MINUTE ITEM 9/29/75
SCL

3. CEDING OF CONCURRENT JURISDICTION TO THE U. S. NATIONAL PARK SERVICE OVER JOSHUA TREE NATIONAL MONUMENT, SAN BERNARDINO/RIVERSIDE COUNTIES; WHISKEYTOWN UNIT, SHASTA COUNTY; PT. REYES NATIONAL SEASHORE, MARIN COUNTY; DEATH VALLEY NATIONAL MONUMENT, INYO/SAN BERNARDINO COUNTIES; PINNACLES NATIONAL MONUMENT, SAN BENITO/MONTEREY COUNTIES; AND LAVA BEDS NATIONAL MONUMENT, MODOC/SISKIYOU COUNTIES - W 20902.

During consideration of Calendar Item 1 attached, Mr. N. Gregory Taylor, Deputy Attorney General, recommended that the item be deferred pending amendments to Section 126 of the Government Code. This section sets forth the procedures for authorizing cessions of jurisdiction. Chairman Kenneth Cory indicated that he was not prepared to recommend legislation at this time until a full report on the matter is made by the staff and the Office of the Attorney General. Mr. Taylor stated they would report back to the Commission at the November meeting.

Mr. Ralph G. Mihan, Attorney, representing the Department of Interior, appeared. He stated that the only ability to provide law enforcement services in the National Parks is through cession of jurisdiction. Mr. Mihan stated that he had no objection to a further delay in approving the item, but urged the matter be resolved as soon as possible.

Upon motion duly made and carried, the following resolution was adopted.

THE COMMISSION:

1. DEFERS ALL ACTION PENDING REQUESTS OF U. S. NATIONAL PARK SERVICE FOR CONCURRENT JURISDICTION.

2. INSTRUCTED THE STAFF TO HAVE A FULL REPORT ON THE SUBJECT FOR THE COMMISSION'S CONSIDERATION AT THE NOVEMBER MEETING AT WHICH TIME THEY WILL MAKE A DECISION WHETHER LEGISLATION SHOULD BE SOUGHT.

Attachment:
Calendar Item 1 (21 pages)

A 1, 9, 24, 29, 34
S 1, 2, 11, 16, 17

CALENDAR ITEM

9/75
SCL
W 20902

1.

CEDING OF CONCURRENT JURISDICTION

Government Code Section 126 provides as follows:

"Notwithstanding any other provision of law, general or special, the Legislature of California consents to the acquisition by the United States of land within this State upon and subject to each and all of the following express conditions and reservations, in addition to any other conditions or reservations prescribed by law:

(a) The acquisition must be 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 I of the Constitution of the United States, or for the establishment, consolidation and extension of national forests under the provisions of the act of Congress approved March 1, 1911 (36 Stat. 961), known as the 'Weeks Act' (16 USCS Sections 480, 500 note, 513-519, 521, 552, 563);

(b) The acquisition must be pursuant to and in compliance with the laws of the United States;

(c) The United States must in writing have requested state consent to acquire such land and subject to each and all of the conditions and reservations in this section and in Section 4 of Article XIV of the Constitution prescribed;"

(d) The conditions and reservations prescribed in subdivisions (a), (b), (c), (e), and (h) of this section must have been found and declared to have occurred and to exist, by the State Lands Commission, and the commission must have found and declared that such acquisition is in the interest of the State, certified copies of its orders or resolutions making such findings and declarations to be 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 situate;

(e) In granting this consent, the Legislature and the State grant concurrent jurisdiction on and over the land to the United States, excepting and reserving state jurisdiction on and over the land for the

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execution of civil and criminal process and to enforce the laws of the State of California in all cases, and the State's entire power of taxation including that of each state agency, county, city, city and county, political subdivision or public district of or in the State; and reserve to all persons residing on such land all civil and political rights, including the right of suffrage, which they might have were this consent not given.

(f) This consent continues only so long as the land continues to belong to the United States and is held by it in accordance and in compliance with each and all of the conditions and reservations in this section prescribed.

(g) Acquisition as used in this section means: (1) lands acquired in fee by purchase or condemnation, (2) lands owned by the United States that are included in the military reservation by presidential proclamation or act of Congress, and (3) leaseholds acquired by the United States over private lands or state-owned lands.

(h) In granting this consent, the Legislature and the State reserve 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 acquired.

