
CHAPTER 1555

An act to amend Section 1 of, and to add Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 to, Chapter 57 of the Statutes of 1915, relating to tidelands and submerged lands.

[Approved by Governor November 17, 1971 Filed with
Secretary of State November 17, 1971.]

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

SECTION 1. The Legislature makes the following findings and determinations:

(a) By Chapter 57 of the Statutes of 1915, the Legislature conveyed certain tide and submerged lands in trust to the City of Redondo Beach for the purposes therein stated, primarily for the promotion and accommodation of commerce, navigation, and fisheries.

(b) A portion of such tide and submerged lands has been filled and reclaimed in accordance with a master plan of improvement of said granted tide and submerged lands, including the development of a harbor facility.

(c) The City of Redondo Beach, through development of its harbor, has caused to be made available approximately 1,500 boat slips, boat fuel docks, boat service yards, boat hoists, boat rental facilities, and free fishing from three different piers, has constructed two breakwaters, is in the process of providing public parking facilities and will provide parking for in excess of 1,000 cars, and will provide numerous recreational amenities including, but not limited to, nautical museums, restaurants, motels, and other tourists facilities.

(d) The City of Redondo Beach has made available, by the development of access facilities and other recreational amenities, an additional three miles of shoreline providing access to the ocean for recreational, commercial, and navigational purposes.

(e) The City of Redondo Beach is currently undergoing a large scale redevelopment project which has revitalized the waterfront areas fronting the city.

(f) In accordance with the master plan of the City of Redondo Beach for the development of the tide and submerged lands granted to it in trust pursuant to Chapter 57 of the Statutes of 1915. Parcels 1 through 4, inclusive, as described in Section 5 of said act, being a relatively small portion of such granted tide and submerged lands, were filled, reclaimed, and optioned for lease or leased, and are producing income to support the statutory trusts under which such tide and submerged lands are held by said city and, except for the production of income to support said trusts are, under such master plan, no longer required or needed for the promotion of said trusts.

(g) Said Parcels 1 through 4, inclusive, are no longer needed or required for purposes of navigation, commerce, and fisheries and should be freed of the public trust for navigation, commerce, and fisheries but should continue to be held in trust by the City of Redondo Beach subject to the terms and provisions of Chapter 57 of the Statutes of 1915, as amended and supplemented by this act, and to other laws applicable to the tide and submerged lands included in such grant to the City of Redondo Beach, but subject to no condition of use other than the uses set forth in the existing options to lease

and leases of said Parcels 1 through 4, inclusive, and subject to the condition that the revenues derived from the leasing or administration of said Parcels 1 through 4, inclusive, shall be used in furtherance of the purposes of the trust under which other tide and submerged lands are held by the City of Redondo Beach as expressed in Chapter 57 of the Statutes of 1915, as amended and supplemented by this act.

(h) The release of said Parcels 1 through 4, inclusive, from the public trust for navigation, commerce, and fisheries to the extent expressed in subdivision (g) of this section is in the best interests of the people of the State of California.

SEC. 2. Section 1 of Chapter 57 of the Statutes of 1915 is amended to read:

Section 1. There is hereby granted and conveyed in trust to the City of Redondo Beach, hereinafter referred to as the "city," all of the right, title, and interest of the State of California, held by the state by virtue of its sovereignty in and to all of the tide and submerged lands within the present boundaries of the city and situated below the mean high tide line of the Pacific Ocean, which lands, except for the lands described in Section 5 of this act, are to be forever held by the city and its successors in trust for the uses and purposes and upon the express conditions following, to wit:

(a) For the establishment, improvement, and conduct of harbors, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient, for the promotion and accommodation of commerce and navigation.

(b) For all marine-oriented commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of marine-oriented commercial and industrial buildings, plans, and facilities.

(c) For the construction, reconstruction, repair, and maintenance of highways, streets, roadways, bridges, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary, or convenient for the promotion and accommodation of any of the uses set forth in this section.

(d) For the construction, reconstruction, repair, maintenance, and operation of public parks, public playgrounds, public bathhouses, and public bathing facilities, public recreation and public fishing piers, including, but not limited to, all facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any such marine-oriented uses in the statewide interest.

(e) For the establishment, improvement, and conduct of small boat harbors, marinas, aquatic playgrounds and similar recreational facilities, and for the construction, reconstruction, repair, maintenance, and operation of all works, buildings, facilities, utilities, structures, and appliances incidental, nec-

essary, or convenient for the promotion and accommodation of any of such uses, including, but not limited to, snackbars, cafes, cocktail lounges, restaurants, motels, hotels, and other forms of transient living accommodations open to the public, launching ramps and hoists, storage sheds, boat repair facilities with cranes and marine ways, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways and landscaped areas, and other compatible commercial and recreational activities and uses.

(f) For the protection of wildlife habitats, the improvement, protection, and conservation of the wildlife and fish resources and the ecology of the area, the providing of open-space areas and areas for recreational use with open access to the public, the enhancement of the aesthetic appearance of the area, control of dredging or filling of the area, or both, and prevention of pollution of the area.

