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Recommendation Status Summary

Assembly Budget Subcommittee 3 on Climate Crisis, Resources, Energy, and Transportation

Report Number 2018-114

Disabled Veteran Business Enterprise Program: The Departments of General Services and Veterans Affairs Have Failed to Maximize Participation and to Accurately Measure Program Success (February 2019)

RECOMMENDATION	ENTITY	STATUS OF RECOMMENDATION
23. To ensure that disabled veteran business enterprise (DVBE) participation data are reported accurately and consistently, the California Department of Transportation (Caltrans) should implement or strengthen a review process to ensure that DVBE participation amounts entered into its data systems or Financial Information System for California (FI\$Cal) are accurate. This review process should include verification, on a sample basis, of the amounts awarded to, and the certification status of, the DVBE contractor or subcontractor for high-value contracts that include DVBE participation.	Department of Transportation	Fully Implemented
25. To ensure that DVBE participation data are reported accurately and consistently, the Department of Motor Vehicles (DMV) should implement or strengthen a review process to ensure that DVBE participation amounts entered into its data systems or FI\$Cal are accurate. This review process should include verification, on a sample basis, of the amounts awarded to, and the certification status of, the DVBE contractor or subcontractor for high-value contracts that include DVBE participation.	Department of Motor Vehicles	Fully Implemented

Report Number I2019-2

Investigations of Improper Activities by State Agencies and Employees: Inefficient Management of State Resources, Misuse of State Time and Inaccurate Attendance Records, and Inadequate Supervision (April 2019)

RECOMMENDATION	ENTITY	STATUS OF RECOMMENDATION
11. The Water Resources Control Board (State Water Board) should take appropriate disciplinary actions against Engineers A, B, and C for their misuse of state time and dishonesty during their interviews.	Water Resources Control Board	Fully Implemented
12. The State Water Board should determine the amount of time it can charge Engineers A, B, and C to account for their missed hours, reduce their leave balances accordingly, and if applicable, seek to recover from them any wages paid for time they did not work.	Water Resources Control Board	Fully Implemented
13. The State Water Board should take appropriate corrective or disciplinary actions against the three engineers' supervisor, which should include providing supervisory training to ensure that he holds the three engineers accountable for their missed work time.	Water Resources Control Board	Fully Implemented
14. The State Water Board should require this supervisor to implement policies and procedures to ensure that his subordinates account for all of their missed work hours.	Water Resources Control Board	Fully Implemented
15. The State Water Board should require Employee A's supervisor to continue to monitor and examine weekly time reports for Employee A and other subordinate employees to ensure that they account properly for all of the time worked and the leave taken.	Water Resources Control Board	Fully Implemented
16. Caltrans should ensure that it recoups all overpayments that it made to the associate.	Department of Transportation	Fully Implemented
17. Caltrans should notify all Caltrans employees of the limitations of bereavement leave and where bargaining agreements can be located for additional information specific to bereavement leave.	Department of Transportation	Fully Implemented
18. Caltrans should remind supervisors of their responsibility to ensure that employees properly charge leave, including bereavement leave, and to not exceed the allowable limits that the bargaining agreements outline.	Department of Transportation	Fully Implemented

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19. Caltrans should consider revising its policy to require supervisors to request employees to submit substantiation, such as a funeral announcement, for each claim of bereavement leave.	Department of Transportation	Resolved
20. Caltrans should consider conducting leave audits of the other subordinate staff that the supervisor formerly oversaw.	Department of Transportation	Fully Implemented

Report Number I2019-3

Investigations of Improper Activities by State Agencies and Employees: Wasteful and Improper Travel Payments, Improper Promotion and Hiring Practices, and Misuse of State Resources (May 2019)

