

MINUTE ITEM

26

W 5125.4

Alan Scott

Dave Brown

Peter Pelkofer

AUTHORIZE COLLECTION OF FEES AND COSTS

Calendar Item 26 was presented to the Commissioners as an Informational Item by Charles Warren, Executive Officer, concerning the implementation of a fee schedule for applicants obtaining leases and others interested in state property.

Commissioner McCarthy asked that applicants be mailed a fee schedule for their particular type of application. Mr. Warren agreed this would be done.

Commissioner Tucker wanted to know how the fees compared to the fees we are charging now.

Assistant Executive Officer, James Trout, advised that on many of these leases we have not been charging anything because we felt that the processing fees would be recovered as part of the income. However, we have had budget cuts and lost 28 positions and to restore these positions, so we can process these applications, we have recommended implementation of a processing fee.

Commissioner Tucker asked that staff report back to the Commissioners if they notice that the fees are having an impact on a sudden drop of permits. Mr. Warren advised staff would report back to the Commission in three months.

Informational only, no action taken.

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**MINUTE ITEM**

Calendar Item No. 26  
was submitted for information  
only, no action thereon  
being necessary.

**INFORMATIONAL  
CALENDAR ITEM**

**26**

A )  
S ) Statewide

02/06/91  
W 5125.4  
A. Scott  
D. Brown  
Pelkofer

**AUTHORIZE COLLECTION OF FEES AND COSTS**

**PARTY:**

State Lands Commission  
1807 - 13th Street  
Sacramento, California 95814

**BACKGROUND:**

At its meeting of August 30, 1989, as Minute Item 49, the Commission approved a standard application form to be used by applicants seeking a lease or permit for the use of lands under the jurisdiction of the Commission. In accordance with the provisions of AB 884 the standard application form also contains (1) the criteria for reviewing the completeness of submitted applications and (2) provisions for collection of specified processing fees for certain transactions.

The Commission at its meeting of December 12, 1990, as Minute Item No. 52, directed that staff, consistent with statute and regulation, would collect the actual cost of processing applications for the use of State land from all applicants. This action requires amendment of the Standard Applications Form previously approved by the Commission to clarify that all applicants will be responsible for payment of processing costs, and that reimbursement agreements and expense deposits will be required.

(REVISED pgs. 181-182)

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CALENDAR ITEM NO. 26 (CONT'D)

**CURRENT SITUATION:**

The staff has modified the Standard Application form to include the revised processing fee schedule and other minor changes needed to reflect the December 12, 1990 action of the Commission. The revised Standard Application Form is attached hereto as EXHIBIT "A". No action is required of the Commission.

**EXHIBIT:**

- A. Standard Application Form 54.2

**GENERAL INFORMATION AND APPLICATION MATERIALS REGARDING  
SURFACE LEASING OF STATE LANDS**

The State Lands Commission has jurisdiction and management control over those public lands of the State received by the State at Statehood. Generally these lands include all the ungranted tidelands and submerged lands, beds of navigable rivers, streams, lakes, bays, estuaries, inlets, and straits. In addition the State manages lands received after Statehood including swamp and overflowed lands and school lands. The Commission's Land Management Division in Sacramento administers the surface leasing of these lands. The Commission also manages the development of all mineral resources contained on such lands.

Land Ownership Determination

Upon receipt of an application or an inquiry about use of State lands the Commission's Title Unit reviews information in its files and that submitted by the applicant to determine the extent of the State's property interest. In some cases, the complex nature of the title to the lands may result in the applicant having to submit a title report, chain of title, or title guarantee as part of the application process.

Leasing Policies

The State Lands Commission manages its lands for the benefit of all people of the State. In this regard the Commission has a multiple use management policy. Should the Commission determine that a particular parcel of land should not be leased but instead maintained in its natural state, the applicant for such a lease will be informed of such determination.

California Environmental Quality Act (CEQA)

The issuance of any lease, permit or other entitlement for use of lands by the State Lands Commission requires review for compliance with the California Environmental Quality Act (CEQA). No development project will be approved until the requirements of CEQA have been met (Public Resources Code (P.R.C.) Section 21000 and following). Additionally, if the application involves lands found to contain "Significant Environmental Values" within the meaning of P.R.C. Section 6370, consistency of the proposed use with the identified values must also be determined through the CEQA review process. Pursuant to its regulations the Commission may not issue a lease for use of "Significant Lands" if such use is detrimental to the identified values.