SEC. 3. Section 2 is added to Chapter 57 of the Statutes of 1915, to read:

Sec. 2. The city, or its successors, shall not at any time grant, convey, give, or alienate said lands, or any part thereof, to any individual, firm, or corporation for any purpose whatsoever; provided, that the city, or its successors, may grant franchises thereon for limited periods for those uses and purposes set forth in Section 1 of this act and may lease said lands, or any part thereof, for limited periods for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation.

SEC. 4. Section 3 is added to Chapter 57 of the Statutes of 1915, to read:

Sec. 3. The harbor established pursuant to subdivision (a) of Section 1 of this act shall be improved by the city without expense to the state, and shall always remain a public harbor for all purposes of commerce and navigation, and the state shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad owned or operated by the state.

SEC. 5. Section 4 is added to Chapter 57 of the Statutes of 1915, to read:

Sec. 4. In the management, conduct, or operation of said harbor, or of any of the utilities, structures, or appliances mentioned in subdivision (a) of Section 1 of this act, no discrimination in rates, tolls, charges, or in facilities for any use or service in connection therewith shall ever be made, authorized, or permitted by the city or by its successors. The absolute right to fish in the waters of said harbor, with the right of convenient access to such waters over said lands for such purpose, is hereby reserved to the people of the State of California.

SEC. 6. Section 5 is added to Chapter 57 of the Statutes of 1915, to read:

Sec. 5. The following four described parcels of land conveyed in trust to the city under the provisions of Section 1 of this act are freed of the public trust for navigation, commerce, and fisheries, but shall continue to be held in trust by the city subject to the terms and provisions of this act and to other laws applicable to tide and submerged lands included in such grant to the city, subject to no condition of use other than the uses set forth in the existing options to lease and leases of such parcels, and subject to the condition that the revenues derived from the leasing or administration of such parcels shall be used in furtherance of the purposes of the trust under which other tide and submerged lands are held by the city in accordance with this act:

Parcel 1

That area of Tidelands and Submerged land lying within the City of Redondo Beach, County of Los Angeles, State of California, described as follows:

Beginning at a survey monument designated as 'H-12' on Map of Record of Survey filed in Book 78, Page 100 of Record of Surveys of said County; thence S 86° 06' 15" W 58.33 ft. to the True Point of Beginning; thence S 32° 44' 55" W 180.15 ft.; thence N 57° 15' 05" W 53.75 ft.; thence N. 32° 44' 55" E 180.15 ft.; thence S 57° 15' 05" E 53.75 ft. to the True Point of Beginning.

Containing 0.222 acres.

Parcel 2

That area of Tidelands and Submerged land lying within the City of Redondo Beach, County of Los Angeles, State of California, described as follows:

Beginning at a survey monument designated as 'H-16' on Map of Record of Survey filed in Book 78, Page 100 of Record of Surveys of said County, thence along a line extending from said monument to survey monument 'H-17' as shown on said map, S 67° 06' 03" W 155.69 ft. to a point in the Mean High Tide Line as shown on map of the Grant to the City of Redondo Beach by the State Lands Commission and recorded as O.R.M. 2259, Page 111 and filed with the County Recorder of said County as F-1916; thence along said line N 20° 24' 43" W 188.39 ft. to the True Point of Beginning; thence continuing along said line N 20° 24' 43" W 295.84 ft. to a point in the northerly boundary line of said City of Redondo Beach; thence along said line S 68° 42' 44" W 303.57 ft.; thence S 21° 18' 03" E 295.88 ft.; thence N 68° 41' 57" E 298.98 ft. to the True Point of Beginning.

Containing 2.046 acres.

Parcel 3

That area of Tidelands and Submerged land lying within the City of Redondo Beach, County of Los Angeles, State of California, described as follows:

Beginning at a survey monument designated as 'H-15' on Map of Record of Survey filed in Book 78, Page 100 of Record of Surveys of said County, thence along a line extending from said monument to survey monument 'H-14' as shown on said map, S 73° 21' 28" W 148.10 ft.; thence N 16° 38' 32" W 88.00 ft. to the True Point of Beginning; thence S 73° 21' 28" W 624.27 ft.; thence S 16° 38' 32" E 23.00 ft.; thence S 73° 21' 28" W 164.35 ft. to the beginning of a tangent curve concave southeasterly having a radius of 60.27 ft.; thence southwesterly along the arc of said curve 110.56 ft.; thence tangent to said curve, S 31° 44' 59" E 454.48 ft. to the beginning of a tangent curve concave northerly having a radius of 59.98 ft.; thence southerly and easterly along the arc of said curve 110.62 ft. to a point to which a radial line bears S 55° 51' 29" E.; thence along a non-tangent line N 73° 21' 28" E 45.11 ft.; thence N 16° 42' 10" W 392.59 ft.; thence N 73° 21' 28" E 587.83 ft.; thence N 16° 38' 32" W 176.00 ft. to the True Point of Beginning.

