

MINUTE ITEM

This Calendar Item No. C64
was approved as Minute Item
No. 64 by the State Lands
Commission by a vote of 3
to 0 at its 3-8-94
meeting.

CALENDAR ITEM

C64

A 10

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03/08/94
W 25065
Frey

**RETROCESSION OF JURISDICTION AT
MATHER AIR FORCE BASE
SACRAMENTO COUNTY**

PARTY:

United States Department of the Air Force
Secretary of the Air Force
Washington, D. C.

BACKGROUND:

The United States Department of the Air Force has exclusive legislative jurisdiction over certain lands comprising Mather Air Force Base in Sacramento County and partial legislative jurisdiction over other lands within the Base.

California Government Code Section 113 authorizes the State Lands Commission to accept a retrocession of jurisdiction if the following conditions are met:

1. The United States has in writing requested that the State accept the retrocession;
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.

By letter dated July 30, 1993, the Department of the Air Force requested Governor Wilson to accept a retrocession of all legislative jurisdiction over Mather AFB. This request was made under authority granted by 10 USC 2683. The purpose of the request is to accommodate the presence of local law enforcement on the facility after closure of the Base.

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CALENDAR ITEM NO. C64 (CONT'D)

The State Lands Commission published on December 8, 1993, in the Sacramento Bee a "Notice of Hearing to Determine Retrocession of Jurisdiction from the United States Over Land Known as Mather Air Force Base." The Notice was also served on the Clerk of the Board of Supervisors for Sacramento County.

The hearing was held on December 29, 1993, in the offices of the State Lands Commission. No favorable or adverse comments were received. No members of the public or representatives of the Air Force appeared.

The United States has executed a contract to pay for costs incurred by the State Lands Commission in processing the retrocession.

Government Code Section 113 provides that, after the Commission has accepted the retrocession, its acceptance be filed with the Office of the Secretary of State and recorded in the Office of the County Recorder.

AB 884:
N/A

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: P.R.C. 21065 and 14 Cal. Code Regs. 15378.

EXHIBITS:

- A. Location Map
- B. Land Description
- C. Form of Retrocession

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 P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.

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CALENDAR ITEM NO. C64 (CONT'D)

2. FIND THAT THE U.S. DEPARTMENT OF THE AIR FORCE HAS COMPLIED WITH ALL OF THE REQUIREMENTS OF GOVERNMENT CODE SECTION 113.
3. FIND THAT ACCEPTANCE OF THE RETROCESSION OF ALL LEGISLATIVE JURISDICTION OVER MATHER AIR FORCE BASE, SACRAMENTO COUNTY AS DESCRIBED IN EXHIBIT "B" ATTACHED HERETO IS IN THE BEST INTERESTS OF THE STATE.
4. ACCEPT THE RETROCESSION OF ALL LEGISLATIVE JURISDICTION OVER MATHER AIR FORCE BASE, SACRAMENTO COUNTY.
5. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE AN ACCEPTANCE OF RETROCESSION IN SUBSTANTIALLY THE SAME FORM AS FOUND IN EXHIBIT "C" ATTACHED HERETO.
6. AUTHORIZE THE STAFF TO FILE THE ACCEPTANCE OF RETROCESSION WITH THE OFFICE OF THE SECRETARY OF STATE AND TO RECORD IT IN THE OFFICE OF THE RECORDER FOR SACRAMENTO COUNTY.

