

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Public Works *ok*

BOARD AGENDA # *C-1

Urgent Routine

AGENDA DATE September 1, 2009

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Authorize the Director of Public Works to Renew the General Lease with the California State Lands Commission for the Grayson Road Bridges at San Joaquin River and Laird Slough

STAFF RECOMMENDATIONS:

Authorize the Director of Public Works to sign and submit the application for the renewal of the General Lease with the California State Lands Commission for the Grayson Road bridges at San Joaquin River and Laird Slough.

FISCAL IMPACT:

The cost for renewal of the lease is \$3,025 (\$3,000 processing fee, and \$25 recording fee). The lease period for each bridge is 20 years. There are sufficient funds in the Public Works Road Operations budget to cover the cost of the lease renewals.

BOARD ACTION AS FOLLOWS:

No. 2009-566

On motion of Supervisor Chiesa, Seconded by Supervisor O'Brien

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: Monteith

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



CHRISTINE FERRARO TALLMAN, Clerk

ATTEST:

CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Authorize the Director of Public Works to Renew the General Lease with the California State Lands Commission for the Grayson Road Bridges at San Joaquin River and Laird Slough

DISCUSSION:

The California State Lands Commission ("Commission") has jurisdiction and management control over those public lands of the State received by the State upon its admission to the United States in 1850 ("sovereign lands"). Generally, these sovereign lands include all ungranted tidelands and submerged lands, beds of navigable rivers, streams, lakes, bays, estuaries, inlets, and straits. The Commission manages these sovereign lands for the benefit of all the people of the State, subject to the Public Trust for water-related commerce, navigation, fisheries, recreation, open space and other recognized Public Trust uses. 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, sand and gravel extraction from these lands, and dredging or disposal of dredged material on these lands.

The Commission has jurisdiction and management responsibility for the lands at the Grayson Road bridges across San Joaquin River and Laird Slough. The renewal of the General Lease is needed for the continued use and maintenance of these two bridges. Upon approval by the Board of Supervisors, the Director of Public Works will sign and submit the renewal application along with the appropriate payment.

POLICY ISSUES:

The Board should consider if the recommended actions are consistent with its priorities of providing a safe community and a well-planned infrastructure system.

STAFFING IMPACT:

There is no staffing impact associated with this item.

PS:jg
L:\BRIDGES\LEASE AGREEMENTS\Board Items

PART I

GENERAL DATA

SECTION A: IDENTIFICATION OF APPLICANT

1. Applicant:

Name: STANISLAUS COUNTY		
Address: 1010 TENTH STREET, SUITE 3500		
City: MODESTO	State: CA	Zip: 95354
Phone: (209) 525-6550	FAX: (209) 525-6507	
E-mail Address: publicworks@stancounty.com		

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

Name: MATT MACHADO		
Address: 1010 TENTH STREET, SUITE 3500		
City: MODESTO	State: CA	Zip: 95354
Phone: (209) 525-7581	FAX: (209) 525-6507	
E-mail Address: matt.machado@stancounty.com		

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

Applicant: Representative: Both:

FOR COMMISSION USE ONLY:

Date Received:	
Work Order No.:	Assigned to:
Type of Document:	
Filing Fee:	Processing Fee:
Other Fees:	

SECTION B: LEGAL STATUS OF APPLICANT

Check one of the following and submit the required information:

- INDIVIDUAL(S):
- 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; Articles of Incorporation and/or By-Laws; 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.
- 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.
- 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.
- OTHER: State the nature, membership and other particulars regarding the legal status of applicant. Provide legal documentation establishing the authority of applicant to enter into the requested transaction, and designating who is authorized to act on behalf of applicant.

SECTION C: TYPE OF PROJECT AND AUTHORIZATION

You will be asked to provide specific project information in Parts II and III of this application.

