

CHAPTER 213.

An act granting certain tide and submerged lands of the State of California to the city of San Buenaventura, upon certain trusts and conditions.

[Approved by the Governor May 27, 1935. In effect September 15, 1935]

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

SECTION 1. There is hereby granted to the city of San Buenaventura, a municipal corporation in the county of Ventura, State of California, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands (whether filled or unfilled) situated below the line of mean high tide of the Pacific Ocean and lying between the prolongation of the west boundary line of the city of San Buenaventura into the said Pacific Ocean and the prolongation of the east boundary line of the said city of San Buenaventura into the Pacific Ocean, to be forever held by said city, and by its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

Grant of certain State lands to city of San Buenaventura (Ventura).

(a) That said lands may be used by said city for the establishment, improvement and conduct of its harbor and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion of commerce and navigation and fisheries and for the establishment and maintenance of bath houses and bathing facilities, and for such other recreational facilities necessary or convenient for the inhabitants of said city: but said uses shall not be deemed to deprive the city of San Buenaventura of the rights granted to it by Article XVIII of its charter, to appoint harbor commissioners, to create or be a part of a harbor dis-

Trusts and conditions.

Harbor rights

strict, and to take any and all other steps that it may from time to time deem advisable for the improvement and maintenance of its waterfront and harbor and for the development and conduct of port facilities and commerce; and said city may, in pursuance of the provisions of said Article XVIII of the said charter, lease any portion of the waterfront for public recreational purposes for a term of not exceeding ten years, and a lease may be made for such other purposes or for a longer period if such lease be submitted to the electors and approved by a vote of two-thirds of those voting thereon, if the purposes of the lease are consistent with the trust upon which said lands are held by the State of California and with the requirements of commerce and navigation of said harbor;

Reservation

(b) That said harbor shall be improved by said city without expense to the State of California, and it shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times the right to use without charge all wharves, docks, piers, slips, quays and other improvements constructed on said land or any part thereof for any vessel or other water craft, or any railroad, owned and operated by the State of California;

Extraction
of oil or
gas pro-
hibited

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

(d) That there is reserved for the people of the State of California the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purpose;

(e) That the said city shall not, upon said land, prospect for, nor remove therefrom, any oil, gas or other hydrocarbon substances, nor shall it suffer or permit the removal of same.

(f) That in the event drilling for oil, gas, or other hydrocarbon substances, shall take place upon land other than that herein granted, and so located that like drilling shall be reasonably requisite for the proper protection of the land hereby granted from drainage by such wells, then the State of California, for itself and for all persons authorized by it, expressly reserves the right to enter upon the said land for the purpose of drilling thereon such well or wells as shall be reasonably requisite for the proper protection of said land from drainage, and may produce and save oil, gas, or other hydrocarbon substances, from such well or wells, free from any claim of the said city.

Reservation.