MINUTE ITEM

This Calendar Item No. 24
was approved as Minute Item
No. 24 by the State Lands
Commission by a vote of 2
to 2 at its 7/25/85
meeting.

MINUTE ITEM

24

07/25/85
W 23592
Fong

Denial of Application
Philbert R. and Betty Thomas

During consideration of Calendar Item 24 attached, Assistant Executive Officer Trout entered 2 letters into the record. The first letter was from the Off-Highway Motor Vehicle Recreation Commission supporting the application of Randy Thomas. The second letter was from the United States Navy opposing the application.

Lance Kiley, Chief of the Land Management and Conservation Division made a brief presentation outlining the proposed project.

The applicant, Philbert R. Thomas, made a presentation outlining the history of events leading up to his application before the Commission.

Mr. Gerald Hillier, District Manager for the Bureau of Land Management Desert District, explained the Bureau's position with respect to Mr. Thomas' application. The Bureau felt approval of this application would result in increased use of an already congested area resulting in safety hazards and potential environmental effect on wilderness.

Ms. Paula Carrell of the Sierra Club outlined the Club's concerns that desert use in the area of the proposed application is presently at capacity. The Sierra Club supports a proposed land exchange between the SLC and the BLM which would result in protection of this sensitive wilderness area.

Captain Emil Gram, Commanding Officer of the Naval Air Facility outlined the Navy's position in attempting to control growth in the area for the safety of the public due to the locations of Navy targets in the area.

Captain Gram also outlined the Navy's three tiered land area classification identifying hazardous areas by their proximity to the targets.

Mr. Kiley then outlined an alternative involving a 1983 application by BLM for an exchange of land. Because of staffing limitations, the application was not pursued. Staff desired to go forward with this exchange.

CALENDAR ITEM

A 80

S 37

24

07/25/85
W 23502
Fong

DENIAL OF APPLICATION

This application is for an R.V. park near Glamis, Imperial County. The State's parcel is surrounded by Bureau of Land Management (BLM) lands.

Current Law 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 2 at its April 12, 1978 meeting.

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 approval of the project.

Therefore, pursuant to Government Code Section 65920, et seq., the following application is submitted for denial due to the following reasons:

1) The proposed development is incompatible with existing BLM planning for the area and with the type of public use that is now occurring.

2) BLM has identified the subject parcel of land for acquisition through land exchange to incorporate into its Imperial Sand Hills complex.

3) The proposed development would adversely impact a sensitive BLM wilderness area to the north.

APPLICANT: Philbert R. and Betty M. Thomas
5048 Noarglen Avenue
Covina, California 91724

OTHER PERTINENT INFORMATION:

1. 14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because CEQA does not apply to projects which a public agency rejects or disapproves.

   Authority: P.R.C. 21080(b)(5) and 14 Cal. Adm. Code 15270.

AB 884: 11/27/85.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS EXEMPT FROM CEQA BECAUSE CEQA DOES NOT APPLY TO PROJECTS WHICH A PUBLIC AGENCY REJECTS OR DISAPPROVES PURSUANT TO 14 CAL. ADM. CODE 15270.

2. DENY WITHOUT PREJUDICE TO THE APPLICANT'S RIGHT TO REAPPLY FOR THE SAME PROJECT, THE APPLICATION OF PHILBERT R. AND BETTY M. THOMAS FOR A LEASE FOR A RECREATIONAL VEHICLE PARK ON SECTION 36, T13S R17E, SBM IN IMPERIAL COUNTY IN COMPLIANCE WITH THE STANDARDS FOR DENIAL SET FORTH IN STATE ADMINISTRATIVE MANUAL SECTION 1099.

