

MINUTE ITEM

This Calendar Item No. C1
approved as Minute Item
No. 1 by the State Lands
Commission by a vote of 3
to 0 at its 8/24/82
meeting.

CALENDAR ITEM

MC 01

8/26/82
W 22395
J. Ludlow
PRC 6145

SALVAGE PERMIT

APPLICANT: Fort Guijarros Museum Foundation, Inc.
6217 University Avenue
San Diego, California 92115

AREA, TYPE LAND AND LOCATION: A 436-acre parcel of submerged land in San Diego Bay adjacent to Ballast Point at Point Loma, San Diego County.

LAND USE: Marine archaeological research and non-commercial recovery of historical artifacts.

TERMS OF PROPOSED PERMIT:
Initial period: Six months from April 14, 1982.
Public liability insurance: Combined single limit coverage of \$500,000.

CONSIDERATION: 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.

BASIS FOR CONSIDERATION: Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is permittee of upland.

Filing fee has been received.

Processing costs have not been received.

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STATUTORY AND OTHER EXPENSES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 4/19/83.

OTHER PERTINENT INFORMATION:

1. The salvage operations are being performed in conjunction with archaeological investigations on public lands owned and controlled by the United States Navy (Ballast Point, Navy Submarine Support Facility) to search for the 18th Century Spanish Fort called "Guijarros". It is the intent of this research design to orient the field and laboratory strategies to result in meaningful contribution to American Archaeology.
2. A Letter of Permission to conduct archaeological research and salvage operations was granted to the applicant in advance of a routine permit on April 27, 1982.
3. All abandoned property over and upon ungranted tide and submerged lands of the State shall be the property of the State and under the jurisdiction of the State Lands Commission and the State Lands Commission, at its option, retains the right to retrieve, collect and dispose of any or all salvaged items.
4. Permittee agrees that all artifacts recovered will be restored and shown on public display at museums or establishments in operation for the public use and benefit, as part of the Fort Guijarros Museum collection.
5. The permittee will warehouse and safeguard all salvaged material recovered from ungranted tide and submerged lands at no cost to the State.
6. The annual rental value of the site is estimated to be \$43,600.

7. This project is exempt from CEQA because it is primarily concerned with marine archaeological research which entails minor alterations of the ocean bed. The aforementioned activities will not result in a serious or major disturbance to an environmental resource.

Authority: 14 Cal. Adm. Code, Div. 6,
Section 15104.

8. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in use category "C" which authorizes Multiple Use. The project as proposed will not have a significant effect upon the identified environmental values.
9. Staff has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.
10. Staff has coordinated this project with the State Office of Historic Preservation and they have no concerns.
11. Staff recommends waiver of normal processing fees for the following reasons:
- a. All artifacts recovered will be restored and shown on public display at museums or establishments in operation for the benefit of the public's education and enjoyment as part of the Fort Guijarros Museum Foundation collection.

APPROVALS OBTAINED:
Federal Antiquities Permit - United States Navy.

OTHER PERMITS REQUIRED:
None.

CALENDAR ITEM NO. 001 (CONTD)

EXHIBITS: A. Land Description.
 B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2905; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.
2. WAIVE THE NORMAL PROCESSING FEE BASED ON THE FACT THAT ALL ARTIFACTS WILL BE PLACED ON PUBLIC DISPLAY FOR THE BENEFIT OF THE GENERAL PUBLIC'S EDUCATION AND ENJOYMENT.
3. AUTHORIZE ISSUANCE TO FORT GUIJARROS MUSEUM FOUNDATION, INC. OF A SIX-MONTH SALVAGE PERMIT IN SUBSTANTIALLY THE FORM ON FILE IN THE PRINCIPAL OFFICE OF THE COMMISSION FROM APRIL 14, 1982; IN CONSIDERATION OF 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; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000; FOR MARINE ARCHAEOLOGICAL RESEARCH AND NON-COMMERCIAL RECOVERY OF HISTORICAL ARTIFACTS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 22935