(i) In granting this consent, the Legislature and the State except and reserve to the State all deposits of minerals, including oil and gas, in the land, and to the State, or persons authorized by the State, the right to prospect for, mine, and remove such deposits from the land.

The finding and declaration of the State Lands Commission provided for in subdivision (d) of this section shall be made only after a public hearing. Notice of such hearing shall be published pursuant to Section 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 such county. The State Lands Commission shall make rules and regulations governing the conditions and procedure of such hearings, which shall provide that the cost of publication and service of notice and all other expenses incurred by the Commission shall be borne by the United States.

"The provisions of this section do not apply to any land or water areas heretofore or hereafter acquired by the United States for migratory bird reservations in accordance with the provisions of Sections 10680 to 10685, inclusive, of the Fish and Game Code."

On February 26, 1975, and April 29, 1975, Joseph L. Orr, Acting Associate Director, Park System Management, Western Region, U. S. National Park Service, addressed a letter to the State Lands Commission requesting that the State of California cede concurrent jurisdiction of Joshua Tree National Monument, San Bernardino/Riverside Counties; Whiskeytown Unit, Shasta County; Pt. Reyes National Seashore, Marin County; Death Valley National Monument, Inyo/San Bernardino Counties; Pinnacles National Monument, San Benito/Monterey Counties; and Lava Beds National Monument, Modoc/Siskiyou Counties. On July 29, 1975, the National Park Service formally withdrew its request for concurrent jurisdiction over the Joshua Tree National Monument, San Bernardino/Riverside Counties and Death Valley National Monument, Inyo/San Bernardino Counties. They also submitted a contract executed by the National Park Service reimbursing the State Lands Commission for all costs incurred pursuant to the request for ceding of concurrent jurisdiction. This request by the National Park Service is pursuant to 10 U.S.C. Sections 1, 3 and 40 U.S.C. Section 255.

Minute Item No. 20, Page 568, of the May 27, 1975, State Lands Commission meeting authorized a public hearing for the purpose of determining whether it was in the best interest of the State to cede concurrent jurisdiction to the United States over the lands described in the letter of February 26, 1975, and April 29, 1975, from the National Park Service. The descriptions of the areas in question are attached to each resolution as Exhibit "B" and by reference made a part hereof.

The hearing was scheduled for June 30, 1975, at 10:00 a.m. at 1807 - 13th Street, Sacramento, California, 95813. Notice of the hearing was published in the Riverside Daily Enterprise, The San Bernardino Sun Telegram, the Redding Record Search Light, The San Rafael Independent Journal, the Inyo Register, The Monterey Peninsula Herald, The Hollister Freelance and The Klamath Falls Herald and News. Notice of hearing was personally served on the Clerk of the Board of Supervisors of San Bernardino, Riverside, Shasta, Inyo, San Benito, Monterey, Modoc and Siskiyou Counties. Said publication and service was done pursuant to Government Code Sections 126 and 6061. Affidavits of publication and service are on file in the office of the State Lands Commission and by reference made a part hereof.

Copies of the Notice of Hearing were mailed to interested parties requesting the notice.

The hearing was held as noticed. The following persons appeared at the hearing and offered testimony in opposition to the ceding of concurrent jurisdiction: Jay D. Hughes, Captain, San Bernardino County Sheriff's Office; James Randolph, Lieutenant, Inyo County Sheriff's Office; Philip McDowell, Deputy District Attorney, Inyo County District Attorney's Office; Don Keller, Administrative Division, Sacramento County Sheriff's Department, representing the California State Sheriff's Association; and John B. Lonergan, Attorney at Law, representing Pfizer Inc., Johns-Manville Products Corp., and Tenneco Oil Company.

The following persons appeared at the hearing and offered testimony in support of the requested ceding of concurrent jurisdiction: Joseph L. "Bill" Orr, Acting Associate Director, Park System Management, Western Region, U. S. National Park Service; Ralph G. Mihan, Attorney, Field Solicitor, U. S. Department of the Interior; Don Colville, Chief Park Ranger, Joshua Tree National Monument; Paul F. Haertel, Superintendent, Lava Beds National Monument; Jim Langford, Chief Ranger, Pinnacles National Monument; and James B. Thompson, Superintendent, Death Valley National Monument.

Also received in opposition to the ceding of concurrent jurisdiction over Death Valley National Monument was Resolution 75-90 of the Inyo County Board of Supervisors. This resolution is on file in the office of the State Lands Commission and by reference made a part hereof.