Containing 4.949 acres.

Parcel 4

That area of Tidelands and Submerged land lying within the City of Redondo Beach, County of Los Angeles, State of California, described as follows:

Beginning at a survey monument designated as 'H-16' on Map of Record of Survey filed in Book 78, Page 100 of Record of Surveys of said County, thence along a line extending from said monument to survey monument 'H-17' as shown on said map, S 67° 06' 03" W 155.69 ft. to a point in the Mean High Tide Line as shown in map of the Grant to the City of Redondo Beach by the State Lands Commission, and recorded as O.R.M. 2259, Page 111 and filed with the County Recorder of said County as F-1916; thence along said line N 20° 24' 43" W 23.82 ft. to the True Point of Beginning; thence continuing along said line N 20° 24' 43" W 90.09 ft.; thence S 67° 06' 03" W 386.83 ft.; thence S 22° 53' 57" E 90.00 ft.; thence N 67° 06' 03" E 382.92 ft. to the True Point of Beginning.

Containing 0.795 acres.

SEC. 7. Section 6 is added to Chapter 57 of the Statutes of 1915, to read:

Sec. 6. The city shall maintain records identifying all revenues from all lands granted pursuant to this act and shall file annual reports of such revenues with the State Lands Commission.

SEC. 8. Section 7 is added to Chapter 57 of the Statutes of 1915, to read:

Sec. 7. For purposes of this act, the retirement of bonds issued by the city for the construction of said harbor facilities constitutes the use of revenues in accordance with the terms of said trusts.

SEC. 9. Section 8 is added to Chapter 57 of the Statutes of 1915, to read:

Sec. 8. The city shall establish a separate trust fund or funds on or before December 31, 1972, for deposit of all of the following:

(a) All moneys or proceeds derived from the granted tide and submerged lands in the city, including all net income and revenues derived from the production or sale of oil, gas, or other hydrocarbon substances derived from the granted tide and submerged lands.

(b) All revenues derived from those certain lands of the city, hereafter referred to as "uplands," and described as follows:

Those certain uplands in the City of Redondo Beach, County of Los Angeles, State of California, more particularly described as follows:

Beginning at a point, said point being on the mean high tide-line of October 1935 as established by the State of California and shown on map of the grant to the City of Redondo Beach recorded on June 17, 1966 and filed as Instrument No. 2886, Book F1916 in the Office of the Los Angeles County Recorder, said point being also the westerly terminus of a line shown on the map of record of survey filed in Book 84, Page 36 through 39 inclusive in the Office of the Los Angeles County Recorder, said line having a bearing of North 66°, 29 minutes, 26 seconds East and a length of 154.99 feet, said line being a course in the westerly boundary of said record of survey, thence easterly along said line and northerly along said westerly boundary of record of survey on its various courses to its intersection with the westerly line of Harbor Drive, thence northerly along said westerly line of Harbor Drive on its various courses to its intersection with the northerly boundary of the City of Redondo Beach, thence westerly on said city boundary to its intersection with said mean high tideline, thence southerly along said mean high tideline on its various courses to the point of beginning.

Commencing on September 30, 1974, a statement of financial condition and operation shall be submitted by the city to the Auditor General annually on or before September 30 of each year for the preceding fiscal year.

SEC. 10. Section 9 is added to Chapter 57 of the Statutes of 1915, to read:

Sec. 9. Notwithstanding any other provision of law, the city, acting either alone or jointly with another local or state agency, may use revenues accruing from or out of the use of the granted tidelands and submerged lands for any or all of the following purposes; provided, that they comply with the

terms of the trust and are matters of statewide, as distinguished from local or purely private, interest and benefit:

(a) For the establishment, improvement, and conduct of harbors, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient, for the promotion and accommodation of commerce and navigation.

(b) For all commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities.

(c) For the establishment, improvement, and conduct of airport and heliport or aviation facilities, including, but not limited to, approach, takeoff, and clear zones in connection with airport runways, and for the construction, reconstruction, repair, maintenance, and operation of terminal buildings, runways, roadways, aprons, taxiways, parking areas, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of air commerce and air navigation.

(d) For the construction, reconstruction, repair, and maintenance of highways, streets, roadways, bridges, beltline railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary, or convenient for the promotion and accommodation of any of the uses set forth in this act.

(e) For the construction, reconstruction, repair, maintenance, and operation of public buildings, public assembly and meeting places, convention centers, public parks, public playgrounds, public bathhouses and public bathing facilities, public recreation and fishing piers, public recreation facilities including, but not limited to, public golf courses, and for all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any such uses.

(f) For the establishment, improvement, and conduct of small boat harbors, marinas, aquatic playgrounds, and similar recreational facilities, and for the construction, reconstruction, repair, maintenance and operation of all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of such uses including, but not limited to, snackbars, cafes, cocktail lounges, restaurants, motels, hotels, and other forms of transient living accommodations open to the public, launching ramps and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways and landscaped areas, and other compatible commercial and recreational activities and uses.

