

MINUTE ITEM

9/29/75
SCL
W 20942

36. PUBLIC HEARING CONCERNING CESSION AND RETROCESSION OF CONCURRENT JURISDICTION TO THE U.S. DEPARTMENT OF NAVY AT THE NAVAL SUPPORT ACTIVITY, TERMINAL ISLAND, LOS ANGELES COUNTY - W 20942.

After consideration of Calendar Item 34 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. AUTHORIZES THE STATE LANDS DIVISION STAFF TO HOLD A PUBLIC HEARING PURSUANT TO GOVERNMENT CODE SECTION 113 AND 126 THE RULES AND REGULATIONS OF THE COMMISSION FOR THE PURPOSE OF DETERMINING WHETHER IT IS IN THE BEST INTEREST OF THE STATE TO CEDE AND RETROCEDE CONCURRENT JURISDICTION TO THE UNITED STATES DEPARTMENT OF THE NAVY OF THE PARCEL OF LAND AT THE NAVAL SUPPORT ACTIVITY, TERMINAL ISLAND, LONG BEACH, CALIFORNIA.
2. APPROVES THE CONTRACT BETWEEN THE STATE LANDS COMMISSION AND THE U.S. DEPARTMENT OF NAVY ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, TO REIMBURSE THE STATE LANDS COMMISSION FOR COSTS PURSUANT TO THE REQUEST OF THE DEPARTMENT OF NAVY FOR CEDING AND RETROCEDING CONCURRENT JURISDICTION.

Attachment:
Calendar Item 34 (2 pages)

A 52, 57
S 27, 31

PUBLIC HEARING CONCERNING CESSION AND
RETROCESSION OF CONCURRENT JURISDICTION

Government Code Section 113 provides for retrocession of jurisdiction by the United States of land within this State whenever the United States has requested in writing that the State accept such retrocession and the State Lands Commission, after a public hearing, has determined that the acceptance of such retrocession of concurrent jurisdiction is in the best interest of the State. Section 113 also provides that the State Lands Commission shall make rules and regulations governing the conditions and procedures of such hearings. Pursuant to this section of the Government Code, the State Lands Commission has enacted Section 2700 et seq., of Title 2 of the California Administrative Code. Specifically, Section 2700 requires that the officer of the United States requesting the retrocession of jurisdiction shall arrange for the payment of the cost of publication and any other costs that may be incurred.

Government Code Section 126 provides for cession of jurisdiction by the State of land within this State whenever the United States has requested in writing that the State cede such concurrent jurisdiction. Section 126 also provides for the State Lands Commission, after a public hearing, to determine that the ceding of such concurrent jurisdiction is in the best interest of the State. The section further provides that the State Lands Commission shall be reimbursed for all costs by the agency requesting the ceding of concurrent jurisdiction.

On May 2, 1975, Roy Markon, Deputy Assistant Commander for Real Estate, Department of the Navy, addressed a letter to the State of California, requesting that the State cede and retrocede concurrent jurisdiction over the Terminal Island Naval Complex, Long Beach, California. Also submitted was a contract for the reimbursing of the State Lands Commission for the costs incurred pursuant to the request for the ceding and retroceding of concurrent jurisdiction. This request by the U. S. Department of the Navy is pursuant to 10 USC Section 2683.

Based upon the foregoing, it is necessary that the State Lands Commission hold a public hearing to determine whether ceding and retroceding of concurrent jurisdiction of such lands is in the best interest of the State. Notice of such hearing is to be published pursuant to Section 6061 of the Government Code in the County of Los Angeles. After the hearing, the matter will be brought back before the Commission for its determination of State interest.

A 52, 57
S 27, 31

CALENDAR ITEM NO. 34. (CONTD)

EXHIBITS: A. Location Map. B. Contract.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE THE STATE LANDS DIVISION STAFF TO HOLD A PUBLIC HEARING PURSUANT TO GOVERNMENT CODE SECTION 113 AND 126 THE RULES AND REGULATIONS OF THE COMMISSION FOR THE PURPOSE OF DETERMINING WHETHER IT IS IN THE BEST INTEREST OF THE STATE TO CEDE AND RETROCEDE CONCURRENT JURISDICTION TO THE UNITED STATES DEPARTMENT OF THE NAVY OF THE PARCEL OF LAND AT THE NAVAL SUPPORT ACTIVITY, TERMINAL ISLAND, LONG BEACH, CALIFORNIA.
2. APPROVE THE CONTRACT BETWEEN THE STATE LANDS COMMISSION AND THE U. S. DEPARTMENT OF NAVY ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, TO REIMBURSE THE STATE LANDS COMMISSION FOR COSTS PURSUANT TO THE REQUEST OF THE DEPARTMENT OF NAVY FOR CEDING AND RETROCEDING CONCURRENT JURISDICTION.