MINUTE ITEM

This Calendar Item No. C18 was approved as Minute Item No. 18 by the State Lands Commission by a vote of 3 to 0 at its 4/24/80 meeting.

CALENDAR ITEM

C18.

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Horton

TRUSTEE: The County of San Mateo
Hall of Justice and Records
401 Marshall Street
Redwood City, California 94063

LOCATION:
Certain described State tide and submerged lands whether filled or unfilled situated in San Francisco Bay, partly in the City of San Mateo, partly in Burlingame, and granted in trust to the County of San Mateo under Chapter 1857, Statutes of 1965.

PURPOSE OF INVESTIGATION:
To determine whether the County has complied with the requirement under Section 1(j) that the lands be substantially improved within 10 years of the effective date of the Statute -- that is by September 17, 1975. If the State Lands Commission finds the County failed to do so as required, all right, title, and interest in the lands will revert and rest in the State. Lands were granted in furtherance of commerce, navigation and fisheries, with such named purposes as establishment, improvement and conduct of a harbor, airport, heliport, small boat harbor, public recreation facilities and for related structures and facilities. Leases could be granted for not more than 66 years for purposes consistent with the trust.

BACKGROUND OF COUNTY TRUST GRANT:
A title dispute concerning various lands in South San Francisco Bay was the subject of an active lawsuit starting in 1969. On July 26, 1977, State Lands Commission approved a partial settlement, State v. San Mateo County, Westbay Community Associates, Et Al., and the Proposed County Grant Map, which was recorded shortly thereafter. The map delineates certain public trust easements and public trust fee title areas. Uplands at Coyote Point are owned by the County, but are not part of the granted lands as the State was not the owner of any right, title and interest therein.

CONDUCT OF INVESTIGATION:
In August, 1979, staff of the State Lands Commission requested a report from San Mateo County indicating the type of historical and financial data needed for an investigation of compliance with the grant statute. In February 1980,

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the County responded with a narrative account, photographs, plans and maps. In March, staff met with County marina and park officials on-site and toured and photographed the granted lands and adjacent uplands.

IMPROVEMENTS TO GRANTED LANDS:

The area comprising the granted lands, together with 114 acres of previously acquired upland and reclaimed land is known as Coyote Point County Recreation Area and includes Coyote Point Marina. A historical report indicates the County obtained the grant first to preserve the open waters of the Bay and make them available for the recreational use of the Coyote Point park visitors, and second to expand the existing marina. Two basins, a partially paved berm separating them, a restroom and several docks were in place. Within two years the County secured a right of entry permit to place concrete rubble on the easterly line of the grant forming the boundary of the marina, and completed a launch ramp, the last dock in Basin 1 and eight docks in Basin 2 for total berthing in the marina of 475 boats. Next the County acquired property belonging to the Coyote Point Yacht Club in exchange for a 25-year lease, renovated a Merchant Marine building to provide the Harbormaster's office, and placed rubble and concrete to improve the northerly breakwater. Also within the 10 year substantial improvement period the County conducted maintenance dredging, began a center berm east of Basin 2, contracted a feasibility study for a third basin, purchased a 30-foot inboard/outboard twin diesel rescue patrol boat and other equipment, demolished an old fishing pier, (fishing moved to the breakwater), constructed a new dock for visitors, and a holding tank.

Major construction expenditures were $130,000 in 1965-66 and $107,000 in 1972-73 for berths and dredging.

In 1974 the County obtained a State loan from Boating and Waterways for $1.2 million for Basin 3 development, but due to pending litigation and the deterioration of existing facilities asked instead for an amendment to permit reconstruction of the original berthing, and for restrooms, utilities and landscaping. This work continued after the end of the 10 year period and will increase capacity of the marina to 575 boats this fiscal year. Under the environmental review process, the County agreed to mitigate dredging disturbance by development of a marsh at the southeasterly portion of the granted lands.

The uplands on the west are referred to as the Peninsula Beach area and the central portion as the knoll. Some facilities were acquired with the property. In 1970, the County built up the grade next to the beach with fill, and over an eight-year period added parking, an access road for cars, bike trail, picnic facilities, public restrooms, playgrounds and playfields between the beach and the Bayshore Freeway. In 1975 the knoll area incorporated similar public facilities. There is also a dinner restaurant under lease and Museum for Environmental Education operated by a non-profit organization. Maintenance and improvement of the lands adjecent to the Bay also promote access by the statewide, or at least the regional public, for trust purposes.

County officials boast that Coyote Point Recreation Area has the greatest variety of uses for the enjoyment of San Francisco Bay available in the County: fishing, swimming, beach play, sunbathing, boating, picknicking.

