

When recorded please mail to:

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1991 JUN 18 AM 10:03

SAN BERNARDINO  
CO., CALIF.

91-227784

MINUTE ITEM

This Calendar Item No. 11  
was approved as Minute Item  
No. 11 by the State Lands  
Commission by a vote of 3  
to 0 at its 06/05/91  
meeting.

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CALENDAR ITEM

11

06/05/91

W 23751

Frey

CESSION OF CONCURRENT CRIMINAL JURISDICTION  
NATIONAL TRAINING CENTER AND FORT IRWIN  
SAN BERNARDINO COUNTY

PARTY:

Department of the Army  
Los Angeles District  
Corps of Engineers  
P. O. Box 2711  
Los Angeles, California 90053-2325

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 COM-  
PARED BY THE UNDERSIGNED WITH THE ORIGINAL  
AND IS A CORRECT TRANSCRIPT THEREFROM.

IN WITNESS WHEREOF, THE UNDERSIGNED  
HAS EXECUTED THIS CERTIFICATE AND  
AFFIXED THE SEAL OF THE STATE LAND  
COMMISSION THIS 12 DAY OF June  
A.D. 1991

*J. Frey*

Pursuant to Government Code Section 126, the State Lands  
Commission is authorized, on behalf of the State of California,  
to cede concurrent criminal jurisdiction to the United States  
upon finding:

- (a) the land is held for the erection of forts, arsenals, and  
other needful buildings within the purview of Clause 17 of  
Section 8 of Article 1 of the United States Constitution;
- (b) the cession is in compliance with the laws of the United  
States;
- (c) the United States has, in writing, requested such cession;  
and
- (d) the State reserves jurisdiction over the land for purposes  
of water acquisition and management.

On April 10, 1991, Mr. P. W. Stone, Assistant Secretary of the  
Army, wrote Governor Wilson and requested a cession of concurrent  
criminal jurisdiction over the National Training Center and Fort  
Irwin pursuant to Government Code Section 126.

On May 1, 1991, the State Lands Commission authorized a public  
hearing for the purpose of determining whether it is in the best  
interest of the State to make the requested cession. Notice of



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Irwin pursuant to Government Code Section 126.

On May 1, 1991, the State Lands Commission authorized a public  
hearing for the purpose of determining whether it is in the best  
interest of the State to make the requested cession. Notice of  
the hearing was published in the Barstow Desert Dispatch and  
served upon the Clerk of the Board of Supervisors for  
San Bernardino County. Applications of the publication and  
service are found in the Commission's files.

CALENDAR ITEM NO. 11 (CONT'D)

The Hearing was held on May 24, 1991 in the Commission's offices in Sacramento, California. There were no personal appearances by any members of the public. The United States appeared by submitting written comments. The comments focused on the remoteness of the facility, its large civilian and military population, scarcity of sheriff's patrols, and the need for consistent and fair application of law to a mixed civilian and military population. The comments also reviewed the success of the current cession wherein the Army and a federal magistrate handle some criminal matters on the facility and thus relieve San Bernardino County Sheriff and District Attorney of some criminal cases.

The Commission staff believe that the cession of concurrent criminal jurisdiction is in the best interest of the State of California in connection with the exercise of criminal jurisdiction over the facility.

**AB 884:**

N/A.

**EXHIBITS:**

- A. Land Description
- B. Location Map

**IT IS RECOMMENDED THAT THE COMMISSION:**

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF 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. DETERMINE THAT THE PUBLIC HEARING HELD ON MAY 24, 1991 COMPLIED WITH THE STATUTES AND REGULATIONS DEALING WITH THE CESSION OF CONCURRENT CRIMINAL JURISDICTION AND THAT THE FOLLOWING REQUIREMENTS HAVE BEEN SATISFIED:
  - A. THE UNITED STATES HAS REQUESTED, IN WRITING, THAT THE STATE OF CALIFORNIA CEDE CONCURRENT CRIMINAL JURISDICTION OVER THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, SAID LANDS BEING WITHIN THE STATE OF CALIFORNIA.



