

Appendix I

State Tidelands Grant

~~(c) Any court in which any person is convicted of operating a motor vehicle while under the influence of intoxicating liquor, shall, unless the court, in case of the first conviction only, recommends to the department that there be no license suspension, require the surrender to it of any operator's or chauffeur's license held by such person and the court shall thereupon forward any said license to the department.~~

~~(d) Nothing in this section as amended shall change any suspension or revocation made under the authority of this section prior to the amendment hereof.~~

## CHAPTER 302

*An act to amend Section 1 of Chapter 647 of the Statutes of 1955, relating to tidelands and submerged lands in San Luis Obispo County.*

In effect  
September  
11, 1957

[Approved by Governor May 6, 1957. Filed with  
Secretary of State May 8, 1957.]

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

SECTION 1. Section 1 of Chapter 647 of the Statutes of 1955 is amended to read:

Section 1. There is hereby granted to the Port San Luis Harbor District, hereinafter called "district," a political subdivision of the State of California, and to its successors, all the right, title, and interest now held by the State of California by virtue of its sovereignty, in and to all lands, salt marsh, tidelands, submerged lands, and swamp and overflowed lands described as follows:

That portion of San Luis Bay lying within the tract bounded by a line beginning at the point of intersection of the O.H. W.M. along the shore of the Pacific Ocean and the most southerly line of Lot 7 in Block 14 of Tract No. 57, El Pismo Manor No. 1, as per map thereof recorded in Book 5, page 76 of Maps in the Office of the County Recorder of the County of San Luis Obispo, State of California, thence due South, into the Pacific Ocean, a distance of 3 miles, thence N 60° W 5500 feet, thence N 80° W 7000 feet, thence S 70° 19' 57" W 16,180 feet, thence N 30° E 3 miles, more or less, to the intersection with O.H. W.M. of the Pacific Ocean, said intersection bearing S. 27° 58' 11" W 190 feet, from that certain lighthouse at Point San Luis having a latitude of 35 degrees, 9 minutes, 37.28 seconds North and longitude 120 degrees, 45 minutes, 35.38 seconds West, thence following the line of Ordinary High Water Mark along the shore of San Luis Bay to the point of beginning, together with all salt marsh, tidelands, submerged lands and swamp and overflowed lands within San Luis Creek.

To be forever held by said district, and its successors, in trust for the uses and purposes and upon the express conditions following, to-wit:

(a) That said lands shall be used by said district, and its successors, for the establishment, improvement and conduct of a harbor, including an airport or aviation facilities, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures, facilities and appliances necessary or convenient for the promotion and accommodation of commerce and navigation by air as well as by water, and for the construction, maintenance and operation thereon of public buildings and public parks and playgrounds, and for public recreational purposes, and said district, or its successors, shall not at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatsoever; provided, that said district, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 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 50 years), for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor, and collect and retain rents from such leases, franchises and privileges including those certain leases (1) between the State of California and Port San Luis Transportation Company, dated April 13, 1951, as amended March 26, 1954 (P. R. C. 560.1), (2) between the State of California and the Union Oil Company of California, dated February 28, 1941 (Lease 675/PC—33.9), (3) between the State of California and the Union Oil Company of California, dated November 21, 1949 (Lease P. R. C. 478.1), and (4) between the State of California and California Packing Corporation and Carmel Canning Company, dated September 5, 1951 (P. R. C. 644.1).

(b) That said lands shall be substantially improved by said district within 10 years of the effective date of this act without expense to the State, and shall always remain available for public use for all purposes consistent with the trust under which the State holds sovereign lands, 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 and facilities constructed on said lands, or any part thereof, for any vessel or other watercraft or aircraft, or railroad, owned or operated by the State of California. If the State Lands Commission determines that the district has failed during said 10-year period to improve said lands as herein required, all right, title, and interest of said district in and to all lands granted by this act shall cease and said lands shall revert and vest in the State."

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures, appliances or facilities 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 district or its successors.

