

MINUTE ITEM

12/15/76
JEP
EWC

41. ADOPTION OF PROPOSED AMENDMENTS TO TITLE 2, DIVISION 3,
CALIFORNIA ADMINISTRATIVE CODE - W 5125.1.

The attached Calendar Item 41 was withdrawn from the agenda.

Attachment: Calendar Item 41 (2 pages)

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41.

ADOPTION OF PROPOSED AMENDMENTS TO TITLE 2,
DIVISION 3, CALIFORNIA ADMINISTRATIVE CODE

INTRODUCTION: At the October 28, 1976 meeting, the Commission approved the publishing of amendments to Title 2, Division 3, California Administrative Code, which includes the handling of expense deposits covering Division processing costs incurred by applications submitted to it. This Calendar Item presents final revisions thereto and recommendations for the amounts of those deposits based upon experience.

ADMINISTRATIVE CODE REVISIONS:

Pursuant to requirements of the Administrative Procedures Act, publication was made of the form and substance of proposed changes to the Administrative Code. The changes included the determination of and the handling of expense deposits; the reclassification of the types of leases and permits; and certain matters relating to the sale of school lands.

A public hearing was also held on December 7, 1976, as required, and the attached proposed revisions to the Administrative Code (Exhibit "A", on file with the office of the State Lands Commission and by reference made a part hereof), are those finally recommended by the Division in light of the hearing.

EXPENSE DEPOSITS:

The Division's recommended expense deposits (Exhibit "B", on file with the Office of the State Lands Commission and by reference made a part hereof), are based on the relative difficulty, or time required, in processing various transactions as determined by staff, together with known processing times of a few types of transactions and the hourly costs as prepared by the Division Accounting staff. The deposits recommended herein are from 15% to 28% less than the processing costs estimated by the above method, reflecting the staff's opinion that required deposits be reasonable and that there is some (indeterminate) statewide public benefit from bringing uses of State land under lawful and regulated control.

CALENDAR ITEM NO. 41: (CONTD)

The amounts approved in Exhibit "B" will be applicable until amended by the Commission.

- EXHIBITS: A. Administrative Code Revisions
 B. Addition to State Lands Division Procedures Manual

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21065, 14 CAL. ADM. CODE 15037.
2. ADOPT AND APPROVE FOR FILING WITH THE OFFICE OF THE SECRETARY OF STATE, THE AMENDMENTS TO TITLE 2, DIVISION 3 OF THE CALIFORNIA ADMINISTRATIVE CODE, EXHIBIT "A" ON FILE WITH THE OFFICE OF THE STATE LANDS DIVISION AND BY REFERENCE MADE A PART HEREOF.
3. APPROVE THE SCHEDULE OF MINIMUM EXPENSE DEPOSITS IN EXHIBIT "B" ON FILE WITH THE OFFICE OF THE STATE LANDS DIVISION AND BY REFERENCE MADE A PART HEREOF, AND AUTHORIZE ITS INCLUSION IN THE DIVISION PROCEDURES MANUAL.