

COMMISSION ON CALIFORNIA STATE GOVERNMENT ORGANIZATION AND ECONOMY

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May 21, 1975

Honorable Edmund G. Brown, Jr.
Governor, State of California

Honorable James R. Mills
President pro Tempore, and to Members of the Senate

Honorable Leo T. McCarthy
Speaker, and to Members of the Assembly

Gentlemen:

In January of this year, this Commission released its report, "A Review of California's Vehicle Emission Control Program." The objective of that review was to make recommendations to the Governor and the Legislature which would reduce or eliminate the inefficiencies and ineffectiveness of the State's current light-duty vehicle emission control program. The Commission noted poor state government organization and administration as well as deficiencies in the statutes which governed the organization and control of the program. The Commission concluded that the State's program to control the quality of the air was marked by confusion, duplication, overlapping jurisdictions and that the potential for lack of accountability, lack of cohesiveness, and lack of financial control over the vehicle emission control program was unacceptably high. The Commission also stated that these same faults might well apply to the State's effort to contain water and solid waste disposal pollution within acceptable limits. Finally, it was suggested in the report that consideration be given to the establishment of a new environmental agency with responsibility for the major areas of air pollution, water pollution, solid waste disposal and related activities affecting the State's environment. Reorganization Plan #1 of 1975 would implement that suggestion.

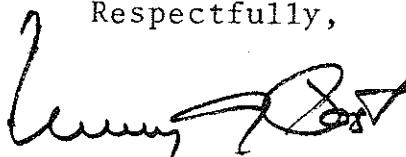
The Reorganization Plan would consolidate the State's air, water, and solid waste programs into a new Environmental Quality Agency. The plan is based in part on the Commission's recommendations contained in the report referred to above.

On April 1, 1975, the Commission held its first public hearing on the reorganization proposal. Testimony was received from agency and departmental personnel that would be affected by the proposed reorganization as well as from representatives of other governmental jurisdictions and from the solid waste disposal industry. A second public hearing was held on April 16 and further testimony was received regarding the proposal. Strong objections were voiced to the proposed transfer of statutory policy setting and plan approval authority of the Solid Waste Management Board and the Air Resources Board to the directors of the proposed new departments. After considerable deliberation, the Commission expressed its general approval of the reorganization concept but stated its reservations concerning the authority of the departmental directors to establish policy, to set standards, and approve plans.

On May 1 Governor Brown resubmitted Reorganization Plan #1 of 1975 incorporating modifications in the plan as a result of the testimony received at the Commission's April 16 hearing. The plan before the Legislature would create a new Environmental Quality Agency with the functions of the current Air Resources Board, Water Resources Control Board, Regional Water Quality Control Boards, and Solid Waste Management Board consolidated thereunder. A new Air Quality Standards Board will be created with authority to establish motor vehicle emission standards and ambient air quality standards. A new Solid Waste Management Board will be created which also will have the decision-making role with respect to solid waste management plans and policy. The Solid Waste Management Resources and Recovery Advisory Council which would have been abolished by the plan as originally submitted will be retained in accordance with present statutory provision.

In its consideration of the proposal, some members of the Commission questioned the propriety or appropriateness of establishing a new and separate agency to cope with and hopefully control environmental quality. The consensus was that an agency would facilitate the establishment of Cabinet-level accountability, responsibility, and authority for creation and administration of an effective environmental quality control program. The Commission concurs with the proposed consolidation and recommends that the Legislature allow Reorganization Plan #1 of 1975 to take effect as provided by Section 12080.5 of the Government Code.

Respectfully,

A handwritten signature in black ink, appearing to read 'Manning J. Post', written in a cursive style.

MANNING J. POST
Chairman