

MINUTE ITEM

This Calendar Item No. 31
was approved as Minute Item
No. 31 by the State Lands
Commission by a vote of 3
to 0 at its 2/28/83
meeting.

CALENDAR ITEM

31

2/24/83
W 22489
Frey

RETROCESSION OF EXCLUSIVE JURISDICTION
OVER LANDS WITHIN
HUNTER-LIGGETT MILITARY RESERVATION
AND LOS PADRES NATIONAL FOREST,
MONTEREY COUNTY

Pursuant to Government Code Section 113, the Commission is authorized to consent to the retrocession of jurisdiction by the United States upon finding:

- a. that the United States has requested in writing the retrocession;
- b. that a public hearing was held to determine if the retrocession is in the State's best interests.

The United States Department of Agriculture has exclusive jurisdiction over 24,272.79 acres of land, located within the Hunter-Liggett Military Reservation and Los Padres National Forest. By letter dated October 15, 1979, the United States requested that the State consent to a retrocession of exclusive jurisdiction and that the United States retain only proprietorial jurisdiction.

On June 26, 1980, by Calendar Item 43, the Commission authorized the staff to conduct a public hearing, as required by Government Code Section 113, to determine if the retrocession was within the State's best interests. The hearing was noticed in newspapers of general circulation and the Clerk of the Board of Supervisors was served a notice of the hearing. The hearing was held on November 10, 1982. Comments from the Monterey County Sheriff objecting to the retrocession

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S 17

-1-

CALENDAR PAGE	<u>134</u>
MINUTE PAGE	<u>208</u>

were received at the hearing. A meeting was later held by the Sheriff and the Department of Agriculture. The objections were answered and the Sheriff agrees to the retrocession.

The staff believes the retrocession is in the best interests of the State.

AB 884: N/A.

EXHIBITS: A. Land Description
B. Location Map

IT IS RECOMMENDED THAT THE COMMISSION FIND THAT THE FOLLOWING CONDITIONS HAVE BEEN MET AS REQUIRED BY LAW:

1. THE UNITED STATES HAS IN WRITING REQUESTED THE RETROCESSION.
2. THAT A PUBLIC HEARING WAS NOTICED AND HELD TO DETERMINE IF THE RETROCESSION WAS IN THE STATE'S BEST INTERESTS.
3. THAT THE CLERK OF THE BOARD OF SUPERVISORS OF MONTEREY COUNTY WAS SERVED A NOTICE OF THE HEARING.
4. THAT THE RETROCESSION IS IN THE BEST INTERESTS OF THE STATE.
5. THAT THE STATE CONSENTS TO THE RETROCESSION OF EXCLUSIVE JURISDICTION AND THAT THE UNITED STATES POSSESS ONLY PROPRIETARY JURISDICTION OVER THESE LANDS.
6. THAT THE RETROCESSION BECOME EFFECTIVE UPON THE FILING OF THIS CALENDAR ITEM WITH THE SECRETARY OF STATE AND ITS RECORDATION WITH THE MONTEREY COUNTY RECORDER.
7. THAT AN ENVIRONMENTAL ANALYSIS HAS NOT BEEN PREPARED BECAUSE THE RETROCESSION DOES NOT CONSTITUTE A PROJECT UNDER THE P.R.C. 21000 ET SEQ.

EXHIBIT "A"

LAND DESCRIPTION

W 22489

Those certain parcels of land situated within Los Padres National Forest and Hunter-Liggett Military Reservation, Monterey County, California described in paragraph (1) of Federal Register Document No. 57-4504, filed June 3, 1957 at page 3901 of the Federal Register dated June 4, 1957, more particularly described as follows:

MOUNT DIABLO MERIDIAN

T22S, R4E,

- Sec. 10, Lots 5, 6, 7 and 8;
- Sec. 11, SW $\frac{1}{2}$ SW $\frac{1}{4}$;
- Secs. 13 and 14;
- Sec. 15, Lots 2, 3, 5, 6, 9, and N $\frac{1}{2}$ NW $\frac{1}{4}$;
- Sec. 22, Lots 3 and 4;
- Secs. 23 and 24;
- Sec. 25, Lot 1, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$;
- Secs. 26 and 36.

