

**MINUTE ITEM**

This Calendar Item No. C41 was approved as Minute Item No. 41 by the California State Lands Commission by a vote of 3 to 0 at its 2/2/04 meeting.

**CALENDAR ITEM  
C41**

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02/02/04  
W 7777.241  
R09703  
D. Brown

**REQUEST AUTHORITY FOR THE EXECUTIVE OFFICER TO EXECUTE INTERAGENCY AGREEMENT WITH THE DEPARTMENT OF FISH AND GAME FOR STAFF COSTS RELATED TO THE BALLAST WATER MANAGEMENT PROGRAM**

**APPLICANT:**

California State Lands Commission  
100 Howe Avenue, Suite 100 – South  
Sacramento, CA 95825-8202

**PROPOSAL:**

The Executive Officer requests delegation of authority execute an Interagency Agreement with the Department of Fish and Game (DFG) in an amount of \$200,000 to provide for State Lands Commission staff cost pursuant to the Ballast Water Management Program.

**BACKGROUND INFORMATION:**

On September 24, 2003, the Legislature passed AB 433 (Chapter 491/2003) enacting the Marine Invasive Species Act. This action effectively extended and modified Chapter 849/99, which established the initial program which was to sunset on December 31, 2003. The Commission and the DFG have worked closely in the implementation of this program. The parties have determined it would be in the best interests of the program to use a portion of the DFG appropriation to fund additional data collection activities by the Commission. The Department's budget appropriation from the Marine Invasive Species Control Fund has sufficient funding for this purpose and the fund is solvent. The Department of Finance has been advised of this transaction and has consented to the use of the funds in this manner.

**STATUTORY AND OTHER REFERENCES:**

- A. Public Resources Code Section 6106 (Delegation to execute written instruments)
- B. State Contracts Manual (rev. 09/01)
- C. Government Code Section 11256 Interagency Agreements

000187

CALENDAR PAGE

000209

MINUTE PAGE

CALENDAR ITEM NO. C41 (CONT'D)

**IT IS RECOMMENDED THAT THE COMMISSION:**

1. FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15260 (c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.
  
2. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO EXECUTE INTERAGENCY AGREEMENT IN ACCORDANCE WITH STATE POLICIES AND PROCEDURES IN ORDER TO CARRY OUT THE OBJECTIVES OF THE GRANT.

000188

CALENDAR PAGE

000210

MINUTE PAGE