(d) There is hereby reserved, however, in 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 purposes together with the right of navigation.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes, without compensation to the district, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

Sec. 2. This act shall become operative November 21, 1957.

#### CHAPTER 303

*An act to amend Section 28128 of the Government Code, relating to compensation for public services in counties of the twenty-eighth class.*

In effect  
September  
11, 1957

[Approved by Governor May 6, 1957. Filed with  
Secretary of State May 8, 1957.]

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

SECTION 1. Section 28128 of the Government Code is amended to read:

28128. In a county of the twenty-eighth class the following shall receive as compensation for the services required by them by law or by virtue of their offices the following sums:

(a) The auditor, six thousand six hundred dollars (\$6,600) a year.

(b) The district attorney, nine thousand dollars (\$9,000) a year. He shall devote his entire time during office hours to the work of the county and State and is prohibited from engaging in private work within office hours. This does not preclude him from continuing or concluding any private matter in which he appeared of record prior to taking office.

(c) Each supervisor, for all services required of him as supervisor four thousand five hundred dollars (\$4,500) a year and his actual expenses necessarily incurred in the performance of county business within the county, not to exceed

San Luis  
Obispo  
County:  
Compensa-  
tion

Senate Bill No. 331

CHAPTER 647

*An act conveying certain tidelands, lands lying under inland navigable waters, swamp and overflow lands, situate at San Luis Bay and San Luis Creek, to the Port San Luis Harbor District, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.*

[Approved by Governor May 21, 1955. Filed with Secretary of State May 21, 1955.]

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

SECTION 1. There is hereby granted to the Port San Luis Harbor District, hereinafter called "district," a political subdivision of the State of California, and to its successors, all the right, title, and interest now held by the State of California by virtue of its sovereignty, in and to all lands, salt marsh, tidelands, submerged lands, and swamp and overflowed lands described as follows:

That portion of San Luis Bay lying between the line of ordinary high tide line of the Pacific Ocean and a line parallel thereto and distant westerly therefrom three miles and bounded on the north by that certain lighthouse, with latitude 35 degrees, 9 minutes 38 seconds north and longitude 120 degrees, 45 minutes 37 seconds west, at Point San Luis at the westerly end of San Luis Bay and a line extending south 30 degrees, no minutes west therefrom and on the south by the most southerly line of Lot 7 in Block 14 of Tract No. 57, El Pismo Manor No. 1, as per map thereof recorded in Book 5, page 76 of maps in the Office of the County Recorder of the County of San Luis Obispo, State of California, extending into the Pacific Ocean on a bearing due south, together with all salt marsh, tidelands, submerged lands, and swamp and overflowed lands within San Luis Creek.

To be forever held by said district, and its successors, in trust for the uses and purposes and upon the express conditions following, to-wit:

(a) That said lands shall be used by said district, and its successors, for the establishment, improvement and conduct of a harbor, including an airport or aviation facilities, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures, facilities and appliances necessary or convenient for the

promotion and accommodation of commerce and navigation by air as well as by water, and for the construction, maintenance and operation thereon of public buildings and public parks and playgrounds, and for public recreational purposes, and said district, or its successors, shall not at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatsoever; provided, that said district, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 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 50 years), for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor, and collect and retain rents from such leases, franchises and privileges including those certain leases (1) between the State of California and Port San Luis Transportation Company, dated April 13, 1951, as amended March 26, 1954 (P. R. C. 560.1), (2) between the State of California and the Union Oil Company of California, dated February 28, 1941 (Lease 675/PC—33.9), and (3) between the State of California and California Packing Corporation and Carmel Canning Company, dated September 5, 1951 (P. R. C. 644.1).

(b) That said lands shall be substantially improved by said district within 10 years of the effective date of this act without expense to the State, and shall always remain available for public use for all purposes consistent with the trust under which the State holds sovereign lands, 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 and facilities constructed on said lands, or any part thereof, for any vessel or other watercraft or aircraft, or railroad, owned or operated by the State of California. If the State Lands Commission determines that the district has failed during said 10-year period to improve said lands as herein required, all right, title, and interest of said district in and to all lands granted by this act shall cease and said lands shall revert and vest in the State.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures, appliances or facilities 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 district or its successors.