RECOMMENDATION	ENTITY	STATUS OF RECOMMENDATION
1. Within 30 days, Caltrans should provide a detailed training memorandum to managers and supervisors informing them of who is authorized to approve employees' travel expense claims and airline, train, and rental car reservations.	Department of Transportation	Fully Implemented
2. Within 60 days, Caltrans should provide detailed and comprehensive instructions to managers and supervisors to ensure that they understand the definition of an employee's headquarters and the state law prohibition of paying expenses related to travel from one's residence to headquarters.	Department of Transportation	Fully Implemented
3. Within 60 days, Caltrans should document the findings of this investigation in the manager's official personnel file.	Department of Transportation	Fully Implemented
4. Within 60 days, Caltrans should consult with the State Controller's Office to determine whether the manager's reimbursements should have been reported as taxable fringe benefits and, if so, amend any relevant tax documents.	Department of Transportation	Resolved
5. Within 90 days, Caltrans should provide training to human resources staff to ensure that they follow proper procedures for changing an employee's headquarters and retaining the appropriate documentation.	Department of Transportation	Fully Implemented
6. Within 90 days, Caltrans should provide training to travel branch staff to ensure that they verify an employee's headquarters when reviewing expense claims and comply with state law when approving the claims.	Department of Transportation	Fully Implemented
7. Within 90 days, Caltrans should take appropriate corrective action against the former supervisor for approving the manager's travel to Sacramento without notifying the division chief.	Department of Transportation	Fully Implemented
8. Within 90 days, Caltrans should determine if any of the \$41,695 can be collected from the manager and, if so, attempt collection of the improper travel reimbursements.	Department of Transportation	Fully Implemented
13. The Department of Fish and Wildlife (Fish and Wildlife) should take corrective or disciplinary action against the branch chief who misrepresented his past supervisory experience for his dishonest activities.	Department of Fish and Wildlife	Fully Implemented
14. Fish and Wildlife should void any improper appointments and collect compensation received as a result of the improper appointment as allowed by state law.	Department of Fish and Wildlife	Fully Implemented
15. Fish and Wildlife should require executive management and the current HR chief to undergo CalHR training on the proper use of promotions in place and on California's merit system.	Department of Fish and Wildlife	Fully Implemented

Report Number 2018-120

San Francisco Bay Conservation and Development Commission: Its Failure to Perform Key Responsibilities Has Allowed Ongoing Harm to the San Francisco Bay (May 2019)

RECOMMENDATION	ENTITY	STATUS OF RECOMMENDATION
1. To improve the efficiency of the San Francisco Bay Conservation and Development Commission's (Bay Conservation Commission) current enforcement process, the Legislature should require the commission to create and implement by fiscal year 2020-21 a procedure to ensure that managers perform documented review of staff decisions in enforcement cases.	Legislature	Legislation Enacted

2. To improve the efficiency of the Bay Conservation Commission’s current enforcement process, the Legislature should require the Bay Conservation Commission to create and implement by fiscal year 2020–21 timelines for resolving enforcement cases.	Legislature	Legislation Enacted
3. To improve the efficiency of the Bay Conservation Commission’s current enforcement process, the Legislature should require the Bay Conservation Commission to create and implement by fiscal year 2020–21 a penalty matrix for applying fines and civil penalties.	Legislature	Legislation Enacted
4. Further, the Legislature should direct the Bay Conservation Commission to begin developing regulations by fiscal year 2020–21 to define single violations and create a method of resolving minor violations through fines.	Legislature	Legislation Proposed But Not Enacted
5. To ensure that the Bay Conservation Commission performs its duties under state law related to the Suisun Marsh, the Legislature should require a report from the Bay Conservation Commission upon completion of its comprehensive review of the Suisun Marsh program every five years, beginning with a review in fiscal year 2020–21.	Legislature	Legislation Enacted
6. To ensure that the Bay Conservation Commission uses the Bay Fill Clean Up and Abatement Fund appropriately, the Legislature should clarify that the fund’s intended use is for the physical cleanup of the Bay, rather than enforcement staff salaries. The Legislature should consider fully funding enforcement staff through the General Fund to align revenue sources with the Bay Conservation Commission’s responsibilities.	Legislature	Legislation Proposed But Not Enacted
7. After the Bay Conservation Commission implements the changes noted below, the Legislature should provide the Bay Conservation Commission with an additional tool to address violations by amending state law to allow the Bay Conservation Commission to record notices of violations on the titles of properties that have been subject to enforcement action.	Legislature	Legislation Proposed But Not Enacted
8. To ensure that it maximizes the efficiency and effectiveness of its enforcement and permitting programs, the Bay Conservation Commission should by January 2020 develop and implement procedures to ensure that its management adequately reviews staff enforcement decisions. These procedures should include requirements detailing how staff should document and substantiate violations, case resolutions, and their rationale for imposing fines. Further, the procedures should require staff to conduct proactive enforcement, such as site visits, as resources allow.	San Francisco Bay Conservation and Development Commission	Fully Implemented
9. To ensure that it maximizes the efficiency and effectiveness of its enforcement and permitting programs, the Bay Conservation Commission should by January 2020 develop and implement procedures to ensure that staff open, investigate, and close cases in a manner that is consistent with state law and that encourages the responsible use of staff time.	San Francisco Bay Conservation and Development Commission	Fully Implemented
10. To ensure that it maximizes the efficiency and effectiveness of its enforcement and permitting programs, the Bay Conservation Commission should by January 2020 develop guidance that enumerates the violation types that the Bay Conservation Commission deem worthy of swift enforcement action, those that staff can defer for a specified amount of time, and those that do not warrant enforcement action or that can be resolved through fines.	San Francisco Bay Conservation and Development Commission	Pending
11. To ensure that it maximizes the efficiency and effectiveness of its enforcement and permitting programs, the Bay Conservation Commission should by January 2020 simplify its system for prioritizing enforcement cases, to help it focus its enforcement efforts on cases with the greatest potential for harming the Bay.	San Francisco Bay Conservation and Development Commission	Will Not Implement
12. To ensure that it maximizes the efficiency and effectiveness of its enforcement and permitting programs, the Bay Conservation Commission should by January 2020 create a penalty calculation worksheet. The Bay Conservation Commission should require the worksheet’s use for all enforcement actions that will result in fines or penalties, and it should create formal policies, procedures, and criteria to provide staff with guidance on applying the worksheet.	San Francisco Bay Conservation and Development Commission	Pending
13. To ensure that it maximizes the efficiency and effectiveness of its enforcement and permitting programs, the Bay Conservation Commission should by January 2020 develop a procedure to identify stale cases. After applying this procedure, the Bay Conservation Commission should seek appropriate settlements for such cases that preserve or exercise the State’s legal rights to resolve violations and levy penalties.	San Francisco Bay Conservation and Development Commission	Pending

