

Briefing on Inactive Cases (Backlog) and Proposed Plan to Address the Backlog

July 24, 2019

Matthew Trujillo

Introduction

- Brief description of current backlog
- Proposed plan
 - Guidelines and goal
 - Milestones
 - Strategies
- Discussion

Distribution of Backlog Cases by Priority

- Total number of inactive cases: 249
 - High priority 26 cases (score >59)
 - Mid-Range Priority 60 cases (score between 40 and 59)
 - Low priority 163 cases (score <40)
- Open more than ten years 52 cases (2009 or earlier)
- Approx. 130 cases against public agencies

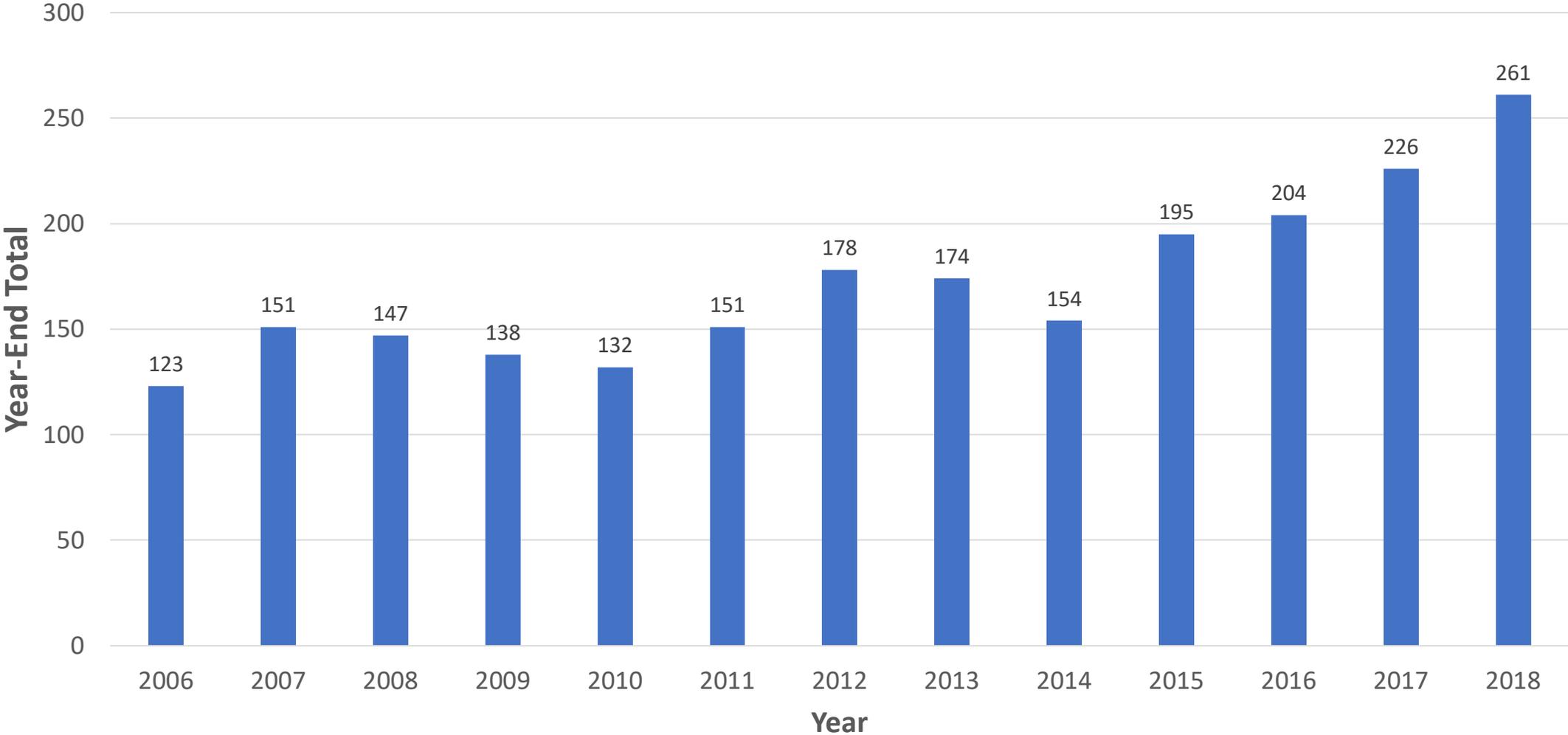
Age of Backlog Cases

- 1988 – 1999 7
- 2000 – 2005 26
- 2006 - 2010 26
- 2011 – 2015 55
- 2016 – 2019 135

Violation Types

- ~50% violations of permit requirements
 - 25% maintenance
 - 25% other permit requirements
- ~50% unpermitted/unauthorized activities
 - 25% no existing permit for any activity
 - 25% activity in excess of, or in addition to, permitted activity

Open Cases by Year



Programmatic Proposals

- Goal is to eliminate existing backlog within 5 years
 - Reduce backlog by ~20% per year
- Prioritize new casework over backlog casework?

Proposed Goal (Five-Year Plan)

- 0 – 6 mos.
 - Oldest cases (e.g., 1988 – 1999) will be re-evaluated and activated
 - High priority backlog re-evaluated against standardized fine regulation (11386(a)) for immediate elevation
- By 18 mos.
 - All priority cases will have been resolved, settled, or calendared for an EC hearing
 - 30% of overall backlog will be either resolved or in active prosecution
- By 36 mos.
 - 60% of backlog resolved/active prosecution
- By 48 mos.
 - 80% of backlog resolved/active prosecution
- By 60 mos.
 - 100% backlog resolved/active prosecution

Proposed Strategies for Discussion

- Pursue high priority inactive before low priority inactive
- Prosecute mid and low priority inactive with consideration of age
- Activate cases when a permit application is submitted by a violator
- Focus on reported violations
- Renew stale cases when new allegation reports received
- Enter settlements or issue orders with holders of multiple permits
- Employ templates/form letters
- Improve technological resources

Questions and Discussion