

20. ACCEPTANCE BY STATE OF CALIFORNIA OF RETROCESSION OF CONCURRENT JURISDICTION FROM THE UNITED STATES OF 2,945 ACRES, MORE OR LESS, OR LAND AT CAMP PENDLETON MARINE BASE, SAN DIEGO COUNTY - W 9535.

After consideration of Calendar Item 18 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT THE RETROCESSION OF JURISDICTION HEARING HELD ON NOVEMBER 27, 1973, COMPLIED WITH THE STATUTES AND REGULATIONS FOR RETROCESSION OF JURISDICTION AND THAT THE FOLLOWING CONDITIONS HAVE BEEN SATISFIED:
 - (A) THE UNITED STATES HAS REQUESTED IN WRITING THAT THE STATE OF CALIFORNIA ACCEPT THE RETROCESSION OF CONCURRENT JURISDICTION OF THE LANDS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; SAID LANDS BEING WITHIN THE STATE OF CALIFORNIA.
 - (B) SAID REQUEST WAS MADE BY AN OFFICER OF THE UNITED STATES EMPOWERED BY THE UNITED STATES STATUTE TO CEDE JURISDICTION TO THE STATE OF CALIFORNIA.
 - (C) SAID REQUEST PROVIDED FOR A RETURN OF CONCURRENT JURISDICTION TO THE STATE OF CALIFORNIA TO CONTINUE FOR THE DURATION OF LEASE NF(R)-13233 BETWEEN THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, AND THE UNITED STATES OF AMERICA, OR EARLIER TERMINATION THEREOF. UPON THE EXPIRATION OR EARLIER TERMINATION OF LEASE NF(R)-13233, JURISDICTION OVER THE DESCRIBED LAND SHALL AUTOMATICALLY REVERT TO THE UNITED STATES.
2. DETERMINES THAT A RETROCESSION OF CONCURRENT JURISDICTION OF THE LANDS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF FOR THE DURATION OF LEASE NF(R)-13233 BETWEEN THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, AND THE UNITED STATES OF AMERICA, OR EARLIER TERMINATION THEREOF, IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA. UPON THE EXPIRATION OR EARLIER TERMINATION OF LEASE NF(R)-13233, JURISDICTION OVER THE DESCRIBED LAND SHALL AUTOMATICALLY REVERT TO THE UNITED STATES.
3. AUTHORIZES THE EXECUTIVE OFFICER TO EXECUTE ON BEHALF OF THE COMMISSION, A RESOLUTION ACCEPTING RETROCESSION OF CONCURRENT JURISDICTION AND ALL OTHER NECESSARY DOCUMENTS TO MAKE IT EFFECTIVE.

4. AUTHORIZES THE EXECUTIVE OFFICER TO DISTRIBUTE CERTIFIED COPIES OF SAID RESOLUTION AS FOLLOWS:

- (A) ONE COPY TO BE FILED WITH THE SECRETARY OF STATE, STATE OF CALIFORNIA;
- (B) ONE COPY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDERS OF SAN DIEGO COUNTY AND ORANGE COUNTY;
- (C) ONE COPY TO BE MAILED TO ROY MARKON, DEPUTY ASSISTANT COMMANDER FOR REAL PROPERTY MANAGEMENT, DEPARTMENT OF THE NAVY, WASHINGTON, D.C.

Attachment:
Calendar Item 18 (5 pages)

CALENDAR ITEM

11/73
SCL
W 9535

18.

PROPOSED ACCEPTANCE BY STATE OF CALIFORNIA OF
RETROCESSION OF CONCURRENT JURISDICTION FROM THE UNITED STATES OF
2,945 ACRES, MORE OR LESS, OF LAND AT
CAMP PENDLETON MARINE BASE, SAN DIEGO COUNTY

Government Code Section 113 provides as follows:

"The Legislature of California hereby consents to the retrocession of jurisdiction by the United States of land within this state upon and subject to each and all of the following express conditions:

(a) The United States must in writing have requested state acceptance of retrocession, and unless there is an officer of the United States empowered by a United States statute to cede jurisdiction, said request shall be by the act of Congress; such retrocession may return all jurisdiction to the state or may provide for concurrent jurisdiction.