1. Please check the type(s) of activity for which you are seeking Commission authorization:
- Commercial (Income producing uses such as marinas, restaurants, clubhouses, recreation piers or facilities, docks, moorings, buoys, helicopter pads, decks or gas service facilities).
- Industrial (Uses such as oil terminals, piers, wharves, warehouses, stowage sites, moorings, dolphins and islands together with necessary appurtenances).
- Right of Way (Uses such as roadways, power lines, pipelines or outfall lines, except when used only as necessary appurtenances).
- Public Agency Use for public roads, bridges, or for recreational, ecological or open space purposes of statewide benefit.
- Private Recreational Pier. Uses are limited to any fixed facility for the docking or mooring of boats constructed for the use of the littoral landowner, as specified in Public Resources Code Section 6503.5, and does not include swimming floats or platforms, sun decks, swim areas, fishing platforms, residential, recreational dressing, storage or eating facilities or areas attached or adjacent to recreational piers, or any other facilities not constructed for the docking or mooring of boats.
- Non-income producing uses such as piers, buoys, floats, etc., which do not qualify as Private Recreational Piers (above).

- Protective Structure (Riprap, seawall, groins, jetties, breakwaters, bulkheads, etc.).
- Grazing or other Agricultural Use.
- Dredging Permit (Please check if any portion of the proposed project will involve dredging during construction or ongoing maintenance of the project).
- Sand and Gravel Extraction.
- Salvage Permit (Salvage of any abandoned property on State owned lands; see Public Resources Code Section 6309).
- Other (please describe):

2. Please indicate whether you are seeking Commission authorization for:

- A new lease or permit for a proposed use of State owned land.
- A new lease for the continuation of an existing use of State owned land.
- An amendment of an existing lease*.
- A sublease of an existing lease*.
- Consent to encumber an existing lease*.
- An assignment of an existing lease*.
- Other (please describe):

*Where applicable, please indicate file number of existing or prior lease PRC 2597.9

SECTION D: PROJECT LOCATION

County: STANISLAUS	
If unincorporated, nearest City: MODESTO, CA	
Waterway: SAN JOAQUIN RIVER & LAIRD SLOUGH	Assessor's Parcel # (APN): N/A
Township, Range, Section and Reference Meridian:	
Upland Owner's Name:	
Upland Owner's Address (if different from applicant):	
Telephone: ()	Upland Address:
Subdivision, Block, and Lot Number:	

SECTION E: PROPERTY DESCRIPTION, INCLUDING TITLE AND BOUNDARY INFORMATION

1. Submit a copy of the current vesting document (deed) for the property lying landward of and adjacent to the State lands you seek to use. If you are not the owner of this adjacent property, you should also submit a copy of a lease, permit, or other evidence of your right to use this property.
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 ½" x 11" with scale) showing the general area and the project site in relation to the shoreline, major roadways, and other landmarks.
4. 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.

SECTION F: OTHER GOVERNMENTAL JURISDICTIONS

On a separate sheet of paper, please provide the following:

Identify 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, Coastal Commission, San Francisco Bay Conservation and Development Commission, Tahoe Regional Planning Agency, etc.)

If applicable, submit a U.S. Army Corps of Engineers Public Notice, Notice Number, or Letter of Approval for the project. If applicable, submit the number assigned to the project from the San Francisco Bay Conservation and Development Commission or the State Coastal Commission. Submit copies of any other existing approvals with the application.

Identify any General Plan and Specific Plans which include the area in which the project will be located, including the date of the most recent revisions to such Plan(s). What is the land use designation and zoning of the upland portion of the project under the General Plan and any applicable Specific Plan? Will the project require the amendment of the General and/or the Specific Plan? Will a variance from the existing zoning be required? Please provide the name and telephone number of the individual(s) contacted within the local jurisdiction to answer the foregoing questions.

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.

PART II

SPECIFIC PROJECT INFORMATION

Please complete this Part II as indicated below. Submit responses on separate 8½" x 11" paper, indicating clearly the number of the information request to which each response applies.