14. To ensure that it maximizes the efficiency and effectiveness of its enforcement and permitting programs, the Bay Conservation Commission should by January 2020 evaluate and update permit fees every five years in accordance with its regulations.	San Francisco Bay Conservation and Development Commission	Fully Implemented
15. To ensure that it maximizes the efficiency and effectiveness of its enforcement and permitting programs, the Bay Conservation Commission should by January 2020 conduct a comprehensive review of local agency compliance with the marsh program and issue recommendations as necessary to implement the protections outlined in the Suisun Marsh Preservation Act.	San Francisco Bay Conservation and Development Commission	Fully Implemented
16. To ensure that it maximizes the efficiency and effectiveness of its enforcement and permitting programs, the Bay Conservation Commission should by January 2020 appoint a new citizens' advisory committee as required by law and determine a schedule for the committee to conduct regular meetings.	San Francisco Bay Conservation and Development Commission	Will Not Implement
17. To ensure that it uses the abatement fund for the physical cleanup of the Bay, the Bay Conservation Commission should create a policy by January 2020 identifying the minimum amounts it will disburse and prioritizing the projects that it will support through disbursements to the appropriate entities.	San Francisco Bay Conservation and Development Commission	Will Not Implement
18. To build on prior recommendations and ensure that it maximizes the effectiveness of its enforcement program, the Bay Conservation Commission should by January 2021 conduct a workforce study of all its permit and regulatory activities and determine whether it requires additional staff, including supervisors, to support its mission.	San Francisco Bay Conservation and Development Commission	Pending
19. To build on prior recommendations and ensure that it maximizes the effectiveness of its enforcement program, the Bay Conservation Commission should by January 2021 implement a permit compliance position to support the efforts of enforcement staff and the implementation of process changes. If necessary, it should seek additional funding for such a position.	San Francisco Bay Conservation and Development Commission	Pending
20. To build on prior recommendations and ensure that it maximizes the effectiveness of its enforcement program, the Bay Conservation Commission should by January 2021 update its existing database or create a new database to ensure that it can identify and track individual violations within each case, including the date staff initiate the standardized fines process for each violation. As part of this process, the Bay Conservation Commission should review its database and update it as necessary to ensure that it includes all necessary and accurate information, specifically whether staff initiated the standardized fines process for open case files and for those case files closed within the past five years.	San Francisco Bay Conservation and Development Commission	Pending
21. To ensure consistency in its enforcement program, the Bay Conservation Commission should by January 2021 create and implement regulations that identify required milestones and time frames for enforcement.	San Francisco Bay Conservation and Development Commission	Will Not Implement
22. To ensure consistency in its enforcement program, the Bay Conservation Commission should by January 2021 create and implement regulations that define substantial harm, provide explicit criteria for calculating the number of violations present in individual enforcement cases, and specify a process to handle any necessary exceptions to the criteria.	San Francisco Bay Conservation and Development Commission	Pending
23. To ensure consistency in its enforcement program, the Bay Conservation Commission should by January 2021 create and implement regulations to allow it to use limited monetary fines to resolve selected minor violations that do not involve substantial harm to the Bay.	San Francisco Bay Conservation and Development Commission	Pending
24. To ensure consistency in its enforcement program, the Bay Conservation Commission should by January 2021 update its regulations on permit issuance to offer greater clarity on the types of projects for which staff may issue permits without Bay Conservation Commissioners' hearings.	San Francisco Bay Conservation and Development Commission	Pending

