

REQUEST FOR APPROVAL

To: Howard Levenson
Deputy Director, Materials Management and Local Assistance Division

From: Shirley Willd-Wagner
Branch Chief, Financial Resources Management Branch

Request Date: January 5, 2012

Decision Subject: Awards for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (Farm and Ranch Cleanup Account, FY 2011/12)

Action By: January 17, 2012

Summary of Request: Staff requests approval of grant awards for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program, Fiscal Year (FY) 2011/12 (second cycle). CalRecycle received three eligible applications requesting a total of \$143,470 for this competitive grant program.

Recommendation: Staff recommends approval of three grant awards, as listed in Table 1 below, for \$143,470.

Table 1. Farm and Ranch Solid Waste Cleanup and Abatement Grant Program Recommended Award List

Applicant	Total Award
Butte County	\$ 44,959
City of Lancaster	\$88,171
Loma Prieta Resource Conservation District	\$10,340
Total	\$143,470

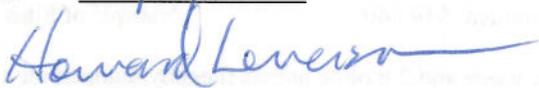
Funding: Funding is transferred into the Farm and Ranch Cleanup Account, upon appropriation from the annual Budget Act, from the Integrated Waste Management Account, Tire Recycling Management Fund and Used Oil Fund, not to exceed \$1,000,000 annually. On September 9, 2011, the Deputy Director approved two grant awards totaling \$14,544, leaving \$985,446 for subsequent grant awards.

Fund Source	Amount Available	Amount to Fund Item	Amount Remaining	Line Item
Farm & Ranch Cleanup Account (FY 2011/12)	\$985,446	\$143,470	\$841,976	Grants

Deputy Director Action: On the basis of the information and analysis in this Request for Approval and the findings set out herein, I hereby conditionally approve the grant awards for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (as listed in Table 1) for the second cycle of FY 2011/12. Each proposed grantee's award is conditioned upon:

1. The full payment within ninety (90) days of the effective date of this grant award of all outstanding debt(s) or scheduled payment(s) owed by the proposed Grantee to CalRecycle; and
2. The return by the proposed Grantee of a complete and executed Grant Agreement within ninety (90) days from the date that CalRecycle staff mails the Grant Agreement.

Dated: 1/17/12



Howard Levenson
Deputy Director

Background and Findings:

Statutory Authority

Public Resources Code (PRC) Section 48100 authorizes CalRecycle to award grants to cities, counties, Resource Conservation Districts and Native American tribes, as defined by PRC 44201(b), for the purposes of cleaning up and abating the effects of illegally disposed waste on farm and ranch property owned by innocent parties. The grants are awarded to eligible entities on behalf of property owners, who meet all eligibility requirements. Applicants may apply for up to \$200,000 per fiscal year; each eligible site shall not exceed \$50,000. Grantees may not expend more than seven percent of the grant for administrative costs. PRC Section 48100 specifies that annual funding for the Farm and Ranch Grant Program shall not exceed \$1,000,000.

Program Background

Properties eligible for grants include those involving a broad range of agricultural activities (e.g., farms, ranches, horticulture activities, and silviculture activities) where the property owner is not responsible for the illegal disposal or dumping based on a determination by the applicant. The Program's funding is primarily used to pay for the removal and proper disposal of small nuisance illegal dump sites containing non-hazardous solid waste, including, but not limited to, tires and incidental amounts of household hazardous materials, and for site security measures to prevent recurrence of illegal disposal after the projects are completed.

Criteria and Process

The Scoring Criteria was discussed at the May 10, 2010, CalRecycle Meeting and subsequently approved by the Deputy Director.

Applications for reimbursement are scored using the Department-approved scoring criteria and evaluation process. Any reimbursement grants are specifically noted in the project description and, if recommended for approval, have received the necessary score to be eligible to receive available funding.

Applications for this cycle were due November 1, 2011; with a "secondary" due date of December 1, 2011, for Resolutions and Environmentally Preferable Purchasing Policy submissions. As required, for each eligible site, an affidavit was signed by the property owner(s), or his/her/their authorized agent, and submitted as part of the application. The affidavits state that neither the property owner, nor any other person allowed on the property, directed, authorized, permitted or otherwise consented to the disposal of solid waste onto their property. Furthermore, each application includes a statement by the applicant that supports the property owner's affidavit.

Eligible applications recommended for award are described below:

- Butte County, recommended to be awarded: \$44,959 Number of Sites: 4

These four privately owned sites are strewn with over 3,600 tires, 60 cubic yards of household trash and two illegally dumped mobile homes. The waste was put there by unknown persons. The tires are a safety hazard to the cattle that graze there, provide a breeding habitat for mosquitoes and are a potential fire hazard. The property is zoned for agriculture.

- City of Lancaster, recommended to be awarded: \$88,171 Number of Sites: 2

Grant funds are requested to clean up two illegal disposal sites on private property in rural Lancaster. Both sites are zoned for agriculture. One site was historically used for the holding of livestock, but is currently fallow and the second site has an olive orchard. Over 3,500 cubic yards of asbestos tiles, appliances, household waste, electronic waste and 1,200 tires threaten public health and safety. The applicant intends to erect barriers at the sites after cleanup to help prevent future dumping.

- Loma Prieta Resource Consvr. District, recommended to be awarded: \$10,340 Number of Sites: 1

This working cattle ranch has had 40 cubic yards of household waste and 2 mobile homes illegally dumped on it. The land is zoned for agriculture and privately owned. The waste endangers the cattle, impacts the water quality and is a fire hazard. The waste was discovered by a new lessee as he inspected the property prior to executing his lease. The potential for future dumping will be reduced now that the land is once again used for cattle grazing and the lessee will have a constant presence.