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SB-399 Tidelands and submerged lands: City of Los Angeles. (2015-2016)

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Senate Bill No. 399

CHAPTER 450

An act to amend Section 1 of Chapter 651 of the Statutes of 1929, relating to tidelands and submerged lands.

[Approved by Governor October 02, 2015. Filed with Secretary of State October 02, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 399, Hall. Tidelands and submerged lands: City of Los Angeles.

Existing law grants to the City of Los Angeles all the right, title, and interest of the State of California in and to all tidelands and submerged lands situated below the line of mean high tide of the Pacific Ocean within the boundaries of the city in trust for specified purposes, including promotion of commerce, navigation, and fishery, and for certain uses relating to those purposes. Existing law authorizes the City of Los Angeles to grant franchises and permits on, and leases of, those lands, or any part thereof, for those specified purposes and for limited terms, not exceeding 50 years.

This bill would instead authorize the City of Los Angeles to grant franchises and permits on, or leases of, those lands for those specified purposes for limited terms, not exceeding 66 years.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1 of Chapter 651 of the Statutes of 1929, as amended by Section 1 of Chapter 1130 of the Statutes of 2002, is amended to read:

Sec. 1. There is hereby granted to the City of Los Angeles, hereinafter called "city," a municipal corporation of the State of California, and to its successors, all the right, title, and interest of the State of California, held by the state by virtue of its sovereignty, in and to all tidelands and submerged lands, whether filled or unfilled, situated below the line of mean high tide of the Pacific Ocean, within the present boundaries of the city, or of any harbor, estuary, bay, or inlet within those boundaries, except as hereinafter provided, to be forever held by the city, and by its successors, in trust for the following uses and purposes, and upon the following conditions:

(a) The lands shall be held by the city, and by its successors, in accordance with the provisions of this act, for purposes in connection with, or for the promotion and accommodation of, commerce, navigation, and fishery, and for those purposes specified in Section 3 of this act.

(b) Except as otherwise provided in this act, the city, or its successors, shall not grant, convey, give, or alienate the 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 and permits thereon for limited terms, not to exceed 66 years, for purposes in connection with, or for the promotion

and accommodation of, commerce, navigation, fishery, and for any purposes specified in Section 3 of this act, and may lease the lands, or any part thereof, for limited terms, not to exceed 66 years, for any and all purposes which shall not interfere with the trusts upon which the lands are held by the state.

(c) The tide and submerged lands shall be improved by the city without expense to the state, and any harbor constructed thereon 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 by the city on the lands, or any part thereof, for any vessel or other watercraft, or railroad, owned or operated by the state.

(d) In the management, conduct, or operation of any harbor, or of any of the utilities, structures, or appliances constructed in connection therewith, 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 the city, or by its successors.

There is reserved in the people of the State of California the absolute right to fish in the waters, with the right of convenient access to the waters over the lands for those purposes. The grant herein made shall not include those tidelands or submerged lands within those certain areas known as the Westgate addition acquired by the City of Los Angeles by annexation on June 14, 1916, or the Santa Monica canyon addition acquired by the City of Los Angeles by annexation on April 28, 1925, or the Venice addition acquired by the City of Los Angeles by consolidation on November 25, 1925.