Report Number 2018-119

California Department of Fish and Wildlife: It Is Not Fulfilling Its Responsibilities Under the California Environmental Quality Act (June 2019)

RECOMMENDATION	ENTITY	STATUS OF RECOMMENDATION
1. To ensure that it consistently prioritizes and reviews projects with potentially significant impacts on the environment, Fish and Wildlife should establish a departmentwide policy for prioritizing California Environmental Quality Act (CEQA) documents for review and comment by December 2019 and require regional offices to adopt region-specific procedures by March 2020.	Department of Fish and Wildlife	Fully Implemented
2. To ensure that it consistently prioritizes and reviews projects with potentially significant impacts on the environment, Fish and Wildlife should develop policies and procedures outlining departmentwide expectations for CEQA review and comment by December 2019 and require regional offices to develop region-specific policies and procedures for CEQA review by March 2020.	Department of Fish and Wildlife	Fully Implemented
3. To ensure that it consistently prioritizes and reviews projects with potentially significant impacts on the environment, Fish and Wildlife should develop ongoing training for environmental scientists that covers subjects including the complexities and technical aspects of CEQA review by June 2020.	Department of Fish and Wildlife	Fully Implemented
4. To ensure that it consistently prioritizes and reviews projects with potentially significant impacts on the environment, Fish and Wildlife should incorporate the policies and procedures into regulations in full compliance with the Administrative Procedure Act, should it determine that the new policies and procedures create rules of general application.	Department of Fish and Wildlife	Resolved
5. To ensure regional staff enter data into the project tracking database accurately and consistently, Fish and Wildlife should, by December 2019, develop, implement, and provide training on departmentwide written policies and procedures that outline the requirements and process for entering data related to CEQA review into Fish and Wildlife's project tracking database.	Department of Fish and Wildlife	Fully Implemented
6. To ensure that it complies with state law requiring it to use CEQA fees only for CEQA activities, Fish and Wildlife should immediately begin tracking and monitoring CEQA revenues and expenditures separately from other program activities within the nondedicated account in the Fish and Game Preservation Fund.	Department of Fish and Wildlife	Fully Implemented
7. To determine more accurately the resources that it needs to review all CEQA documents it receives, Fish and Wildlife should implement a timekeeping mechanism by December 2019 that requires staff to track the hours they spend on CEQA-related activities.	Department of Fish and Wildlife	Fully Implemented
8. To determine the costs for its CEQA review and set appropriate fees, Fish and Wildlife should complete its five-year review of program costs and revenues and report the results to the Legislature by March 2020. To provide the Legislature with a more accurate estimate of the costs of CEQA activities, Fish and Wildlife should prepare an update to this review no more than two years after it has modified its time-tracking procedures.	Department of Fish and Wildlife	Pending
9. To ensure it receives all CEQA revenues to which it is entitled, Fish and Wildlife should immediately begin collecting any unpaid fees it identifies in audits of counties.	Department of Fish and Wildlife	Fully Implemented
10. To reduce the risk of counties not collecting and remitting CEQA filing fees, Fish and Wildlife should begin sharing any findings from internal audits with counties and reminding county officials of their responsibilities related to CEQA fees.	Department of Fish and Wildlife	Fully Implemented
11. To maximize the amount of time that environmental scientists have to review CEQA documents, Fish and Wildlife should establish procedures for the electronic distribution of CEQA documents for review by December 2019. These procedures should include the utilization of the State Clearinghouse's electronic system when it becomes available.	Department of Fish and Wildlife	Fully Implemented

*Report Number I2019-4**Gross Mismanagement Led to the Misuse of State Resources and Multiple Violations of State Law (August 2019)*

