

AMENDED IN ASSEMBLY MARCH 27, 1995

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1004**

**Introduced by Assembly Member Hauser**  
(Coauthor: Senator Thompson)

February 23, 1995

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An act to amend ~~Sections 76 and 77~~ *Section 76* of the Humboldt Bay Harbor, Recreation, and Conservation District Act (Ch. 1283, Stats. 1970), relating to the Humboldt Bay Harbor, Recreation, and Conservation District.

LEGISLATIVE COUNSEL'S DIGEST

AB 1004, as amended, Hauser. Humboldt Bay Harbor, Recreation, and Conservation District.

Under existing law, the Humboldt Bay Harbor, Recreation, and Conservation District is responsible for the management, conduct, and operation of the Humboldt Bay harbor works and improvements and the development and protection of the natural resources of the tidelands and submerged lands in Humboldt Bay *and is required to hold and use those lands pursuant to the act*. Existing law provides that if the district is dissolved by operation of law, the tidelands and submerged lands revert to the grantors to be held in trust, subject to the conditions, terms, and purposes in the Humboldt Bay Harbor, Recreation, and Conservation District Act.

This bill would ~~authorize the State Lands Commission to exchange title to~~, *instead, require that the district hold and use* lands granted under the act ~~if unspecified criteria are met~~

*pursuant to the act unless it determines that leases of those lands for purposes consistent with the public trust, as otherwise permitted by law, would be more beneficial for the purposes of the act.*

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 76 of the Humboldt Bay Harbor,  
2 Recreation, and Conservation District Act, Chapter 1283  
3 of the Statutes of 1970, is amended to read:

4 Sec. 76. The state hereby consents to the grant of  
5 tidelands and submerged lands from the Cities of Eureka  
6 and Arcata to the district as provided by this act. The  
7 district shall, upon its establishment in accordance with  
8 this act, become the successor of the Cities of Eureka and  
9 Arcata whose tidelands and submerged lands shall have  
10 been included therein with respect to the management,  
11 conduct, and operation of the harbor and the  
12 development and protection of the natural resources of  
13 those lands and with respect to the use, possession, and  
14 title to those lands, and they shall continue to be held and  
15 used by the district pursuant to this act, unless the state  
16 determines that, through land exchanges, other lands  
17 could be acquired that would be district determines that  
18 leases of those lands for purposes consistent with the  
19 public trust, as otherwise permitted by law, would be  
20 more beneficial for the purposes of this act. In a written  
21 determination, the State Lands Commission, or any  
22 successor agency thereto, may exchange title to lands  
23 designated in this chapter if the following criteria are  
24 met:

25 (a) \_\_\_\_\_.

26 ~~SEC. 2. Section 77 of the Humboldt Bay Harbor,~~  
27 ~~Recreation, and Conservation District Act, Chapter 1283~~  
28 ~~of the Statutes of 1970, is amended to read:~~

29 ~~Sec. 77. If the district is dissolved by operation of law,~~  
30 ~~or otherwise, or if the State Lands Commission, or any~~  
31 ~~successor agency thereto, determines that land~~



1 ~~exchanges would further the purposes of this act, any~~  
2 ~~tidelands and submerged lands granted thereto pursuant~~  
3 ~~to this act, together with any and all improvements~~  
4 ~~thereon, and the management, conduct, and operation~~  
5 ~~thereof, reverts to and is revested in the respective~~  
6 ~~grantors. The lands reverting to the grantors pursuant to~~  
7 ~~this section shall be held by the respective grantors in~~  
8 ~~trust subject to the conditions, terms, and purposes of this~~  
9 ~~act.~~

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