

MINUTE ITEM
This Calendar Item No. C34 was approved as
Minute Item No. 34 by the California State Lands
Commission by a vote of 3 to 0 at its
04-07-03 meeting.

**CALENDAR ITEM
C34**

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S 18

W 25898
J. Frey

**RETROCESSION OF JURISDICTION OVER A PORTION OF
THE NAVAL CONSTRUCTION BATTALION CENTER,
PORT HUENEME, VENTURA COUNTY**

PARTY:

United States of America
Department of the Navy
1000 Navy Pentagon
Washington, D. C. 20350-1000

BACKGROUND:

The United States exercises partial jurisdiction over the Naval Construction Battalion Center, Port Hueneme, Ventura County. By letter dated October 9, 2002, the Department of the Navy requested that California accept a retrocession of partial jurisdiction over forty-two one hundredths acres of this facility and to establish concurrent legislative jurisdiction. The subject parcel is outside of the perimeter fence of the Base and will be used for sidewalks and road improvements. The Navy and the City believe that the combined police forces of the Navy and the City will provide the best security for children and other persons using the parcel.

California Government Code Section 113 authorizes the State Lands Commission to accept such a retrocession if the following conditions are met:

1. The United States has in writing requested that the State accept a retrocession of jurisdiction;
2. The State Lands Commission has held a public hearing to determine whether it is in the State's best interests to accept the retrocession; and
3. The United States has agreed to pay for the costs associated with the retrocession process.

The United States has made the written request for the retrocession and has agreed to bear the costs associated with the retrocession. The Navy has provided the Commission with a letter indicating that the police department for the City of Port

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Hueneme has no objection to the retrocession and establishment of concurrent jurisdiction. The noticed hearing was held on March 25, 2003. No comments in opposition to the retrocession were received. Commission staff believes the requested action is in the best interests of the State and recommends that the United States' request be granted.

PERMIT STREAMLINING ACT DEADLINE:

N/A

OTHER PERTINENT INFORMATION:

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 this activity is not a "project" as defined by the State CEQA Guidelines.

Authority: Public Resources Code Section 21065 and 14 California Code of Regulations Section 15378.

EXHIBIT:

A. Land Description

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 PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.
2. FIND THAT THE U.S. DEPARTMENT OF THE NAVY HAS REQUESTED THAT THE COMMISSION ACCEPT A RETROCESSION OF PARTIAL JURISDICTION AND ESTABLISH CONCURRENT JURISDICTION OVER A PORTION OF THE NAVAL CONSTRUCTION BATTALION CENTER, PORT HUENEME, VENTURA COUNTY AS DESCRIBED IN EXHIBIT A TO THIS CALENDAR ITEM.
3. FIND THAT THE UNITED STATES HAS AGREED TO PAY FOR THE COSTS OF THE RETROCESSION PROCESS.
3. FIND THAT THE STATUTORY PUBLIC HEARING WAS HELD AS REQUIRED.
4. DETERMINE THAT IT IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA TO ACCEPT THE RETROCESSION OF PARTIAL JURISDICTION AND TO ESTABLISH CONCURRENT JURISDICTION AS REQUESTED BY THE UNITED STATES BECAUSE SUCH A JURISDICTIONAL

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ADJUSTMENT WILL ALLOW STATE AND LOCAL LAW ENFORCEMENT SERVICES TO BE MADE AVAILABLE TO PERSONS USING THE PROPERTY SUBJECT TO THE RETROCESSION.

5. ACCEPT THE RETROCESSION OF PARTIAL JURISDICTION OVER A PORTION OF THE NAVAL CONSTRUCTION BATTALION CENTER, PORT HUENEME, VENTURA COUNTY AS DESCRIBED IN EXHIBIT A TO THIS CALENDAR ITEM AND ESTABLISH CONCURRENT JURISDICTION OVER THOSE SAME LANDS.

6. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE A CERTIFICATE OF RETROCESSION DESCRIBING THE COMMISSION'S ACTION AND RECORD IT IN THE COUNTY OF VENTURA AS REQUIRED BY GOVERNMENT CODE SECTION 113.

EXHIBIT A

LAND DESCRIPTION
NAVAL BATTALION CONSTRUCTION CENTER, VENTURA COUNTY

That portion of Subdivision 87 of Rancho El Dio De Santa Clara O'La Colonia (6 Deeds 161) more particularly described as follows:

Beginning at the intersection of the northerly right of way of Pleasant Valley Road, 60 feet wide, and the westerly right of way of Ventura Road, 30 foot half-width, as shown on Record of Survey recorded in Book 41, Pages 52 through 57, inclusive, in the Office of the County Recorder of Ventura County, State of California, said point being distant South 89° 56' 58" West 8.00 feet from a 2-inch iron pipe tagged L.S. 2982, also being distant South 01° 56' 58" West 8.00 feet from a 2-inch iron pipe tagged L.S. 2982, as shown on said map; thence,

- 1st North 89° 56' 01" West along the northerly right of way of Pleasant Valley Road 1131.43 feet; thence,
- 2nd North 0° 03' 59" East 16.28 feet to an existing block wall; thence,
- 3rd Along said block wall, South 89° 56' 01" East parallel with said northerly right of way of Pleasant Valley Road 1123.76 feet; thence,
- 4th Continuing along said block wall and its northerly prolongation, North 43° 57' 08" East 12.25 feet, more or less, to the westerly right of way of said Ventura Road as shown on said map; thence,
- 5th South 1° 56' 58" West along said westerly right of way 25.12 feet to the point of beginning.

*This legal description was provided by the Department of the Navy and is dated January 11, 2002.