(d) There is hereby reserved, however, in 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 purposes together with the right of navigation.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes, without compensation to the district, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

SEC. 2. The State Lands Commission shall, at the cost of the grantee, survey, monument, plat, and record in the Office of the Recorder of San Luis Obispo County, the area of state lands described in this act. Said district shall enter into a contract with the State Lands Commission for surveying, monumenting and platting the area of state land described in this act, and shall, upon submission of invoices by the State Lands Commission, pay said costs as a condition precedent to the grant of lands hereunder.

SEC. 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

relating to the issuance of those bonds. The pertinent provisions of that division which apply to the legislative body of a city shall also apply to the legislative body of a special district formed to provide park and recreational services.

(b) The resolution shall generally describe the proposed improvements specified in subdivision (e) of Section 22525, set forth the estimated cost thereof, specify the number of annual installments and the fiscal years during which they are to be collected, and fix or determine the maximum amount of each annual installment necessary to retire the bonds. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from annual assessments over 30 years.

## CHAPTER 1081

An act to add Section 6086 to the Harbors and Navigation Code, relating to the Port San Luis Harbor District, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 12, 1984. Filed with  
Secretary of State September 12, 1984.]

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

**SECTION 1.** Section 6086 is added to the Harbors and Navigation Code, to read:

6086. Notwithstanding any other provision of this part, the Port San Luis Harbor District may operate, itself only and not pursuant to a lease agreement with a third party, the portion of its property known as the Port San Luis Trailer Park as a mobilehome park, as defined in Section 798.4 of the Civil Code, until the current occupants of the mobilehome park cease to occupy the park. When any current occupant ceases to occupy his or her mobilehome, the real property on which that occupant's mobilehome is located shall cease to be used as a location for a mobilehome residence. No current occupant of the park shall acquire, or be entitled to acquire, through occupancy or any other means, a transferable or assumable interest in occupancy in the park.

As used in this section, "current occupant" means any individual occupying a mobilehome as a residence in the Port San Luis Trailer Park on the effective date of this section.

Nothing in this section shall be construed to affect a current occupant's right to file a claim against a local public agency as provided in Section 905 of the Government Code.

Nothing in this section shall be construed to allow the use of tide or submerged lands belonging to the Port San Luis Harbor District in any manner inconsistent with the California Constitution or with the public trust.

**SEC. 2.** The Legislature hereby finds and declares that this act, applicable only to the Port San Luis Harbor District, is necessary because of unique conditions existing within that district. The district acquired property subject to a lease for the operation of a mobilehome trailer park. That park is occupied by many long-time, elderly residents and this act is necessary to avoid displacing those persons. It is, therefore, hereby declared that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution and that the enactment of Section 6086 of the Harbors and Navigation Code as a special law as provided in this act is necessary for the solution of problems existing within the Port San Luis Harbor District.

**SEC. 3.** This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to resolve unique conditions within the Port San Luis Harbor District and to avoid the disruption and displacement of long-time elderly residents of the district, it is necessary that this act take effect immediately.

**CHAPTER 1082**

An act to amend and supplement the Budget Act of 1984 by adding Item 3790-102-036 thereto, relating to parks and recreation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 12, 1984. Filed with Secretary of State September 12, 1984.]