Also received in support of the request for ceding of concurrent jurisdiction was a resolution of the Shasta County Board of Supervisors as to Whiskeytown National Recreation Area, and a letter of support from the Sheriff of Monterey County as to the Pinnacles National Monument. Also received were Boards of Supervisors' resolutions from Siskiyou and Modoc Counties supporting the ceding of jurisdiction over the Lava Beds. Letters of support were also received from the Marin County Board of Supervisors, District Attorney, County Counsel, and County Administrator for the ceding of jurisdiction over Pt. Reyes. These documents are on file in the office of the State Lands Commission and by reference made a part hereof.

The following is a summary of the points made by the various representatives of the County Sheriff's who were speaking in opposition to the ceding of concurrent jurisdiction. They were particularly concerned with the lack of investigative experience possessed by park rangers. It was opined that with the lack of sufficient training coupled with the lack of on-the-job experience the park rangers could not adequately investigate serious felonies

and properly preserve vital evidence and interview witnesses. Also there was concern that with the lack of investigative tools available to the park rangers, the sheriffs of the various counties would receive only the most difficult crimes to solve after the park rangers had made an attempt and discovered that the rangers could not handle the situation. There was also a concern for the duplication of services that would be created. All the sheriffs present felt that the present case load was adequately handled by the present staff of the sheriffs of the various counties. Concern was also raised considering the transportation time and costs involved in transporting and housing suspects in federal detention centers many miles from the scene of the c ime rather than in the local county jail and courthouse.

Representatives of the California State Sheriffs Association objected to all cessions on the above-stated grounds. In addition, specific objection was received as to Death Valley National Monument and Joshua Tree National Monument by the Sheriffs of Inyo and San Bernardino Counties. A letter of opposition was received from Floyd O. Barton, Sheriff of Inyo County, and is on file in the office of the State Lands Commission and by reference made a part hereof.

Philip McDowell, Deputy District Attorney, Inyo County, concurred in the Sheriff's position, and further added that even though the size and remoteness of Death Valley caused a unique problem, there were other solutions available to solve the problem short of actual cession of concurrent jurisdiction. He pointed out the rangers do have the power to make citizens arrest and detain suspects until the sheriff can arrive. Also, agreements can be worked out between the rangers and sheriffs as to what procedures follow in the more serious felonies. He also stated that it was possible for park rangers to be deputized and work closely with the sheriffs and that this can be done without ceding concurrent jurisdiction and that ceding of such jurisdiction is unnecessary and too drastic a solution. Mr. McDowell also expressed concern for the prosecution of crimes in that federal jurisdiction would remove suspects and witnesses many miles from the scene and witnesses may not be cooperative and cases may in fact have to be dismissed because of this problem. In conclusion, McDowell stated that the duplication of services and increased costs would only create a marginal benefit to the public and therefore the District Attorney's Office of Inyo County was opposed to the cession.

John B. Lonergan, attorney representing various mining interests as stated above, spoke in opposition to the cession

of concurrent jurisdiction. The companies he represents own fee title to certain lands within Death Valley National Monument, and operate mines on their parcels. Mr. Lonergan had the following points to emphasize in opposition. First, the increase in park ranger personnel acting as peace officers would duplicate services already provided by the County Sheriff. This would result in increased taxes and would not improve the quality of law enforcement. Second, an objection was raised that the cession, by its limitations under California Government Code Section 126, affects only lands owned in fee by the United States, certain lands within military reservations, and leaseholds acquired by the United States. Thus, since his clients own fee interests within Death Valley National Monument, a checkerboard effect of varying jurisdiction would be created by the cession of concurrent jurisdiction. Third, an objection was raised to a possible change in civil law and procedure as well as criminal law enforcement. However, there is presently no statute that would effect a change in civil law and procedure. Finally, Mr. Lonergan expressed a concern with the possibility of a continuing erosion of State authority over all federal lands within the State.

Speaking in support of the ceding of concurrent jurisdiction were the rangers from the various parks involved and Mr. Joseph L. Orr, Acting Associate Director, Park System Management, Western Region, National Park Service. Mr. Orr explained the need for concurrent jurisdiction in the following areas: The Park Service is desirous of obtaining concurrent jurisdiction over these parklands in order to facilitate its administration, especially in the area of law enforcement. It is not their intent to usurp the authority and/or responsibility of the State in any way, and the proposed action will have no such effect.

