

2017-0037622

Recorded
Official Records
County of
Tulare
ROLAND P. HILL
Clerk Recorder

REC FEE 0.00

08:15AM 30-Jun-2017 NB Page 1 of 12

RECORDED AT THE REQUEST OF
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

STATE OF CALIFORNIA - OFFICIAL
BUSINESS
DOCUMENT ENTITLED TO FREE
RECORDATION
PURSUANT TO GOVERNMENT
CODE SECTION 27383

True

RESOLUTION OF CESSION OF CONCURRENT CRIMINAL LEGISLATIVE JURISDICTION

California Government Code Section 126

WHEREAS the United States acting by and through the Regional Director, Pacific West Region of the Department of the Interior, National Park Service has requested that the State of California cede concurrent criminal legislative jurisdiction to the United States over 35 parcels of land within Kings Canyon and Sequoia National Parks, Tulare County, California; 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 for the lesser of ten years or so long as the United States owns the lands; and

WHEREAS the United States, acting by and through the Regional Director, Pacific West Region of the Department of the Interior, National Park Service, and pursuant to Section 3112 of Title 40 of the United States Code, has agreed to accept such a cession of concurrent criminal legislative jurisdiction by letter dated May 18, 2017; and

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

NOW, THEREFORE, I, Jennifer Lucchesi, Executive Officer of the California State Lands Commission, hereby certify that the Commissioners for the California State Lands Commission met on June 22, 2017 and ceded concurrent criminal legislative jurisdiction to the United States over those lands comprising 35 parcels of land within Kings Canyon and Sequoia National Parks, Tulare County, California, for the lesser of 10 years or so long as the United States owns those lands. A copy of the Commission's Agenda Item No. C71 describing the terms and conditions of the cession is attached hereto as Exhibit A.

JENNIFER LUCCHESI, EXECUTIVE OFFICER
CALIFORNIA STATE LANDS COMMISSION

Date: 6/27/2017

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of SACRAMENTO)

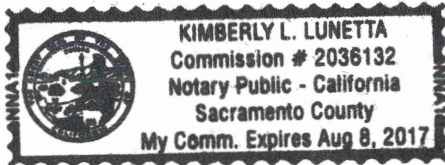
On June 27, 2017 before me, Kimberly L. Lunetta, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Jennifer Lucchesi
Name(s) of Signer(s)

who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Kimberly Lunetta
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document Rescission of assignment of co-ownership

Title or Type of Document: Quintal legislative jurisdiction

Document Date: June 22, 2017 Number of Pages: 11 pgs.

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Jennifer Lucchesi

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☒ Other: Executive official

Signer Is Representing: CA State

Land Commission

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

CALENDAR ITEM
C71

A 23

06/22/17

S 8

W 26519

B. Johnson

CONSIDER CESSION OF CONCURRENT CRIMINAL JURISDICTION
PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 126
OVER 35 PARCELS OF LAND WITHIN KINGS CANYON AND
SEQUOIA NATIONAL PARKS, TULARE COUNTY

PARTY:

United States National Park Service

AREA, LAND, TYPE, AND LOCATION:

35 parcels of land within Kings Canyon and Sequoia National Parks, Tulare County

PROPOSED ACTION:

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

- A. The United States has requested such cession in writing.
- B. The federal lands are held or leased 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 United States Constitution or other federal purpose.
- C. The cession is in compliance with the laws of the United States.
- D. A notice of the proposed cession has been given to the clerk for the board of supervisors of the county in which the federal lands are located at least 15 days before the proposed cession.
- E. The proposed cession is in the best interests of the State.
- F. The United States has agreed to compensate the State for costs incurred in processing the cession request.

Upon making these findings the State and the United States will equally share the State's criminal legislative jurisdiction over lands affected by the cession. The

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
10 PARTS, ON FILE IN THE OFFICE OF THE STATE
LANDS COMMISSION, THAT SAID COPY HAS BEEN COM-
PAIRED 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 LANDS
COMMISSION THIS 28 DAY OF June
A.D. 2017.

CALENDAR ITEM NO. C71 (CONT'D)

cession shall continue only so long as the lands are owned or leased by the United States and used for the purposes for which jurisdiction is ceded or for 10 years, whichever period is less. In ceding concurrent criminal jurisdiction, the Legislature and the State reserve their full jurisdiction over the land, water, and use of water with full power to control and regulate the acquisition, use, control, and distribution of water with respect to the land affected by the cession.