Most leases, permits or other entitlements for use require approvals from other public agencies. On many projects the State Lands Commission is the Lead Agency (the public agency with the principal responsibility for carrying out or approving a project when the project occurs on State Lands).

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Where the Commission is the Lead Agency, its initial step in reviewing an application is to determine whether the proposed project is exempt from CEQA. Exemptions from CEQA are either statutory or categorical. A listing of some exemptions may be found in the Commission's administrative regulations and others may be found in Title 14 of the California Administrative Code. Categorical exemptions will not apply if there is a reasonable possibility that a project will have a Significant effect on the environment due to unusual circumstances.

If a project is not exempt from CEQA, the staff of the Commission conducts an Initial Study to determine whether a project may have a significant effect on the environment. In some cases it is clear that a project could have a significant effect on the environment. The Initial Study is circulated to responsible, trustee and interested public agencies and others who have expressed an interest in such documents of the Commission for review and comment. The circulation period is normally two (2) weeks. Based upon the responses received, a determination is made as to whether a Negative Declaration (ND) or an Environmental Impact Report (EIR) is required.

A Negative Declaration is the simpler of the two documents. Generally, the ND consists of the Initial Study accompanied by a determination by the staff that the project will not have a significant effect on the environment. The ND may also include mitigation measures that help insure that the project is not environmentally harmful. The ND is circulated for thirty (30) days to appropriate agencies and interested persons. This review is provided through the State Clearing House. If no significant environmental effects are identified, the Commission considers the ND together with any comments received, and certifies and approves or disapproves the environmental aspects of the project.

An EIR is required in instances where responses to the initial study reflect concern that the proposed project may, or will have a significant effect on the environment. Usually a third party consultant will be hired by the Commission to prepare the EIR. The applicant will be required to cover the costs of preparation of the environmental documentation for the project.

Experience has shown that EIR costs vary considerably, from several thousand to hundreds of thousands of dollars. The applicant must deposit an amount specified by the staff of the Commission within twenty-one (21) days after written notice that an EIR is required. The staff will not solicit requests for proposals from independent environmental consultants until the deposit is received from the applicant. In addition, if the cost for the preparation of the EIR exceeds the amount deposited, the amount of excess costs must be deposited within fifteen (15) days after written notice is given. (Any unexpended portion of the deposit will be refunded to the applicant after the EIR is determined by the Commission to be adequate.) Should the applicant fail to deposit the requested costs, the application may be canceled without further notice.

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In most instances, the preparation of an EIR takes from six (6) to nine (9) months. The Draft EIR is circulated for forty-five (45) days to agencies and individuals concerned about the project. The State Clearing House provides for circulation to State agencies. During the 45-day review period, a public hearing may be held. Comments and recommendations received and significant environmental points raised in the review and consultation process are responded to in the final EIR. This document is then circulated for an additional fifteen (15) days to those agencies and persons who commented on the Draft EIR. After the review period has ended, the Final EIR, including any mitigation measures, is presented to the Commission for certification and approval or disapproval.

Where the Commission is a Responsible Agency as defined in CEQA (a permitting agency other than the Lead Agency), it must review the environmental documentation prepared by the Lead Agency.

#### Time Constraints/Completeness of Application

Not later than thirty (30) calendar days after the Commission receives an application for a development project, the staff will notify the applicant in writing whether the application is complete. In the event the application is determined not to be complete, the staff will specify what additional information is required. Upon receipt of the additional material, the staff will respond within 30 days as to whether the application is complete. Should the applicant fail to provide a complete application within a reasonable period of time, the file may be closed and all or any part of the fees retained by the Commission. There is an appeal process whereby an applicant may appeal the determination of the staff that the application material is incomplete. The adequate completion of the various parts of the attached Application Form shall constitute a complete application.

Where the Commission is the Lead Agency and an EIR is prepared, the Commission must approve or disapprove a development project within one (1) year from the date on which the application was received and accepted as complete by the staff of the Commission. Where an ND is prepared or if the project is exempt from CEQA, the development project shall be approved or disapproved within six (6) months from the date the application was received and accepted as complete by the staff. An additional time period of up to ninety (90) days may be allowed if mutually agreed to between the staff and the applicant.

Where the Commission is a Responsible Agency, it must approve or disapprove a development project within 180 days from the date the Lead Agency approves the project, or within 180 days from the date the application was received and accepted as complete by the staff of the Commission whichever is later.

