

MINUTE ITEM

This Calendar Item No. 45  
was approved as Minute Item  
No. 45 by the State Lands  
Commission by a vote of 2  
to 0 at its 5/23/85  
meeting.

When recorded return to:  
JAMES R. FREY  
STATE LANDS COMMISSION  
1807 - 13th Street  
Sacramento, CA 95814

128423

OFFICIAL RECORDS  
SACRAMENTO COUNTY, CALIF.

1985 AUG -2 AM 11:43

CALENDAR ITEM

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05/23/85  
W 23403  
Frey  
COUNTY CLERK-RECORDER

ACCEPTANCE OF RETROCESSION OF PARTIAL JURISDICTION  
AND ESTABLISHMENT OF PROPRIETARY JURISDICTION OVER  
A PORTION OF MATHER AIR FORCE BASE  
SACRAMENTO COUNTY, CALIFORNIA

NO  
FEE  
N

Gov. 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 interest of the  
State. Notice of such hearing shall be published  
pursuant to Sec. 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 county. The State  
Lands Commission shall make rules and regulations  
governing the conditions and procedure of such  
hearings.

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THE UNDERSIGNED, ACTING IN THIS BEHALF FOR THE  
STATE LANDS COMMISSION, HAS HEREBY CERTIFIED,  
THAT THE ANNEXED IS A WHOLE, TRUE AND CORRECT  
COPY OF THE ORIGINAL RECORD COPY, CONSISTING  
OF 5 PARTS, ON FILE IN THE OFFICE OF  
THE STATE LANDS COMMISSION; THAT SAID  
COPY HAS BEEN COMPARED BY THE UNDER-  
SIGNED WITH THE ORIGINAL AND IS A COR-  
RECT TRANSCRIPT THEREFROM.

IN WITNESS WHEREOF, THE UNDERSIGNED  
HAS EXECUTED THIS CERTIFICATE AND  
AFFIXED THE SEAL OF THE STATE LAND  
COMMISSION THIS 29 DAY OF July  
AD 1985

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- (c) The determination of the State Lands Commission shall be final and jurisdiction acceptance 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 situated."

The United States now holds partial legislative jurisdiction over approximately 6.69 acres of land at Mather Air Force Base. The land is used as a railway spur for the base. The spur lies outside of the base proper. The United States, pursuant to California Government Code Section 113, by letter dated April 20, 1984 has written to Governor Deukmejian requesting the State of California to accept a retrocession of all jurisdiction over this land. The purpose of the retrocession is to facilitate the administration of local police power over the area.

A Public hearing was scheduled in the Sacramento offices of the Commission on April 12, 1985, for the purpose of determining whether it was in the best interest of the state to adjust the jurisdiction of the United States. Notice thereof was published in the Sacramento Bee and notice of said hearing was personally served on the Clerk of the Board of Supervisors of Sacramento County. Affidavits of publication and service are filed in the records of the Commission.

The hearing was held as noticed. No comments regarding the adjustment were received at the hearing.

The retrocession would be in the best interest of the State in connection with the administration of local police power over the area.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 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. Adm.  
Code 15378.

EXHIBITS: A. Location Map.  
B. 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. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. DETERMINE THAT THE RETROCESSION OF JURISDICTION HEARING HELD ON APRIL 12, 1985 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 EXCLUSIVE JURISDICTION AND THE ESTABLISHMENT OF CONCURRENT JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "B" 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 (10 U.S.C. 2683) TO CEDE JURISDICTION TO THE STATE OF CALIFORNIA.
3. DETERMINE THAT A RETROCESSION OF PARTIAL JURISDICTION AND ESTABLISHMENT OF PROPRIETARY JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA.
4. ACCEPT THE RETROCESSION OF PARTIAL JURISDICTION AND ESTABLISH PROPRIETARY JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
5. AUTHORIZE THE DISTRIBUTION OF CERTIFIED COPIES OF THIS CALENDAR ITEM AS FOLLOWS:
  - A. ONE COPY TO BE FILED WITH THE SECRETARY OF STATE, STATE OF CALIFORNIA.

