

MINUTE ITEM

This Calendar Item No. 65
was approved as Minute Item
No. 5 by the State Lands
Commission by a vote of 3
0 at its 3-5-81
meeting.

CALENDAR ITEM

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CONSIDERATION OF EXPENDITURES
IN EXCESS OF \$250,000 FOR CAPITAL IMPROVEMENTS
ON GRANTED LANDS UNDER THE CONTROL OF
CITY OF SANTA BARBARA

TRUSTEE: City of Santa Barbara
125 Anapamu Street
Santa Barbara, California 93102

LOCATION: Granted tidelands and submerged lands seaward
of the mean high tide line of the Pacific
Ocean within the corporate limits of the
City of Santa Barbara, County of Santa
Barbara.

APPROVAL REQUIRED:

The City of Santa Barbara is preparing
to construct several improvements at the
Santa Barbara Harbor. The projects will
include pier and marina piling replacement,
restroom rehabilitation, repair and connection
of the bulkhead wall and the breakwater,
and extension of the existing boat ramp.
Present estimates of the cost of rehabilitation
of structures and minor accessory additions
range from \$1,160,281 to \$1,176,000.

Chapter 78, Statutes of 1925, as amended
by Chapter 193, Statutes of 1975, requires
that the trustee file with the State Lands
Commission a detailed description of such
capital improvement on the granted lands
involving an amount in excess of \$250,000
in the aggregate.

If the Commission determines and notifies
the trustee that such capital improvement
is not authorized by the provisions of
the act or is not in the statewide interest,
no disbursement for the capital improvement
shall be made unless ordered by a court
with appropriate jurisdiction.

REPORT OF INVESTIGATION:

For almost half a century, the Santa Barbara
Harbor has provided boaters and fishing

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CALENDAR ITEM NO 05 (CONTD)

industry participants with a wide range of facilities. City officials point out demands upon the facilities have always outstripped their capacities. It is the only sheltered harbor between Port San Luis, 125 miles to the north and Ventura, 27 miles to the south.

During the past two years, the City has reviewed the needs at the Harbor and developed the following priorities for harbor improvement.

1. Navy Pier Piling Repairs, estimated cost \$218,000.
2. Marina 2, 3 and 4 Piling Repairs, estimated cost \$255,000 for rebuilding pile guides and providing protective wrapping. If concrete piles and pile guides are used due to the greater deterioration of some structures, the cost will rise to \$672,000. Work will be performed under two contracts over a 5-year period.
3. Breakwater - Sandbar closure, \$149,500.
4. Marina 1, Floating Restroom construction, \$237,000.
5. Remodel restrooms at Marina 2, 3 and 4, \$189,000. Heavy usage and vandalism have caused deterioration.
6. Repair 850 feet of breakwater deck, install handrails and light standards, \$73,000.
7. Extend launching ramp apron to permit launch of larger boats at low tide and replace ballast, \$38,700. If ballast problems not corrected, the existing ramp will become unusable.

In April 1979, the City filed a Notice of Exemption from environmental impact reports for the harbor improvements under Title 14, Cal. Adm. Code Section 15100 et seq.

In July 1980 California Boating and Waterways Commission approved a loan of \$1,176,000 after Cal-Boating investigated

CALENDAR ITEM NO. 05 (CON'D)

and reported the projects were feasible economically, financially, and from an engineering standpoint.

The City has secured or is seeking the requisite development permits from the Coastal Commission.

Projects 1 through 4 are of an urgent nature for the safety of the Harbor and its facilities. The last three projects are also scheduled to be done with funds identified in the Cal Boating loan or from alternate funding sources if viable alternatives can be identified prior to the need to draw upon the state loan.

The grant statute provides that State lands were granted in trust for purposes in which there is a general statewide interest. The common law public trust is traditionally defined in terms of navigation, commerce, and fisheries. Beginning in July 1979 staff of State Lands Commission discussed the issue of the large number of people continually living in boats on the marina. In general, the State Lands Commission and the Office of the Attorney General have taken the position that the use of sovereign lands for residential purposes is not a public trust purpose. Harbor and marina operations should be directed toward the promotion of navigation and fisheries of statewide, or at least, regional benefit. Staff of the State Lands Commission presented these concerns at a public meeting of the City Harbor Commission in September 1979, which was held to discuss regulation of liveaboard uses. City officials continued to develop regulations on this point.

In November, 1980 the City submitted its tri-annual Tidelands Trust Report covering the period July 1, 1977 to June 30, 1980 to the State Lands Commission. Staff also obtained copies of the City Council's Slip Assignment Policy Resolution of September, 1980 and the Rate and Fee Schedule Resolution of June, 1980. The revised fee schedule, while increasing the charges for use of moorings and slips at the Harbor, took account of the special needs of the fishing fleet by providing that the transient rates would not be doubled for commercial fishing vessels actively engaged in fishing if they exceeded the maximum stay.

The Harbor's slip assignment policy establishes that the primary purpose is to provide in-water storage for commercial and recreational vessels actively used for their intended purpose. Vessels not capable of being navigated will be phased out.