T23S, R4E,

- Secs. 1, 12 and 13.

T22S, R5E,

- Sec. 18, Lots 3, 4, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 19;
- Sec. 20, W $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 21, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 28, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 29, area lying North of middle branch of Mill Creek (approximately N $\frac{1}{2}$ of section);
- Sec. 30;
- Sec. 31, Lot 1, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 32, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and S $\frac{1}{2}$;
- Sec. 33, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

T22S R6E,

- Those parts of the W $\frac{1}{2}$ of section 29 and of the S $\frac{1}{2}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 30 lying southerly and westerly of a line parallel with and distant 600 feet northerly and easterly of the road along the Nacimiento River.

T23S, R5E,

- Sec. 4, Lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
- Secs. 5 and 6;
- Sec. 7, Lots 1, 3 and 4, E $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 8;
- Sec. 9, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 10, those parts of W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ E $\frac{1}{2}$ lying outside of drainage of Nacimiento River;
- Sec. 16, NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 17, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
- Sec. 18, except lot 3;

CALENDAR PAGE

196

MINUTE PAGE

210

Sec. 19, except E $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 20, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 21, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 28, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Secs. 29, 30, and 31;
Sec. 32, except lot 1;
Sec. 33, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$.
T24S, R5E,
Sec. 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 5, lot 4, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ except that certain 2 acre tract of land conveyed by Piedmont Land & Cattle Co., a corporation to the State of California by deed dated February 10, 1932 and recorded February 27, 1932 in Vol. 325, official records of Monterey County, at page 372;
Sec. 10, except NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 11, S $\frac{1}{2}$ N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 12, SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 13;
Sec. 14, lot 1, N $\frac{1}{2}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 15;
Sec. 23, except lot 1;
Sec. 24;
Sec. 25, except lot 6.

T24S, R6E,
Sec. 18, lot 2;
Sec. 26, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 27, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
Sec. 28, NW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 30, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 31, lots 1, 2, 3, 4, and 6;
Sec. 33, NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 34;
Sec. 35, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and S $\frac{1}{2}$;
Sec. 36, S $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;

Excepting from the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 35 and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 36, that certain 5.11 acre tract conveyed by William J. Evans and wife to James Pierce Baldwin and wife by deed dated May 26, 1925 and recorded June 4, 1925, in Volume 58, official records of Monterey County, at page 324.

T24S, R7E
Sec. 28, those parts of SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ outside of drainage of Nacimiento River;
Sec. 29, those parts of N $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NE $\frac{1}{4}$ outside of drainage of Nacimiento River;
Sec. 30, lots 11 and 12, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 31, lots 1, 2, 7, 8, 9, 10, 11, 12, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 32, NE $\frac{1}{4}$ and S $\frac{1}{2}$;
Secs. 33 and 34, all outside drainage of Nacimiento River.

Also, that part of Hunter Liggett Military Reservation lying westerly of a line beginning at the intersection of the ridge between Santa Lucia Creek and Rattlesnake Creek and the North boundary of said reservation (said point of beginning being in Section 15, T21S, R5E, on the boundary of Los Padres National Forest), thence south and east with the height of land to the junction of Rattlesnake and Penal Creeks, thence easterly and southerly with a low ridge to an intersection with the boundary of Los Padres National Forest (being coincident with south line of old Upper Milpitas Grant) on the east line of Section 26, T21S, R5E,

CALENDAR PAGE	197
MINUTE PAGE	211

(this includes about 1954 acres of the Upper Milpitas Grant).