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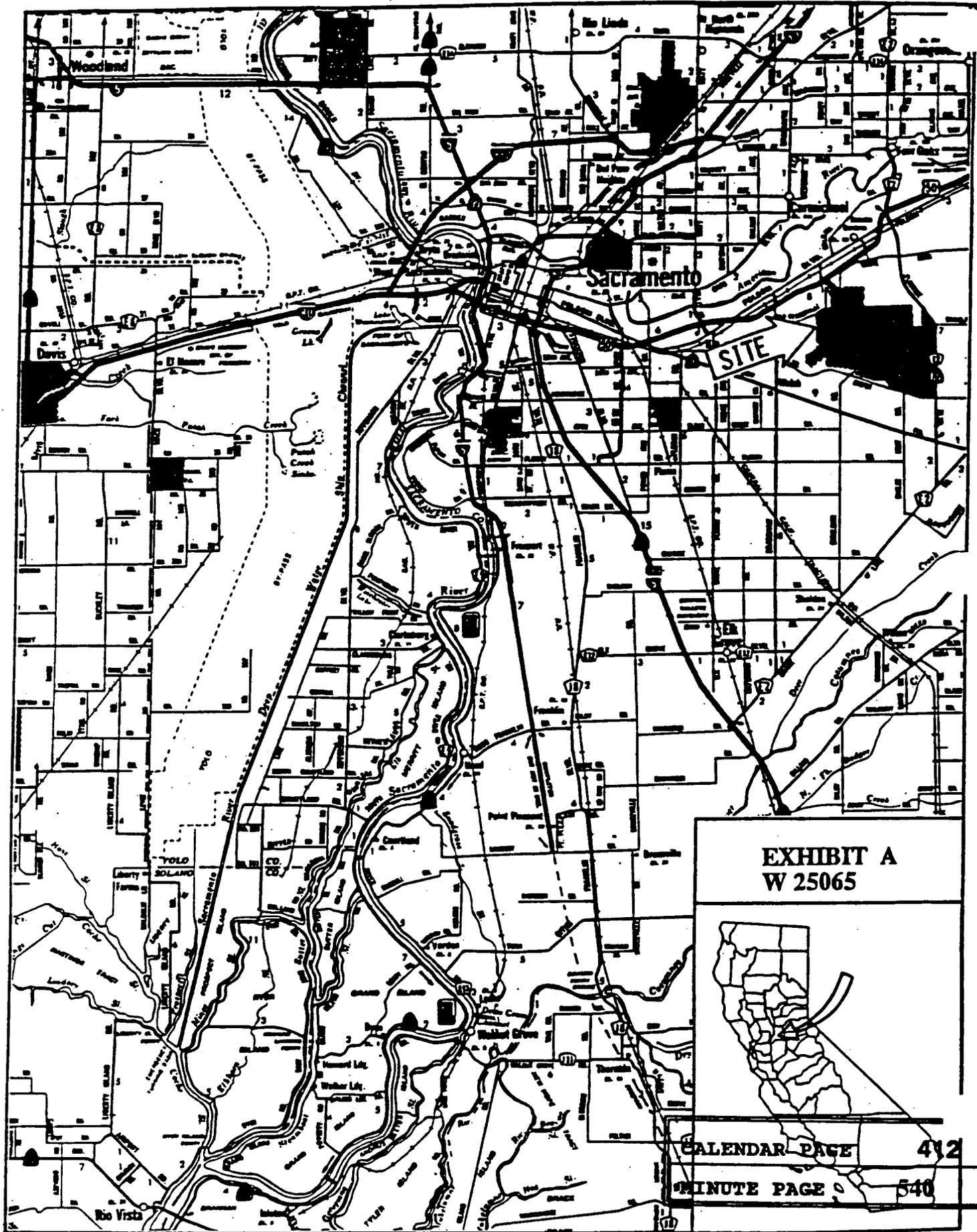
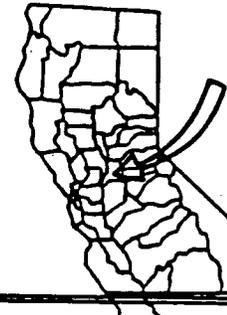


EXHIBIT A
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EXHIBIT B
W 25065

EXCLUSIVE JURISDICTION 786.73 acres

MATHER AIR FORCE BASE ORIGINAL RESERVATION TRACT A-99 (786.73 ACRES)

Acquired in fee by deed from Natomas Company to the United States, dated and recorded May 17, 1920 in Book of Deeds 531 at page 124, Sacramento County Records.