The National Park Service now has proprietary jurisdiction within the six areas concerned. This jurisdiction limits the law enforcement authority of National Park Rangers to regulations promulgated for the management and protection of the parks (petty offenses). Offenders must be prosecuted before U. S. Magistrates or in Federal Courts. Concurrent jurisdiction ceded by the State to the United States would also permit Park Rangers to arrest and issue criminal complaint for violation of State law adopted as federal law under authority of the Assimilative Crimes Act and prosecution in U. S. Magistrate or Federal Court.

The cession of concurrent jurisdiction by the State of California to the United States for areas in the National

Park System would in no way diminish the authority of State or county law enforcement officers within these areas.

The authority of Park Rangers to enforce State laws within areas of the National Park System should reduce the workload on local law enforcement officers. National Park Rangers are trained in law enforcement and perform in a wholly professional manner. Many Rangers serve as Deputy Sheriffs and participate in local law enforcement training programs sponsored by county sheriffs and State police organizations. Since 1971, National Park Rangers have received training at the Consolidated Federal Law Enforcement Training Center, Washington, D.C.

In proprietary areas, such as the six parks in question, the regulations contained in the Code of Federal Regulations (CFR) are not applicable on privately owned lands, and Park Rangers are not authorized to enforce regulations on such lands unless, of course, they are deputized as State or county officers. Current Park Service regulations do not generally apply to privately owned lands, even within areas subject to the legislative jurisdiction of the United States.

If concurrent jurisdiction is ceded to the United States (without qualification) only those regulations specifically relating to privately owned lands can be enforced. These are: 36 CFR 2.12, dealing with fire regulations; 36 CFR 2.13, dealing with fishing regulations; 36 CFR 2.15, dealing with gambling; 36 CFR 5.8, dealing with discrimination; and 36 CFR 5.9, dealing with discrimination.

More importantly, by ceding concurrent jurisdiction, the State will assure that State criminal law continues to be applicable to these lands as federal law under the authority of the Assimilative Crimes Act.

Much was said concerning increased costs resulting from the cession of concurrent jurisdiction. This would not be the case. The Ranger positions are already available and budgeted by the National Park Service. Congress appropriates money for these positions, mostly from income tax. It does not come from property tax, either State or county. If Rangers are authorized to enforce the law, there will be less need for Deputy Sheriffs and theoretically less cost to the county, and therefore less property tax.

It was suggested that Rangers could make citizen's arrests (requiring prosecution by District Attorneys) for felonies or misdemeanors for which they are without arrest authority. The legal counsel to the National Park Service has consistently advised against that procedure unless it is absolutely necessary (life-saving situations), because of the exposure of the Rangers to lawsuits ranging from false imprisonment to personal injury, and the ambiguity surrounding the ability of both the Rangers and private citizens involved to recover for such injuries. See Federal Employees' Compensation Act (5 USC Sections 8101, et seq.) and Federal Tort Claims Act (28 USC Sections 1291, et seq.).

The National Park System believes that concurrent jurisdiction within these areas of the National Park System in California will better serve the interests and concerns of visitors to these areas as well as local citizens through more efficient law enforcement, and will greatly assist the local law enforcement organization.

Mr. Ralph G. Mihan, Field Solicitor for the Department of the Interior, also spoke in support of the cession. Mr. Mihan added that this action would in no way affect civil law in any of the areas as there is no federal statute authorizing the adoption of civil law as there is for criminal law in the case of the Assimilative Crimes Act. Also, he pointed out that all the investigative forces and crime laboratory facilities of the United States would be available to assist any investigation and prosecution of a crime committed within the areas and handled by Park Rangers. Also, full cooperation will be given to local law enforcement officials. The National Park Service has agreements with local law enforcement officials in many areas outside California, and these agreements are working to the satisfaction of all parties. It is contemplated that similar agreements would be developed with law enforcement agencies in the areas in question.

(The tape recording of the hearing is on file in the office of the State Lands Commission and by reference made a part hereof.)

In conclusion, general opposition to all cessions was expressed by the California State Sheriff's Association and Mr. John B. Lonergan. Specific opposition was raised to Death Valley National Monument by the Inyo County Board of Supervisors, the Inyo County Sheriff, the Inyo County District Attorney, the San Bernardino County Sheriff, and Mr. Lonergan. Specific opposition was expressed by the San Bernardino County Sheriff as to Joshua Tree National Monument.

