

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
PERMIT ASSISTANCE CENTER/
TRADE AND COMMERCE AGENCY PERMIT ASSISTANCE PROGRAM REPORT**

Prepared pursuant to Public Resources Code section 71040(c)

Public Resources Code section 71040(c) requires the California Environmental Protection Agency in consultation with the Trade and Commerce Agency to submit a report to the Governor and Legislature on the number of permits issued, expedited, or otherwise streamlined by each Permit Assistant Center (Centers), and how the assistance provided to businesses has improved environmental protection. The Secretaries shall report on the permit assistance activities of both agencies and shall make recommendations to ensure that these activities are coordinated and nonduplicative.

Background & Purpose

The Centers were administratively created in 1992 and subsequently authorized by statute in 1999 (Assembly Bill 1102, Stats.1999, Chap. 65). There are currently 14 Centers located throughout the State with a total staff of 30 and an annual operating budget of \$364,000. The Centers' purpose is to maintain California's high environmental standards and facilitate economic progress by providing permit and compliance information and assistance. The Centers provide assistance with issues such as public works requirements, building permits, hazardous waste management, pollution prevention, water and air quality, toxic substance cleanup, seller's permits, and taxes. Center staff has catalogued the full range of environmental regulatory requirements applicable to persons engaged in business in California. This information is available at the Centers, via telephone or on the Internet. The Internet information can be found at CalGOLD <http://www.calgold.ca.gov>. Applications can be completed and submitted for many State, local, regional and federal agencies through the website.

The Permit Assistance Center Program works in partnership with local and regional governments. Center staff act as facilitators bringing project applicants together with relevant government agencies. Most of the fourteen Centers are located within local government facilities and have access to State and local government staff.

Statistics

Since the Centers do not issue permits, it is impossible to report on the number of permits issued, expedited, or otherwise streamlined. However, Cal/EPA tracks the effectiveness of the Centers by collecting data from the persons served. Every customer is asked to complete an evaluation form. The information provided in this report was obtained from data collected from these forms. The Centers served 20,181 customers during calendar year 2000, a 19.38% increase over the prior year. There were also 115, 857 hits on the CalGOLD website during 2000. Currently, Cal/EPA has entered into a contractual agreement with California State University, Sacramento to redesign the CalGOLD web page and to produce a radio Public Service Announcement for statewide distribution. The Centers are currently adding Green Business (pollution

prevention, improve your bottom line) information to the web site as it pertains to specific types of businesses.

75% of the total number of customers assisted in 2000 were new and existing businesses.

These statistics were obtained using a comparable eleven month period for 1999 and 2000 and do not include data from the 14th Center which will not open until 2001.

Each customer who utilizes the Centers' services is sent a customer satisfaction survey. Unfortunately only about 2% of these forms are returned. An electronic version was also added to all appropriate web pages to better increase the percentage returned. As of this date the percentage returned has not increased. Of those 2% returned:

- 98.8% indicated that "staff provided complete, accurate information";
- 99.3% indicated that "a timely response was provided";
- 99.4% rated their "overall experience as positive"
- 96.9% indicated that the "regulations were understandable";
- 97.5% indicated that "application instructions were understandable"; and
- 97% indicated that the "permit/license/registration terms and conditions were understandable."

In the year 2000, the Permit Assistance Centers expanded their partnerships with the local communities by participating in Pollution Prevention activities and consultation with the local environmental health permit processes. Currently Cal/EPA and staff at the Centers are working with the Governor's Clean Energy "Green Team". They will be assisting in facilitating new power plants via interagency meetings and partnering with other Green Team members to conduct local workshops for power plant developers and local governments to inform them of permit requirements and processing methods.

Partnerships

Cal/EPA and The Trade and Commerce Agency have been in consultation concerning their permit assistance activities for the past calendar year. The two program directors meet monthly and discuss each program's current and proposed activities, thus eliminating any possible duplication. Recently staff from each of the programs met and discussed ways in which they can work together to enhance programs. In the future, staff in the local regions will be meeting to coordinate activities and increase awareness of the mission of each agency. Shared training and outreach activities are anticipated in the year 2001. Please see attached for more information about the Trade and Commerce Agency and Cal/EPA's permit assistance program.

Recommendation

It is recommended that in order to meet the annual statutory deadline of January 2, the subsequent reports will reflect statistics from calendar year October 1 to October 1. This methodology will give statistical accuracy of one year of data.

Office of Permit Assistance, California Trade and Commerce Agency

Background

The Office of Permit Assistance (OPA) was created in 1985 in the Governor's Office of Planning and Research. OPA was subsequently transferred to the California Trade and Commerce Agency in 1994. OPA maintains staff in San Diego, Southern California, Sacramento, and the Bay Area regional offices of the Trade and Commerce Agency.

