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AND WHEN RECORDED MAIL TO:
STATE OF CALIFORNIA
STATE LANDS COMMISSION
100 HOWE AVE. SUITE 100 SOUTH
SACRAMENTO, CA 95825
ATTN: LEGAL UNIT
TELEPHONE: (916) 574-1850

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CESSION OF CONCURRENT CRIMINAL LEGISLATIVE JURISDICTION

California Government Code Section 126

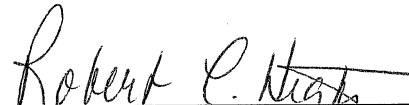
WHEREAS the United States acting by and through the Department of the Army has requested that the State of California cede concurrent criminal legislative jurisdiction to the United States over lands comprising the National Training Center and Fort Irwin ; and

WHEREAS the California State Lands Commission, pursuant to California Government Code Section 126, has been authorized by the California State Legislature to cede such jurisdiction; and

WHEREAS the United States, acting by and through the Department of Justice and pursuant to Title 40, Section 255 of the United States Code, by letter dated April 22, 1996 has agreed to accept such cession of concurrent criminal legislative jurisdiction; and

WHEREAS the Executive Officer of the 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 ceded concurrent criminal legislative jurisdiction to the United States over those lands comprising the National Training Center and Fort Irwin. A copy of the Commission's Agenda Item No. 83(H) describing the terms and conditions of the cession 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,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Robert C. Hight,
Name(s) of Signer(s)

☒ personally known to me – **OR** – ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies) and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Sharon Shaw
Signature of Notary Public

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: Cession of Concurrent Criminal Legislative Jurisdiction - National Training Center and Fort Irwin

Document Date: May 15, 1996 Number of Pages: Seven

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

Officer

Signer Is Representing:

State Lands Commission

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

Signer's Name: _____

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

Signer Is Representing:

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

CALENDAR ITEM

83(H)

S 36

05/09/96

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A 64

Frey

**CESSION OF CONCURRENT CRIMINAL JURISDICTION
PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 126
AT THE NATIONAL TRAINING CENTER AND FORT IRWIN,
SAN BERNARDINO COUNTY**

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, or other public purpose 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.
- e. the United States has agreed to compensate the State for costs incurred in processing the cession.

The United States presently has concurrent criminal legislative jurisdiction over the National Training Center and Fort Irwin, San Bernardino County. This jurisdiction was ceded by the California State Lands Commission on June 5, 1991 and will expire on June 5, 1996. By letter the United States has requested that the State of California cede concurrent criminal legislative jurisdiction over these facilities for another five years.

A noticed public hearing was held on May 1, 1996. Notice of the hearing was published as required by Section 126 and served upon the Clerk of the Board of Supervisors for San Bernardino County. Affidavits of the publication and service are found in the Commission's files. No comments in opposition to the cession were received.

CALENDAR ITEM NO. 83(H) (CONT'D)

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 these facilities.

EXHIBIT:

- H1. Land Descriptions
- H2. Form of Certificate of Cession of Jurisdiction

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 PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.
2. DETERMINE THAT THE PUBLIC HEARING HELD ON MAY 1, 1996 COMPLIED WITH THE GOVERNMENT CODE SECTION 126 AND THE 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 LANDS DESCRIBED IN EXHIBIT "H1" ATTACHED AND BY REFERENCE MADE A PART HEREOF, SAID LANDS BEING WITHIN THE STATE OF CALIFORNIA.
 - B. THE LANDS ARE HELD BY THE UNITED STATES FOR THE ERECTION OF FORTS, MAGAZINES, ARSENALS, DOCKYARDS AND OTHER NEEDFUL BUILDINGS OR OTHER PUBLIC PURPOSE 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.

CALENDAR ITEM NO. 83(H) (CONT'D)

- 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.
 - G. THE CESSION IS PURSUANT TO AND IN COMPLIANCE WITH THE LAWS OF THE UNITED STATES.
 - H. THE UNITED STATES HAS AGREED TO COMPENSATE THE STATE FOR ITS COSTS INCURRED IN PROCESSING THE CESSION.
- 3. DETERMINE THAT A CESSION OF CONCURRENT CRIMINAL JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "H1" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA BECAUSE THE UNITED STATES WILL THEN HAVE THE AUTHORITY TO CONDUCT FEDERAL INVESTIGATIONS AND PROSECUTIONS OF CRIMINAL OFFENSES AT THESE FACILITIES.
 - 4. DETERMINE THAT THE UNITED STATES HAS AGREED TO PAY FOR THE COSTS INCURRED IN THE CESSION PROCESS.
 - 5. CEDE CONCURRENT CRIMINAL JURISDICTION OVER THE NATIONAL TRAINING CENTER AND FORT IRWIN, SAN BERNARDINO COUNTY FOR THE LESSER OF FIVE YEARS OR SO LONG AS THE UNITED STATES OWNS THE LANDS. THE CESSION SHALL NOT BE EFFECTIVE UNTIL THE RECEIPT OF A LETTER OF ACCEPTANCE OF JURISDICTION FROM THE UNITED STATES PURSUANT TO 40 U.S.C. 255.

CALENDAR ITEM NO. 83(H) (CONT'D)

6. FIND THAT THE UNITED STATES, BY LETTER DATED APRIL 23, 1996, HAS ACCEPTED THE CESSION AS REQUIRED BY 40 USC 255.
7. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE A CERTIFICATE OF CESSION OF JURISDICTION IN SUBSTANTIALLY THE SAME FORM AS FOUND IN EXHIBIT "H2" ATTACHED HERETO.
8. AUTHORIZE THE FILING AND RECORDING OF THE CERTIFICATE OF CESSION OF JURISDICTION AND THIS CALENDAR ITEM WITH THE OFFICE OF THE SECRETARY OF STATE, STATE OF CALIFORNIA AND THE COUNTY RECORDER FOR SAN BERNARDINO COUNTY.

EXHIBIT "H1"

NATIONAL TRAINING CENTER AND FORT IRWIN CESSION LAND DESCRIPTION

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, 13, 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, 33, 34 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, 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 16 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, 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

EXHIBIT "H2"

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CESSION OF CONCURRENT CRIMINAL LEGISLATIVE JURISDICTION

California Government Code Section 126

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WHEREAS the California State Lands Commission, pursuant to California Government Code Section 126, has been authorized by the California State Legislature to cede such jurisdiction; and

WHEREAS the United States, acting by and through the Department of Justice and pursuant to Title 40, Section 255 of the United States Code, by letter dated _____ has agreed to accept such cession of concurrent criminal legislative jurisdiction; and

WHEREAS the Executive Officer of the 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 ceded concurrent criminal legislative jurisdiction to the United States over those lands comprising the National Training Center and Fort Irwin. A copy of the Commission's Agenda Item No. ____ describing the terms and conditions of the cession is attached hereto as Exhibit "A".

ROBERT C. HIGHT, EXECUTIVE OFFICER
CALIFORNIA STATE LANDS COMMISSION

Date: _____

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MINUTE PAGE