Support for the ceding of concurrent jurisdiction was given by the Shasta County Board of Supervisors for Whiskeytown National Recreation Area. Support for the Pinnacles National Monument cession was given by the Monterey County Sheriff.

Support for the ceding of concurrent jurisdiction was given by the Marin County Board of Supervisors, District Attorney, and County Counsel for the Pt. Reyes National Seashore. Support for the ceding of concurrent jurisdiction was given by the Boards of Supervisors of Modoc and Siskiyou Counties for the Lava Beds National Monument.

The above is a staff summary of the evidence presented at the hearing held on June 30, 1975. It presents the facts and states the positions of the proponents and opponents of the proposed ceding of concurrent jurisdiction to the United States. Pursuant to California Government Code Section 126, the Commission must make a finding as to whether or not it is within the best interest of the State of California to cede concurrent jurisdiction.

This item was originally heard by the Commission at its July 24, 1975 meeting. At that time, action on the requests for Death Valley in Inyo-San Bernardino Counties and Joshua Tree National Monument in San Bernardino-Riverside Counties were withdrawn at the request of the U. S. National Park Service pending further negotiations between the Park Service and the counties involved. Consideration of this matter as to the remaining areas was deferred by the Commission to allow the Division to contact officials of the affected counties to determine their attitude toward the requested action. The Office of the Attorney General was also requested to comment on the matter from a criminal standpoint.

Subsequent to the meeting, the Division has contacted each of the affected counties as to the areas remaining for consideration. Each county has reaffirmed its support of the Federal Government's request. In addition, the Sheriff of San Benito County and Monterey County Board of Supervisors have also indicated support of the proposal. Said comments are incorporated in the above summary.

Further study of this matter by Staff Counsel and Office of the Attorney General has indicated that there are serious legal questions as to whether the requested consent to acquire can be given under the existing statutory authority set forth in Government Code Section 126.

This is the first request of the U. S. National Park Service to the State Lands Commission for a consent of the State for concurrent jurisdiction. Previous requests pursuant to Section 126 have concerned military installations and a federal building in Los Angeles.

Section 126 of the Government Code only applies to acquisition of lands by the Federal Government pursuant to Article 1, Section 8, Clause 17, of the United States Constitution and extension of national forests under the Weeks Act. There is case authority that forests, parks, ranges, wildlife sanctuaries, flood control, and other purposes are not acquisitions pursuant to Article 1. Although an argument for a broad construction of Article 1 can be made, no cases have been found that the type of National Park Service acquisitions here involved are within the meaning of Article 1 as used in Government Code Section 126. In addition, Section 126 does not apply to Park Service areas created out of the public domain by Presidential Proclamation

as opposed to those acquired by condemnation purchase or lease and military installations created by Presidential Proclamation. Pinnacles and Lava Beds National Monuments were created by Presidential Proclamation.

It is the conclusion of the Division and Office of the Attorney General that legislation should be sought on an urgency basis to amend Government Code 126, give the Commission clear authority to take the requested actions. Such legislation could also provide the Commission with greater discretionary authority than existing provisions of Section 126 provide.

EXHIBITS: A. Location Map. B. Land Description.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DEFER ALL ACTION ON PENDING REQUESTS OF U. S. NATIONAL PARK SERVICE FOR CONCURRENT JURISDICTION.

2. INSTRUCT THE DIVISION TO SEEK LEGISLATION ON AN URGENCY BASIS TO AMEND GOVERNMENT CODE SECTION 126 TO GIVE THE COMMISSION APPROPRIATE POWERS TO ACT UPON SAID PENDING REQUESTS.

THE COMMISSION:

1. DETERMINES THAT THE CEDING OF JURISDICTION HEARING HELD ON JUNE 30, 1975, COMPLIED WITH THE STATUTES AND REGULATIONS FOR CEDING OF JURISDICTION AND THAT THE FOLLOWING CONDITIONS HAVE BEEN SATISFIED:

   A. THE UNITED STATES HAS REQUESTED IN WRITING THAT THE STATE OF CALIFORNIA CEDE CONCURRENT JURISDICTION TO THE UNITED STATES OVER LAVA BEDS NATIONAL MONUMENT, 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 TO REQUEST CESSION OF CONCURRENT JURISDICTION FROM THE STATE OF CALIFORNIA.

