

MINUTE ITEM

This Calendar Item No. 23
was approved as Minute Item
No. 23 by the State Lands
Commission by a vote of 3
to 0 at its 5/26/77
meeting.

MINUTE ITEM

5/26/77
WRA

23. DELEGATION OF AUTHORITY, HAZARD REMOVAL PROGRAM - W30007

During consideration of Calendar Item 23, attached, Mr. Robert C. Hight, Chief Counsel, stated that the Department of Water Resources had requested that the Executive Officer be authorized to also approve emergency permits for the placement of rock dams to prevent salt water intrusion into Sacramento-San Joaquin delta.

Ms. Betty Jo Smith, Commission-alternate, asked if a limit should be put on the amount of money which the Executive Officer can approve. It was agreed by the Commission that the Executive Officer could approve those contracts referred to above if the amount does not exceed \$100,000 per contract.

Upon motion duly made and carried, the following resolution as amended, was adopted by a vote of 3-0:

THE COMMISSION:

1. DELEGATES TO THE EXECUTIVE OFFICER AUTHORIZATION TO ENTER INTO CONTRACTS, NOT TO EXCEED \$100,000, AND TAKE OTHER ACTIONS NECESSARY TO FACILITATE THE REMOVAL OF OBSTRUCTIONS LOCATED IN LAKES, RIVERS, AND STREAMS WITHOUT PRIOR COMMISSION REVIEW, BUT EXPRESSLY SUBJECT TO THE FOLLOWING CONDITIONS:
 - A. THAT THE EXECUTIVE OFFICER'S ACTIONS BE IN FULL COMPLIANCE WITH LEGISLATIVE INTENT AS EXPRESSED THROUGH BUDGET LANGUAGE;
 - B. THAT THE EXECUTIVE OFFICER ENTER INTO CONTRACTS IN ACCORDANCE WITH THE STATE ADMINISTRATIVE MANUAL AND OTHER REGULATIONS AND LAWS THAT PERTAIN TO THIS ACTIVITY.
 - C. THAT SUCH ACTIVITY IS IN FULL COMPLIANCE WITH THE REQUIREMENTS OF CEQA;
 - D. THAT THE EXECUTIVE OFFICER REPORT TO THE STATE LANDS COMMISSION ON A MONTHLY BASIS REGARDING EXPENDITURES OR CONTRACTS ENTERED INTO AND/OR OTHER ACTIVITIES RELATING TO THIS DELEGATION OF AUTHORITY.
2. DELEGATES TO THE EXECUTIVE OFFICER AUTHORIZATION TO ENTER INTO CONTRACTS AND TAKE OTHER ACTION NECESSARY TO FACILITATE THE PLACEMENT OF ROCK DAMS IN THE SACRAMENTO-SAN JOAQUIN DELTA TO PREVENT SALT WATER INTRUSION THEREIN; SUBJECT TO CONDITIONS "B.", "C.", AND "D." OF 1 ABOVE.

Attachment: Calendar Item 23 (1 page)

DELEGATION OF AUTHORITY
HAZARD REMOVAL PROGRAM

An Assembly Ways and Means budget subcommittee has recommended that the State Lands Commission's budget be augmented by \$500,000 for the exclusive purpose of removing boating hazards and obstructions from rivers, lakes and streams. The subcommittee indicated that the unusual low water situation has revealed many obstructions in these waterways and that they represent hazards to boaters, fishermen, and others who use these waterways. Further, they indicated that the State Lands Commission is the appropriate agency to oversee removal of these obstructions.

With the foregoing in mind, it is suggested that the Executive Officer be delegated authority to enter into contracts with private organizations, local, State, or Federal agencies to accomplish the removal of these hazards. Such a delegation would cut the processing time for these individual projects considerably. Under existing procedure, it would be necessary for each facet of the removal program to be acted upon by the Commission. Because the low water situation will be of relatively short duration, it would appear more expedient to have the Executive Officer take whatever actions are necessary so that this activity can proceed in a timely manner.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DELEGATE TO THE EXECUTIVE OFFICER AUTHORIZATION TO ENTER INTO CONTRACTS AND TAKE OTHER ACTIONS NECESSARY TO FACILITATE THE REMOVAL OF OBSTRUCTIONS LOCATED IN LAKES, RIVERS, AND STREAMS WITHOUT PRIOR COMMISSION REVIEW, BUT EXPRESSLY SUBJECT TO THE FOLLOWING CONDITIONS:
 - A. THAT THE EXECUTIVE OFFICER'S ACTIONS BE IN FULL COMPLIANCE WITH LEGISLATIVE INTENT AS EXPRESSED THROUGH BUDGET LANGUAGE;
 - B. THAT THE EXECUTIVE OFFICER ENTER INTO CONTRACTS IN ACCORDANCE WITH THE STATE ADMINISTRATIVE MANUAL AND OTHER REGULATIONS AND LAWS THAT PERTAIN TO THIS ACTIVITY.
 - C. THAT SUCH ACTIVITY IS IN FULL COMPLIANCE WITH THE REQUIREMENTS OF CEQA;
 - D. THAT THE EXECUTIVE OFFICER REPORT TO THE STATE LANDS COMMISSION ON A MONTHLY BASIS REGARDING EXPENDITURES OR CONTRACTS ENTERED INTO AND/OR OTHER ACTIVITIES RELATING TO THIS DELEGATION OF AUTHORITY.