

MINUTE ITEM
This Calendar Item No. 80
was approved as Minute Item
No. 80 by the State Lands
Commission by a vote of 2
to 0 at its 7/11/97
meeting.

CALENDAR ITEM
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**CONSIDERATION OF RETROCESSION OF JURISDICTION AT NAVAL STATION,
TREASURE ISLAND AND YERBA BUENA ISLAND, SAN FRANCISCO COUNTY
AND ESTABLISHMENT OF CONCURRENT JURISDICTION**

BACKGROUND:

Under Government Code Section 113, the Legislature has granted the Commission the authority to accept a retrocession of legislative jurisdiction from the United States upon receipt of a written request and an agreement to pay the costs associated with the retrocession. The statute also provides for the establishment of concurrent jurisdiction.

By letter dated May 14, 1997 the United States requested that the Commission accept a retrocession of exclusive and partial legislative jurisdiction over 989.08 acres of land at the Naval Station, Treasure Island and Yerba Buena Island, San Francisco County. The United States further requested that the Commission establish concurrent legislative jurisdiction over the same area. The United States has agreed to pay the costs associated with the retrocession.

Pursuant to Government Code Section 113, a notice of hearing on the proposed retrocession and establishment of concurrent jurisdiction was published in a local newspaper. Notice was also served on the Clerk for the Board of Supervisors of San Francisco County. The hearing was held as scheduled on June 20, 1997 in the offices of the Commission. Members of the U. S. Navy, the City of San Francisco appeared.

The United States believes this action is necessary because it is closing these facilities and leasing portions of them to the local reuse authority with the intent of making an eventual conveyance of the properties to it. The retrocession "will allow State and local law enforcement to be made available to ensure proper protection of the property. This change in jurisdiction will also promote redevelopment of these islands to commercial uses under the Defense Base Closure and Realignment (BRAC) process." The City and the County are supportive of the action.

The retrocession and establishment of concurrent jurisdiction will be effective upon

CALENDAR PAGE	621
MINUTE PAGE	001651

CALENDAR ITEM NO. 80 (CONT'D)

the recordation of the Commission's action with the San Francisco County Recorder and its filing with the California Secretary of State.

PERMIT STREAMLINING ACT DEADLINE:

N/A

EXHIBIT

A: Land Description

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.
2. FIND THAT THE REQUIREMENTS OF GOVERNMENT CODE SECTION 113 HAVE BEEN COMPLIED WITH IN THAT THE UNITED STATES HAS REQUESTED IN WRITING THAT THE STATE OF CALIFORNIA ACCEPT A RETROCESSION OF EXCLUSIVE AND PARTIAL JURISDICTION AND ESTABLISH CONCURRENT JURISDICTION OVER THE LANDS KNOWN AS NAVAL STATION, TREASURE ISLAND AND YERBA BUENA ISLAND, SAN FRANCISCO COUNTY AS DESCRIBED IN EXHIBIT A; THAT THE UNITED STATES HAS AGREED TO PAY THE COSTS ASSOCIATED WITH THE RETROCESSION; THAT A NOTICE OF HEARING WAS SERVED ON THE CLERK FOR THE BOARD OF SUPERVISORS FOR THE COUNTY OF SAN FRANCISCO; AND THAT THE PUBLIC HEARING WAS HELD AS NOTICED.
3. FIND THAT A RETROCESSION OF EXCLUSIVE AND PARTIAL JURISDICTION AND THE ESTABLISHMENT OF CONCURRENT JURISDICTION IS IN THE BEST INTERESTS OF THE STATE.
4. ACCEPT A RETROCESSION OF EXCLUSIVE AND PARTIAL JURISDICTION OVER THOSE LANDS KNOWN AS NAVAL STATION, TREASURE ISLAND AND YERBA BUENA ISLAND, SAN FRANCISCO COUNTY AS DESCRIBED IN

CALENDAR ITEM NO. 80 (CONT'D)

EXHIBIT A AND ESTABLISH CONCURRENT JURISDICTION OVER THEM.

5. AUTHORIZE THE FILING OF COPIES OF THE COMMISSION'S ACTION WITH THE SAN FRANCISCO COUNTY RECORDER AND THE CALIFORNIA SECRETARY OF STATE.

CALENDAR PAGE	623
MINUTE PAGE	0C1653

EXHIBIT A

RETROCESSION OF LEGISLATIVE JURISDICTION AT NAVAL STATION, TREASURE ISLAND AND YERBA BUENA ISLAND, SAN FRANCISCO COUNTY

LEGAL DESCRIPTION

All that land owned by the United States of America lying in the City and County of San Francisco, State of California described as follows:

Being all that land acquired from the State of California being those tide and submerged lands ceded to the United States of America by Act of Legislature of the State of California on March 9, 1897 (Calif. 1897, Page 74) and as shown as Item 1a on the Dept. of the Navy, Naval Facilities Engineering Command REAL ESTATE SUMMARY MAPS having NAVFAC DWG Nos. 1296802 & 1296803 amended 3/6/90; containing 172.70 acres more or less;

and

Being a portion of land described in Executive Order dated November 6, 1850 for Yerba Buena Island (Goat Island) and consisting of those lands extending northwesterly to the ordinary high tide line of the San Francisco Bay from a boundary described by metes and bounds, and colored in yellow as shown of the Dept. of the Navy, Naval Facilities Engineering Command REAL ESTATE SUMMARY MAPS have NAVFAC DWG NO. 1296803 amended 3/6/90; containing 99.09 acres, more or less;

and

Being all that land acquired from The City and County of San Francisco as described in the Judgment of the Declaration of Taking for Civil Action 22164-W filed in the District Court of the United States in and for the Northern District of California, Southern Division on April 17, 1942 as shown as item 13 on the Dept. of the Navy, Naval Facilities Engineering Command REAL ESTATE SUMMARY MAPS having NAVFAC DWG NO. 1296807 amended 3/6/90; containing 717.29 acres, more or less.

END OF DESCRIPTION

TOTAL AREA OF RETROCESSION IS 989.08 acres, more or less.

CALENDAR PAGE	624
MINUTE PAGE	001654