The following are some of the circumstances that may cause the Commission to deny a project:

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1. Failure of an applicant to furnish requested additional information;
2. Environmental considerations;
3. Failure to meet any statutory requirements;
4. Failure to submit requested additional fees;
5. Failure to conclude negotiations or to execute documents;
6. Inability of applicant to meet financial qualifications as deemed appropriate by the staff;
7. Misrepresentation by the applicant or its agent; or
8. The Commission on its own motion may not desire to grant a lease for use of the lands for the intended use at the time of application.

#### Application Processing

It is the policy of the State Lands Commission to recover all costs for the processing of leases, permits or other entitlements for the use of State land.

As soon as the application is accepted as complete the staff will take all steps necessary including title work, land descriptions, and appraisals to prepare the appropriate leasing document. In most cases many of the terms and conditions of the lease or permit are subject to negotiation on a case by case basis. Once the lease terms and conditions have been agreed to and the leasing document has been executed by the applicant, staff will schedule the item for consideration by the Commission. The Commission normally meets one day per month. Items to be considered by the Commission must be finalized at least one month prior to the scheduled meeting in order for the item to meet applicable legal notice requirements.

#### Miscellaneous Information

The following concerns all applications:

An applicant acquires no property interest in State Lands or the right to the use of State lands until the Commission grants a lease, permit or other entitlement for use and until the appropriate document, complete in all respects, has been executed by the applicant and the State.

An application is not transferable; therefore, an agent should not submit an application without disclosing his agency status and the principal's identity, nor should an application be submitted with the later intention of attempting to transfer the application or an interest in an application.

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The preceding information is an outline of the general requirements and procedures applicable to all surface leasing developments. Prospective applicants wishing to obtain a lease, permit or other entitlement for use of State lands should read and complete the attached Application form and any attached parts that may be applicable and return it together with the data requested to the staff of the Commission for review and processing. Questions involving the surface leasing of State lands and the completed application form should be directed to:

State Lands Commission  
Land Management Section  
1807 13th Street  
Sacramento, California 95814  
Telephone (916) 445-7738

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-Instruction/-

**APPLICATION FOR LEASE OF STATE LANDS**

The attached application form has been developed in accordance with California Government Code Section 65940. The form has been designed to apply to a variety of surface use situations including commercial, industrial, right-of-way, and recreational developments. The form allows an applicant to fully describe its proposed use of State lands and consists of several parts: Part I - Project and General Data; Part II - Environmental Data; Part III - Special Requirements (to be attached as applicable).

The information sought in the attached Application Form is required from the applicant and the sufficiency of the information provided by the applicant will be the basis by which the staff will determine the completeness of the application as specified in the Government Code (Section 65940).

When completing the attached form, please type or print clearly and submit it to the principal office of the Commission in Sacramento. Please answer all applicable questions and write "N.A." where questions do not apply. Applications for any use of State lands must be submitted on the attached form(s). Applications for amendments, assignments, renewals or replacements of existing leases or permits must also be submitted on the attached form(s). Applications not submitted on the attached forms are unacceptable and will be returned to the applicant.

In addition, please submit any information believed important in support of the application. All plans or other materials submitted become a part of the official file and cannot be returned; however, certain information deemed proprietary by statute may be withheld from public view if requested by the applicant.

**NOTICE:**

Failure of an applicant to provide the information outlined on the attached forms(s) within the time limits prescribed by the staff may result in significant delays in determining that an application is complete; or, cancellation of the application.

**PROCESSING COSTS:**

In those instances where Commission costs and expenses are chargeable to the applicant, the applicant shall deposit with the Commission the applicable expense deposit. If the deposit, including but not limited to amounts required under Reimbursement Agreements, are not received within twenty-one (21) days of request, the application may be canceled. Processing costs and environmental fees are calculated based on actual or estimated costs plus proportional overhead. If the deposit amount is less than actual cost, the applicant will be required to submit additional costs within the allowable time period.

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The application information outlined on the following forms is necessary in order to process your application for use of State land. You have the right to review file maintained about you by the State Lands Commission, except as provided by law. The Commission Records Coordinator, State Lands Commission, 1807 13th Street, Sacramento, California, 95814, telephone (916) 445-9742, is responsible for maintenance of the information which is collected by the Commission.

The conduct of the Commission is governed by Public Resources Code Sections 6000, et seq. and Title 2, Division 3, Sections 1900, et seq. of the California Code of Regulations. The provisions, by reference are included herein.