Beginning at a point, said point being the Northwest corner of a parcel of land known as Subdivision Victor Gardiner, 447 63/100 A., on a map of the southern portion of the Rancho Rio de los Americanos, made by T. J. Arnold, C. E., 1865, on record in the office of the County Recorder of the County of Sacramento, in Book 1 of Maps, page 2; thence North 4' 19' 30" West, 934.7 feet; thence North 4' 13' 30" West, 3,252.6 feet; thence North 4' 23' 00" West, 993.7 feet, to a point in the Southerly line of the so-called Lower Placerville Road; thence North 59' 56' 00" East, 4,492.3 feet, along said Southerly line of said road; thence South 7' 39' 30" East, 2,053.0 feet; thence North 86' 05' 30" East, 2087.8 feet; thence South 5' 03' 30" East, 4,329.9 feet; thence South 79' 04' 00" West, 6,434.0 feet, to the point of beginning being a part of projected Sections 2, 3, 10, 11, 14, and 15, Township 8 North, Range 6 East, M. D. B. & M. Containing 786.73 acres, more or less.

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METES AND BOUNDS TO MATHER AIR FORCE BASE BOMBING RANGE,
TRACT A-100 (4,477.02 ACRES)

PARCEL NO. 1. All of Subdivision "Victor Gardiner 447 63/100A", as shown on the official "Plat of Subdivision of the Rancho Rio de los Americanos", recorded in the office of the County Recorder of Sacramento County, April 4, 1866, in Book 1 of Maps, Map No. 2.

PARCEL NO. 2. All of Subdivision "Wm. E. Bryan", as shown on the official "Plat of Subdivisions of the Rancho Rio de los Americanos", recorded in the office of the County Recorder of Sacramento County, April 4, 1866, in Book 1 of Maps, Map No. 2, EXCEPTING THEREFROM the following:

That portion of said subdivision, "Wm. E. Bryan" described in that certain Deed dated the 17th day of May, 1920, executed by Natomas Company of California to United States of America, and recorded in the office of the County Recorder of the said County of Sacramento, in Book 531 of Deeds, page 124; containing 1,342.60 acres, more or less.

PARCEL NO. 3. All that portion of subdivision "Wm. Dearing 356 3/100A", as the said subdivision is shown and delineated and no designated upon the official "Plat of Subdivisions of the Rancho Rio de los Americanos", recorded in the office of the County Recorder of Sacramento County, April 4, 1866, in Book 1 of Maps, Map No. 2, more particularly described as follows:

Beginning at the southwesterly corner of said "Wm. Dearing 356 3/100A" subdivision and running thence along the Southerly boundary line thereof East a distance of 31.72 chains; thence North 39° 34' West a distance of 61.60 chains to a point in the Westerly boundary line thereof; thence along said Westerly boundary line South 9° 00' East a distance of 48.08 chains to the point of beginning.

PARCEL NO. 4. Fractional Southeast quarter of Section 12, Township 8 North, Range 6 East, M. D. B. & M.; containing 35 acres, more or less.

The East half of the Northeast quarter, the Southwest quarter of the Northeast quarter, Lot 4 of the Northeast quarter, Lots 2 and 3 of the Northwest quarter, there Southeast quarter, the East half of the Southwest quarter, the Southwest quarter of the Southwest quarter and Lot 1 of the Southwest quarter of Section 13, township 8 North, Range 6 East, M. D. B. & M.; containing 509.77 acres, more or less.

Lots 1, 2 and 3 of the fractional Southeast quarter of Section 14, Township 8 North, Range 6 East, M. D. B. & M.; containing 49.49 acres, more or less.