Kings Canyon National Park (originally named General Grant National Park) and Sequoia National Park were created by an Act of Congress on September 25, 1890. By Chapter 51, Statutes of 1919, the California Legislature ceded exclusive legislative jurisdiction to the United States over these National Parks, enabling the United States to enforce California's civil and criminal statutes, as well as federal statutes and regulations, over the federally-owned lands within the two parks.

At the time of Chapter 51's enactment, privately owned lands or lands administered by other federal agencies over which the United States had no legislative jurisdiction existed within the boundaries of the two parks. Over the years, the United States acquired some of these parcels by purchase or condemnation, or withdrew them from the public domain, and incorporated them into one or the other of the two parks. These lands are identified in Exhibit B. The California Legislature did not cede jurisdiction over the parcels identified in Exhibit B through Chapter 51, Statutes of 1919, because the United States did not have control of the properties at the time of its enactment.

The Commission, on behalf of the State, ceded concurrent criminal jurisdiction over the lands identified in Exhibit B in a regularly scheduled meeting on January 26, 2012 (Calendar Item C82, January 26, 2012). The cession was effective on August 16, 2012, the date the Tulare County Recorder recorded the Resolution of Cession, and lasts for 5 years. This cession will expire on August 16, 2017.

By a letter signed by Laura E. Joss, Regional Director, Pacific West Region, and dated May 18, 2017, the National Park Service has requested that the State again cede concurrent criminal legislative jurisdiction over the parcels identified in Exhibit B for a 10-year period. The previous version of Government Code section 126 authorized the Commission to cede concurrent criminal jurisdiction for periods no greater than 5 years. Effective January 1, 2015, the Legislature amended Government Code section 126 to authorize the Commission to cede concurrent criminal jurisdiction for periods of up to 10 years.

The National Park Service has provided the Commission with a copy of a letter from Mike Boudreaux, Sheriff-Coroner of Tulare County, supporting the cession renewal.

CALENDAR ITEM NO. C71 (CONT'D)

A notice of the proposed cession has been given to the Clerk of the Board of Supervisors for Tulare County on May 26, 2017. The United States has agreed to compensate the Commission for costs incurred during processing of its request. Finally, pursuant to 40 U.S.C. section 3112, a cession must be accepted by the United States to be effective. The United States has indicated in its May 18, 2017 letter that it will accept the cession when made by the Commission. If approved by the Commission, the cession will take effect when a Resolution of Cession is recorded in Tulare County

Commission staff believes that the cession of concurrent criminal legislative jurisdiction over the lands described in Exhibit B is in the best interest of the State in connection with the exercise of criminal jurisdiction over these lands.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 3.1 of the Commission's Strategic Plan to "foster, improve, and enhance relationships, to engage the Legislature, public, local, state and federal agencies, legislative grantees, Commission lessees, potential applicants, non-governmental organizations, and the regulated community."
2. The staff recommends that the Commission find that the subject cession of jurisdiction does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBITS:

- A. Site Map
- B. List of affected Assessor Parcels
- C. Map of Mineral King Area
- D. Map of Silver City Area
- E. Map of Alley Property, Chimney Rock, Buckeye Housing and Dillonwood Areas

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject cession of jurisdiction is not subject to the requirements of CEQA pursuant to California Code of Regulations, title 14,

CALENDAR ITEM NO. **C71** (CONT'D)

section 15060, subdivision (c)(3) because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378.

AUTHORIZATION:

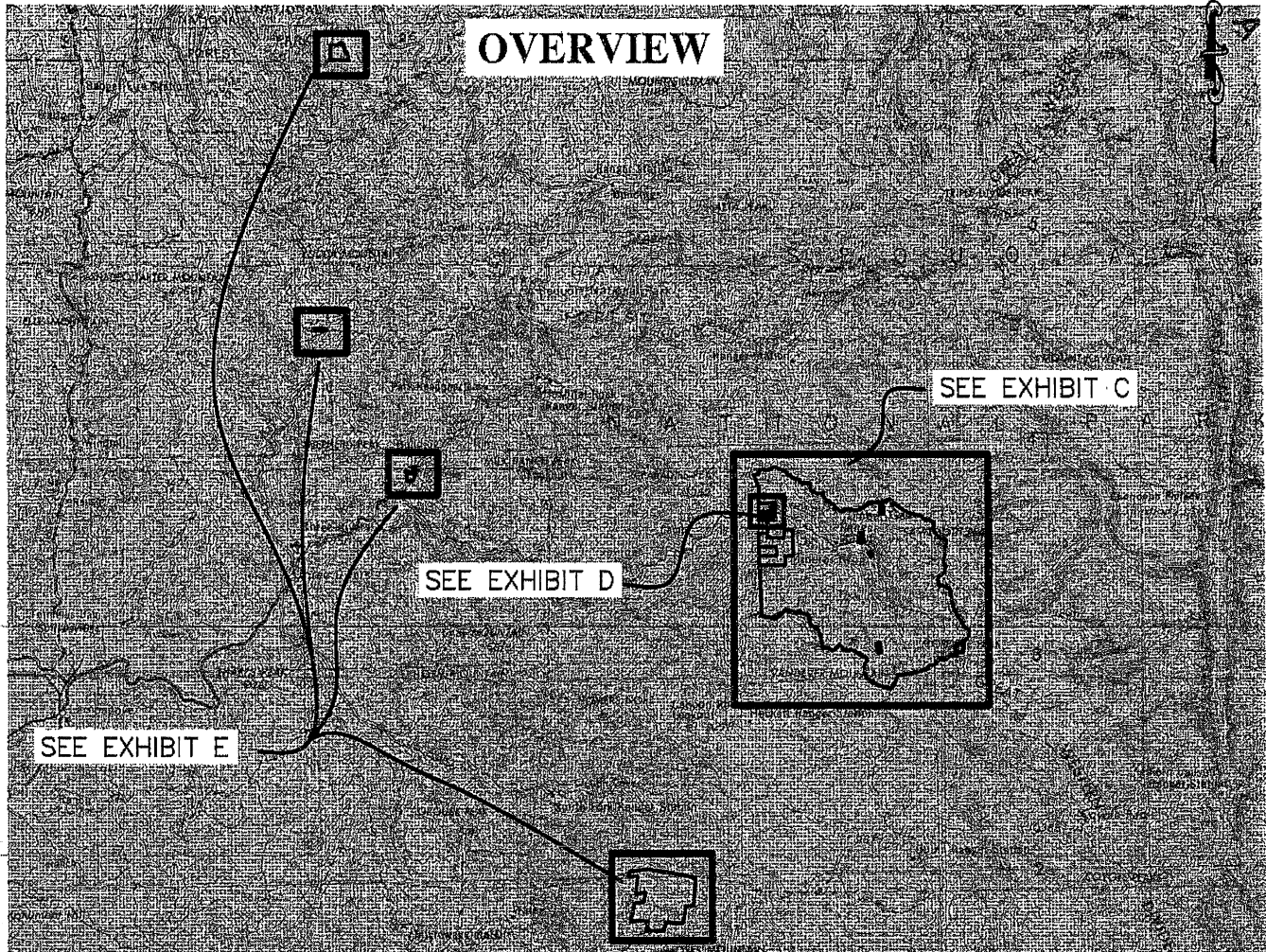
1. Find that the following requirements of Government Code section 126 have been satisfied:
 - A. The United States has requested in writing that the State cede concurrent criminal legislative jurisdiction over the lands described in Exhibit B attached and by reference made a part hereof, said lands being within the State.
 - B. The lands are 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, or for another federal purpose. The United States acquired the lands by purchase or condemnation, or withdrawal from the public domain, in compliance with federal law.
 - C. The cession is pursuant to and in compliance with federal law.
 - D. A notice of the proposed cession has been given to the clerk for the board of supervisors of Tulare County, in which the federal lands are located, at least 15 days before the proposed cession.
 - E. The proposed cession is in the best interests of the State.
 - F. The United States has agreed to compensate the State for its cost incurred in processing the cession.
2. Find that cession of concurrent criminal legislative jurisdiction over the lands within Kings Canyon and Sequoia National Parks described in Exhibit B attached hereto is in the best interests of the State because the United States will then have the authority to conduct investigations and prosecutions of criminal offenses on these lands and will be able to assist local law enforcement.
3. Cede concurrent criminal legislative jurisdiction to the United States over the lands within Kings Canyon and Sequoia National Parks described in Exhibit B attached hereto, for so long as the lands are owned or leased by the United States and used for the purposes for which jurisdiction is ceded, or for 10 years, whichever period is less.

