE TO THE PAST FOUNDATION A SALVAGE PERMIT – SCIENTIFIC RESEARCH, BEGINNING JUNE 1, 2009, FOR A TERM OF ONE YEAR, TO CONDUCT SCIENTIFIC RESEARCH AS PART OF AN ARCHAEOLOGICAL FIELD SCHOOL ON A SUBMERGED ABANDONED SHIPWRECK IN THE SACRAMENTO RIVER; CONSIDERATION BEING THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.
2. AUTHORIZE THE PAST FOUNDATION TO COLLECT LIMITED SAMPLES OF WOOD AND METAL FROM THE SHIPWRECK FOR TESTING AND IDENTIFICATION AS DESCRIBED HEREIN.

CALENDAR ITEM NO. **C56** (CONT'D)

3. AUTHORIZE THE PAST FOUNDATION TO CONDUCT LIMITED DREDGING TO FACILITATE DOCUMENTATION OF THE SHIPWRECK AS DESCRIBED HEREIN.
4. AUTHORIZE THE EXECUTIVE OFFICER TO APPROVE THE COLLECTION OF ANY UNEXPECTED SIGNIFICANT HISTORIC ARTIFACT(S) THAT ARE DISCOVERED, PROVIDED THAT SUFFICIENT FUNDING IS AVAILABLE FROM NON-COMMISSION SOURCES TO CONSERVE THE ARTIFACT TO ACCEPTED ARCHAEOLOGICAL STANDARDS.