   C. IN GRANTING THIS CONSENT, THE LEGISLATURE AND THE STATE GRANT CONCURRENT JURISDICTION ON AND OVER THE LAND DESCRIBED IN EXHIBIT "B-1" ATTACHED AND BY REFERENCE MADE A PART HEREOF TO THE UNITED STATES, EXCEPTING AND RESERVING STATE JURISDICTION ON AND OVER THE LAND FOR THE EXECUTION OF CIVIL AND CRIMINAL PROCESS AND TO ENFORCE THE LAWS OF THE STATE OF CALIFORNIA IN ALL CASES, AND THE STATE'S ENTIRE POWER OF TAXATION INCLUDING THAT OF EACH STATE AGENCY, COUNTY, CITY, CITY AND COUNTY, POLITICAL SUBDIVISION OR PUBLIC DISTRICT OF OR IN THE STATE; AND RESERVE TO ALL PERSONS RESIDING ON SUCH LAND ALL CIVIL AND POLITICAL RIGHTS, INCLUDING THE RIGHT OF SUFFRAGE, WHICH THEY MIGHT HAVE WERE THIS CONSENT NOT GIVEN.

   D. IN GRANTING THIS CONSENT, THE LEGISLATURE AND THE STATE RESERVE 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 ACQUIRED.

2. DETERMINES THAT A CEDING OF CONCURRENT JURISDICTION OVER LAVA BEDS NATIONAL MONUMENT IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA.

3. AUTHORIZES THE EXECUTION ON BEHALF OF THE COMMISSION OF A RESOLUTION CEDING CONCURRENT JURISDICTION AND ALL OTHER NECESSARY DOCUMENTS TO MAKE IT EFFECTIVE.

4. AUTHORIZES THE DISTRIBUTION OF CERTIFIED COPIES OF SAID RESOLUTION AS FOLLOWS:

A. ONE COPY TO BE FILED WITH THE SECRETARY OF STATE, STATE OF CALIFORNIA;

B. ONE COPY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MODOC AND SISKIYOU COUNTIES;

C. ONE COPY TO BE MAILED TO JOSEPH L. ORR, ACTING ASSOCIATE DIRECTOR, PARK SYSTEM MANAGEMENT, WESTERN REGION, U. S. NATIONAL PARK SERVICE.

Attachment: Exhibit "B-1"

THE COMMISSION:

1. DETERMINES THAT THE CEDING OF JURISDICTION HEARING HELD ON JUNE 30, 1975, COMPLIED WITH THE STATUTES AND REGULATIONS FOR CEDING OF JURISDICTION AND THAT THE FOLLOWING CONDITIONS HAVE BEEN SATISFIED:

   A. THE UNITED STATES HAS REQUESTED IN WRITING THAT THE STATE OF CALIFORNIA CEDE CONCURRENT JURISDICTION TO THE UNITED STATES OVER WHISKEYTOWN NATIONAL RECREATION AREA, 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 TO REQUEST CESSION OF CONCURRENT JURISDICTION FROM THE STATE OF CALIFORNIA.

   C. IN GRANTING THIS CONSENT, THE LEGISLATURE AND THE STATE GRANT CONCURRENT JURISDICTION ON AND OVER THE LAND DESCRIBED IN EXHIBIT "B-2" ATTACHED AND BY REFERENCE MADE A PART HEREOF TO THE UNITED STATES, EXCEPTING AND RESERVING STATE JURISDICTION ON AND OVER THE LAND FOR THE EXECUTION OF CIVIL AND CRIMINAL PROCESS AND TO ENFORCE THE LAWS OF THE STATE OF CALIFORNIA IN ALL CASES, AND THE STATE'S ENTIRE POWER OF TAXATION INCLUDING THAT OF EACH STATE AGENCY, COUNTY, CITY, CITY AND COUNTY, POLITICAL SUBDIVISION OR PUBLIC DISTRICT OF OR IN THE STATE; AND RESERVE TO ALL PERSONS RESIDING ON SUCH LAND ALL CIVIL AND POLITICAL RIGHTS, INCLUDING THE RIGHT OF SUFFRAGE, WHICH THEY MIGHT HAVE WERE THIS CONSENT NOT GIVEN.

   D. IN GRANTING THIS CONSENT, THE LEGISLATURE AND THE STATE RESERVE 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 ACQUIRED.

2. DETERMINES THAT A CEDING OF CONCURRENT JURISDICTION OVER WHISKEYTOWN NATIONAL RECREATION AREA IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA.

