

~~MINUTES ITEM~~

24. GRANTS OF TIDE AND SUBMERGED LANDS TO THE UNITED STATES AT MILITARY INSTALLATIONS IN THE SAN FRANCISCO BAY AREA, CONTRA COSTA, MARIN, SAN FRANCISCO, AND SOLANO COUNTIES - S.W.O. 7912.

After consideration of Calendar Item 26 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED AND DIRECTED TO REVIEW THE SAN FRANCISCO BAY AREA MILITARY GRANT PROBLEMS WITH THE APPROPRIATE FEDERAL AGENCIES TO PERMIT ESTABLISHMENT OF ADEQUATE TITLE RECORDS AS TO THE AFFECTED AREAS.

Attachment

Calendar Item 26 (2 pages)

CALENDAR ITEM

26.

GRANTS OF TIDE AND SUBMERGED LANDS TO THE UNITED STATES AT MILITARY INSTALLATIONS IN THE SAN FRANCISCO BAY AREA, CONTRA COSTA, MARIN, SAN FRANCISCO, AND SOLANO COUNTIES - S.W.O. 7912.

Staff review has shown that pursuant to Statutes of 1897, Chapter 81, page 74, approved and in effect on March 9, 1897, granting tide and submerged lands out to 300 yards beyond the low water mark adjacent to military installations, the United States is presently using in excess of 3600 acres in San Francisco and San Pablo Bays. In addition to the area granted, the United States is also using approximately 1000 acres of sovereign lands pursuant to its interpretation of the extent of the grant and other claims at Mare Island.

(Exhibit "A")

In the past, there have been areas which were granted by the 1897 act which have automatically reverted to the State as provided by the act, but there is no precedent concerning possible reconveyance of granted areas. (There are many precedents, however, by which the United States has retroceded civil and criminal jurisdiction over certain areas which the United States owns in order to cooperate on State developments.)

The areas which were military installations on March 9, 1897, and the approximate acreage of adjacent sovereign lands granted, as compared with the acreage now used by the United States, are as follows: (This list does not include such areas as Fort Funston at San Francisco, which is on the open ocean, nor military areas established after March 9, 1897, wherein there does not appear to be any claim of sovereign lands.)

<u>Military Installation</u>	<u>1897 Grant</u>	<u>Acreage Now Used</u>
Mare Island	1125	2100
Red Rock Island	102	102
The Brothers	90	90
Marin Islands	168	none
The Sisters	90	90
Angel Island	613	513
Alcatraz Island	150	150
Yerba Buena Island	307	307
Forts Baker and Barry	900	1400*
San Francisco Presidio	344	344
Fort Mason	51**	10

*The additional 500 acres is due to cession of jurisdiction out to 500 yards beyond low tide per Statutes of 1859, Chapter 305, page 334.

**Due to prior sales of tide and submerged lands in this area, the effective acreage in the grant is only about 10 acres.

CALENDAR ITEM 26. (CONTD.)

In consideration of the record disparities relating to United States occupancy of tide and submerged lands in the San Francisco Bay area, the lack of firm record agreement as to the status of reverted lands adjoining abandoned military reservations (i.e., Benicia Arsenal), and the desirability for correct records as to lands adjoining military reservations being considered for elimination,

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED AND DIRECTED TO REVIEW THE SAN FRANCISCO BAY AREA MILITARY GRANT PROBLEMS WITH THE APPROPRIATE FEDERAL AGENCIES TO PERMIT ESTABLISHMENT OF ADEQUATE TITLE RECORDS AS TO THE AFFECTED AREAS.