

MINUTE ITEM

43. DENIAL OF APPLICATION (AB 884)

8/26/80
W 320.708
Scott

Calendar Item 43 attached was pulled from the agenda prior to the meeting.

Attachment: Calendar Item 43.

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CALENDAR ITEM

43.

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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 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 reasons therefor.

EXHIBIT: A. Application to be Denied.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DENY, WITHOUT PREJUDICE TO APPLICANT'S RIGHT TO RE-APPLY 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 TO ADVISE THE APPLICANT OF THE COMMISSION'S ACTION TO DENY AND OF THE APPLICANT'S RIGHT TO REAPPLY FOR A PERMIT.

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EXHIBIT "A"

APPLICATION TO BE DENIED

| <u>W.O.</u> | <u>APPLICANT</u> | <u>TYPE OF FACILITY</u> |
|-------------|--|--|
| W 320.708 | Peninsula Boating Association P. O. Box 944 Redwood City, CA 94064 | Existing floating boat docks and walkways, King's Island (Bra's Island) Old River, San Joaquin County |

This application is being denied because of the unresolved title and environmental problems with the development of the upland owner Mr. Wallace King. Applicant is a lessee of Mr. King's, and pursuant to on-going negotiations between various State agencies and Mr. King, existing docking facilities may have to be relocated.

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