FINANCIAL ADMINISTRATION:

The County is required to submit an annual financial report to State Lands Commission concerning the granted lands. Since 1975 trust revenues from the marina have been segregated from the general fund. Separate accounts are maintained for marina operations and construction. It is not anticipated that revenues will be derived from granted lands at other locations but only from the marina area or from uplands.

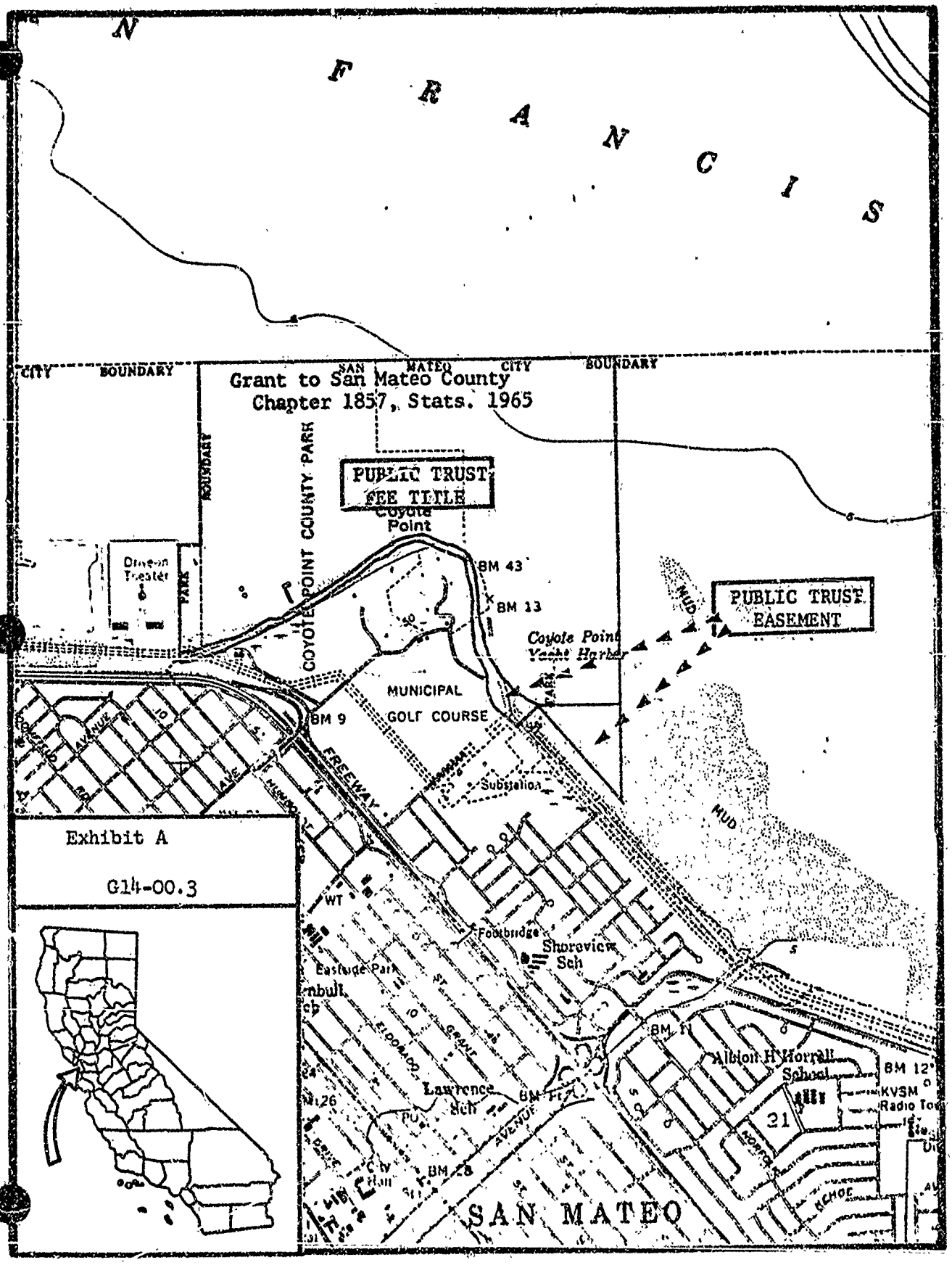
EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE COUNTY OF SAN MATEO HAS SUBSTANTIALLY COMPLIED WITH THE TERMS OF CHAPTER 1857, STATUTES OF 1965, SECTION 1(j).

2. AUTHORIZE THE EXECUTIVE OFFICER TO NOTIFY THE COUNTY OF SAN MATEO, 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 COUNTY HAS SUBSTANTIALLY COMPLIED WITH THE TERMS OF CHAPTER 1857, STATUTES OF 1965, SECTION 1(j).

(Revised 4/23/80)



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