

MINUTE ITEM
This Calendar Item No. 62
was approved as Minute Item
No. 62 by the State Lands
Commission by a vote of 3
to 0 at its 2/6/89
meeting.

CALENDAR ITEM

A 28

62

02/06/89

W24149

S 17

Frey

RETROCESSION OF JURISDICTION AT
PRESIDIO OF MONTEREY

APPLICANT: Department of Army Corps of Engineers
Management and Disposal Branch
Attn: Mr. Michael Garrett
650 Capitol Mall
Sacramento, California 95814-4794

The United States has exclusive jurisdiction over the Presidio of Monterey. The Department of the Army has entered into a lease with the City of Monterey to use a portion of the Presidio for a nature preserve. It is negotiating with the City on a lease of another portion of the Presidio for a historical site. The United States, by letters dated May 4, 1988 and October 28, 1988, has requested a retrocession of exclusive jurisdiction and the establishment of concurrent jurisdiction over these sites.

Pursuant to California Government Code Section 113, the United States has agreed to pay costs associated with the retrocession. The City of Monterey, in turn, has agreed to reimburse the United States and, in fact, executed a contract with the Commission to pay such costs.

Notice of Hearing was published in the Monterey Herald on November 21, 1988. A copy of the Notice of Hearing was served on the Clerk of the Board of Supervisors.

A public hearing was held in Monterey on December 12, 1988 to receive comments on the proposal. Representatives from the City and the Department of the Army appeared in support of the

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proposal. Additional written comments in support of the proposal were received from the Mayor of Monterey and the Supervisor District 4 of the County Board of Supervisors. All parties agree that joint enforcement capabilities between State, local, and Federal authorities are desirable and in the public interest. Commission staff concurs with this.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Code Regs. 15378.

2. Authority: California Government Code Section 113.

EXHIBITS: A. Land Description.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.
2. FIND THAT THE UNITED STATES HAS REQUESTED THE UNITED STATES RETROCEDE SO MUCH OF ITS JURISDICTION SO AS TO ESTABLISH CONCURRENT JURISDICTION OVER THE LAND DESCRIBED IN EXHIBIT "A".
3. FIND THAT A NOTICE OF HEARING WAS DULY SERVED ON THE CLERK OF THE BOARD OF SUPERVISORS AND PUBLISHED IN THE HERALD ON NOVEMBER 21, 1988.
4. FIND THAT THE UNITED STATES AND THE CITY OF MONTEREY HAVE AGREED THAT THE CITY SHALL BEAR ALL COSTS OF THE RETROCESSION.
5. FIND THAT A PUBLIC HEARING WAS HELD ON DECEMBER 12, 1988 AND NO ADVERSE COMMENTS WERE RECEIVED.

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6. FIND THAT A RETROCESSION BY THE UNITED STATES OF SO MUCH OF ITS JURISDICTION SO AS TO ESTABLISH CONCURRENT JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "A" IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA.
7. ACCEPT A RETROCESSION BY THE UNITED STATES OF SO MUCH OF ITS JURISDICTION SO AS TO ESTABLISH CONCURRENT JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "A".
8. FIND THAT ACCEPTANCE OF THE RETROCESSION IS CONDITIONED UPON ITS PRIOR RECORDING WITH THE CALIFORNIA SECRETARY OF STATE AND THE MONTEREY COUNTY RECORDER.

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EXHIBIT "A"

PARCEL 1

Huckleberry Hill

W 24149

Leased Land from the Presidio of Monterey Military Reservation

Beginning at a point of commencement at monument number 6419 (more specifically defined as a marking corner common to the Military Reservation and Rancho Pescadero on "Lisensed Surveyors Map of El Pescadero and Point Pinos Rancho" filed in volume 3 page 3 of Surveys in the Records of Monterey County, California) thence running S 33° 44' 10" E for 1482.45 feet to a Point of Beginning (POB). This POB is further defined as the point of intersection of the Presidio of Monterey Military Reservation most western boundary line (S 33° 44' 10" E) and the easterly right-of-way line of State Highway 68 (N 57° 07' 32" W). From this Point of Beginning the leasehold area runs along the following 23 courses,