RECOMMENDATION	ENTITY	STATUS OF RECOMMENDATION
1. The California Department of Food and Agriculture (CDFA) should ensure that its audit office conducts biannual compliance audits for all district agricultural associations and that the office prioritizes auditing district agricultural associations on the watch program.	Department of Food and Agriculture	Partially Implemented
2. CDFA should consider exercising its authority to assume any or all rights, duties, and powers of the board of the association. If CDFA agrees to implement this recommendation, it should assume responsibility for implementing our recommendations to the association.	Department of Food and Agriculture	Fully Implemented
3. CDFA should provide district agricultural associations with timely notifications from the DMV's Employer Pull Notice Program and follow up to ensure that the district agricultural associations take appropriate action.	Department of Food and Agriculture	Partially Implemented
4. To the extent that its authority allows, the CDFA should oversee implementation of our recommendations to the District Agricultural Association (association).	Department of Food and Agriculture	Partially Implemented
5. The association should take appropriate disciplinary action against the CEO, the maintenance supervisor, and all other permanent and temporary employees who engaged in the improper governmental activities that we identified.	Department of Food and Agriculture	No Action Taken
6. The association should recoup the money from the CEO, the deputy manager, and the maintenance supervisor for their inappropriate purchases.	Department of Food and Agriculture	Fully Implemented
7. The association should recoup the actual costs from the maintenance supervisor for his personal use of a state vehicle.	Department of Food and Agriculture	Resolved
8. The association should recoup all travel expenses from employees and board members who exceeded the allowable travel reimbursement amounts for lodging and meals or who improperly traveled to banned states.	Department of Food and Agriculture	Resolved
9. The association should develop appropriate controls for the propane tank, including securing access to the propane tank key. The association should consider installing a meter and creating, maintaining, and auditing a propane usage log.	Department of Food and Agriculture	Resolved
10. The association should train all staff who have purchasing authority on relevant state laws and CDFA and association accounting policies. This training should specifically focus on requiring the submission of itemized receipts and preventing inappropriate or illegal purchases.	Department of Food and Agriculture	Fully Implemented
11. The association should establish an appropriate segregation of duties between credit card holders and those who reconcile the credit card statements.	Department of Food and Agriculture	Fully Implemented
12. The association should formally adopt, train staff on, and follow the Fairs and Expositions branch's accounting procedures manual, as well as CDFA's Controlled Substances and Alcohol and Incompatible Activities policies.	Department of Food and Agriculture	Partially Implemented
13. The association should implement the State Administrative Manual sections pertaining to inventory control and vehicle usage.	Department of Food and Agriculture	Fully Implemented
14. The association should require employees and board members to submit travel expense claims for their travel expenses (except airfare and car rental) and ensure that future travel-related expenses and reimbursements adhere to all applicable state laws and the Governor's Executive Order B-06-11.	Department of Food and Agriculture	Fully Implemented

Report Number 2019-121

California Department of Food and Agriculture: Poor Management Threatens the Success of the Pet Lover's Specialized License Plate Program (March 2020)

RECOMMENDATION	ENTITY	STATUS OF RECOMMENDATION
1. In order to ensure a fair and defensible grant award process for the Pet Lover's specialized license plate program (Pet Lover's program), CDFA should immediately adopt and begin following policies and procedures that direct its staff to verify and document that grant applicants are eligible for funding from the Pet Lover's program before forwarding the applications to the technical review panel.	Department of Food and Agriculture	Pending
2. In order to ensure a fair and defensible grant award process for the Pet Lover's program, CDFA should immediately adopt and begin following policies and procedures that direct its staff to have multiple reviewers score each application that progresses to a technical review.	Department of Food and Agriculture	Pending
3. In order to ensure a fair and defensible grant award process for the Pet Lover's program, CDFA should immediately adopt and begin following policies and procedures that direct its staff to select the highest-ranked applications to receive grant awards, and document the reasons for these selections.	Department of Food and Agriculture	Pending
4. To correct its error in making grants to ineligible entities, by June 2020 CDFA should complete efforts to either cancel those contracts and recoup unspent funds from the two ineligible organizations or work with those organizations to ensure that they meet eligibility requirements.	Department of Food and Agriculture	*
5. To ensure that the Pet Lover's program remains viable, CDFA should immediately begin using marketing and promotional strategies similar to those used by other specialized license plate programs to encourage vehicle owners to purchase the Pet Lover's plate, and should continue to ensure that the Pet Lover's plate remains on DMV flyers.	Department of Food and Agriculture	Pending
6. To improve the effectiveness of marketing of the Pet Lover's program, by August 2020 CDFA should contract with an eligible nonprofit organization, as state law allows, to carry out additional marketing and promotional activities for the program.	Department of Food and Agriculture	Pending
7. To ensure the continued benefits of the specialized license plate programs, the Legislature should revise state law to allow a specialized license plate program to continue, regardless of the number of plates, unless the DMV or CDFA determines that the program is no longer financially viable or no longer supports the purposes of the program.	Legislature	No Action Taken