3. AUTHORIZE STAFF TO ADVISE THE APPLICANT OF THE COMMISSION'S ACTION TO DENY AND THE APPLICANT'S RIGHT TO REAPPLY.

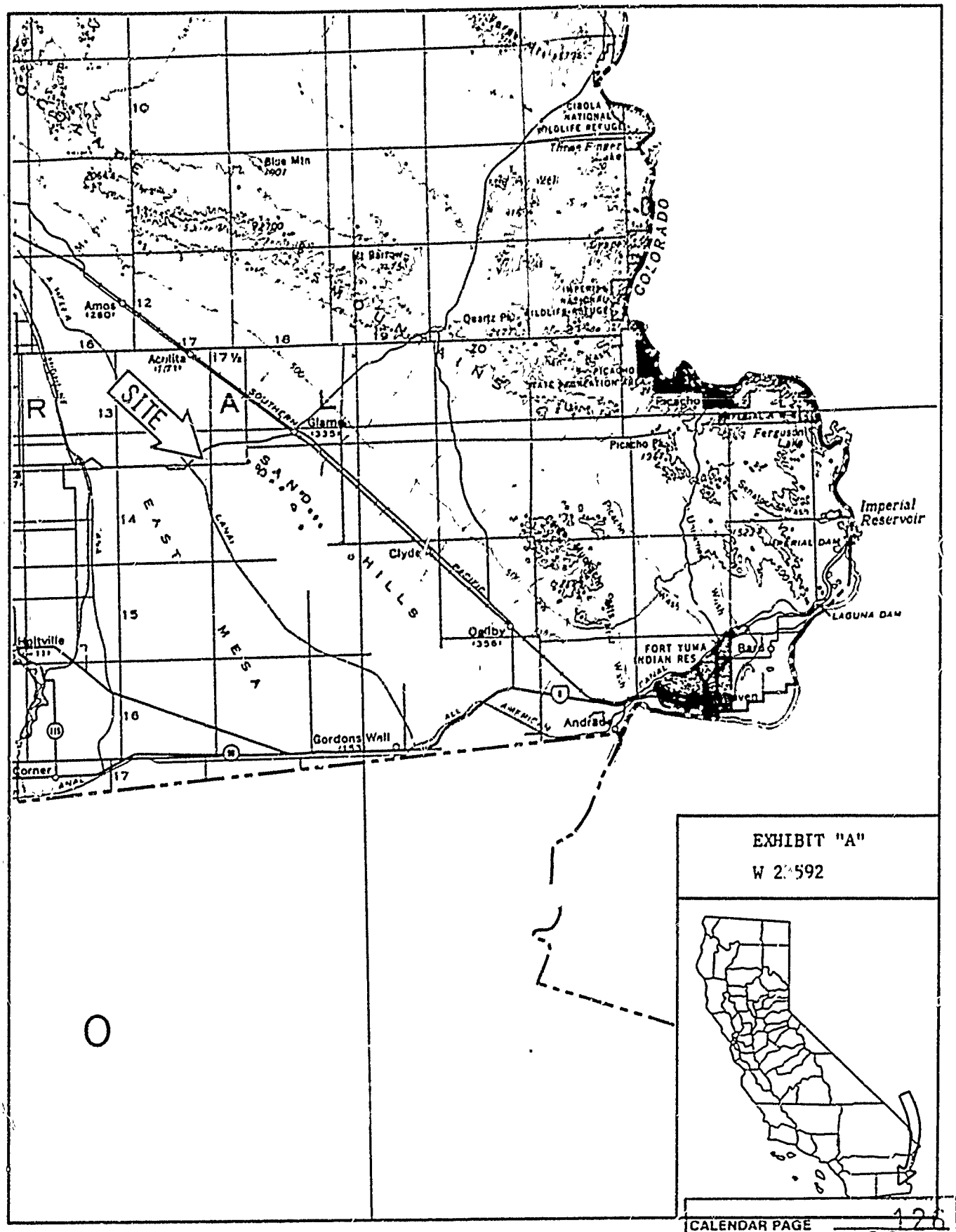

EXHIBIT "A"

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