SECTION A: EXISTING CONDITIONS

1. Describe in detail existing activities, uses and improvements at the proposed project site, both on water covered lands ("water bodies") and on adjacent uplands. Provide construction dates and aerial or ground photographs of existing improvements. Indicate whether facilities are temporary or permanent.
2. Describe existing public use of the water body and adjacent uplands, the type and frequency of the public use, and any existing public access to the water body across the project site.
3. Provide maps and/or aerial or ground photographs which delineate existing vegetation at the proposed project site and along the shore of the water body upon which the project is to be located within a one-half (½) mile radius of the proposed project site.
4. Identify the type and location of any known habitat of rare, threatened, or endangered species of plant or animal within a one mile radius of the proposed project site. Information in this regard may be acquired from the California Department of Fish and Game or the United States Fish and Wildlife Service.
5. Only if the proposed project involves a marina, list and describe, within one river or lakeshore

mile of the proposed project site:

- (a) Existing or proposed marina facilities (indicating for each facility) available berthing by berth size, whether finger, slip or side tie, fuel facilities, pump outs, restrooms, restaurants, grocery stores, and other ancillary facilities.
- (b) Public and private boat launching and storage facilities.
- (c) Public fishing access and parking availability.
- (d) Other recreational facilities open to the public which are used for swimming, sunbathing, picnicking, sightseeing, etc.

Provide a site map illustrating the approximate distances of each of these facilities from the proposed project site.

SECTION B: PROJECT DESCRIPTION

SUBSECTION 1: ALL PROJECTS. *All applicants should respond to (a) - (d) below.*

- a. Provide a project development plan which clearly shows the following:
 - (1) A scale drawing of proposed improvements that show existing topographic features and dimensions of the area to be occupied within any water body. (This should include identification of the width of the waterway at the project site).
 - (2) The nature and location of all significant project features, including, but not limited to, the number, size and design of any berths, boat ramps or launches; the type, dimensions and location of any associated commercial facilities, utilities, parking, public access, and marine services; and any proposed exterior lighting or other security measures.
 - (3) The type and location of any existing vegetation which will be preserved, any existing vegetation proposed for removal, and any planned restoration of vegetation or other landscaping.
 - (4) The size of the proposed project relative to any other improvements or facilities within 100 feet upstream or downstream of the proposed project site, including facilities on the opposite bank, particularly with regard to its linear extension into and along the waterbody.
- b. If the project will involve construction, describe in detail the construction methods and equipment which will be used and the anticipated time frame for construction activities.
- c. Describe how the project will affect any levees in the project area. Identify existing ecological and/or habitat features along the levee, and any proposed alterations or modifications to any levees and associated ecological and/or habitat features.
- d. Identify any project features which you believe will avoid or mitigate any effects of moving vessels (e.g., wave wash) on the proposed facility or shore of the waterbody.

SUBSECTION 2: SPECIFIC PROJECTS. *Applicants should respond only to those paragraphs which apply to their project.*

- a. For any project which involves a **MARINA OR OTHER MULTIPLE BERTHING FACILITY**, provide the following:
(If your project does not involve a marina or other multiple berthing facility, go on to (b) below).

- (1) Identify whatever provisions are proposed for sewage disposal from boats, commercial uses, etc. If none, please identify the nearest pump-out facility, by name, location, and operating hours.
- (2) Identify whatever provisions are proposed for litter/garbage disposal, including frequency of pick-up.
- (3) Identify any proposed fueling facility and fully describe spill prevention and control features. Are fueling stations such that they are accessible by boat without entering or passing through the main berthing area, in order to avoid collisions? Provide a spill contingency plan and list equipment and training needed to implement the plan.
- (4) Describe any proposed vessel maintenance facility, i.e., its capacity, typical activities and quantities of potentially toxic materials expected to be used. Boat maintenance areas should be designed so that all maintenance activities that are significant potential sources of pollution can be accomplished over dry land and under roofs (where practical), allowing for proper control of by-products, debris, residues, solvents, spills, and stormwater runoff. All drains from maintenance areas should lead to a sump, holding tank, or pumpout facility from which the wastes can later be extracted for treatment and/or disposal. Indicate whether maintenance areas drain directly into surface or ground water or wetlands.

Will curbs, beams or other barriers be built or placed around areas used for the storage of liquid hazardous materials to contain spills?

If no boat maintenance facility is proposed, identify the off-site facility(ies) most likely to be used.

- (5) Identify the location of any engine and hull washing activities, expected numbers of washings and the types of detergents proposed for use. Only phosphate-free and biodegradable detergents should be used for boat washing.
- (6) Describe any proposed pollution control measures for vessel maintenance and haulout facilities.