Report Number I2020-1

Investigation of Improper Activities by State Agencies and Employees: Waste of State Funds, Misuse of Bereavement Leave, Misuse of State Resources, Dishonesty, and Supervisory Neglect of Duty (April 2020)

RECOMMENDATION	ENTITY	STATUS OF RECOMMENDATION
1. Fish and Wildlife should clearly define and train staff on procurement roles to avoid having only a few employees primarily guiding an acquisition of this magnitude.	Department of Fish and Wildlife	Resolved
2. Fish and Wildlife should train staff who administer or approve contracts on the requirement for all contracts and amendments to be in writing and to work with contractors if there are issues with modifications needed pursuant to warranty.	Department of Fish and Wildlife	Fully Implemented
3. Fish and Wildlife should retain a professional with appropriate expertise for future procurements of a highly technical nature to develop specifications and engineered drawings and to inspect the equipment for satisfaction of contractual specifications before accepting delivery.	Department of Fish and Wildlife	Fully Implemented
4. Fish and Wildlife should consider using progress payment schedules for contracts when procuring newly constructed, high-dollar technical equipment.	Department of Fish and Wildlife	Resolved
5. For future acquisitions, Fish and Wildlife should immediately consult with its legal staff to resolve any probable or possible contract deviations.	Department of Fish and Wildlife	Fully Implemented

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6. Fish and Wildlife should create a process to ensure that any newly acquired fleet assets are registered or documented with the relevant authorities before authorizing use of the asset.	Department of Fish and Wildlife	Fully Implemented
7. Fish and Wildlife should ensure that its legal staff assesses Fish and Wildlife's ability to recover the money paid to the contractor for any contract requirements that remain unfulfilled.	Department of Fish and Wildlife	Fully Implemented
11. The California Air Resources Board (CARB) should recoup or correct all overpayments made to the employee we determined to have taken inappropriate bereavement leave.	California Air Resources Board	Fully Implemented
12. Caltrans should recoup or correct all overpayments made to the employees we determined to have taken inappropriate bereavement leave.	Department of Transportation	Fully Implemented
16. The CARB should notify all employees of bereavement leave requirements and where they can find additional information specific to bereavement leave.	California Air Resources Board	Fully Implemented
17. Caltrans should notify all employees of bereavement leave requirements and where they can find additional information specific to bereavement leave.	Department of Transportation	Fully Implemented
21. CARB should remind supervisors of their responsibilities to ensure that employees charge leave properly, including bereavement leave, and to not allow employees to exceed the allowable limits that the bargaining agreements and state law provide.	California Air Resources Board	Fully Implemented
22. Caltrans should remind supervisors of their responsibilities to ensure that employees charge leave properly, including bereavement leave, and to not allow employees to exceed the allowable limits that the bargaining agreements and state law provide.	Department of Transportation	Fully Implemented
30. The California Energy Commission (CEC) should immediately and permanently remove the supervisor's responsibility for issuing and tracking the parking permits.	California Energy Commission	Fully Implemented
31. Within 60 days, CEC should take appropriate corrective or disciplinary action against the supervisor for her misuse of state resources.	California Energy Commission	Fully Implemented
32. Within 30 days, CEC should establish and disseminate to all executive staff the policies for the parking permits to minimize future misuse.	California Energy Commission	Fully Implemented
33. CEC should reevaluate the number of parking permits the commission pays for and reduce the number of permits if business need warrants a reduction.	California Energy Commission	Fully Implemented
34. Caltrans should take appropriate corrective actions against the two employees for failing to obtain storage permits and for misusing their state vehicles to commute between their homes and headquarters.	Department of Transportation	Fully Implemented
35. Caltrans should require these employees to obtain storage permits	Department of Transportation	Fully Implemented
36. Caltrans should determine whether other maintenance employees who work in the same region have been allowed to park at or in the vicinity of their homes without storage permits. If so, require all applicable employees to obtain these permits.	Department of Transportation	Fully Implemented

Report Number 2019-127

San Diego County Air Pollution Control District: It Has Used Vehicle Registration Fees to Subsidize Its Permitting Process, Reducing the Amount of Funds Available to Address Air Pollution (July 2020)

