

MEETING ITEM NO. 6
APPROVED 1/24/76

CALENDAR ITEM

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b.

CONSIDERATION OF SUBSTANTIAL COMPLIANCE

GRANTEE/TRUSTEE:

Crescent City Harbor District.

LOCATION:

Lands granted by Chapter 1510, Statutes of 1963, as said lands are shown on the "Map of the Grant to the Crescent City Harbor District" prepared and approved by the State Lands Commission on June 24, 1964, and recorded May 16, 1965, in Book 4 of Maps at Page 219, Recorder's File No. 4129, Del Norte County.

PURPOSE:

Determine whether the Crescent City Harbor District has substantially complied with the terms of Chapter 1510, Statutes of 1963.

Section 1 (a) grants the District the right to use and improve the lands for a harbor and incidental structures and to accommodate public recreation as well as commerce, navigation and fisheries.

Section 1 (g) requires the District to improve the lands substantially within ten years of the effective date of the statute. If the State Lands Commission determines the District has not improved the lands, all District right, title, and interest in the lands ceases, and the lands revert to the State.

While Section 1 (g) indicates that the District shall improve the lands without expense to the State, Section 3 states nothing in the act precludes the District from accepting or the State from expending funds for aiding in the development of the lands.

REPORT OF INVESTIGATION:

In January, 1974, the State Lands Division began a study of the improvement made to the tide and submerged lands granted by the Legislature in trust to the Crescent City Harbor District. The District stated that major developments had been photographed and described in a report submitted to the State Lands Commission in December, 1972, as required, by Public Resources Code Section 6374. The District furnished additional financial information in January and February of 1975. In January, 1975, staff conducted an on-site inspection, examining

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lands and records of the District. It was determined, in the opinion of staff, that the District substantially improved the lands in the ten-year period following the effective date of the statute, that is between October 16, 1963 and October 16, 1973.

All material gathered or submitted regarding this investigation is filed with the State Lands Division.

FACTS SUPPORTING SUBSTANTIAL COMPLIANCE:

In 1964, the Citizen's Dock was rebuilt, and a Harbor Master's Building, shop building and Coast Guard Building were constructed. In 1968 a rest-room building and construction of a marina began, first with 40 slips, now with 218. The next year, the District completed two buildings for leasing to fish processing firms. Other improvements in the period include boat launch, streets, roads and parks, sewer system and water main. The District takes great pride in the fact that the navigation, fishing and commercial buildings are concentrated into the harbor area and that these enterprises do not overrun "three miles of undisturbed beach" used for public recreation.

Between 1963 and 1973 the District added approximately \$1.5 million (cost basis) to the value of land, buildings, wharf, marine and fishery facilities and other improvements plus the value of reclaimed property amounting to 17 acres. The only grant of State funds was \$90,000 toward a launching facility. The District (comprising a County of 15,000 population) raised a total of \$1,485,000 in taxes, principally earmarked for capital improvement projects, including retirement of loans.

While the general pattern of uses during the grant period has not changed radically, the use of the property by the statewide public has increased enormously. Tourism has become so heavy during the summer months that the parking areas and comfort stations have had to be increased greatly.

EXHIBITS:

- A. Location Map.
- B. Index to the "Map of the Grant to the Crescent City Harbor District".

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IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE CRESCENT CITY HARBOR DISTRICT HAS SUBSTANTIALLY COMPLIED WITH THE REQUIREMENTS OF CHAPTER 1510, STATUTES OF 1963.
2. AUTHORIZE THE EXECUTIVE OFFICER TO NOTIFY THE CRESCENT CITY HARBOR DISTRICT, THE SECRETARY OF THE SENATE, AND THE CHIEF CLERK OF THE ASSEMBLY THAT THE COMMISSION HAS MADE AN INVESTIGATION AS REQUIRED BY THE GRANT STATUTE, AND FINDS THAT THE DISTRICT HAS SUBSTANTIALLY COMPLIED WITH THE TERMS OF SECTIONS 1(a) AND 1(g), CHAPTER 1510, STATUTES OF 1963.