Examples include:

- Use of tarps and vacuums to collect solid wastes produced by cleaning and repair of boats. Such wastes should be prevented from entering adjacent water.
- Vacuum or sweep up and catch debris, sandings, and trash from boat maintenance areas on a regular basis so that runoff will not carry it into the water.
- An oil water separator should be used on outside drains and maintained to ensure performance.
- Tarps should be used to catch spills of paints, solvents, or other liquid materials used in the repair or maintenance of boats.
- Used antifreeze should be stored in a barrel labeled "Waste Antifreeze Only" and should be recycled.

- (7) Describe any special measures proposed to control the quality and quantity of urban and other runoff from surrounding areas.

- (8) Describe the terms and conditions under which periodic and transient berthing will be permitted at the proposed facility, and how those terms and conditions will be enforced. Indicate percentage of dry boat storage compared to wet slips.
 - (9) Identify the method of handling fish wastes back into the natural ecosystem. Indicate how recycling of fish wastes will not degrade water quality or cause other adverse environmental impacts.
 - (10) Describe the depth and location of navigation and access channels, if any. Are these channels located in areas with safe and convenient access to waters of navigable depth, based on the kind of vessel expected to use the marina?
 - (11) Describe the stormwater management system. Does the system provide a bypass or overflow systems so that the peak discharge from a 10-year, 14-hour storm will be safely conveyed to an erosion and scour-protected storm water outfall?
 - (12) For proposed offstream marinas or berthing facilities, provide a water circulation plan for the facility which has been prepared and certified by a qualified hydrologic engineer. Such plan must indicate the direction and amount of flushing action in the facility.
- b. For any project which involves a **LAUNCH RAMP OR OTHER LAUNCHING FACILITY** describe the following:
(If your project does not involve any launching facility, go on to (c) below).
- (1) The capacity of related parking areas for boats, trailers, and vehicles.
 - (2) Any ancillary features such as restrooms, trash disposal bins, and the like.
 - (3) Any provisions for pump out and disposal of bilge water.
- c. For all projects involving **DREDGING OR DREDGED MATERIAL DISPOSAL**, provide the following: This section is to be prepared and certified by a qualified engineer with relevant expertise.
(If your project does not involve dredging or dredged material disposal, go on to (d) below).
- (1) An estimate of the amount and description of the method of dredging necessary to complete construction of the proposed project.
 - (2) An estimate of the amount and frequency and a description of the method of any maintenance dredging anticipated for operation and maintenance of the project.
 - (3) Identification and estimate of amounts and persistence of contaminants which may be released from the sediments during dredging, and during construction and operation and maintenance of the proposed project.
 - (4) The method and location of disposal of dredged materials.
 - (5) During dredging operations, will the dredging result in turbidity? If so, indicate how turbidity can be minimized (e.g., through the proper placement of silt screens or turbidity curtains).
 - (6) Describe how the need to dredge has been minimized or avoided. For example, the marina could be sited adjacent to deep water and the area to be dredged could be the minimum needed for the marina itself, including the docking areas, fairways, and channels, and for other maneuvering areas that are needed. Is the bottom of the marina deeper than the adjacent open water?

- (7) Has siting been planned near currently permitted public areas for disposal of dredged materials? How far is it to the disposal area?
- d. For all projects involving **GRAZING**, provide the following:
(If your project does not involve grazing, go on to Subsection 3, below).
- (1) Indicate the type and number of animals that will be located on State lands.
 - (2) Indicate the months during which the animals will be located on State lands.
 - (3) Estimate the carrying capacity of each parcel applied for.
 - (4) Indicate whether applicant holds a current grazing permit from the United States Bureau of Land Management (BLM). If so, indicate when the permit expires, and provide a map showing the location of the grazing allotment.
 - (5) Indicate whether there are any known water sources on the parcel(s) applied for. If such water sources are inadequate for the number of animals to be located on the State land, indicate how you will provide additional water.