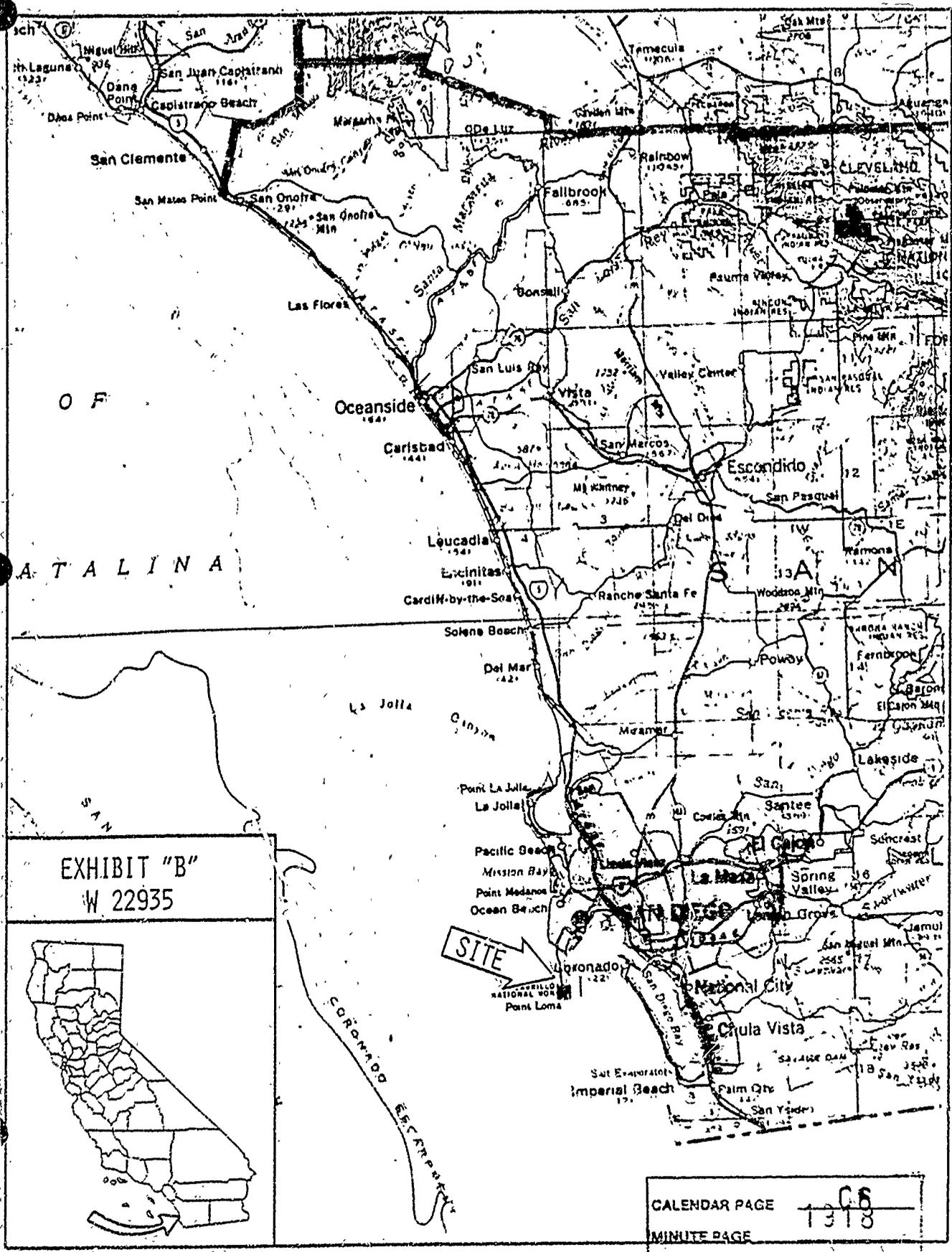
All State owned lands under the jurisdiction of the State Lands Commission within a parcel of tide and submerged land on the east side of Point Loma at the entrance to San Diego Bay, San Diego County, California, described as follows:

BEGINNING at a point on the mean high tide line at the most easterly extension of Ballast Point; thence east to an intersection with the 25 foot depth contour line; thence southwesterly, southeasterly, and southwesterly along said 25 foot contour to a point lying south from the most southerly point of Point Loma at mean high tide; thence north to the mean high tide line; thence northeasterly, northwesterly, and northeasterly along said mean high tide line to the point of beginning.

END OF DESCRIPTION

PREPARED JUNE 9, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR

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A T A L I N A

EXHIBIT "B"
W 22935



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