CALENDAR ITEM NO. **C71** (CONT'D)

4. Authorize the Executive Officer or her designee to execute a Resolution of Cession of Concurrent Criminal Legislative Jurisdiction and have it recorded in the Official Records of Tulare County.

NO SCALE

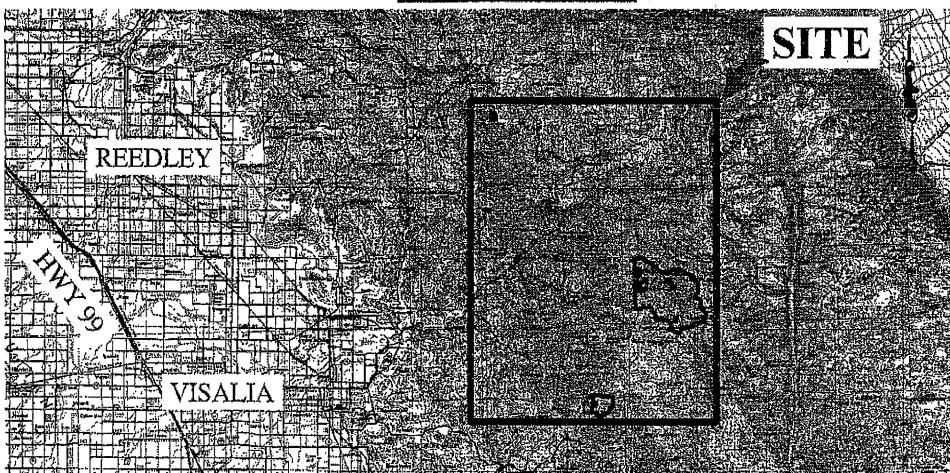
SITE



SEQUOIA & KINGS CANYON NATIONAL PARKS

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

W 26519
SEQUOIA & KINGS CANYON
NATIONAL FORESTS
2017 JURISDICTIONAL
CESSION
TULARE COUNTY

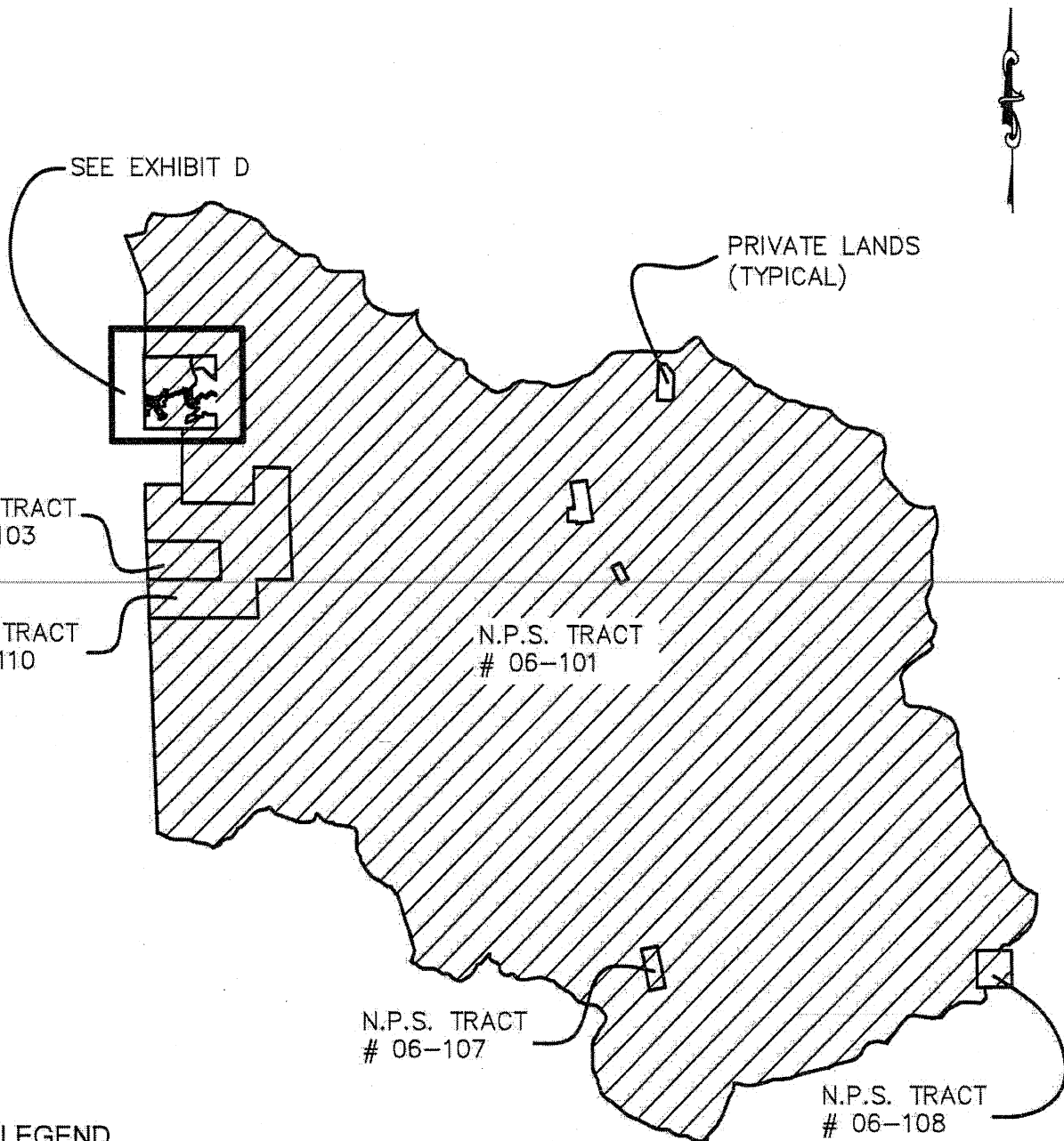


DJF 5/30/17

EXHIBIT B

W 26519

SEQUOIA and KINGS CANYON NATIONAL PARKS					
CESSION OF CONCURRENT CRIMINAL JURISDICTION					
May 2017					
Tulare County Assessor Parcel Number	National Park	National Park Service Tract Number	Acreage	Conveyance Date to National Park Service	Tulare County Recording Data/Federal Statute/Other
144-050-001	Sequoia	01-120	1541.12	Dec 4 2001	2001-0091710
144-050-002	Sequoia	01-120		Dec 4 2001	2001-0091710
144-050-003	Sequoia	01-120		Dec 4 2001	2001-0091710
144-050-004	Sequoia	01-120		Dec 4 2001	2001-0091710
069-080-041	Sequoia	05-108	2.23	May 25 1949	1368/303
069-070-027	Sequoia	05-109	38.53	Jun 11 1951	1525/24
037-010-023	Sequoia	05-110	11.83	Jun 13 2008	2008-0042076
009-080-002	Kings Canyon	05-122	1675	Sep 28 1984	98 Stat. 1626
Not Assigned	Sequoia	06-101	14825.2	Jul 13 1980	92 Stat. 3467