1) N33° 44'10"W, 246.39 ft; 2) N25° 40'40"E, 246.38 ft;
 3) N42° 11'40"E, 259.43 ft; 4) N63° 07'10"E, 183.32 ft;
 5) N75° 06'40"E, 185.67 ft; 6) N40° 29'35"E, 132.05 ft;
 7) N42° 15'40"E, 185.63 ft; 8) N43° 18'20"E, 133.17 ft;
 9) N59° 13'30"E, 118.30 ft; 10) N72° 47'20"E, 971.45 ft;
 11) S84° 38'05"E, 204.75 ft; 12) S76° 18'05"E, 127.02 ft;
 13) S12° 29'05"W, 98.60 ft; 14) S15° 04'50"E, 204.35 ft;
 15) S29° 00'10"E, 167.58 ft; 16) S32° 46'30"E, 154.21 ft;
 17) N82° 21'30"E, 109.47 ft; 18) S52° 00'20"E, 278.14 ft
 to a point that is 20 feet northerly and at right angle from the southerly boundary of said Military Reservation, thence (19) running northeasterly parallel with said southerly boundary line N47° 49'10"E, 420.00 feet; 20) S42° 10'50"E, 2000 feet to the southerly boundary of said Military Reservation, thence (21) running southwesterly along said southerly boundary line of said Military Reservation S47° 49'10"W, 2831.03 feet to the intersection of the easterly right-of-way of State Highway 68 (Holman Highway) said point being a point of cusp, thence (22) following said easterly right-of-way of said highway, along a curve to the left 488.87 feet (radius bears N 86° 06' 18" W) having a radius of 500 feet, to a point of tangency; 23 and continuous along said right-of-way N 52° 07' 32" W, 893.21 feet to the Point of Beginning.

This description contains 3,478,753.92 square feet (79.861 acres) more or less.

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PARCEL 2

EL CASTILLO PARK
(Lower)
Presidio of Monterey

Beginning at a point of commencement at a monument located at the high waterline of Monterey Bay on the northerly side of the Presidio of Monterey. Said monument is shown on Map Number 6525-99 entitled "Reservation Map of the Presidio of Monterey, California" dated October 1907, corrected September 19, 1933, on file in the office of The Quartermaster General (A.G. 600-93 Presidio of Monterey [10-10-33] Pub.) and as said monument is called out in the description on that map of the Presidio of Monterey filed in Volume 2 of Maps (Outside Lands), Page 3, Records of Monterey County, California, August 9, 1913. From this point of commencement move along said northerly boundary line of the Presidio of Monterey. S 89° 30' W, 732.92 feet to a point on the westerly right-of-way line of Lighthouse Avenue (Reference taken from that certain Quit Claim Deed filed in Reel 963, page 718, Official Records of Monterey County) to the Point of Beginning (POB).

The Point of Beginning is also defined from another point of commencement from the original northwest granite monument along the northerly boundary line between the Presidio of Monterey and the City of Monterey as shown on that certain map filed in Volume 1 Cities and Towns on Page 44 in the Recorder's Office of Monterey County, California. From this granite monument N 89° 30' E for 3263.68 feet to the same Point of Beginning (POB). From this POB

S 67° 17' 30" E, 140.43 feet to the TRUE POINT OF BEGINNING, thence; S 62° 26' E, 586.60 feet to the beginning of a tangent curve, thence; along said curve to the right 530.81 feet having an angle of 76° 02' with a radius of 400 feet; S 13° 36' W, 38.00 feet; N 76° 24' W 10.00 feet; S 21° 24' 12" W (S 22° 15' 12" W) 243.94 feet; S 19° 29' W (S 19° 20' W), 320.00 feet; S 71° 29' 57" E (S 70° 37' 57" E, 47.69 feet), 47.73 feet to the beginning of a tangent curve, thence; along said curve to the right 35.61 feet having an angle of 81° 36' 42" with a radius of 25 feet (81° 44' 54", length of 35.67 feet having a radius of 25 feet) to the South Boundary of the Presidio of Monterey thence; running westerly along said South Boundary the following ten (10) courses; S 80° W, 156.35 feet; N 51° 33' W, 164.34 feet; S 82° 30' W, 77.97 feet; N 74° 45' W, 92.36 feet; N 69° W, 90.38 feet; N 30° W, 109.51 feet; N 69° W, 105.55 feet; S 68° W, 65.97 feet; S 86° 13' W, 146.12 feet; S 59° 15' W, 150.19 feet; thence leaving said South Boundary of the Presidio of Monterey; N 1° 30' W, 523.47 feet; N 89° 30' E, 36.00 feet; N 1° 30' W, 85.00 feet; S 89° 30' W, 65.00 feet; N 1° 30' W, 43.83 feet; N 61° 30' W, 45.22 feet; N 1° 30' W, 130.00 feet; S 69° 45' E, 30.00 feet to the beginning of a tangent curve, thence;

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along said curve to the left 262.89 feet having an angle of
60° 15' with a radius of 250 feet thence; N 50° E, 170.95
feet; N 11° 00' E, 194.80 feet; N 34° 31' 50" W, 17.00 feet;
S 85° 00' E, 23.36 feet; S 80° 20' E, 80.86 feet to the TRUE
POINT OF BEGINNING, containing 1138023.97 square feet,
26.125 acres, more or less.