3. AUTHORIZES THE EXECUTION ON BEHALF OF THE COMMISSION OF A RESOLUTION CEDING CONCURRENT JURISDICTION AND ALL OTHER NECESSARY DOCUMENTS TO MAKE IT EFFECTIVE.

4. AUTHORIZES THE DISTRIBUTION OF CERTIFIED COPIES OF SAID RESOLUTION WAS FOLLOWS:

A. ONE COPY TO BE FILED WITH THE SECRETARY OF STATE, STATE OF CALIFORNIA;

B. ONE COPY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SHASTA COUNTY;

C. ONE COPY TO BE MAILED TO JOSEPH L. ORR, ACTING ASSOCIATE DIRECTOR, PARK SYSTEM MANAGEMENT, WESTERN REGION, U. S. NATIONAL PARK SERVICE.

Attachment: Exhibit "B-2"

THE COMMISSION:

1. DETERMINES THAT THE CEDING OF JURISDICTION HEARING HELD ON JUNE 30, 1975, COMPLIED WITH THE STATUTES AND REGULATIONS FOR CEDING OF JURISDICTION AND THAT THE FOLLOWING CONDITIONS HAVE BEEN SATISFIED:

   A. THE UNITED STATES HAS REQUESTED IN WRITING THAT THE STATE OF CALIFORNIA CEDE CONCURRENT JURISDICTION TO THE UNITED STATES OVER POINT REYES NATIONAL SEASHORE, 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 TO REQUEST CESSION OF CONCURRENT JURISDICTION FROM THE STATE OF CALIFORNIA.

   C. IN GRANTING THIS CONSENT, THE LEGISLATURE AND THE STATE GRANT CONCURRENT JURISDICTION ON AND OVER THE LAND DESCRIBED IN EXHIBIT "B-3" ATTACHED AND BY REFERENCE MADE A PART HEREOF TO THE UNITED STATES, EXCEPTING AND RESERVING STATE JURISDICTION ON AND OVER THE LAND FOR THE EXECUTION OF CIVIL AND CRIMINAL PROCESS AND TO ENFORCE THE LAWS OF THE STATE OF CALIFORNIA IN ALL CASES, AND THE STATE'S ENTIRE POWER OF TAXATION INCLUDING THAT OF EACH STATE AGENCY, COUNTY, CITY, CITY AND COUNTY, POLITICAL SUBDIVISION OR PUBLIC DISTRICT OF OR IN THE STATE; AND RESERVE TO ALL PERSONS RESIDING ON SUCH LAND ALL CIVIL AND POLITICAL RIGHTS, INCLUDING THE RIGHT OF SUFFRAGE, WHICH THEY MIGHT HAVE WERE THIS CONSENT NOT GIVEN.

   D. IN GRANTING THIS CONSENT, THE LEGISLATURE AND THE STATE RESERVE 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 ACQUIRED.

2. DETERMINES THAT A CEDING OF CONCURRENT JURISDICTION OVER POINT REYES NATIONAL SEASHORE IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA.

3. AUTHORIZES THE EXECUTION ON BEHALF OF THE COMMISSION OF A RESOLUTION CEDING CONCURRENT JURISDICTION AND ALL OTHER NECESSARY DOCUMENTS TO MAKE IT EFFECTIVE.

4. AUTHORIZES THE DISTRIBUTION OF CERTIFIED COPIES OF SAID RESOLUTION AS FOLLOWS:

A. ONE COPY TO BE FILED WITH THE SECRETARY OF STATE, STATE OF CALIFORNIA;

B. ONE COPY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MARIN COUNTY;

C. ONE COPY TO BE MAILED TO JOSEPH L. ORR, ACTING ASSOCIATE DIRECTOR, PARK SYSTEM MANAGEMENT, WESTERN REGION, U. S. NATIONAL PARK SERVICE.

Attachment: Exhibit "B-3"

THE COMMISSION:

1. DETERMINES THAT THE CEDING OF JURISDICTION HEARING HELD ON JUNE 30, 1975, COMPLIED WITH THE STATUTES AND REGULATIONS FOR CEDING OF JURISDICTION AND THAT THE FOLLOWING CONDITIONS HAVE BEEN SATISFIED:

   A. THE UNITED STATES HAS REQUESTED IN WRITING THAT THE STATE OF CALIFORNIA CEDE CONCURRENT JURISDICTION TO THE UNITED STATES OVER PINNACLES NATIONAL MONUMENT, 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 TO REQUEST CESSION OF CONCURRENT JURISDICTION FROM THE STATE OF CALIFORNIA.

