**Engage Quote:**

“By the law of nature, these things are common to mankind: the air, running water, the sea, and consequently the shores of the sea…”

- Institutes of Emperor Justinian, 2.1.1 (C.E. 529)

**Key Questions for the Reading:**

Expert Group 1 (Paragraphs 1 and 2):
What is “sovereign land?” What does it mean for “lands to be held in trust” by the State of California? What is a “navigable waterway” and why might it be important to the public?

Expert Group 2 (Paragraph 3

What is an “affirmative duty?” What are some public uses that the Public Trust Doctrine protects? What is the implication of the statement that public trust lands “cannot be alienated through sale into private ownership”?

Expert Group 3 (Paragraphs 4 and 5):

Has California’s interpretation of the Public Trust Doctrine changed over time? Who decides how it changes? Who is responsible in California for administering the Public Trust Doctrine?

**Constitution of the State of California, Article 10, Section 4**

No individual, partnership, or corporation, claiming or possessing the frontage or tidal lands of a harbor, bay, inlet, estuary, or other navigable water in this State, shall be permitted to exclude the right of way to such water whenever it is required for any public purpose, not to destroy or obstruct the free navigation of such water; and the Legislature shall enact such laws as will give the most liberal construction to this provision so that access to the navigable waters of this State shall always be attainable for the people thereof.