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-APPLICATION FORM-

PART I

GENERAL DATA

SECTION A: IDENTIFICATION OF APPLICANT

1. Applicant:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

2. Applicant's authorized agent or representative (if any):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

3. Who should receive correspondence relevant to this application? (Check one)

Applicant: \_\_\_\_\_ Representative: \_\_\_\_\_ Both: \_\_\_\_\_

**FOR COMMISSION USE ONLY:**

Date Received: \_\_\_\_\_

Other Fees: \_\_\_\_\_

Work Order No.: \_\_\_\_\_

Assigned to: \_\_\_\_\_

Filing Fee: \_\_\_\_\_

Type of Document: \_\_\_\_\_

Processing Fee: \_\_\_\_\_

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**SECTION B: TYPE OF APPLICANT**

Check one and submit the required information.

- \_\_\_ 1. **CORPORATION:** Attach a Certificate of Incorporation issued by the State of California or a Certificate of Incorporation issued by the State of incorporation with the Certificate of Good Standing of Foreign Corporation issued by the Secretary of State of California authorizing the transaction of business in California; a certified statement of the names of the corporate president, secretary and/or officer(s) authorized to execute contracts; and a board resolution or other evidence of authority to enter into the requested transaction.
- \_\_\_ 2. **PARTNERSHIP:** Attach a certified copy of the partnership statement. If no partnership statement has been filed in the county in which the partnership does business, so state in the application and further give all particulars of the partnership.
- \_\_\_ 3. **INDIVIDUAL**
- \_\_\_ 4. **PUBLIC AGENCY:** Generally, all permits and leases issued by the State Lands Commission require monetary consideration. However, a public agency applicant may qualify for a rent-free lease/permit. In order to so qualify, the applicant must submit in writing a statement of justification for the rent-free status, which status shall be based on a statewide, as compared to a primarily local, public benefit. Such statement shall detail the statewide public benefit derived from the project. The State Lands Commission shall determine whether a statewide public benefit is derived from the project.

Leases and permits involving "School Lands" cannot qualify for rent-free status.

Public agencies will also be required to submit evidence of the authority of the official(s) to execute contracts together with a resolution or other document authorizing execution of the appropriate lease or permit.
- \_\_\_ 5. **OTHER ASSOCIATION:** State its nature, membership and other particulars regarding its legal existence. Articles of Incorporation and/or by-laws of the association should also accompany the application; and a board resolution or other evidence of authority to enter into the requested transaction.

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**SECTION C: TYPE OF TRANSACTION REQUESTED (Check one)**

- 1. Commercial
- 2. Industrial
- 3. Right of Way
- 4. Recreational
- 5. Protective Structure
- 6. Grazing
- 7. Public Agency Use
- 8. Dredging Permit
- 9. Sublease Approval
- 10. Other: \_\_\_\_\_

Will the project require dredging? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Existing Structure/Continued Use; or

New Construction/Additional Use

**SECTION D: FEE SCHEDULE**

All applicants shall pay at the time of filing this application the required filing fee and a minimum expense deposit for processing fees. These are necessary to reimburse the Commission for the cost of processing routine, uncomplicated transactions and making the initial title review for leases and permits.

A. Filing Fee \$ 25

B. Applicants for leases or permits shall submit, in addition to the filing fee required by law, the fees specified below:

| TRANSACTION  | MINIMUM<br>EXPENSE DEPOSIT |
|--|----------------------------|
| (a) Commercial Lease                               | \$ 10,000                  |
| (b) Industrial Lease                               | \$ 15,000                  |
| (c) Right of Way                                   | \$ 1500                    |
| (d) Recreational Pier Permit                       | \$ 600                     |
| (e) Lake Tahoe Trust Inspections                   | \$ 700 *                   |
| (f) Protective Structure                           | \$ 1500                    |
| (g) Grazing Lease                                  | \$ 1500                    |
| (h) Public Agency Lease/Permit                     | \$ 1750                    |
| (i) Dredging Permit                                | \$ 800                     |
| (j) Consent to Encumber Leasehold                  | \$ 600                     |
| (k) Assignment not<br>involving amendment of lease | \$ 600                     |
| (l) Amendment of Lease to accommodate<br>Lessee    | \$ 1250                    |
| (m) Sublease Approval                              | \$ 800                     |
| (n) Most other transactions not listed<br>herein   | \$ 1,000                   |

\*Fee included in environmental processing cost if ND or EIR required.

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The above fees are a minimum deposit. In addition to the above deposit the applicant will be required to execute a reimbursement agreement to assure recovery by the Commission of the total cost to process all transactions for the use of State lands.

