

MINUTE ITEM

22

02/28/85
W 23447
McDonald
Reese

DENIAL OF APPLICATION AB 884

Calendar Item 22, attached, was pulled from the agenda prior to the meeting.

Attachment: Calendar Item 22.

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DENIAL OF APPLICATION
AB 884

Chapter 1200, Statutes of 1977 (AB 884), requires State Agencies to compile lists of criteria specifying the detailed application information required of applicants for development projects. Accordingly, the State Lands Commission adopted its application criteria through Calendar Item No. 12 at its April 12, 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, could result in automatic approval of the project.

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

This application should be denied without prejudice because this 640-acre parcel is an integral part of the BLM's Kessler Spring Grazing Allotment and separating it from the use of the holder of the allotment will be environmentally and economically detrimental. The parcel was inadvertently omitted from the current lease held by the allottee (Cary Overson, PRC 4160.2) and is now being incorporated into his lease. The lease is due to terminate in December 1989 and staff will investigate desirability of competitive bidding for a replacement lease at that time.

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061) the staff has determined that this activity is exempt from the requirements of the CEQA as a statutory exempt project. The project is exempt because it involves a project that is rejected or disapproved.

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CALENDAR ITEM NO. 22 (CONT'D)

Authority: P.R.C. 21080(b)(5).

APPLICANT: Mr. Floyd Newman
P.O. Box 12
Needles, California 92363

AB 884: 05/20/85.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A STATUTORY EXEMPT PROJECT PURSUANT TO P.R.C. 21080(b)(5), PROJECT THAT IS REJECTED OR DISAPPROVED.
2. DENY, WITHOUT PREJUDICE THE APPLICANT'S RIGHT TO REAPPLY FOR THE SAME PROJECT, THE APPLICATION OF FLOYD NEWMAN FOR A GRAZING LEASE ON SECTION 16, T13N R15E, S8M, SAN BERNARDINO COUNTY.
3. AUTHORIZE STAFF TO ADVISE THE APPLICANT OF THE COMMISSION'S ACTION TO DENY AND OF THE APPLICANT'S RIGHT TO REAPPLY.

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SERIALIZED	FILED
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FBI - SAN BERNARDINO	

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