070-100-008	Sequoia	06-103	80.66	Jul 13 1980	92 Stat. 3467
070-160-01	Sequoia	06-107	20.66	Mar 25 1998	98-020830
070-160-03	Sequoia	06-108	40	Feb 24 1981	3841/748
070-100-014	Sequoia	06-110	421.55	Apr 30 1987	4562/311
Not Assigned	Sequoia	07-103	4.46	Nov 9 1983	4128/954
070-007-01	Sequoia	07-104	0.17	Apr 4 1985	15939
070-070-003	Sequoia	07-105	6.68	Feb 27 1985	4313/636
070-070-008	Sequoia	07-105		Feb 27 1985	4313/636
070-080-003	Sequoia	07-105		Feb 27 1985	4313/636
070-080-005	Sequoia	07-105		Feb 27 1985	4313/636
070-180-007	Sequoia	07-106	0.5	Jul 8 1981	3880/334
070-090-045	Sequoia	07-108	0.17	Nov 3 1980	3811/731
070-090-047	Sequoia	07-109	0.41	Oct 24 1980	3808/684
070-090-048	Sequoia	07-109	0.41	Oct 24 1980	3808/684
070-090-051	Sequoia	07-113	0.38	Oct 24 1980	3808/684
070-090-050	Sequoia	07-115	0.28	Oct 17 1980	3807/150
070-070-002	Sequoia	07-145	100.8	Feb 5 1985	4272/818
070-070-004	Sequoia	07-145		Feb 5 1985	4272/818
070-070-005	Sequoia	07-145		Feb 5 1985	4272/818
070-070-006	Sequoia	07-145		Feb 5 1985	4272/818
070-070-007	Sequoia	07-145		Feb 5 1985	4272/818
070-080-006	Sequoia	07-145		Feb 5 1985	4272/818
070-080-007	Sequoia	07-145		Feb 5 1985	4272/818
070-080-011	Sequoia	07-145		Feb 5 1985	4272/818
070-180-011	Sequoia	07-147	11.6	Aug 16 1990	51525
070-180-011	Sequoia	07-148	0.92	Aug 16 1990	51525