(b) When the conditions of subsection (a) of this section have been found and declared to have occurred and to exist, by the State Lands Commission, the Commission shall hold a hearing to determine whether acceptance of such retrocession is in the best interests of the state. Notice of such hearing shall be published pursuant to Section 6061 in each county in which the land or any part thereof is situated and a copy of such notice shall be personally served upon the clerk of the board of supervisors of each such county. The State Lands Commission shall make rules and regulations governing the conditions and procedure of such hearings.

(c) The determination of the State Lands Commission shall be final and jurisdiction accepted shall become effective when certified copies of its orders or resolutions have been filed in the office of the Secretary of State and recorded in the office of the county recorder of each county in which any part of the land is situate."

On July 17, 1973, Roy Markon, Deputy Assistant Commander for Real Property Management, United States Navy, addressed a letter to Governor Reagan, requesting that the State of California accept retrocession of concurrent jurisdiction of 2,945 acres, more or less, of land within Camp Pendleton Marine Base, which has been leased to the State Department of Parks and Recreation under Lease NF(R)-13233. Such concurrent jurisdiction was to

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continue for the duration of Lease NF(R)-13233, or the earlier termination thereof, and upon the expiration or earlier termination of Lease NF(R)-13233, jurisdiction over the described land shall automatically revert to the United States.

On August 30, 1973, Minute Item No. 28, the State Lands Commission, authorized a public hearing for the purpose of determining whether it was in the best interest of the State to accept retrocession of concurrent jurisdiction from the United States over the lands described in the letter of July 17, 1973, and set forth in Exhibit "A" of said Minute Item.

The hearing was scheduled for November 27, 1973, at 10:00 a.m., at 1600 L Street, Sacramento, California. Notice thereof was published in the San Diego Union and Santa Ana Register, and notice of said hearing was personally served on the Clerk of the Board of Supervisors of San Diego County and Orange County. Affidavits of publication and service are on file in the records of the Division.

Copies of the Notice of Hearing were mailed to interested parties requesting the Notice. The Department of Parks and Recreation was also informed of said hearing.

The hearing was held as noticed. No objections to retrocession were received. The retrocession would be in the best interest of the State in connection with the operation and administration of San Onofre Bluffs State Beach as part of the State park system.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE RETROCESSION OF JURISDICTION HEARING HELD ON NOVEMBER 27, 1973, COMPLIED WITH THE STATUTES AND REGULATIONS FOR RETROCESSION OF JURISDICTION AND THAT THE FOLLOWING CONDITIONS HAVE BEEN SATISFIED:
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 - (C) SAID REQUEST PROVIDED FOR A RETURN OF CONCURRENT JURISDICTION TO THE STATE OF CALIFORNIA TO CONTINUE FOR THE DURATION OF LEASE NF(R)-13233 BETWEEN THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, AND THE UNITED STATES

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OF AMERICA, OR EARLIER TERMINATION THEREOF. UPON THE EXPIRATION OR EARLIER TERMINATION OF LEASE NF(R)-13233, JURISDICTION OVER THE DESCRIBED LAND SHALL AUTOMATICALLY REVERT TO THE UNITED STATES.

2. DETERMINE THAT A RETROCESSION OF CONCURRENT JURISDICTION OF THE LANDS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF FOR THE DURATION OF LEASE NF(R)-13233 BETWEEN THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, AND THE UNITED STATES OF AMERICA, OR EARLIER TERMINATION THEREOF, IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA. UPON THE EXPIRATION OR EARLIER TERMINATION OF LEASE NF(R)-13233, JURISDICTION OVER THE DESCRIBED LAND SHALL AUTOMATICALLY REVERT TO THE UNITED STATES.
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Attachment: Exhibit "A"

EXHIBIT "A"

W 9535

Three parcels of land in the County of Orange and the County of San Diego, State of California, being portions of fractional Section 25, T 8 S, R 7 W, SBM, and portions of Sections 25, 26, 35 and 36, T 8 S, R 7 W; Sections 1, 2, 10, 11, 12, 14, 23 and 24, T 9 S, R 7 W; Sections 29, 30, 31, 32, and 33, T 9 S, R 6 W; Sections 3 and 4, T 10 S, R 6 W 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 follows:

