

Article 3: Public Parks, Playgrounds, Beaches, Tidelands and Other Property

Division 3: San Diego Underwater Recreation Area

*(Retitled to "San Diego Underwater Recreation Area" on 1-10-2000 by O-18741 N.S.)
("Municipal Recreation Facilities" added 8-9-1993 by O-17951 N.S.)*

§63.0301 Purpose and Intent

The Council of The City of San Diego finds that the ocean floor within the jurisdictional limits of the City of San Diego is a natural resource which deserves protection and enhancement for the benefit and recreational enjoyment of the citizens of San Diego. Creation of the San Diego Underwater Recreation Area will provide an opportunity for the City to place ships, vessels or other appropriate objects on the ocean floor to create places for divers to explore and sea life to inhabit and proliferate. Creation of the San Diego Underwater Recreation Area is expected to provide an economic stimulus to the City’s tourist industry by creating a tourist destination point and attracting divers from around the country, and around the world. *("Purpose and Intent" added 1-10-2000 by O-18741 N.S.)*

§63.0302 Boundaries

The boundaries of the San Diego Underwater Recreation Area are as illustrated in Appendix A and further defined as follows:

<u>Corner</u>	<u>Latitude-North</u>	<u>Longitude-West</u>
Northwest	32 deg. 47.83’	117 deg. 17.90’
Northeast	32 deg. 47.75’	117 deg. 17.15’
Southeast	32 deg. 46.68’	117 deg. 16.65’
Southwest	32 deg. 46.74’	117 deg. 17.46’

("Boundaries" added 1-10-2000 by O-18741 N.S.)

§63.0303 Eligibility

Only those ships, vessels, or other objects which meet all the following criteria shall be eligible for placement within the San Diego Underwater Recreation Area:

- (a) Objects which can be placed upon the ocean floor and be no closer than thirty feet Mean Low Water to the surface; and

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- (b) Objects that meet all Environmental Protection Agency, Regional Water Quality Control Board, and other state, federal, and local regulations; and
- (c) Objects fully open and freely accessible to divers and sea life; and
- (d) Objects of sufficient size, shape and design to remain in place during severe storms; and
- (e) Objects of sufficient integrity to last at least fifty years; and
- (f) Objects which the California Department of Fish and Game and California Coastal Commission have recognized or approved through official action or past permits as being known to be appropriate for underwater recreation or habitat for sea life.

(“Eligibility” added 1-10-2000 by O-18741 N.S.)

§63.0304 Placement and Locational Criteria

Objects which are eligible for placement in the San Diego Underwater Recreation Area pursuant to Section 63.0303 may be authorized for placement by the City Council only after all the following requirements are satisfied:

- (a) The sea floor where the object is proposed for placement is surveyed and documented to the satisfaction of the City to assess the nature and extent of existing structures, historic resources, biological resources, and the composition of the sea floor; and
- (b) The object shall be proposed for location a sufficient distance from other objects placed on the ocean floor to discourage any subsurface swimming from one to another; and
- (c) Objects shall be mapped so that their precise location and aerial extent is known; and
- (d) Objects shall be proposed for a location so that any environmentally sensitive resources on the ocean floor are avoided to the maximum extent feasible; and
- (e) Necessary environmental review has been conducted and all appropriate permits have been obtained from state and federal agencies prior to placement.

(“Placement and Locational Criteria “ added 1-10-2000 by O-18741 N.S.)

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§63.0305 Management of the San Diego Underwater Recreation Area

The City Manager shall cause appropriate buoys or markers to be moored and maintained to mark the perimeters of the San Diego Underwater Recreation Area and the City Manager shall be further authorized to promulgate any necessary rules and regulations regarding the use and operation of the San Diego Underwater Recreation Area.

(“Management of the San Diego Underwater Recreation Area “ added 1-10-2000 by O-18741 N.S.)