

MINUTE ITEM

This Calendar Item No. 31
was approved as Minute Item
No. 31 by the State Lands
Commission by a vote of 3
to 0 at its 3-5-81
meeting.

CALENDAR ITEM

31

2/81
W 22388
Gordon

DENIAL OF APPLICATION (884)
AUTHORIZATION OF SUIT FOR
EJECTMENT AND COLLECTION OF RENTALS

Chapter 1200, Statutes of 1977 (AB 884) requires State agencies to compile lists of criteria specifying the detailed application information required from applicants for development projects. Accordingly, the State Lands Commission adopted its application criteria through Calendar Item No. 12 at its April 27, 1978 meeting.

Under AB 884, once an application has been accepted as complete, the Commission must act on the application within specified time periods. Failure to act within the time allowed, either by approving or denying the project, results in automatic approval of the project (by operation of law).

Therefore, pursuant to Chapter 1200, Statutes of 1977, the following application for State Lands Commission lease is submitted for denial. This application was deemed complete in accordance with Commission-approved criteria.

Exhibit "A" outlines the application requiring denial, along with the reason therefor.

EXHIBIT: A. Application to be Denied.
 B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DENY, WITHOUT PREJUDICE TO APPLICANT'S RIGHT TO REAPPLY FOR THE SAME PROJECT, THE APPLICATION LISTED ON THE ATTACHED EXHIBIT "A", IN COMPLIANCE WITH THE STANDARDS FOR DENIAL SET FORTH IN STATE ADMINISTRATIVE MANUAL SECTION 1099.
2. AUTHORIZE STAFF AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY, INCLUDING LITIGATION, TO BRING THE TRESPASS OF RECLAMATION DISTRICT 2023 ON STATE-OWNED SUBMERGED LANDS IN LITTLE CONNECTION AND POTATO SLOUGHS AT VENICE ISLAND, SAN JOAQUIN COUNTY, UNDER PERMIT OR OTHER SETTLEMENT.

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EXHIBIT "A"
APPLICATION TO BE DENIED

<u>W. O.</u>	<u>APPLICANT</u>	<u>TYPE OF PROJECT</u>
W 22388	Reclamation District 2023 P. O. Box 1528 Stockton, California 95201	Existing and future placement of rock bank protection materials in Little Connection and Potato Sloughs, Venice Island, San Joaquin County.

Reason: App'iant has taken the position that the State
Lands Commission has no jurisdiction within the
project area. All filing and processing fees have
been paid. However, applicant refuses to enter
into an agreement with the State.

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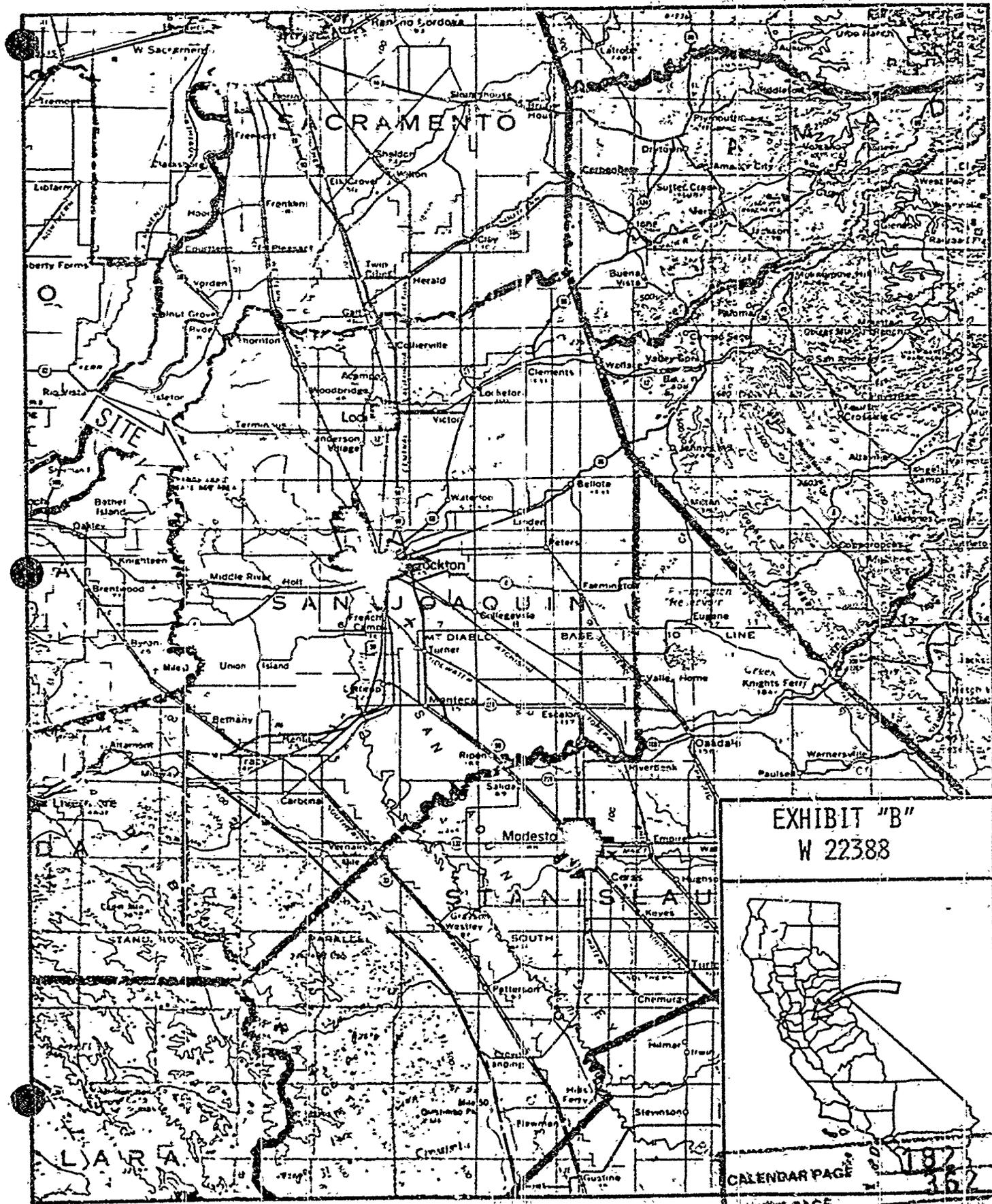


EXHIBIT "B"
W 22388



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