

**CALENDAR ITEM
C38**

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S 18

02/05/07
PRC 8530.9
P. Griggs

**CONSIDER AUTHORIZING THE TRANSFER OF TITLE TO WOOD-STAVE PIPE
ARTIFACTS FOUND ON STATE LANDS TO THE
EASTERN CALIFORNIA MUSEUM OPERATED BY THE COUNTY OF INYO**

APPLICANT:

Eastern California Museum
155 N. Grant Street
P.O. Box 206
Independence, CA 93526

BACKGROUND:

The city of Los Angeles, Department of Water and Power (LADWP), is engaged in a dust abatement program to reduce dust emissions from the dry lakebed of Owens Lake to meet air quality requirements of the Great Basin Unified Air Pollution Control District. The State Lands Commission authorized a Permit on February 9, 2006, to LADWP's contractor to conduct archaeological investigations and data recovery in areas to be impacted by LADWP's dust abatement measures (Calendar Item C24) on State Lands.

Three pieces of buried wood-stave pipe were recovered from the dry lakebed of Owens Lake on State Lands. The pieces of pipe were located outside the boundary of the historic Natural Soda Products Company (Company) industrial and domestic complex located about 2 miles south of Keeler. The pieces were once part of a pipeline 14,000 feet long that reportedly supplied water to lake-level evaporation ponds from wells in Owens Lake. The Company ceased operations in 1952 and its buildings were dismantled or removed.

The pipeline was determined not to be a contributing element to the Natural Soda Products historic area because of its overall poor condition. As a result, these pieces of the pipeline are not considered historical resources that must be processed according to the approved Mitigation Monitoring Program for the LADWP project; however, they still have local research and interpretive value.

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The Eastern California Museum (Museum), owned and operated by Inyo County, has requested the artifacts for purposes of research and interpretation. The Museum has agreed to accept title to the artifacts and will curate them at no cost to the State.

Staff recommends that title to these artifacts, which is vested in the State and in the custody of the Commission pursuant to Public Resources Code section 6313(a), be transferred under authority of that section to the Museum. Title, rather than custody, should be transferred consistent with best curatorial practice.

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. 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.

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

AUTHORIZATION:

1. FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF CEQA PURSUANT TO TITLE 14 CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY

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PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14
CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

2. AUTHORIZE THE TRANSFER OF OWNERSHIP (TITLE) OF THE WOOD-STAVE PIPE ARTIFACTS RECOVERED FROM THE DRY LAKEBED OF OWENS LAKE TO THE EASTERN CALIFORNIA MUSEUM FOR PURPOSES OF RESEARCH AND INTERPRETATION.
3. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY TO IMPLEMENT THE COMMISSION'S ACTION.