MINUTE ITEM
This Calendar Item No. 48
was approved as Minute Item
No. 48 by the State Lands
Commission by a vote of 3
to 0 at its
meeting

CALENDAR ITEM

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DENIAL OF APPLICATION

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 because the lease terms have not been negotiated.

APPLICANT: Kenneth D. Listerman
P.O. Box 202
Mountain Pass, California 92366

AB 884: 03/07/89.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 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.

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

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

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

2. DENY WITHOUT PREJUDICE TO THE APPLICANT'S RIGHT TO REAPPLY FOR THE SAME PROJECT, THE APPLICATION OF KENNETH D. LISTERMAN FOR A LEASE FOR A MILL SITE AND RESIDENCE ON STATE SCHOOL LANDS NEAR MOUNTAIN PASS IN SAN BERNARDINO COUNTY (W 24121) 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.

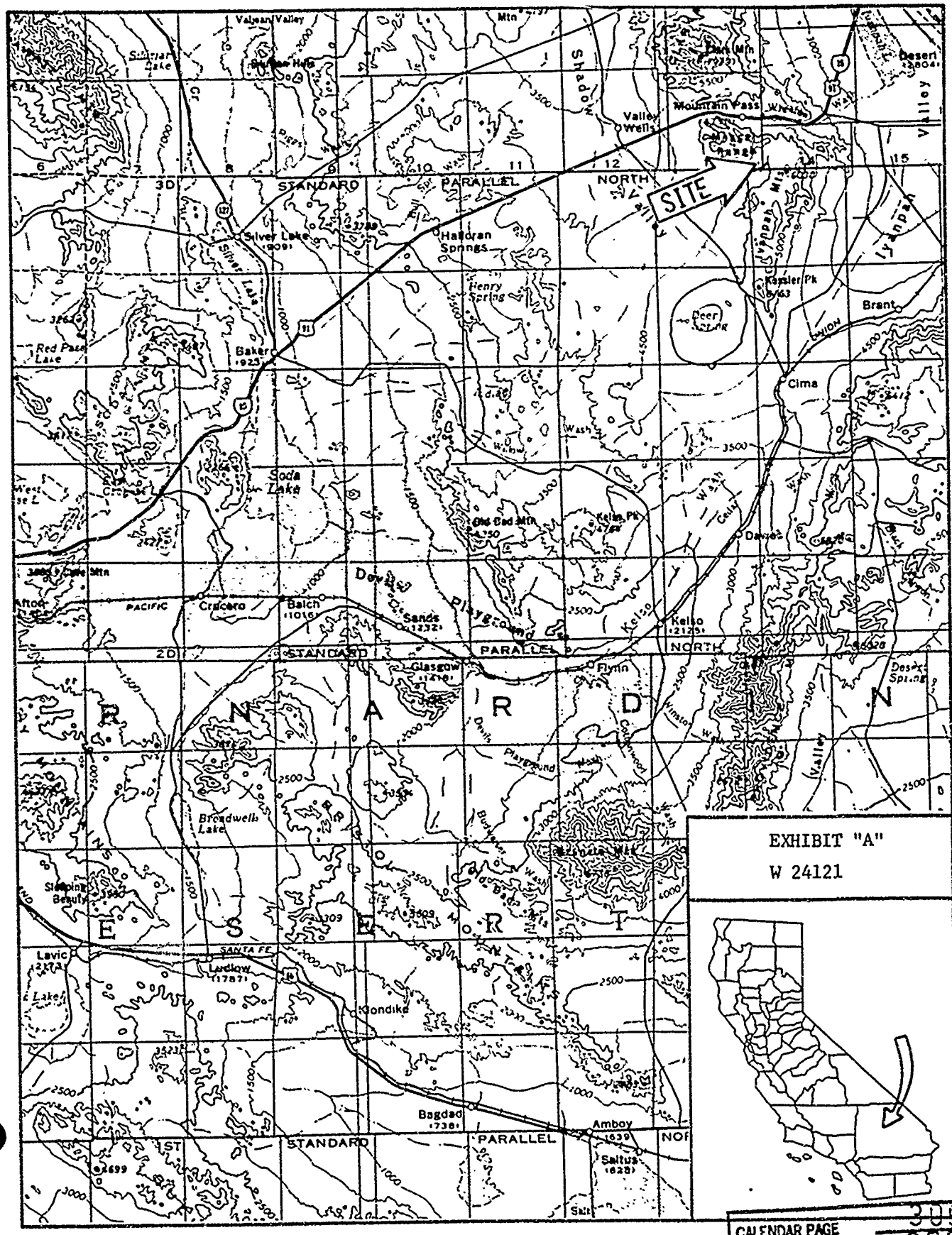

EXHIBIT "A"

W 24121

CALENDAR PAGE 300

MINUTE PAGE 373