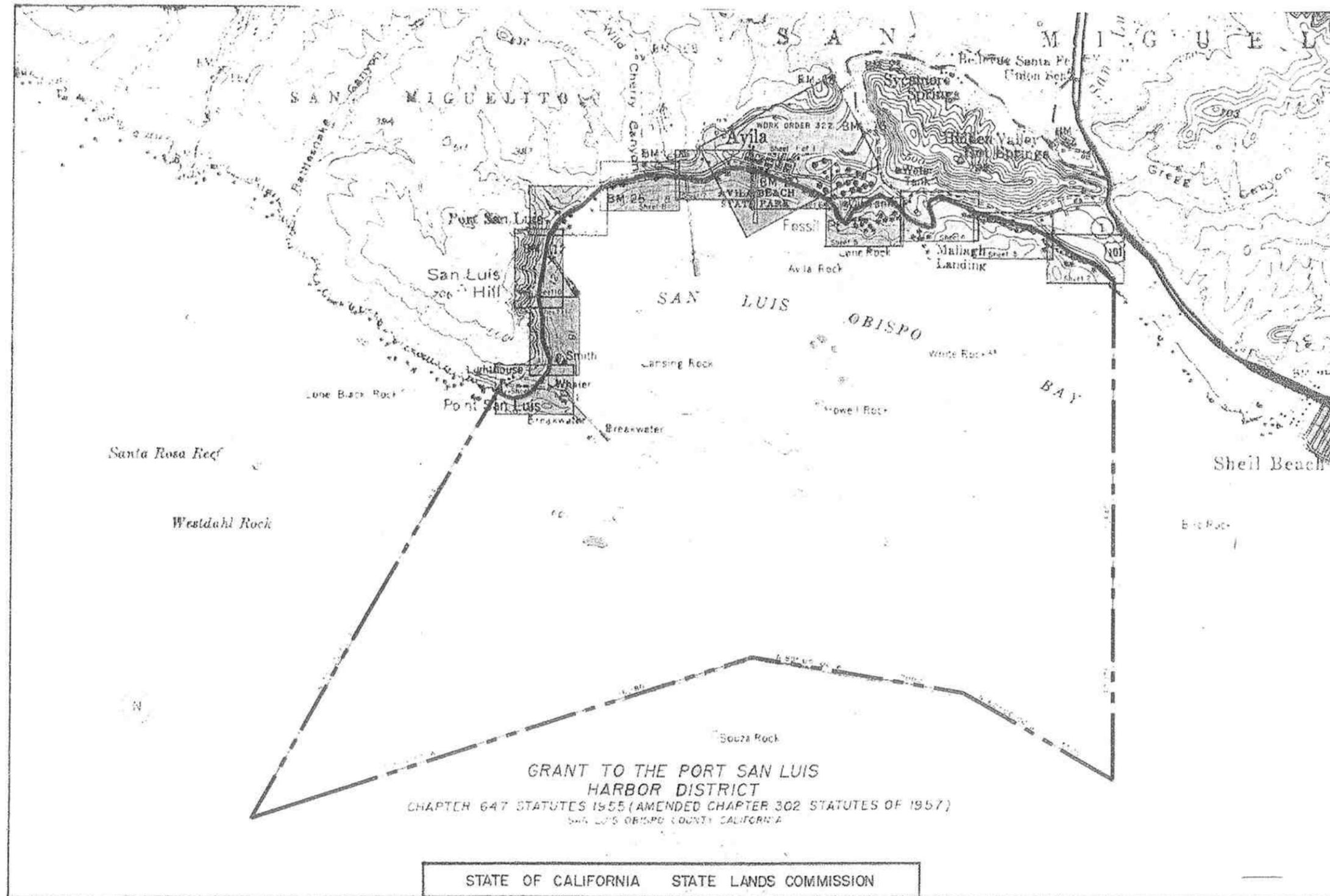
*The people of the State of California do enact as follows:*

**SECTION 1.** Item 3790-102-036 is added to the Budget Act of 1984 (Chapter 258, Statutes of 1984), to read:

3790-102-036—For local assistance, Department of Parks and Recreation, payable from the Special Account for Capital Outlay .....	275,000
Schedule:	
(1) City of Sacramento, Sacramento History Center .....	275,000

**SEC. 2.** This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into

# TIDELANDS BOUNDARY MAP



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## PORT SAN LUIS MASTER PLAN