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PARCEL NO. 5. All that portion of the Northwest one-quarter and of the East one-half of Section 24, Township 8 North, Range 6 East, M. D. B. & M., lying North of the Middle Jackson Road.

PARCEL NO. 6. All that portion of Lots 3 and 4 of the Northwest one-quarter of Section 23, Township 8 North, Range 6 East, M. D. B. & M., lying Northerly of the Middle Jackson Road and Lot 5 of the Northeast one-quarter, the Northeast one-quarter of the Northeast one-quarter and all that portion of the South one-half of the Northeast one-quarter of Section 23, Township 8 North, Range 6 East, M. D. B. & M., lying Northerly of the Middle Jackson Road.

PARCEL NO. 7. Lots 3 and 4 of the Southeast quarter; the South Half of the Southeast quarter; Lots 1 and 2 of the Southwest quarter and the South half of the Southwest quarter of Section 7, Township 8 North, Range 7 East, M. D. B. & M., and all of Section 18, Township 8 North, Range 7 East, M. D. B. & M.

PARCEL NO. 8. That portion of the West three-quarters of Section 19, Township 8 North, Range 7 East, M. D. B. & M., lying North of the Middle Jackson Road.

Lots 1601 to 1608, both inclusive, as shown on the official "Plat of H. J. Goethe Company's Colony No. 16", recorded in the office of the County Recorder of Sacramento County, April 7, 1904, in Book 5 of Maps, Map No. 39, being the East one-quarter of Section 19, Township 8 North, Range 7 East, M. D. B. & M.

The above Parcels 1 to 8, inclusive, contain approximately 4,477.02 acres, more or less.

EXCEPTING THEREFROM: (One of two exceptions)

Three tracts of land being portions of those certain parcels of land as described in the Deed from the Natomas Company to United State of America dated August 8, 1940 and recorded August 8, 1940 in Book 837, Official Records, at Page 43, records of Sacramento County, Tracts One and Two being in the Rancho Rio de los Americanos (Projected Section Seven (7), Township Eight (8), North, Range Seven (7) East, Mount Diablo Base and Meridian); Tract Three being a portion of Sections Seven (7), Eighteen (18), and Nineteen (19), Township Eight (8) North, Range Seven (7) East, Mount Diablo Base and Meridian; said tracts having a combined area of 338.1 acres, more or less, and being separately described as follows:

Tract One:

Beginning at a point in the north boundary of the Wm. E. Bryan 2129.33 acre tract as said tract is shown on the Plat of Subdivision of the Rancho Rio de los Americanos recorded April 4, 1866 in Book 1 of Maps at Page 2, records of Sacramento County, said point bears South 71° 50' West 1,155.2 feet from a 60 penny spike marking the northwest corner of Tract 6 of the Division of the Joseph E. Fitzgerald 375.19 acre tract as shown on the map recorded October 28, 1921 in Book 2 of Record

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records of Sacramento County; thence from said point of beginning and along the north boundary of said Wm. E. Bryan tract North 87° 56' East 1,139.4 feet to the Northeast corner of said Wm. E. Bryan tract; thence along the east boundary of said Wm. E. Bryan tract South 07° 19' East 2,589.9 feet; thence leaving said east boundary North 30° 09' West 2,923.4 feet to the point of beginning; said Tract One contains an area of 33.7 acres, more or less.

Tract Two:

All that certain parcel of land described as Parcel No. 3 in said deed to the United States of America more particularly described as follows: Beginning at an Iron Pipe monument in the westerly boundary of that certain 2,238.274 acre parcel as shown on the Record of Survey map recorded August 7, 1961 in Book 18 of Surveys at Page 4, records of Sacramento County; (said point of beginning also being in the easterly boundary of Tract 6 of the Division of the Joseph E. Fitzgerald 375.19 acre tract as shown on the map recorded October 28, 1921 in Book 2 of Surveys at Page 31, records of Sacramento County); thence from said point of beginning and along the southwesterly boundary of said 2,238.274 acre of parcel South 39° 44' East 4,094.3 feet to an Iron Pipe monument in the southerly boundary of the Rancho Rio de los Americanos; thence westerly along last said southerly boundary 2,107.6 feet to the Southeast corner of said Joseph E. Fitzgerald Tract; thence along the easterly boundary of said Joseph E. Fitzgerald Tract North 09° 15' West 3,173.0 feet to the point of beginning; said Tract Two contains an area of 75.7 acres, more or less.

