

CHAPTER 688.

*An act granting certain tidelands and submerged lands of the State of California to the city of San Diego upon certain trusts and conditions.*

[Approved by the Governor June 5, 1933. In effect August 21, 1933 ]

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

SECTION 1. There is hereby granted to the city of San Diego, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all tidelands and submerged lands, whether filled or unfilled, within the present boundaries of said city, not already granted to said city or to the United States government, or to the county of San Diego, in said State, and situated below the line of mean high tide of the Pacific Ocean, which border upon and are in front of the upland now within the boundaries of said city, to be forever held by said city, and by its successors. Nothing in this act shall be deemed or construed to grant any of the tidelands of Mission Bay or of its entrance, or to in any way affect the act of June 15, 1929, providing for a State park on Mission Bay.

Grant to city of San Diego of certain State lands.

Reservation.

(a) Said lands shall be used by said city and by its successors solely for the establishment, improvement and conduct of harbors and for the establishment and construction of bulkheads or breakwaters for the protection of lands within its boundaries, or for the protection of its harbors, and for the construction, maintenance and operation thereon of wharves, structures and appliances necessary or convenient for the protection or accommodation of commerce, navigation and fisheries, and for the establishment and maintenance of playgrounds, bathhouses, recreation piers and facilities necessary or convenient for the inhabitants of said city; and said city or its successors shall not at any time grant, con-

Trusts and conditions.

vey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; provided, that said city or its successors may grant franchises thereon for limited periods, but in no event exceeding fifty years, for wharves and other public uses and purposes, and may lease said lands or any part thereof for limited periods, but in no event exceeding fifty years, for purposes consistent with the trust upon which said lands are held by the State of California and with the requirements of commerce, navigation or fisheries.

(b) That said harbors and tidelands shall be improved by said city without expense to the State and shall always remain public harbors and public tidelands for all purposes of commerce, navigation and fisheries; and the State of California shall have at all times the right to use without charge all wharves, docks, piers 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 of California.

(c) That in the management, conduct or operation of said harbors and tidelands or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to the public use of said tidelands and to fish in the waters thereof, with the right of access to said waters over said tidelands for said purpose.