LEGEND



CONCURRENT JURISDICTION
CEDED IN 2011

N.P.S. NATIONAL PARK SERVICE

EXHIBIT C

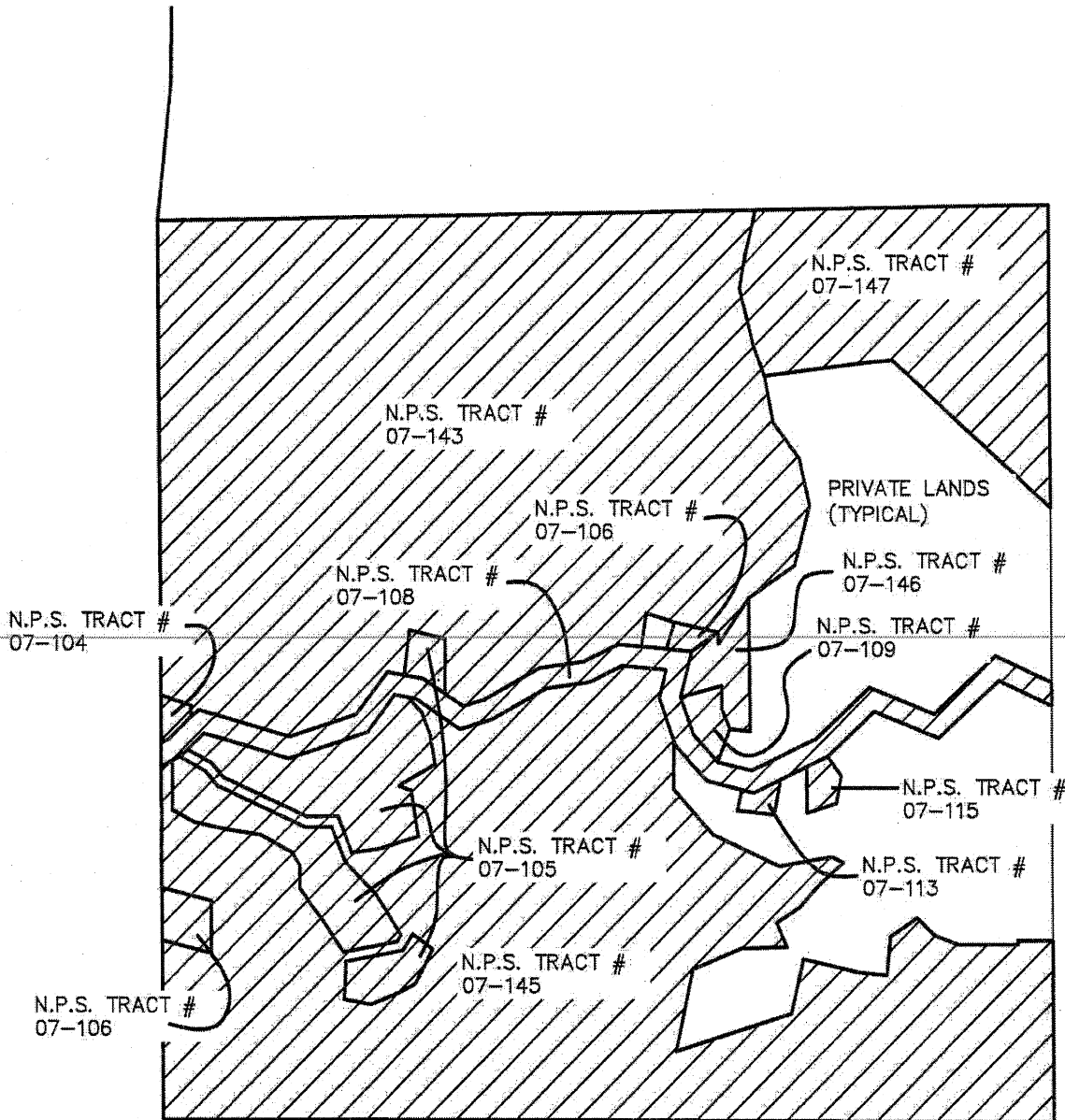
MINERAL KING

DJF 5/30/17

2017 JURISDICTIONAL CESSION
W 26519, SEQUOIA & KINGS CANYON
NATIONAL PARKS
TULARE COUNTY

CALIFORNIA STATE
LANDS COMMISSION





LEGEND



CONCURRENT JURISDICTION
CEDED IN 2011

N.P.S.

NATIONAL PARK SERVICE

EXHIBIT D SILVER CITY

DJF 5/30/17

2017 JURISDICTIONAL CESSION
W 26519, SEQUOIA & KINGS CANYON
NATIONAL PARKS
TULARE COUNTY

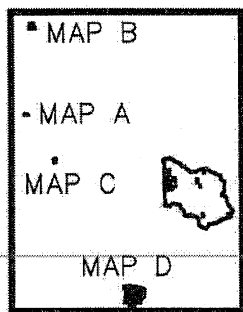
CALIFORNIA STATE
