

MINUTE ITEM

This Calendar Item No. C18
was approved as Minute Item
18 by the State Lands
Commission by a vote of 3
to 0 at its 9/23/82
meeting.

CALENDAR ITEM

C 18

9/23/82
W 22459
Lane
Grimmett

DENIAL OF APPLICATION

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. 2 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 the State Lands Commission lease is submitted for denial. This application should be denied because the applicant has not responded within the time limits as provided by law, inasmuch as the proposed lease has not been executed and returned. However, the applicant has paid rental monies as stated in the proposed lease for the use of State-owned land for the period of March 25, 1980 through March 24, 1982. Also, the applicant has agreed to remove the docking facilities within 90 days of approval of this item. This application was deemed complete in accordance with Commission approved criteria.

A 2

S 2

CALENDAR ITEM NO. C 18 (CONTD)

Applicant: Partners for Life, Inc.
Route 6, Box 79A
Wilmington, North Carolina 28405

AB 884: 10/3/82(X90).

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DENY, WITHOUT PREJUDICE THE APPLICANTS' RIGHT TO REAPPLY FOR THE SAME PROJECT, THE APPLICATION OF PARTNERS FOR LIFE, INC.; FOR OPERATION AND MAINTENANCE OF AN EXISTING COMMERCIAL MARINA IN THE ALBION RIVER, MENDOCINO COUNTY (W 22459) IN COMPLIANCE WITH THE STANDARDS FOR DENIAL SET FORTH IN STATE ADMINISTRATIVE MANUAL SECTION 1099.
2. AUTHORIZE STAFF TO TRANSFER SUSPENSE FUNDS CONTAINING RENTAL MONIES FOR THE PERIOD OF MARCH 25, 1980 THROUGH MARCH 24, 1982 INTO THE GENERAL FUND.
3. AUTHORIZE STAFF TO ADVISE THE APPLICANT OF THE COMMISSION'S ACTION TO DENY AND THE APPLICANT'S RIGHT TO REAPPLY.
4. GRANT STAFF AND/OR THE OFFICE OF THE ATTORNEY GENERAL AUTHORITY TO TAKE ALL STEPS NECESSARY TO SEE THAT DOCKS ARE REMOVED AND LAND IS RESTORED TO ORIGINAL CONDITION.

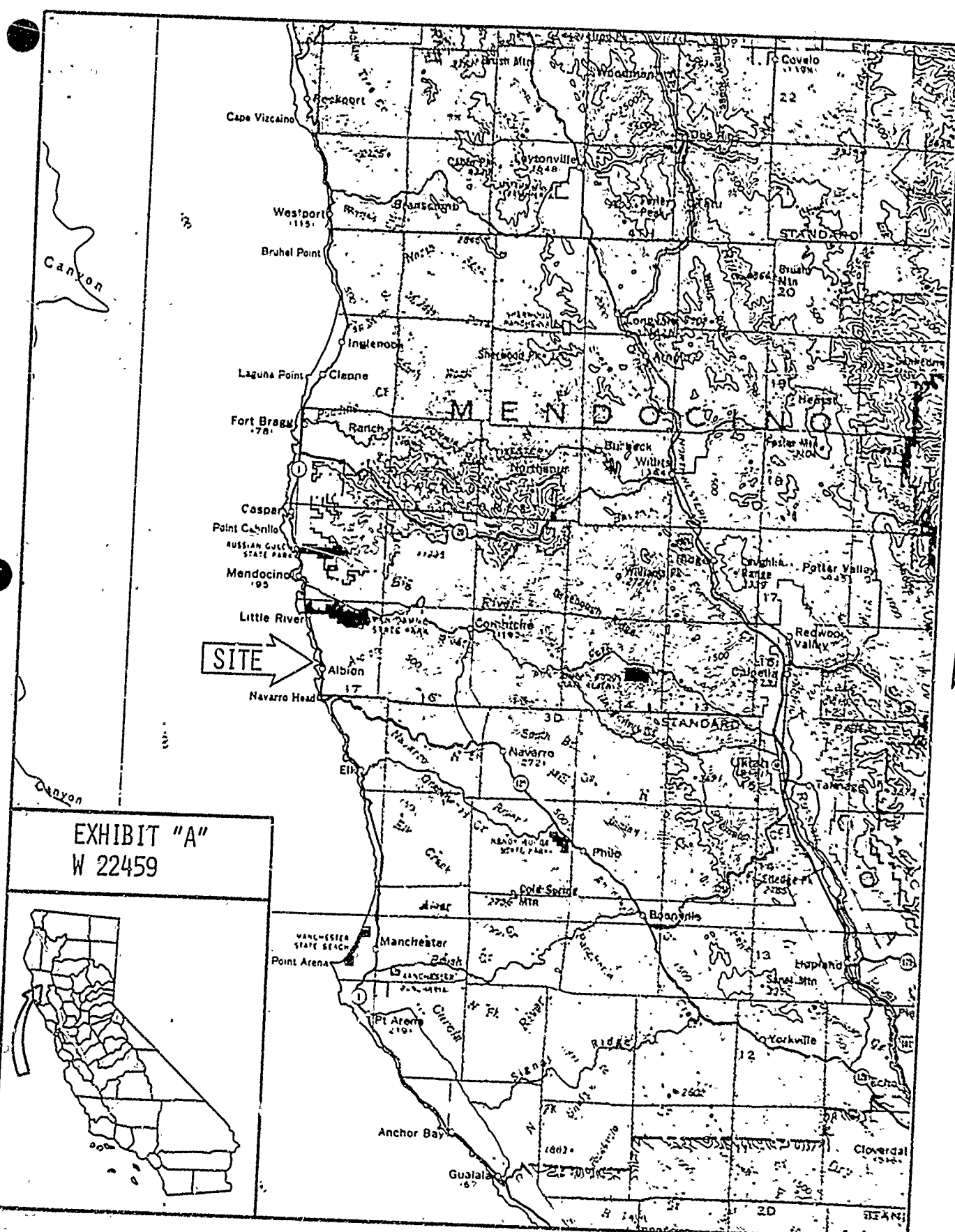


EXHIBIT "A"
W 22459

