

MINUTE ITEM

This Calendar Item No. 38
was approved as Minute Item
No. 33 by the State Lands
Commission by a vote of 22
to 0 at its 12/15/85
meeting.

CALENDAR ITEM

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06/26/86
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Beutler

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CONTRACT FOR ENFORCEMENT SERVICES

A variety of recent events indicate a need for the State Lands Commission to undertake an enforcement program for the protection of State resources and to encourage compliance with Commission rules, regulations, and contracts.

In Spring of 1985 staff of the Commission surveyed land managers of other western states to identify the types of enforcement or compliance programs already in place. Also considered were other California land management departments, the federal Bureau of Land Management, and the United States Forest Service.

Of the twenty one respondents, eight states have active enforcement programs. Two states, Arizona and Texas, offer impressive statistics regarding revenue enhancement as a result of lease compliance. Those states attribute between \$500,000 and \$2,000,000 of revenue per year to enforcement activity. They also point to the benefits of resource protection.

Using information gathered from the study, staff developed a program model for use by the Commission. This model anticipates a pilot program to evaluate case load and develop policy recommendations for rules and regulations. The Department of Finance felt that better cost/benefit data was needed before consideration is given to a full scale program. It also recommends the use of contracted personnel for the initial pilot stage.

Under the authority of Penal Code Section 830.3(m) and P.R.C. Section 6101, the Office of the Controller may offer the Commission investigative services for the purposes of enforcing PRC Section 6108 and applicable provisions of P.R.C. Division 6, and Cal. Adm. Code Title 2, as well as specified sections of Government Code.

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CALENDAR ITEM NO. 38 (CONT'D)

AB 884: N/A.

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 because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

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 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. AUTHORIZE EXECUTION OF A CONTRACT FOR INVESTIGATIVE SERVICES FROM THE OFFICE OF THE CONTROLLER FOR A PERIOD OF TWO YEARS WITH COSTS NOT TO EXCEED \$50,000 PER YEAR.
3. DIRECT STAFF TO PROVIDE A REPORT TO THE COMMISSION AT THE JUNE 1987 MEETING ON THE STATUS OF THE ENFORCEMENT PROGRAM.