LANDS COMMISSION



A

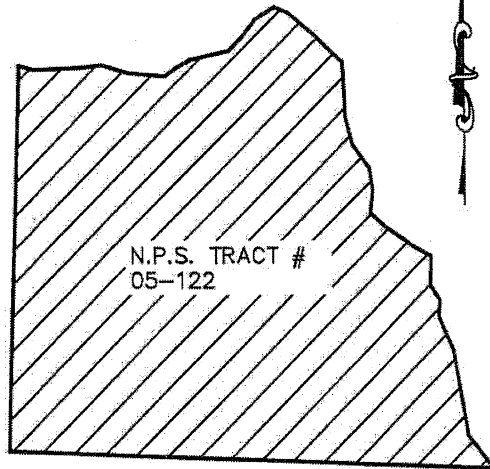


N.P.S. TRACT #
05-110



ALLEY PROPERTY

B

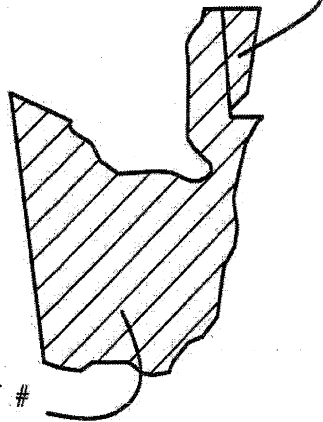


N.P.S. TRACT #
05-122

CHIMNEY ROCK

C

N.P.S. TRACT #
05-108



N.P.S. TRACT #
05-109

BUCKEYE HOUSING

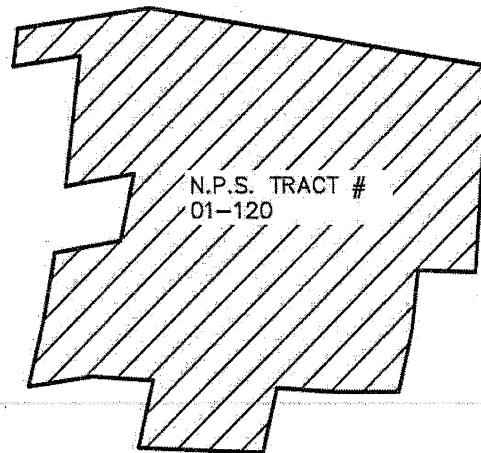
LEGEND



CONCURRENT JURISDICTION
CEDED IN 2011

N.P.S. NATIONAL PARK SERVICE

D



N.P.S. TRACT #
01-120

DILLONWOOD

EXHIBIT E

DJF 5/30/17

2017 JURISDICTIONAL CESSION
W 26519, SEQUOIA & KINGS CANYON
NATIONAL PARKS
TULARE COUNTY

CALIFORNIA STATE
LANDS COMMISSION