Tract Three:

All the portion of said Sections 7, 18, and 19, said Township and Range lying east of the following described line:

Beginning at a point in the South boundary of the Rancho Rio de los Americanos that bears South 07° 19' East 3477.6 feet and South 89° 43' East 117.1 feet from a 60 penny spike marking the Northwest corner of Tract 6 of the Division of the Joseph E. Fitzgerald 375.19 acre tract as shown on the map recorded October 28, 1921 in Book 2 of Record of Surveys at Page 31, records of Sacramento County; thence from said point of beginning and leaving said south boundary of the Rancho Rio de los Americanos South 00° 19' West 96.5 feet to a point tangent to the following curve; thence along a curve to the left with a radius of 520.0 feet an arc distance of 714.4 feet to a point (last said point bears South 39° 02' East a chord distance of 659.5 feet from the beginning of said curve); thence tangent to the preceding curve South 78° 24' East 603.0 feet to a point tangent to the following curve; thence along a curve to the right with a radius of 780.0 feet an arc distance of 433.1 feet to a point (last said point bears South 62° 29' East a chord distance of 427.6 feet from the beginning of said curve); thence tangent to the preceding curve South 62° 25' East 1,713.0 feet to a point tangent to the following curve; thence along

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RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:
STATE OF CALIFORNIA
State Lands Commission
1807 13th Street
Sacramento, CA 95814
Attn: Legal Unit
Telephone: (916) 322-2277

STATE OF CALIFORNIA-OFFICIAL
BUSINESS - Document entitled
to free recordation Pursuant
to Government Code Section 27383

ACCEPTANCE OF RETROCESSION OF LEGISLATIVE JURISDICTION

California Government Code Section 113

California Government Code Section 113 authorizes the State Lands Commission (Commission) to accept a retrocession of jurisdiction if the following conditions are met:

1. The United States has in writing requested that the State accept the retrocession;
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.

By letter dated July 30, 1993, the Secretary of the Air Force requested Governor Wilson to accept a retrocession of all legislative jurisdiction over Mather Air Force Base. This request was made pursuant to authority granted under 10 USC 2683.

The Commission published on December 8, 1993, in *The Sacramento Bee* a "Notice of Hearing to Determine Retrocession of Jurisdiction from the United States over Land Known as Mather Air Force Base." The Notice was also served on the Clerk of the Board of Supervisors for Sacramento County by the office of the County Sheriff.

The hearing was held on December 29, 1993, in the offices of the State Lands Commission. No members of the public attended. The United States in its request for the retrocession declared that the retrocession would be in the State's best interests because it would allow for the presence of local law enforcement on the facility.

The Department of the Air Force has executed a contract to pay for costs incurred by the Commission in processing the retrocession.

Based on the above facts, the Commission found that the United States has complied with the provisions of Government Code § 113 and

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**Retrocession of Jurisdiction
Salinas River National Wildlife Refuge**

that the proposed retrocession is in the best interests of the State. Therefore, the Commission, at its meeting of _____, 1994, by a vote of _____ to _____, accepted a retrocession of all legislative jurisdiction over Mather Air Force Base, Sacramento County. Said retrocession to be effective upon the execution of this document by the Executive Officer of the Commission, the recordation of this document in the office of the Recorder for Sacramento County, and the filing of this document in the office of the Secretary of State.

**EXECUTIVE OFFICER
CALIFORNIA STATE LANDS COMMISSION**

Date: _____