END OF DESCRIPTION

REVIEWED MAY 6, 1988 BY BIU 1.

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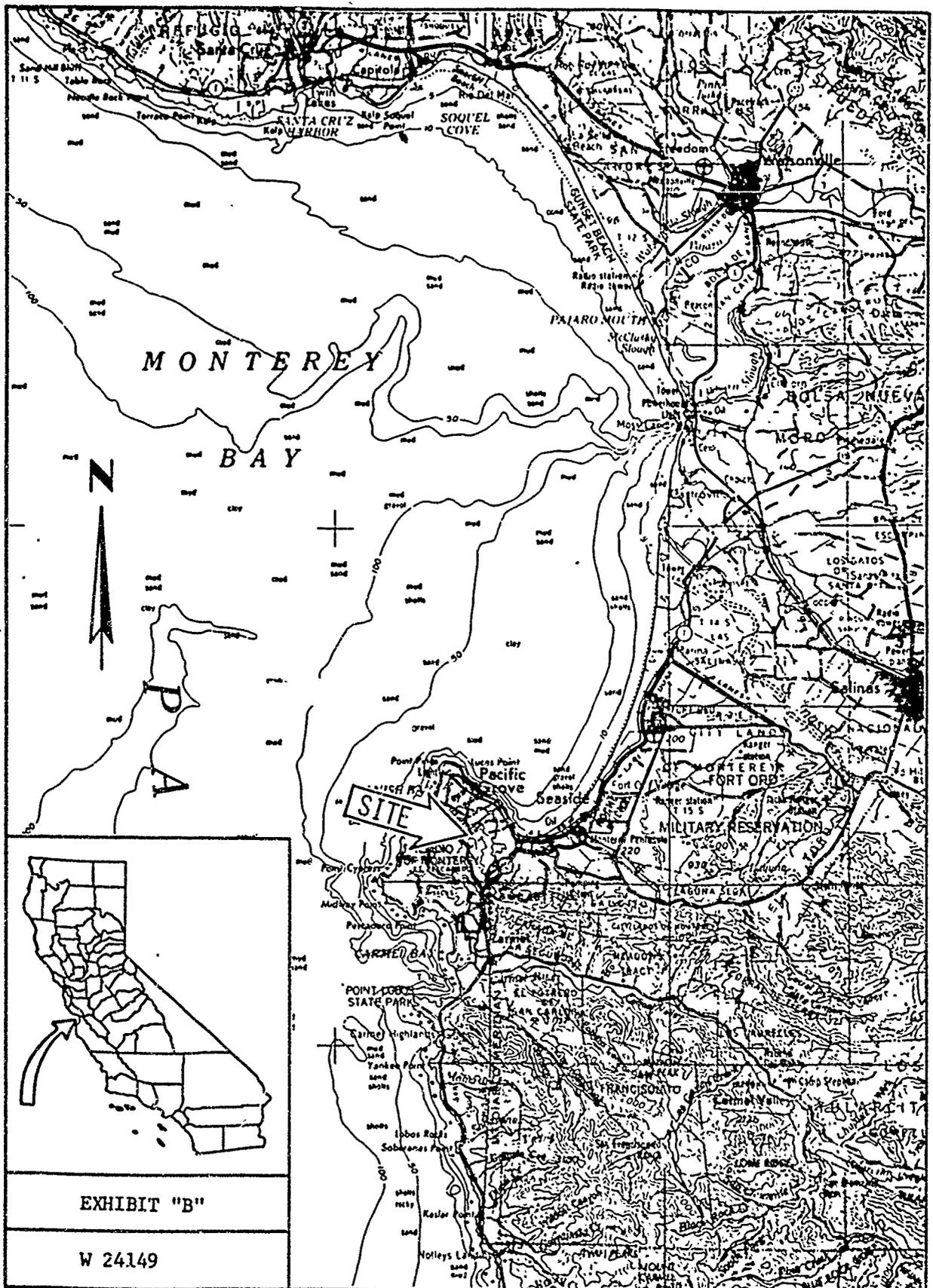


EXHIBIT "B"

W 24149

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