

MINUTE ITEM

This Calendar Item No. 31
was approved as Minute Item
No. 31 by the State Lands
Commission by a vote of 3
to 0 at its 4/2/91
meeting.

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CALENDAR ITEM

- 31

04/02/91

W 24269

N. Smith

DENIAL OF APPLICATION**APPLICANT:**

John J. and Lena Chyle
10705 Highway 1
Jenner, California 95450

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.

In this case, the Commission must act on the subject application by April 3, 1991. Applicant has failed to execute the State Lands Commission reimbursement agreement to cover environmental review costs. In addition, the Applicant has been unable to obtain necessary permits from the other jurisdictional agencies, notably the California Coastal Commission. Staff therefore recommends denial of the subject application.

AB 884:

04/03/91

OTHER PERTINENT INFORMATION:

1. Applicant has applied to the Commission for lease for a deck, floating dock, and bulkhead on the Russian River near Jenner, Sonoma County.
2. 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.

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

CALENDAR ITEM NO. 31 (CONT'D)

EXHIBIT:

A. Location Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT HIS 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 JOHN J. AND LENA CHYLE FOR A LEASE FOR AN EXISTING DECK, RAMP, AND DOCK ON THE RUSSIAN RIVER NEAR JENNER, SONOMA COUNTY, 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.