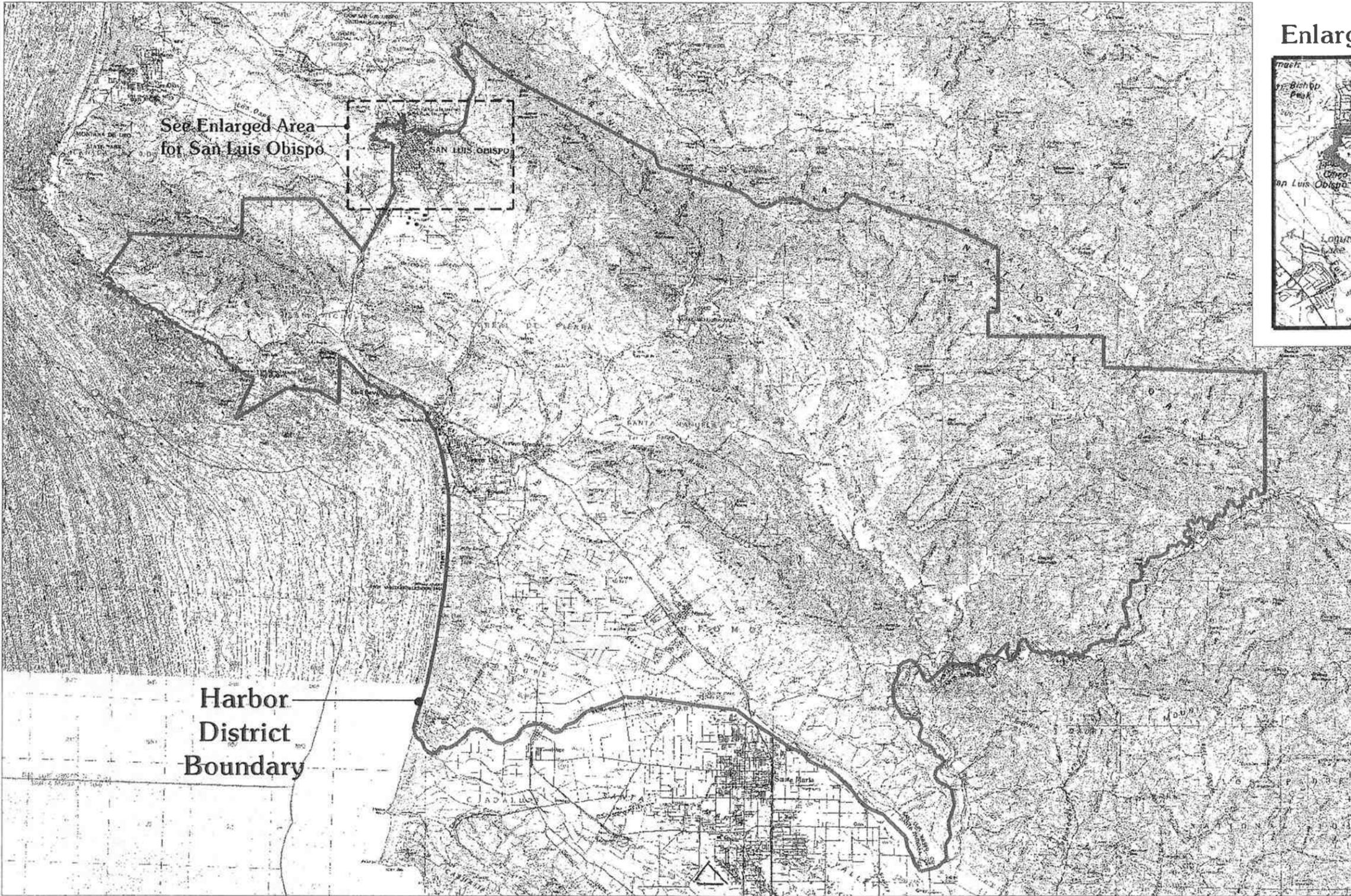
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June 10, 2003

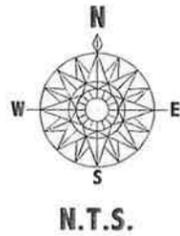
# DISTRICT BOUNDARY



Enlarged San Luis Obispo Area



Harbor District Boundary



# PORT SAN LUIS MASTER PLAN



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