ACCEPTANCE OF RETROCESSION OF LEGISLATIVE JURISDICTION

California Government Code Section 113

Whereas the United States acting by and through the Department of the Army has requested that the State of California accept a retrocession of partial legislative jurisdiction and establish concurrent legislative jurisdiction over lands comprising the Defense Distribution Region West, Lathrop, California; and

Whereas the California State Lands Commission, pursuant to California Government Code Section 113, has been authorized by the California State Legislature to accept such a retrocession and establish concurrent jurisdiction; and

Whereas the Executive Officer of the California State Lands Commission has been authorized to execute this instrument;

NOW, THEREFORE, I, Robert C. Hight, Executive Officer of the California State Lands Commission hereby certify that the Commissioners for the California State Lands Commission met on May 9, 1996 and accepted a retrocession of partial legislative jurisdiction and established concurrent legislative jurisdiction over certain lands comprising the Defense Distribution Region West, Lathrop, California. A copy of the Commission’s Calendar Item No. 83(A) is attached hereto as Exhibit “A”.

ROBERT C. HIGHT, EXECUTIVE OFFICER
CALIFORNIA STATE LANDS COMMISSION

Date: May 15, 1996
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Sacramento

On May 15, 1996 before me, Sharon Shaw, Notary Public, personally appeared Robert C. Hight, whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person acted, executed the instrument.

WITNESS my hand and official seal.

SHARON SHAW
COMM. # 993170, Notary Public — California SACRAMENTO COUNTY
My Comm. Expires APR 28, 1997

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document
Title or Type of Document: Acceptance of Retrocession of Legislative Jurisdiction - Lathrop, CA
Document Date: May 15, 1996 Number of Pages: Six
Signer(s) Other Than Named Above: None

Capacity(ies) Claimed by Signer(s)
Signer’s Name: Robert C. Hight
☐ Individual
☐ Corporate Officer
Title(s):
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: Executive

Signer Is Representing:
State Lands Commission

Signer’s Name:
☐ Individual
☐ Corporate Officer
Title(s):
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other:

Signer Is Representing:
PARTY:
United States of America
Department of the Army
110 Army Pentagon
Washington, D. C. 20310-0110

BACKGROUND:
The United States exercises partial jurisdiction over the Defense Distribution Region West, Lathrop, San Joaquin County. By letter dated February 8, 1996 the Department of the Army requested that California accept a retrocession of partial legislative jurisdiction over this facility so as to establish concurrent legislative jurisdiction over this facility.

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 noticed hearing was held on May 8, 1996. No comments in opposition to the retrocession and establishment of concurrent jurisdiction were received.
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.

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.


3. FIND THAT THE UNITED STATES HAS AGREED TO PAY FOR THE COSTS OF THE RETROCESSION PROCESS.

4. FIND THAT THE STATUTORY PUBLIC HEARING WAS HELD AS REQUIRED.

5. DETERMINE THAT IT IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA TO ACCEPT THE RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION AS REQUESTED BY THE UNITED STATES BECAUSE SUCH AN ACTION WILL ALLOW THE ENFORCEMENT OF THE LAWS OF
CALENDAR ITEM NO. 83(A) (CONT'D)

CALIFORNIA AND ITS POLITICAL SUBDIVISIONS ON THE DEFENSE DISTRIBUTION REGION WEST.

6. ACCEPT THE RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT JURISDICTION OVER THE DEFENSE DISTRIBUTION REGION WEST AS DESCRIBED IN EXHIBIT "A1" ATTACHED HERETO.

7. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE AN ACCEPTANCE OF RETROCESSION IN SUBSTANTIALLY THE SAME FORM AS FOUND IN EXHIBIT "A2" ATTACHED HERETO.

EXHIBIT "A1"

LAND DESCRIPTION
DEFENSE DISTRIBUTION REGION WEST, LATHROP, CALIFORNIA

Commencing at a point on the South line of Section 23, Township 1 South, Range 6 East, Mount Diablo Meridian, San Joaquin County, on or near the center line of Lathrop Road, at which point, said South line is intersected by the Easterly 400 foot right of way line of the Southern Pacific Railroad; thence, Easterly along said South Line of Section 23 and Section 24 in said Township and Range, to the intersection thereof with the Westerly line of the 200 foot right of way of the Western Pacific Railroad in the Southwest quarter (SW¼) of said Section 24, thence Northerly along said Westerly right of way line to the North line of Section 13 in said Township and Range, on or near the center line of Roth Road; thence, Westerly along said North line of Section 13 and Section 14, in said Township and Range, to the Easterly right of way line of said Southern Pacific Railroad; thence, Southerly along said Easterly right of way line to the Point of Beginning, containing 724.15 acres, more or less.

This description was provided by the United States Army Corps of Engineers.
ACCEPTANCE OF RETROCESSION OF LEGISLATIVE JURISDICTION
California Government Code Section 113

Whereas the United States acting by and through the Department of the Army has requested that the State of California accept a retrocession of partial legislative jurisdiction and establish concurrent legislative jurisdiction over lands comprising the Defense Distribution Region West, Lathrop, California; and

Whereas the California State Lands Commission, pursuant to California Government Code Section 113, has been authorized by the California State Legislature to accept such a retrocession and establish concurrent jurisdiction; and

Whereas the Executive Officer of the California State Lands Commission has been authorized to execute this instrument;

NOW, THEREFORE, I, Robert C. Hight, Executive Officer of the California State Lands Commission hereby certify that the Commissioners for the California State Lands Commission met on ________________ and accepted a retrocession of partial legislative jurisdiction and established concurrent legislative jurisdiction over certain lands comprising the Defense Distribution Region West, Lathrop, California. A copy of the Commission's Calendar Item No. _____ is attached hereto as Exhibit "A".

ROBERT C. HIGHT, EXECUTIVE OFFICER

Date:________________________________________

ROBERT C. HIGHT, EXECUTIVE OFFICER

Date:________________________________________