CALENDAR ITEM NO. 45 (CONT'D)

- B. ONE COPY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SACRAMENTO COUNTY.
- C. ONE COPY TO BE MAILED TO SECRETARY OF THE AIR FORCE, UNITED STATES OF AMERICA.

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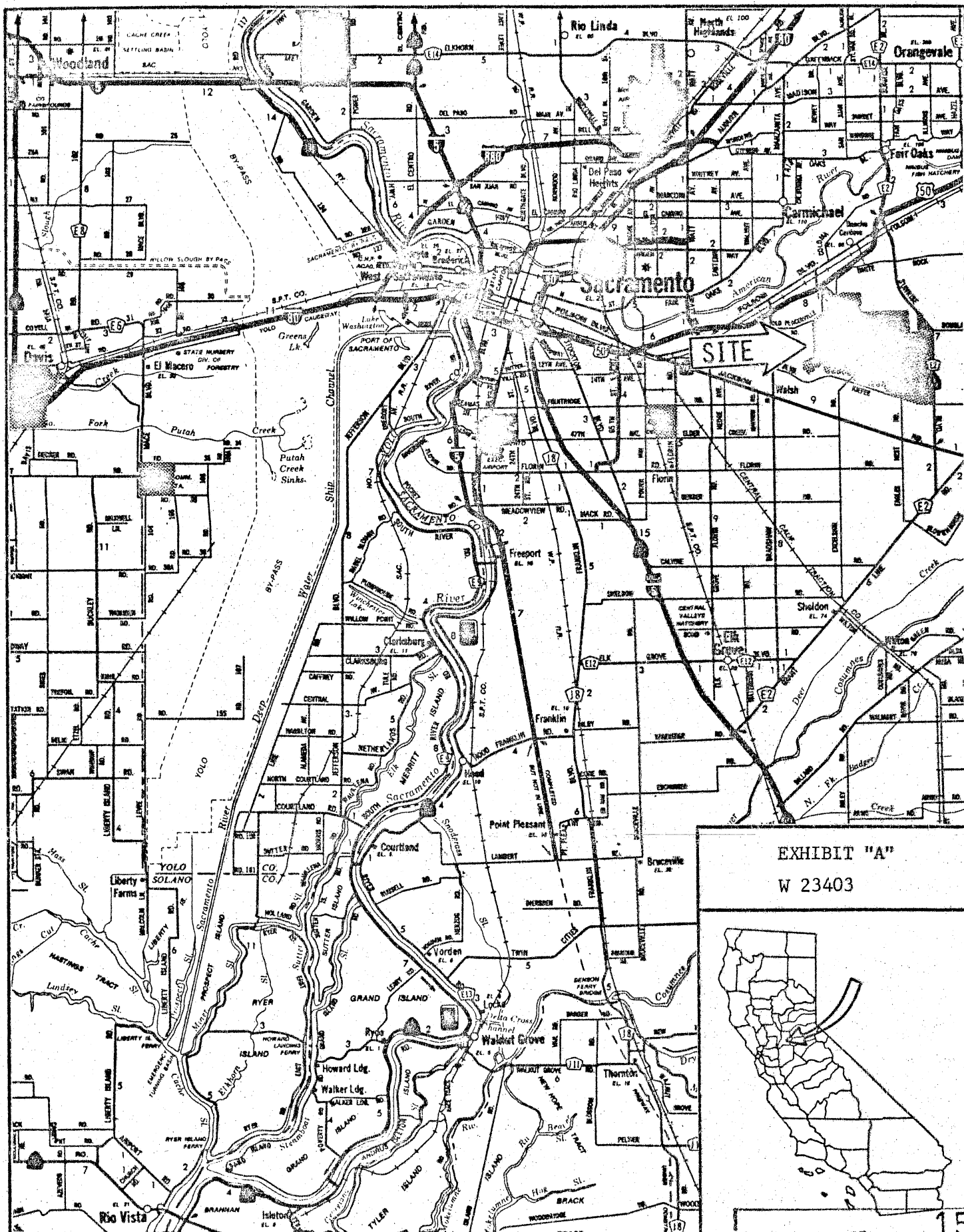


EXHIBIT "A"  
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