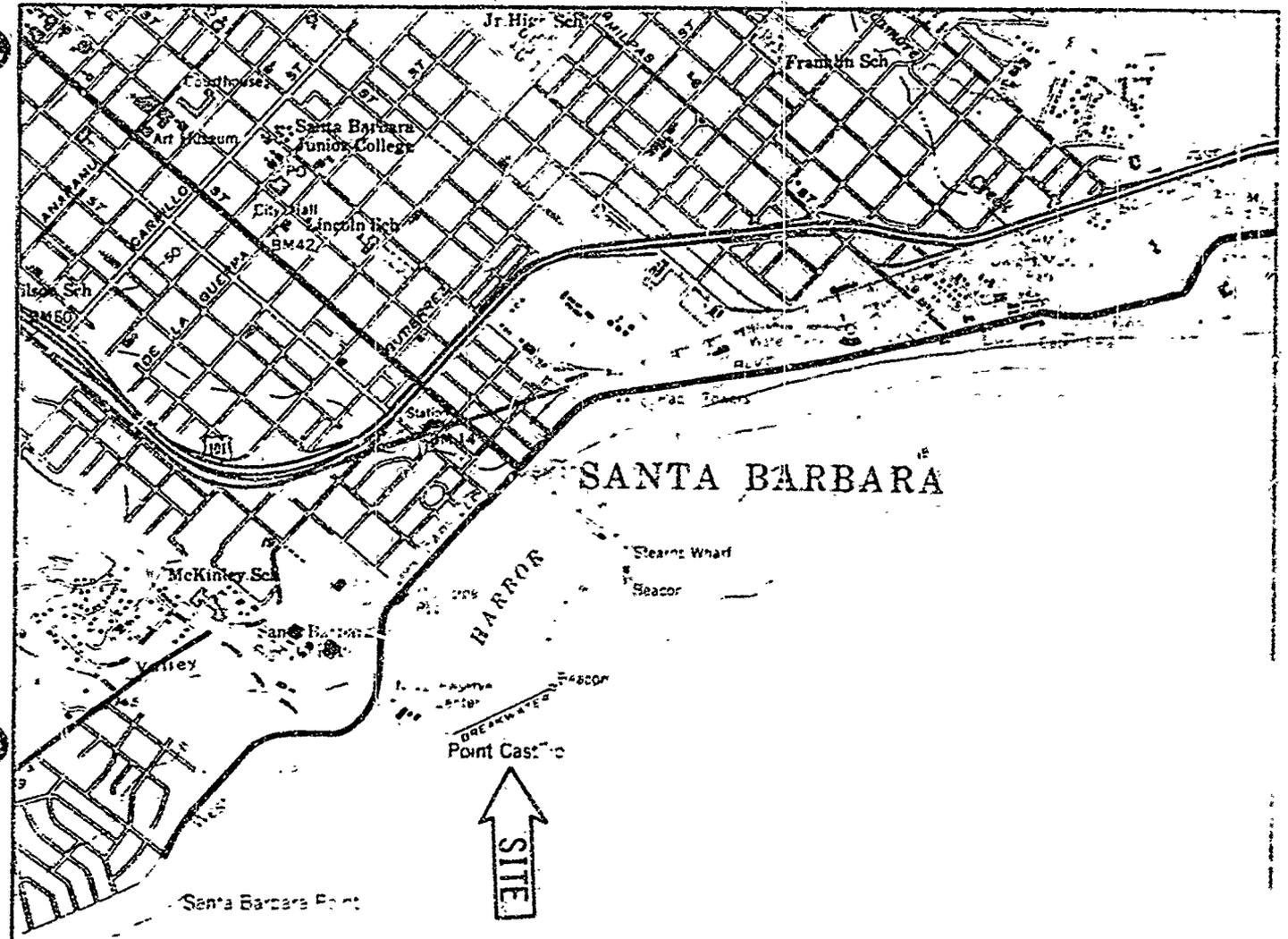
CALENDAR ITEM NO 05 (CONTD)

The Tri-Annual Report indicates permanent berth assignments by address of owner: 740 are City residents, 160 are County residents, and the remaining 100 are outside the County. Transient berthing accommodates 100 boats, and 80 percent are occupied by persons residing outside the City. Several thousand transient boats stop each year. On a recent visit to the City, staff found certain areas of the harbor are reserved for commercial fishing vessels, and 120 slots are now reserved for visitors.

EXHIBIT: A. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE PROJECTS FOR PIER AND MARINA PILING REPLACEMENT, RESTROOM REHABILITATION, REPAIR AND CONNECTION OF THE BULKHEAD WALL AND BREAKWATER, AND EXTENSION OF THE EXISTING BOAT RAMP AT THE CITY OF SANTA BARBARA HARBOR IS IN THE STATEWIDE INTEREST AND BENEFIT AND THAT THE EXPENDITURE OF AN AMOUNT IN EXCESS OF \$250,000 FOR THAT PURPOSE IS CONSISTENT WITH SECTIONS 6 AND 7.5 OF THE GRANT STATUTE PROVIDING NO OTHER AGENCIES WITH JURISDICTION OBJECT TO THE PROJECTS.



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EXHIBIT "A"	
G 15-01	
CALENDAR PAGE	024
MINUTE PAGE	201