SUBSECTION 3: PROJECT SITING AND FEASIBILITY. *Complete if the proposed project is a commercial or industrial use as defined in Part I, Section C, above.*

- a. If the project involves berthing or docking facilities, describe how siting has been planned to ensure that tides and currents are adequate to flush the site, or renew its water regularly. Will water quality standards be violated?
- b. Will the project be sited away from wetlands, shellfish resources, submerged aquatic vegetation, and critical habitat areas?
- c. Is the project sited such that it will have easy access to roads, utilities, public sewers (where available), and water lines?
- d. Were alternative sites considered for the proposed project? If the answer is no, please explain. If the answer is yes, please identify such alternative sites. List any criteria which were used during the site selection process: 1) What factors were used in the selection of the proposed site? 2) What factors make this site superior for the proposed project?
- e. On what basis is there a demonstrated public need for the proposed project at the designated location?
- f. Please furnish any studies, which demonstrate demand for and feasibility of the proposed project. What is the minimum size or level of activity necessary to sustain the commercial viability of the project?
- g. If the proposed project will generate revenue, estimate the anticipated annual gross and net revenues and show your basis for the estimates.
- h. Describe any other existing or proposed projects that will be related to or dependent upon this project, will be affected by this project, or will affect this project, and explain the anticipated relationship or effect.

SUBSECTION 4: PUBLIC BENEFIT

Describe any statewide or regional, rather than purely local, benefits of the proposed project, and the extent to which such benefits are provided by other facilities within a one mile radius of the proposed project site.

PART III

PROJECT ENVIRONMENTAL DATA

SECTION A: ENVIRONMENTAL SETTING

1. Describe the project site as it presently exists. 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. Information regarding historic or archaeologically significant values within the site may be obtained from the University Information Center in the county in which the project is to be located.
2. Describe the surrounding properties. Include information such as topography, soil stability, plants and animals, and any cultural, historical 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.
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. Provide an explanation of each answer on a separate 8½" x 11" paper, listing, as appropriate, studies, documents, or other information used to support your answer.

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 land use at or in the general area of the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Impacts to 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"/>
6. Generation of or additional, dust, smoke, fumes or odors in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. A change in ocean, bay, lake, stream or ground water quality or quantity or an altering of existing drainage patterns?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- 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 flammable, toxic, or radioactive substances, 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 projects?
- 14. Historic structures and/or archeological sites?

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, and evidence that these documents have been circulated through the State Clearinghouse pursuant to CEQA Guidelines Section 15073.
- 2. A copy of any environmental mitigation monitoring program prepared and adopted by the Lead Agency pursuant to PRC Section 21080.6.
- 3. A copy of the "findings" made by the Lead Agency relative to potential environmental impacts of the project as approved by the Lead Agency, pursuant to Section 15091 of the State CEQA Guidelines.
- 4. A copy of the Notice of Determination filed with the Office of Planning and Research by the Lead Agency.

PART IV

SIGNATURE AND CERTIFICATION

AB 884 (Government Code Section 65920 and following). Government Code Section 64943 requires that an applicant state whether its proposal constitutes a development project. A "development project" is defined as "... any project undertaken for the purposes of development. 'Development project' does not include any ministerial projects to be carried out or approved by public agencies."

Government Code Section 65928 - Development is defined as "... on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions to the Z'berg-Nejedly Forest Practice Act of 1973" (commencing with Section 4511 of the Public Resources Code).

As used in this section, "structure" includes, but is not limited to, any building, road pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Government Section 65927 - Please complete the following statement:

The project which is the subject of this application is is not a development project as defined by Government Code Section 65928.

Your application will not be complete without this information.

Government Code Section 65941.5 requires the State Lands Commission to notify its applicants of the public notice distribution requirements relative to any proposed Commission action on applications for development projects. The Commission has compiled an extensive list of persons who have requested notice of all Commission actions and are notified of all Commission meetings. Additional parties must be provided notice of pending Commission action on a project specific basis. Upon your request, staff will provide a list of persons entitled to notice of proposed Commission action on your application.

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: _____

NOTE: Please remember to submit the fees as outlined on pages iv and v of the Application Guidelines. You only need to return pages 1-11 of the application.

APPROVED AS TO FORM:
STANISLAUS COUNTY COUNSEL

BY: 