CALENDAR ITEM NO. 11 (CONT'D)

- B. THE LAND IS HELD BY THE UNITED STATES FOR THE ERECTION OF FORTS, MAGAZINES, ARSENALS, DOCKYARDS, AND OTHER NEEDFUL BUILDINGS, WITHIN THE PURVIEW OF CLAUSE 17 OF SECTION 8 OF ARTICLE 1 OF THE CONSTITUTION OF THE UNITED STATES.
  - C. THE LANDS WERE ACQUIRED BY THE UNITED STATES BY PURCHASE OR WERE WITHDRAWN FROM THE PUBLIC DOMAIN.
  - D. JURISDICTION CEDED HEREIN SHALL CONTINUE FOR THE LESSER OF FIVE YEARS OR SO LONG AS THE UNITED STATES OWNS THE LANDS.
  - E. IN CEDING CONCURRENT CRIMINAL JURISDICTION, THE LEGISLATURE AND THE STATE RESERVE JURISDICTION OVER THE LAND, WATER AND USE OF WATER WITH FULL POWER OF CONTROL AND REGULATE THE ACQUISITION, USE, CONTROL, AND DISTRIBUTION OF WATER WITH RESPECT TO THE LAND AFFECTED BY SUCH CESSION.
  - F. IN CEDING CONCURRENT JURISDICTION, THE LEGISLATURE AND THE STATE EXCEPT AND RESERVE TO THE STATE ALL DEPOSITS OF MINERALS, INCLUDING OIL AND GAS, IN THE LAND, AND THE RIGHT TO PROSPECT FOR, MINE, AND REMOVE SUCH DEPOSITS FROM THE LAND.
- 3. DETERMINE THAT A CESSION OF CONCURRENT CRIMINAL JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF, IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA.
  - 4. CEDE CONCURRENT CRIMINAL JURISDICTION OVER THE NATIONAL TRAINING CENTER AND FORT IRWIN FOR THE LESSER OF FIVE YEARS OR SO LONG AS THE UNITED STATES OWNS THE LANDS CONDITIONED UPON THE RECEIPT OF A LETTER OF ACCEPTANCE OF JURISDICTION FROM THE UNITED STATES PURSUANT TO 40 U.S.C. 255.
  - 5. AUTHORIZE THE FILING AND RECORDING OF THIS CALENDAR ITEM WITH THE OFFICE OF THE SECRETARY OF STATE, STATE OF CALIFORNIA, AND THE COUNTY RECORDER FOR THE COUNTY OF SAN BERNARDINO, AS REQUIRED BY GOVERNMENT CODE SECTION 126.



EXHIBIT "A"  
LAND DESCRIPTION

W 23751

Those certain parcels of land located within San Bernardino County, State of California, all on the San Bernardino Base and Meridian and described as follows:

All of Townships 15, 16, 17, North, Ranges 1, 2, 3, 4 East

All of Townships 13, 14, North, Ranges 2, 3, 4 East

All of Townships 14, 15, 16, North, Range 5 East

Sections 1, 2, 3, 4, 5, 8, 11, 12, 30, 31, Township 12 North, Range 2 East

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, Township 12 North, Range 3 East

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, Township 12 North, Range 4 East

Sections 5, 6, 7, 8, 18, Township 12 North, Range 5 East

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27, 28, 29, 30, 31, 32, 33, Township 13 North, Range 5 East

Section 6 Township 13 North, Range 6 East

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 23, 24, Township 14 North, Range 1 East

Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, Township 14 North, Range 6 East

Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, Township 15 North 6 East

Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, Township 16 North, Range 6 East

Sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, Township 17 North, Range 5 East

Sections 19, 20, 21, 28, 29, 30, 31, 32, 33, Township 17 North, Range 6 East

Sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, Township 18 North, Ranges 1, 2, 3, 4 North

END OF DESCRIPTION