In addition to the above listed application processing fees, the Commission may require funds or deposits for other services. These services include but are not limited to:

1. Processing environmental documents.
2. Advertising or public notification.
3. Duplicating or certifying papers.
4. Searching records or ordering title reports.
5. Processing archaeological, biological or other necessary surveys.
6. Appraisals required of special transactions at request of applicant.

**SECTION E: LOCATION OF STATE LAND AND PROJECT DESCRIPTION**

County: \_\_\_\_\_ Nearest City: \_\_\_\_\_

Township, Range, Section and Reference Meridian: \_\_\_\_\_

OR Waterway: \_\_\_\_\_

Upland Owner's Name: \_\_\_\_\_  
(If different from applicant)

Upland Owner's Address: \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

Upland Address: \_\_\_\_\_

Subdivision, Block, and Lot Number: \_\_\_\_\_

Zoning: \_\_\_\_\_ Assessor's Parcel No.: \_\_\_\_\_

Is Coastal Commission or San Francisco Bay Commission Permit required for this project: Yes: \_\_\_\_\_ No: \_\_\_\_\_

Number and type of buildings or improvements on the upland (date

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constructed): \_\_\_\_\_

Describe and provide photographs of existing structures on waterway or State land (date constructed): \_\_\_\_\_

Describe the proposed improvements to be placed on waterway or State land: \_\_\_\_\_

Does or will the upland or State land produce income? \_\_\_\_\_

If yes, annual amount received or projected: \_\_\_\_\_

If projected, please show basis of projection: \_\_\_\_\_

**Project Description:**

The applicant shall provide a narrative description of the project with references to maps, plot plans, financial analysis, and other graphics as may be appropriate. The project should be defined in sufficient detail so that the Commission staff can evaluate and analyze the project. Sufficient data should be supplied which will:

1. Show how the proposed project will be carried out, including initial construction equipment, techniques, time schedules and operations requirements.
2. Show the project's future phases or extensions, if any.
3. Detail other proposed projects that will be dependent upon this project or will be directly influenced by this project.
4. Describe the existing development in the vicinity which will directly (or indirectly) influence or be influenced by this project.

**SECTION F: TITLE AND BOUNDARY INFORMATION**

1. Submit a copy of the current upland (your property) vesting document (deed) and title report. Adjacent uplands refers to

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that parcel or property over which access will be obtained to the State's land. If the applicant is not the owner of the adjacent property, the applicant shall attach a copy of the lease, permit or other evidence of applicant's right to use the upland, in addition to the upland vesting document.

2. Submit a detailed plan or plot of proposed lease areas and existing and proposed structures showing their locations with respect to property lines, high and low water with reference to the datum of water line elevation and their dimensions.
3. Submit a vicinity map (8 1/2" x 11" with scale) showing the general area and the proposed leased lands.
4. Submit a U.S. Army Corps of Engineers Public Notice Permit or Public Notice Number.
5. If applicable, submit the number assigned to the project from the San Francisco Bay Conservation and Development Commission or the State Coastal Commission.
6. Submit a legal description of the area to be leased from the State, tied to a monument or monuments of record. The area to be leased includes the area occupied by the structures, or otherwise under the exclusive control of the lessee/permittee.

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**SECTION G:**

Identify, (If known), other public agencies having approval authority over your proposed project: (i.e.; U.S. Army Corps of Engineers, local or regional planning bodies, city and/or county governmental permitting authorities, air or water quality boards, etc.): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Submit copies of existing approvals with the application. You will be required to submit a copy of local approvals (City and/or County) for your project prior to consideration of your application by the State Lands Commission. If you cannot obtain local approval of your project prior to consideration by the State Lands Commission you must submit a letter or other document from the local agency setting forth the status of your local application and any concerns the local governmental agency has regarding your project.