RECOMMENDATION	ENTITY	STATUS OF RECOMMENDATION
1. To increase the transparency of, and promote accountability for, the use of the vehicle registration fees that the public pays, the Legislature should require that each local air district submit an annual report to CARB detailing how it used the vehicle registration fees it received. Both CARB and each local air district should be required to provide this information to the public on their websites.	Legislature	No Action Taken
2. To encourage the San Diego County Air Pollution Control District (San Diego Air District) to accurately account for its costs, operate efficiently, and effectively use vehicle registration fees, the Legislature should require that the San Diego Air District use at least 90 percent of the vehicle registration fees it receives for projects related to mobile emissions—roughly the proportion of ozone-causing emissions from mobile sources in the region—and it should further require that the San Diego Air District publicly disclose the disposition of any vehicle registration fees it does not use to address mobile emissions.	Legislature	No Action Taken

<p>3. To ensure that it is leveraging all funding opportunities to address the region's air quality, the San Diego Air District should periodically evaluate all available state and federal grants to reduce mobile emissions and notify the San Diego County Air Pollution Control Board (district board) if it decides not to pursue such programs.</p>	<p>San Diego County Air Pollution Control District</p>	<p>Pending</p>
<p>4. To ensure that the permit fees it charges are sufficient to pay for its permitting program, the San Diego Air District should, by December 2020, establish a methodology to calculate the full cost of its permitting program, based on its actual expenditures and administrative costs, and perform this calculation each year.</p>	<p>San Diego County Air Pollution Control District</p>	<p>Pending</p>
<p>5. To ensure that the permit fees it charges are sufficient to pay for its permitting program, the San Diego Air District should, by December 2020, monitor the impact of the COVID-19 pandemic on San Diego County's economy and, when economic conditions allow, propose to the district board that it increase fees annually by the maximum percentage allowed until the district's revenue from permit fees is equal to the full cost of the permitting program.</p>	<p>San Diego County Air Pollution Control District</p>	<p>Pending</p>
<p>6. To ensure that it is responsive to its stakeholders and encourages public participation in the creation of its regulatory and permitting policies, the San Diego Air District should create and implement a public participation plan by January 2021 that includes both public outreach and public engagement activities.</p>	<p>San Diego County Air Pollution Control District</p>	<p>Pending</p>
<p>7. To ensure that its decisions are transparent and that it encourages opportunities for public involvement, the district board should publicly deliberate on key issues related to air quality during its regular meetings.</p>	<p>San Diego County Air Pollution Control District</p>	<p>Pending</p>
<p>8. Because the new district board will include additional stakeholders who represent some of the interests that the advisory committee was intended to represent, the district board should determine whether the advisory committee is still necessary. If the district board determines that the advisory committee is still necessary, it should immediately publicize the vacancies on the advisory committee on its website and in the monthly and annual county reports of vacancies on boards, commissions, and committees, and actively seek nominations to fill these positions.</p>	<p>San Diego County Air Pollution Control District</p>	<p>Pending</p>
<p>9. Because the new district board will include additional stakeholders who represent some of the interests that the advisory committee was intended to represent, the district board should determine whether the advisory committee is still necessary. If the district board determines that the advisory committee is still necessary, it should ensure that the district's legal counsel monitors the advisory committee meetings beginning immediately, and advises the committee when it does not comply with state public meeting requirements.</p>	<p>San Diego County Air Pollution Control District</p>	<p>Pending</p>
<p>10. To ensure that it effectively manages its complaint investigation process and provides accurate information to the public regarding the complaints it receives, the San Diego Air District should, by June 2021, establish policies and procedures that require staff to validate the information they enter in the district's complaint database. The district should also periodically review the accuracy and completeness of the data.</p>	<p>San Diego County Air Pollution Control District</p>	<p>Partially Implemented</p>
<p>11. To ensure that it effectively manages its complaint investigation process and provides accurate information to the public regarding the complaints it receives, the San Diego Air District should, by June 2021, establish time frames for its supervisors to review complaint investigation reports and verify that investigators have responded to complaints in an appropriate and timely manner.</p>	<p>San Diego County Air Pollution Control District</p>	<p>Partially Implemented</p>
<p>12. To ensure that it effectively manages its complaint investigation process and provides accurate information to the public regarding the complaints it receives, the San Diego Air District should, by June 2021, establish a process for validating the accuracy of the data it previously entered into its database.</p>	<p>San Diego County Air Pollution Control District</p>	<p>Partially Implemented</p>
<p>13. To ensure that it has a method of providing key administrative services in place by the time it ceases to function as part of the county, the San Diego Air District should finalize its agreement with San Diego County to continue providing key administrative services as soon as possible.</p>	<p>San Diego County Air Pollution Control District</p>	<p>Partially Implemented</p>

