

MINUTE ITEM

5/27/71
VJB

21. AUTHORIZATION UNDER GOVERNMENT CODE SECTION 113 FOR A HEARING TO DETERMINE WHETHER IT IS IN THE BEST INTEREST OF THE STATE TO ACCEPT RETRO-CESSION OF JURISDICTION FROM THE UNITED STATES OF 405 ACRES MORE OR LESS OF LAND AT CAMP PENDLETON, SAN DIEGO COUNTY, CALIFORNIA - W 9405.

After consideration of Calendar Item 8 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE STATE LANDS DIVISION STAFF TO HOLD A PUBLIC HEARING PURSUANT TO GOVERNMENT CODE SECTION 113 AND THE RULES AND REGULATIONS OF THE COMMISSION FOR THE PURPOSE OF DETERMINING WHETHER IT IS IN THE BEST INTEREST OF THE STATE TO ACCEPT CONCURRENT JURISDICTION WITH THE UNITED STATES NAVY OF THE PARCEL OF LAND CONTAINING 405 ACRES MORE OR LESS AT CAMP PENDLETON, SAN DIEGO COUNTY, CALIFORNIA, AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN.

Attachment:

Calendar Item 8 (2 pages)

CALENDAR ITEM

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8.

AUTHORIZATION UNDER GOVERNMENT CODE SECTION 113 FOR A HEARING TO DETERMINE WHETHER IT IS IN THE BEST INTEREST OF THE STATE TO ACCEPT RETROCESSION OF JURISDICTION FROM THE UNITED STATES OF 405 ACRES MORE OR LESS OF LAND AT CAMP PENDLETON, SAN DIEGO COUNTY, CALIFORNIA - W 9405.

Government Code Section 113 provides for retrocession of jurisdiction by the United States of land within this State whenever the United States has requested in writing that the State accept such retrocession and the State Lands Commission, after a public hearing, has determined that the acceptance of such retrocession of jurisdiction is in the best interest of the State.

On April 6, 1971, N. C. Simonson, Assistant Commander for Real Property Management, United States Navy, addressed a letter to Governor Reagan requesting that the State of California accept retrocession of jurisdiction of 405 acres more or less of land that had been leased to the Department of Parks and Recreation under Lease NF(R)-11681. Mr. Simonson requested that the State accept concurrent jurisdiction over this land and that the partial relinquishment of jurisdiction remain in effect for the duration of said lease.

On April 14, 1971, William Penn Mott, Jr., Director of the Department of Parks and Recreation, requested that the State Lands Commission follow the procedures set out in Government Code Section 113 to accept retrocession of jurisdiction. He stated that the parcel of land in question has been included in the State Park System as a State Beach, pursuant to Public Resources Code Section 5001.5, and that the State's formal legislative jurisdiction is necessary for effective administration of this land as part of the State Park System.

Based upon the foregoing, it is necessary that the State Lands Commission hold a public hearing to determine whether acceptance of concurrent jurisdiction of such lands is in the best interests of the State. Notice of such hearing should be published, pursuant to Section 6061 of the Government Code, in the County of San Diego.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE STATE LANDS DIVISION STAFF TO HOLD A PUBLIC HEARING PURSUANT TO GOVERNMENT CODE SECTION 113 AND THE RULES AND REGULATIONS OF THE COMMISSION FOR THE PURPOSE OF DETERMINING WHETHER IT IS IN THE BEST INTEREST OF THE STATE TO ACCEPT CONCURRENT JURISDICTION WITH THE UNITED STATES NAVY OF THE PARCEL OF LAND CONTAINING 405 ACRES MORE OR LESS AT CAMP PENDLETON, SAN DIEGO COUNTY, CALIFORNIA, AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN.

Attachment: Exhibit "A"

EXHIBIT "A"

A parcel of land in the County of San Diego, State of California, consisting of portions of Sections 29, 30, 31, 32 and 33, Township 9 South Range 6 West and Sections 3 and 4, Township 10 South Range 6 West of Rancho Santa Margarita, according to Record of Survey Map 794, filed January 17, 1940, in the Office of the County Recorder of said San Diego County, more particularly described as all of that certain land lying southwesterly of the right-of-way of the Atchison, Topeka and Santa Fe Railway Company Main Line, and extending southeasterly a distance of eighteen thousand, two hundred twenty feet (18,220) from the southeast boundary of an easement for construction and operation of a nuclear generating station, granted to Southern California Edison Company and San Diego Gas and Electric Company, containing four hundred five (405) acres, more or less.