

MINUTE ITEM

This Calendar Item No. 54
was adopted as a Calendar Item
No. 54 of the State Lands
Commission by a vote of 2
to 0 at its 8/21/84
meeting.

CALENDAR ITEM

54

08/21/84
W 21809
Fernino

REVISION OF CRITERIA FOR DETERMINING THE
COMPLETENESS OF APPLICATION TO INCLUDE
AN EXECUTED REIMBURSEMENT AGREEMENT

In accordance with Government Code Sections 65920, et seq. the State Lands Commission (SLC), at its April 27, 1978 meeting, adopted application lists and criteria for projects requiring Commission consideration. These lists specify in detail the application information required from an applicant for development projects on State lands and also indicate the criteria that will be applied for determining the completeness of an application submitted for a development project.

For projects which require an Environmental Impact Report, under the California Environmental Quality Act, the State using the competitive process (Request for Proposal), may contract with a private consultant to prepare the required environmental document. The consultant and State costs associated with the environmental process, i.e. preparation, and review of these documents are entirely reimbursable by the applicant. The State and the applicant execute a separate agreement to provide for such reimbursement.

The Commission, by statute, must consider a project within one year from the date an application is deemed complete. Under existing procedures, the executed reimbursement agreement is not included in the criteria for completeness, but rather is consummated after this declaration is made. Any delay in this contract process reduces the time available for the environmental document to be prepared and staff to complete its review, since no consultant contract may be consummated without the certification that funds are available.

Staff is recommending that the Commission adopt a revision to SLC Form 54.1 (Revised November 1979) Application Requirements Checklist to add a fully executed reimbursement agreement as an additional criterion for deeming an application complete. Other minor modifications are also made to the form; however, these changes are editorial in nature.

CALENDAR ITEM No. 54 (CONT'D)

Section 65942 of the Government Code, and Section 1082 of the State Administrative Manual provide that adopted lists and criteria may be modified as often as necessary provided that adequate notice and opportunity to comment is given. This agenda item constitutes said notice of the proposed modification to the subject form. To date staff has received no comments on the proposed modification.

AB 884: N/A.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE NOTICE PROVISIONS OF STATE ADMINISTRATIVE MANUAL SECTION 1082 HAVE BEEN MET.
2. ADOPT MODIFICATIONS TO FORM 54.1 SUBSTANTIALLY AS SET FORTH IN THE FORM ON FILE IN THE PRINCIPAL OFFICE OF THE COMMISSION AND BY REFERENCE MADE A PART HEREOF AND AUTHORIZE STAFF TO TRANSMIT SAME TO THE STATE OFFICE OF PLANNING AND RESEARCH.