

MINUTE ITEM
This Calendar Item No. 16
was approved as Minute Item
No. 16 by the State Lands
Commission by a vote of 3
to 0 at its 2/17/87
meeting.

CALENDAR ITEM

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W 23669
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DENIAL OF APPLICATION
U. S. TELECOM, INC.

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, as proposed.

Therefore, pursuant to Government Code Section 65920, et seq., the following application is submitted for denial due to the applicant's non-response to our request for additional environmental documents.

APPLICANT: U. S. Telecom, Inc.
Attn: John Stoddart
9300 Metcalf
Overland Park, Kansas 66212

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a statutory exempt project. The project is exempt because CEQA does not apply to projects which a public agency rejects or disapproves.

CALENDAR ITEM NO. 13 (CONT'D)

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

2. The applicant has been contacted repeatedly by telephone and mail in an effort to obtain the necessary environmental documentation. The applicant has been unresponsive to our requests and has been notified that their application is to be denied. The applicant was contacted on August 28, 1986, September 26, 1986 and November 5, 1986 in writing requesting a reply. A verbal request for a 90-day extension of the time limit was received by telephone on November 20, 1986. Since that date, the applicant has not complied with staff's request for necessary environmental documentation.

AB 884:

04/12/87.

EXHIBIT:

A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A STATUTORY EXEMPT PROJECT PURSUANT TO P.R.C. 21080(b)(5) AND 14 CAL. ADM. CODE 15270, PROJECTS WHICH A PUBLIC AGENCY REJECTS OR DISAPPROVES.
2. DENY WITHOUT PREJUDICE THE APPLICATION OF U. S. TELECOM, INC. FOR A LEASE FOR RIGHT-OF-WAY FOR A FIBER OPTIC CABLE ON EIGHT ACRES, MORE OR LESS, OF STATE SCHOOL, LIEU AND EXCHANGE LANDS IN EIGHT PARCELS NEAR HERLONG, LASSEN COUNTY (W 23669) 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 FOR THE SAME PROJECT.

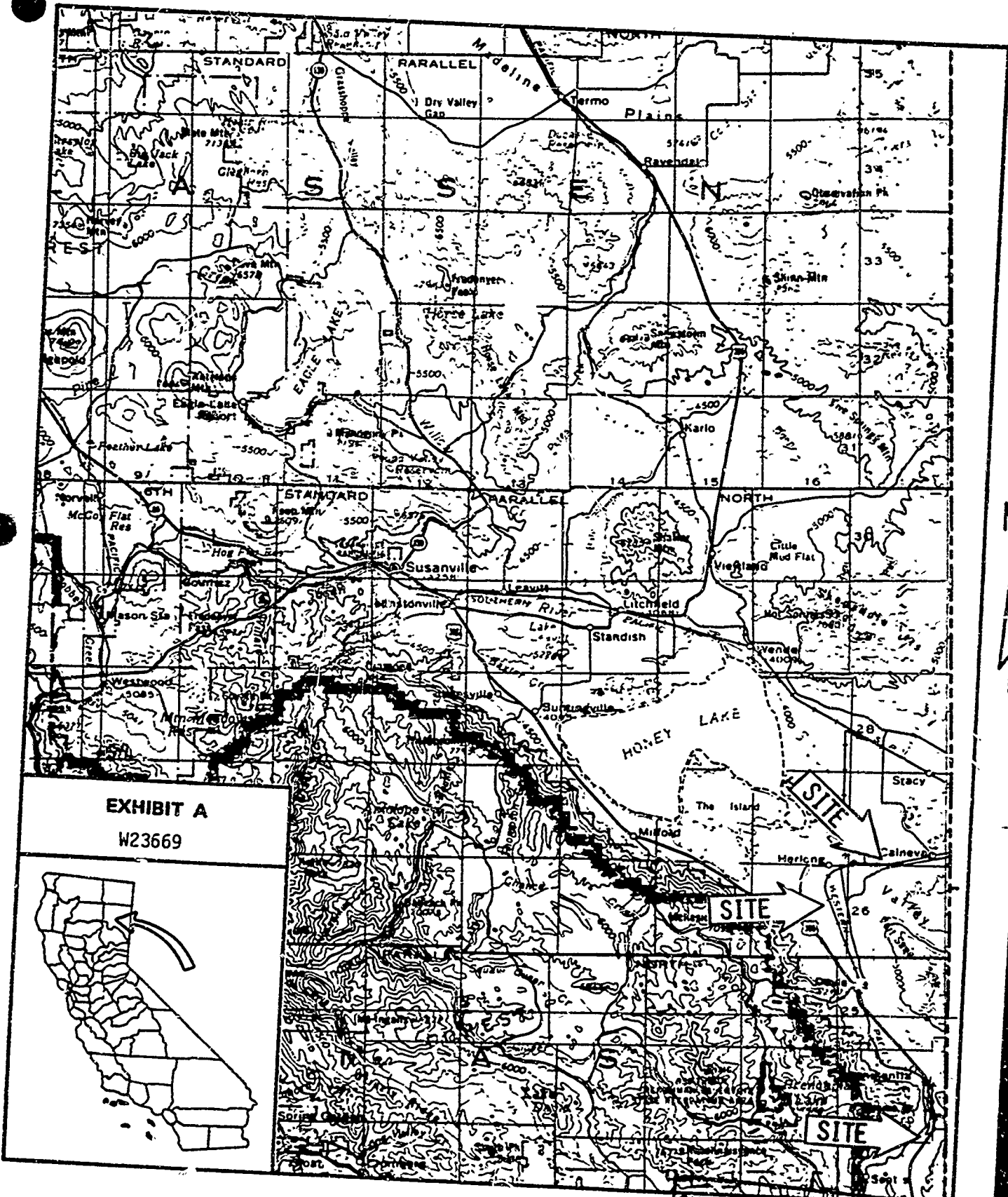


EXHIBIT A
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