PARCEL 1: Inland Area

For point of reference, COMMENCE at the intersection of the westerly line of said Rancho Santa Margarita with the northeasterly right-of-way line of Highway Interstate 5, said westerly line of Rancho Santa Margarita being also the line common to the Counties of Orange and San Diego; thence northeasterly along said Rancho boundary line 4,434 feet to the TRUE POINT OF BEGINNING; thence continuing with the westerly line of Rancho Santa Margarita 16,315.43 feet to an angle point therein; thence southeasterly along said boundary 1,700 feet more or less to an intersection with the westerly line of fractional Section 25, T 8 S, R 7 W, SBM; thence northerly along the west line of said Section 25, 550 feet more or less to the northwest corner thereof; thence easterly along the north line of said Section 25, 1,600 feet; thence southerly in a straight line along the easterly bank of Cristianitos Creek, but staying west of Cristianitos Road, 4,400 feet; thence westerly, at right angles, 250 feet; thence southerly, at right angles, 400 feet; thence southwesterly 1,000 feet; thence southerly, along the toe of the slope on the west side of Cristianitos Creek, 4,600 feet; thence southeasterly 800 feet to a point on the southwesterly side of Cristianitos Road; thence northeasterly in a straight line, parallel with said road 1,300 feet; thence southerly, staying to the west of the service road to the Sewage Disposal Ponds, 3,000 feet; thence westerly 1,000 feet; thence south-easterly 850 feet; thence easterly, along the south side of the Sewage Disposal Ponds, 900 feet more or less to the toe of the slope on the easterly side of San Mateo Valley; thence, generally following the toe of the slope on the easterly side of San Mateo Valley, southerly 3,500 feet; southwesterly 6,600 feet; more south-westerly 1,100 feet; southerly 1,300 feet more or less to an inter-section with the northeasterly right-of-way line of said Highway Interstate 5 at a point along the northerly approach lane of Basilone Road Interchange; thence along the northwesterly right-of-way line of Highway Interstate 5, 3,370 feet, more or less, to a point; thence in a northerly direction, leaving said Highway Interstate 5, N 26° 0' 56" W, 762.95 feet; thence North 820 feet;

EXHIBIT "A" (CONTD)

thence N 34° 0' 0" E, 1,770 feet; thence N 19° 0' 0" E, 1,990 feet; thence N 61° 02' 39" W, 1,250 feet; thence N 73° 09' 09" W, 530.24 feet to the northwesterly boundary of said Rancho Santa Margarita Y Las Flores, the true point of beginning, containing 2,380 acres, more or less.

PARCEL 2: Beach Area North of Nuclear Plant

BEGINNING at the intersection of the northwesterly line 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, with the Mean High Tide Line of the Pacific Ocean, said point of intersection being the most westerly corner of said easement; thence northeasterly along said northwesterly line of said easement, 1,400 feet more or less to an intersection with the southwesterly right-of-way line of Highway Interstate 5; thence northwesterly along said southwesterly right-of-way line, 6,500 feet more or less to the westerly bank of San Onofre Creek; thence southwesterly along said westerly bank of said creek, 900 feet more or less to the northeasterly right-of-way line of the Atchison, Topeka and Santa Fe Railway Company line; thence southerly to the Mean High Tide Line of the Pacific Ocean; thence along said Mean High Tide Line to the point of beginning; containing 160 acres more or less.

PARCEL 3: Beach Area South of Nuclear Plant

BEGINNING at the intersection of the southeasterly line 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, with the Mean High Tide Line of the Pacific Ocean, said point of intersection being the most southerly corner of said easement; thence northeasterly 1,000 feet more or less to an intersection with the southwesterly right-of-way line of Highway Interstate 5; thence southeasterly along said southwesterly right-of-way line of said Interstate 5 to an intersection with a line lying 18,220 feet southeasterly from said southeasterly line of said nuclear generating station; thence southwesterly at right angles to said highway right-of-way line, 1,500 feet more or less to the Mean High Tide Line of the Pacific Ocean; thence northwesterly along said Mean High Tide Line to the point of beginning, containing 405 acres more or less.

TOGETHER WITH the right of ingress and egress between parcels 2 and 3 across that portion of the easement for construction and operation of a nuclear generating station granted to Southern California Edison Company and San Diego Gas and Electric Company line between the Quay Wall of said station and the Mean High Tide Line.

END OF DESCRIPTION