   C. IN GRANTING THIS CONSENT, THE LEGISLATURE AND THE STATE GRANT CONCURRENT JURISDICTION ON AND OVER THE LAND DESCRIBED IN EXHIBIT "B-4" ATTACHED AND BY REFERENCE MADE A PART HEREOF TO THE UNITED STATES, EXCEPTING AND RESERVING STATE JURISDICTION ON AND OVER THE LAND FOR THE EXECUTION OF CIVIL AND CRIMINAL PROCESS AND TO ENFORCE THE LAWS OF THE STATE OF CALIFORNIA IN ALL CASES, AND THE STATE'S ENTIRE POWER OF TAXATION INCLUDING THAT OF EACH STATE AGENCY, COUNTY, CITY, CITY AND COUNTY, POLITICAL SUBDIVISION OR PUBLIC DISTRICT OF OR IN THE STATE; AND RESERVE TO ALL PERSONS RESIDING ON SUCH LAND ALL CIVIL AND POLITICAL RIGHTS, INCLUDING THE RIGHT OF SUFFRAGE, WHICH THEY MIGHT HAVE WERE THIS CONSENT NOT GIVEN.

   D. IN GRANTING THIS CONSENT, THE LEGISLATURE AND THE STATE RESERVE 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 ACQUIRED.

2. DETERMINES THAT A CEDING OF CONCURRENT JURISDICTION OVER PINNACLES NATIONAL MONUMENT IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA.

3. AUTHORIZES THE EXECUTION ON BEHALF OF THE COMMISSION OF A RESOLUTION CEDING CONCURRENT JURISDICTION AND ALL OTHER NECESSARY DOCUMENTS TO MAKE IT EFFECTIVE.

4. AUTHORIZES THE DISTRIBUTION OF CERTIFIED COPIES OF SAID RESOLUTION WAS FOLLOWS:

A. ONE COPY TO BE FILED WITH THE SECRETARY OF STATE, STATE OF CALIFORNIA;

B. ONE COPY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN BENITO AND MONTEREY COUNTIES;

C. ONE COPY TO BE MAILED TO JOSEPH L. ORR, ACTING ASSOCIATE DIRECTOR, PARK SYSTEM MANAGEMENT, WESTERN REGION, U. S. NATIONAL PARK SERVICE.

Attachment: Exhibit "B-4"

EXHIBIT "B-1"

W 20902

LAVA BEDS NATIONAL MONUMENT
IN THE COUNTIES OF
MODOC AND SISKIYOU
STATE OF CALIFORNIA

Lava Beds National Monument was created by Presidential Proclamation set forth on November 21, 1925, in United States Statutes at Large, volume 44, page 2591, and supplemented by the following proclamations: April 27, 1951, No. 2925; Public Law 92-493, 86 Stat. 811, October 13, 1972.

END OF DESCRIPTION

EXHIBIT "B-2"

W 20902

WHISKEYTOWN UNIT
WHISKEYTOWN-SHASTA-TRINITY
NATIONAL RECREATION AREA
IN THE COUNTY OF SHASTA
STATE OF CALIFORNIA

Whiskeytown Unit, Whiskeytown-Shasta-Trinity National Recreation Area is situate in the County of Shasta, State of California. Said lands of Whiskeytown Unit in Shasta County are described in Volume 37 Federal Register No. 212, page 23369.

END OF DESCRIPTION

EXHIBIT "B-3"

W 20902

POINT REYES NATIONAL SEASHORE
IN THE COUNTY OF MARIN
STATE OF CALIFORNIA

Point Reyes National Seashore is situate in the County of Marin, State of California. Said lands of Point Reyes National Seashore in Marin County are described in Volume 37, Federal Register No. 212, page 23366.

END OF DESCRIPTION

EXHIBIT "B-4"

W 20902

PINNACLES NATIONAL MONUMENT
IN THE COUNTIES OF
SAN BENITO AND MONTEREY
STATE OF CALIFORNIA

Pinnacles National Monument was created by a Presidential Proclamation set forth January 16, 1908, in United States Statutes at Large, volume 35, page 2177, and supplemented by the following proclamations: May 5, 1923, 43 Stat. 1911; July 2, 1924, 43 Stat. 1961; April 13, 1931, 47 Stat. 2451; July 11, 1933, 48 Stat. 1701; December 5, 1941, 55 Stat. 1709.

END OF DESCRIPTION