Purpose

Promote economic vitality and enhance the quality of life for the people of California by providing reliable land use and environmental permitting and regulatory assistance.

Mission

In partnership with others:

- Provide the public and private sectors guidance through the federal, state, and local environmental and land use permitting and regulatory process.
- Support economic development in communities by encouraging streamlining of their permit and environmental review process.
- Assist in maintaining the state's excellent business climate and high environmental standards.

Primary Charges

A. Implementing the Permit Streamlining Act (Government Code, Chapter 4.5):

- Develop guidelines to provide technical assistance to local governments in establishing and operating an expedited development permit process (Government Code Chapter 4.5, Article 1, Section 65922.3).
 - *The latest guidelines were published in 1994. OPA is in the process of a 2000 update.*
- Provide technical assistance and grant in aid to assist local governments in establishing and maintaining an expedited permit process (Government Code Chapter 4.5, Article 1, Section 65922.7).
 - *There have been 6 inquiries for permit streamlining grants this calendar year, however, no grants have been awarded due to lack of funding availability.*
- Provide information to developers explaining the permit approval process at the state and local levels and ensure that all state agencies comply with the requirements of this chapter (Government Code Chapter 4.5, Article 1, Section 65923).
 - *OPA has received 212 developer requests for permit assistance over the current calendar year.*
- Call a conference of parties to resolve questions or mediate disputes arising from permit applications on any proposed development project (Government Code Chapter 4.5, Article 1, Section 65923.5 [a]).

- *OPA received 5 mediation requests over the current calendar year.*
- Assist state and local agencies in an attempt to streamline the permit approval process at the state and local level (Government Code Chapter 4.5, Article 1, Section 65923.5 [b]).
 - *OPA has sponsored 6 local government permit streamlining workshops this calendar year.*
- Provide information to developers to assist them in meeting the requirements of the California Environmental Quality Act, Division 13 of the Public Resources Code (Government Code Chapter 4.5, Article 1, Section 65923.5 [c]).
 - *OPA has received 106 requests for CEQA assistance this calendar year.*
- Any state agency, which is the lead agency for a development project, shall inform the applicant for a permit that the Office of Permit Assistance has been created to assist, and provide information to, developers relating to the permit approval process (Government Code Chapter 4.5, Article 1, Section 65923.8).
 - *OPA will initiate a statewide survey in calendar 2001 to determine compliance of this section.*

B. Implementing the Tanner Act (Health and Safety Code, Section 25199 et seq.):

- Identify state and local permits required for any proposed hazardous waste facility project; convene meetings to determine the scope of the project; assist state and local agencies in consolidating public meetings and hearings; encourage joint review and processing of permit applications; ensure that decision deadlines are met; and , call meetings to resolve questions or mediate disputes.
 - *OPA has assisted one applicant through the Tanner Act requirements this current calendar year (Santa Clara)*

C. Implementing the Transit Village Development Planning Act (Government Code, Section 65460-65460.10):

- Provide assistance to cities or counties establishing or preparing a transit village plan for a transit village development district by establishing an expedited permit process at the
 - *OPA has not assisted any local government this calendar year.*

D. Aside from the above legal mandates, OPA provides the following services:

- Provide staff support to the Governor's Task Force on Fiber Optic Cable
- Provide staff support to the Governor's Clean Energy Green Team
- Publishes the *California Permit Handbook*. The 2000 version will be published in late December.
- Maintains a permit assistance hotline. This 800 number averages 40 – 50 calls per month from the private and public sectors seeking permit assistance.
- Maintains a permit assistance website. This site receives over 1,200 inquiries per month.
- Serves on the Environmental Justice Steering Committee emanating from SB 115 (1999).

- Meets monthly with CalEPA to coordinate permit assistance programs as required by AB 1102.
- Provides staff support to the Agency's membership on the California Coastal Commission (non-voting member).
- Provides land use, environmental, and permit assistance and guidance to the private sector conducting business along the U.S./Mexico border.
- Serves on the implementing committee for the permit consolidation zone program (SB 1299).
- Provides environmental technical support for the California Defense Retention and Conversion Council consistent with the Defense Retention and Conversion Act of 1999.

Recommendations for Coordinating Permit Assistance Programs

- Continue to convene monthly meetings between both programs at the headquarters level.
 - *CalEPA and OPA have been meeting monthly to discuss and coordinate program delivery to clients.*
- Convene monthly meetings at the regional staff level.
 - *Regional CalEPA and OPA staff have met twice and will continue to do so in order to coordinate program delivery to clients.*
- Convene joint project specific teams to address applicant questions and issues regarding permits and environmental process.
- Develop a cross training program for staffs of both programs.
- Continue to provide web site linkages for each others program.

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