END OF DESCRIPTION

PREPARED NOVEMBER 5, 1982 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

CALENDAR PAGE	198
MINUTE PAGE	212

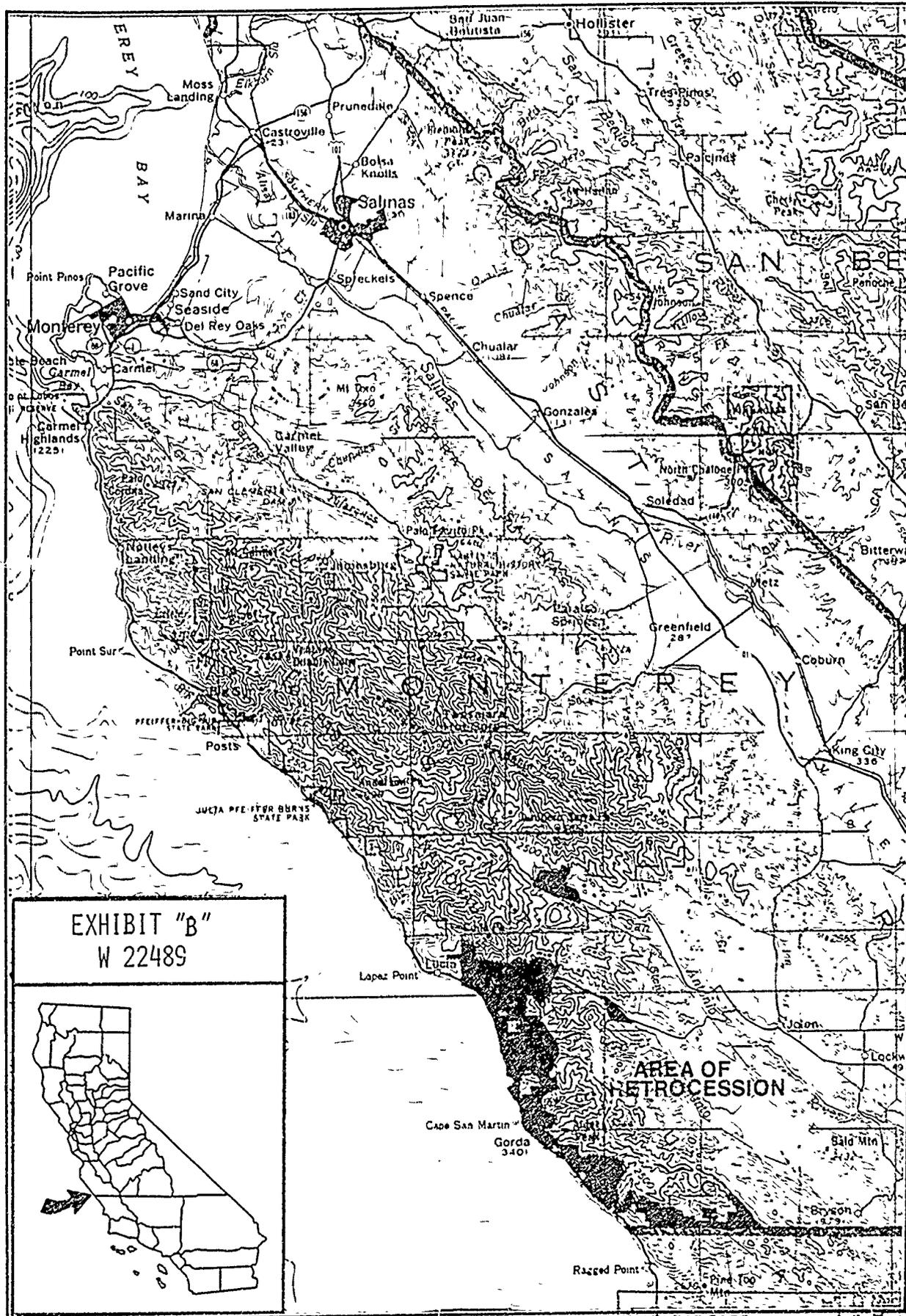


EXHIBIT "B"
W 22489

AREA OF
RETROCESSION