Report Number 2020-107**Investigation of Improper Activities by State Agencies and Employees: Waste of State Funds, Misuse of Bereavement Leave, Misuse of State Resources, Dishonesty, and Supervisory Neglect of Duty (October 2020)**

RECOMMENDATION	ENTITY	STATUS OF RECOMMENDATION
1. To ensure that it minimizes the exposure of children and other at-risk individuals to lead contamination, the Department of Toxic Substances Control (DTSC) should immediately solicit a contractor to clean the 31 remaining childcare centers, parks, and schools. It should use the Time Critical Removal Action process to expedite this cleanup if necessary.	Department of Toxic Substances Control	*
2. To ensure its ability to clean as many lead-contaminated properties as possible in a timely manner, DTSC should immediately begin soliciting an additional contractor to clean properties within the cleanup site. It should include performance standards for the pace of cleanup in its existing and future cleanup contracts.	Department of Toxic Substances Control	*
3. To ensure that the public and policy makers have the information they need to make informed decisions, DTSC should, by no later than April 2021, identify and publicize a date by which it expects to complete cleanup for all properties that meet or exceed the standard for lead contamination of 80 ppm identified in DTSC's cleanup plan. It should post this information on its website and, at least every six months, publish an update that indicates whether it is on track to meet that expected completion date based on its rate of progress.	Department of Toxic Substances Control	*
4. To ensure that it has sufficient funding to clean up all lead-contaminated properties in the cleanup site, DTSC should do the following: <ul style="list-style-type: none"> Identify the full amount of funding it needs to complete the cleanup of the 3,200 most contaminated properties and the remaining 4,600 contaminated properties. It should submit a request for funding in time for spring 2021 budget discussions that includes a range of funding options that spans from funding for the full cleanup to funding for only a portion of the remaining contaminated properties. Immediately revise its cost estimation methods to encompass the factors that it now knows will affect its overall costs. If needed, it should contract for expertise in determining accurate and complete estimates of the remaining cleanup cost. 	Department of Toxic Substances Control	*
5. To protect against the unsustainably high costs it has incurred thus far in the cleanup project, DTSC should structure its future cleanup contracts to at least partially incorporate fixed prices.	Department of Toxic Substances Control	*

Report Number I2020-2**Investigation of Improper Activities by State Agencies and Employees: Waste of State Funds, Misuse of Bereavement Leave, Misuse of State Resources, Dishonesty, and Supervisory Neglect of Duty (October 2020)**

RECOMMENDATION	ENTITY	STATUS OF RECOMMENDATION
17. The California Department of Forestry and Fire Protection (CAL FIRE) should consider placing a notice of the investigation in each of the chiefs' personnel file, as all three chiefs are no longer employed by CAL FIRE.	Department of Forestry and Fire Protection	Partially Implemented
18. CAL FIRE should establish a process regarding procurement decisions to ensure that contracts undergo applicable state requirements.	Department of Forestry and Fire Protection	Fully Implemented
19. CAL FIRE should provide contract and procurement training to applicable CAL FIRE employees, including those involved in drafting, negotiating, or approving contracts. The training should include a review of the State Contracting Manual to ensure that staff understand the policies, rules, and statutes applicable to external review and to procuring vendors and awarding contracts.	Department of Forestry and Fire Protection	Fully Implemented

21. Within 60 days, Caltrans should initiate appropriate corrective actions against the employees and their supervisors where necessary for misusing state vehicles to commute.	Department of Transportation	Fully Implemented
22. Within 60 days, Caltrans should determine the options available for cost recovery and recoup the costs associated with the vehicle misuse, if feasible.	Department of Transportation	Fully Implemented
23. Within 120 days, Caltrans should determine whether other individuals within the employees' division regularly drive state vehicles home. If so, it should determine whether they have a legally permissible reason for doing so, ensure that they meet the qualifications for and have received storage permits, and investigate vehicle misuse as necessary.	Department of Transportation	Fully Implemented

* As of December 31, 2020, the entity has not provided a response to the California State Auditor (State Auditor) State Auditor or the State Auditor has not assessed the entity's response.