**SECTION H: SPECIAL REQUIREMENTS**

- \_\_\_\_ 1. Pipeline Requirements
- \_\_\_\_ 2. Sacramento River Study Area Requirements
- \_\_\_\_ 3. Salvage Permit Requirements
- \_\_\_\_ 4. Dredging Requirements
- \_\_\_\_ 5. Streets and Highways Code 101.5 Plat Requirements
- \_\_\_\_ 6. Lake Tahoe Trust Needs Assessment
- \_\_\_\_ 7. Grazing Lease (Form 65.5)
- \_\_\_\_ 8. Other \_\_\_\_\_

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**SECTION I: CRITERIA FOR COMPLETENESS**

The Staff of the Commission shall deem this application complete if:

1. The data submitted is sufficient to allow the staff of the Commission to locate and describe the nature and extent of State-owned land to be utilized in the project;
2. The applicant submits all deposits, fees, and executed reimbursement agreement required by the Commission (See Section D);
3. The applicant submits environmental data sufficient for the Commission to determine the level and scope of environmental review required under CEQA and the State CEQA Guidelines;
4. The applicant submits data sufficient for the State to determine the fair rental to be paid the State for the applicant's use of the State's property; and
5. The data submitted by the applicant is sufficient to allow staff of the Commission to begin an analysis to determine if the application is (a) consistent with Commission policies, practices and procedures; (b) conducive to public access; (c) consistent with environmental safeguards and policies of the State; and is (d) otherwise in the best interests of the State.

**SECTION J: SIGNATURE AND CERTIFICATION**

All statements contained on the application form(s) submitted herewith and related exhibits are true and correct to the best of my knowledge and belief and are submitted under penalty of perjury.

Applicant: \_\_\_\_\_

Applicant: \_\_\_\_\_

By: \_\_\_\_\_ Title: \_\_\_\_\_  
(if agent)

Date: \_\_\_\_\_

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PART II

PROJECT ENVIRONMENTAL DATA

SECTION A: ENVIRONMENTAL SETTING

The data and degree of specificity required in this section shall correspond with the data and the degree of specificity involved in the underlying activity.

1. Describe the project site as it exists before commencement of the project. Include information such as topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, the use of the structures, and whether they will be retained or removed. Include photograph(s) of the site, if available.
2. Describe the surrounding properties. Include information such as topography, soil stability, plants and animals, and any cultural, historic or scenic aspects. Indicate the type of land use (e.g. residential, commercial, agricultural, etc.), intensity of land use (e.g., single-family dwellings, apartments, shops, etc.) and the scale of development. Include photographs, if available.
3. Include a statement of the proposed liquid, solid or gaseous waste disposal methods necessary for the protection and preservation of existing land and water uses.

SECTION B: ASSESSMENT OF ENVIRONMENTAL IMPACTS

All phases of a project, such as planning, acquisition, development, and operation, shall be considered when evaluating its impact on the environment. Please answer the following questions by placing a check in the appropriate box. Discuss all items checked "yes" or "maybe" on additional sheets.

| Will the project involve:  | Yes                      | Maybe                    | No                       |
|--|--------------------------|--------------------------|--------------------------|
| 1. A change in existing features of any bays, tidelands, beaches, lakes, or hills, or substantial alteration of ground contours? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. A change in scenic views from existing residential areas or public lands or roads?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. A change in pattern, scale or character of the general area of the project?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Significant effect on plants or animals?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Significant amounts of solid waste or litter?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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6. A change in dust, ash, smoke, fumes or odors in the vicinity? [ ] [ ] [ ]
7. A change in ocean, bay, lake, stream or ground water quality or quantity or an altering of existing drainage patterns? [ ] [ ] [ ]
8. A change in existing noise or vibration levels in the vicinity? [ ] [ ] [ ]
9. Construction on filled land or on a slope of 10% or more? [ ] [ ] [ ]
10. Use or disposal of potentially hazardous materials such as toxic or radioactive substances, flammable, or explosives? [ ] [ ] [ ]
11. A change in demand for municipal services (e.g., police, fire, water, sewage electricity, gas)? [ ] [ ] [ ]
12. Increase in fossil fuel consumption (e.g. electricity, oil, natural gas)? [ ] [ ] [ ]
13. A larger project or a series of project? [ ] [ ] [ ]

**SECTION C: STATE LANDS COMMISSION AS A RESPONSIBLE AGENCY**

When it is determined that the Commission is a Responsible Agency under CEQA (another governmental agency prepares the appropriate environmental documentation) the applicant must submit the following materials as early as possible in the application process and substantially prior to scheduling the application for consideration by the Commission:

1. A copy of the project's environmental documents prepared by the Lead Agency, i.e. the Initial Study, a Negative Declaration, or the draft and Final EIR.
2. A copy of the Notice of Determination filed with the Office of Planning and Research by the Lead Agency.
3. A copy of the "findings" made pursuant to Section 15091 of the State CEQA Guidelines at the time of the Lead Agency's decision on the basis of the projects EIR.

EXHIBIT A

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