

## REQUEST FOR APPROVAL

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

**From:** **Michelle Martin**  
Acting Branch Chief, Financial Resources Management Branch

**Request Date:** April 1, 2014

**Decision Subject:** Awards for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (Farm and Ranch Cleanup Account, FY 2013/14)

**Action By:** April 15, 2014

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**Summary of Request:**

Staff requests approval of grant awards for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (Program), Fiscal Year (FY) 2013/14 (third cycle). CalRecycle received nine applications for this competitive grant program, six are being recommended for funding.

**Recommendation:**

Staff recommends approval of six grant awards, as listed in Table 1 below, for \$436,759.

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

Applicant	Total Award
Del Norte County	\$119,096
Los Angeles County	\$49,331
Resource Conservation District of Santa Cruz County	\$24,830
City of Lancaster*	\$99,402
Trinity County Resource Conservation District*	\$100,000
Yolo County*	\$44,100
<b>Total</b>	<b>\$ 436,759</b>

\*Indicates Pilot Application

**Funding:**

Upon appropriation from the annual Budget Act, funds are transferred into the Farm and Ranch Cleanup Account from the Integrated Waste Management Account, Tire Recycling Management Fund, and the Used Oil Recycling Fund. Funds are not to exceed \$1,000,000 annually for this Program.

Fund Source	Amount Available	Amount to Fund Item	Amount Remaining	Line Item
Farm and Ranch Cleanup Account (FY 2013/14)	\$804,498	\$436,759	\$367,739	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 third cycle of FY 2013/14. Each proposed grantee's award is conditional upon:

1. The full payment within 60 (sixty) days of the date of this grant award of all outstanding debt(s) or scheduled payment(s) owed by the proposed grantee to CalRecycle;
2. The return by the proposed grantee of a completed and executed Grant Agreement within 60 (sixty) days from the date that CalRecycle staff emails the Grant Agreement.

Dated: 3/26/14



Howard Levenson  
Deputy Director

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**Background and Findings:**

Statutory Authority

Public Resources Code (PRC) Section 48100 authorizes CalRecycle to award grants to public entities and Native American tribes 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 the property owner. PRC Section 48100 specifies that annual funding for the Farm and Ranch Grant Program not exceed \$1,000,000. PRC Section 48103(e) and 14 CCR 17992.2(a) allow an owner to receive reimbursement for solid waste cleanup and/or abatement costs under the Program.

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 based on a determination by the city or county. 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.

A property owner is unable to apply for funding directly for the cleanup of his/her property, but must work through an eligible applicant. Eligible applicants for the Program include cities, counties, federally recognized Native American tribes and Resource Conservation Districts. Applicants may apply for up to \$200,000 per fiscal year and each eligible site shall not exceed \$50,000. Grantees may not expend more than seven percent of the grant for administrative costs.

Before a site can be remediated with Program funds, a signed Property Access Authorization and Non-Responsibility Affidavit (Affidavit) must be submitted by each of the property owners, or an authorized agent for the property owner. The Affidavit states 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 local government applicant that supports the property owner's affidavit.

Applications for illegal disposal sites previously remediated by the property owner are eligible as long as the site can be adequately documented with photographs and disposal receipts. In the event a grant cycle is oversubscribed, illegal disposal sites which have *not* been remediated and pose the greatest threat to public health, safety and/or the environment will have higher priority.

### Criteria and Process

The Scoring Criteria (Criteria) were discussed at the November 19, 2013, CalRecycle Public Meeting and subsequently approved by the Deputy Director. The Criteria were revised mid-year in order to seek approval for a pilot project (Pilot) to be conducted in the last cycle of FYs 2013/14 and 2014/15. The purpose of the Pilot is to encourage more applicants to apply for this undersubscribed program by relaxing the due dates for several required application documents. Since applicants that apply for the Pilot provide only minimal information by the application due date, the Pilot application project descriptions contain less detail than the descriptions for the standard applications.

Applications were due February 11, 2014. Nine applications were received for the third cycle; five for a standard grant and four for the Pilot. Two applicants were disqualified (one due to ineligible costs and the other because they exceeded the maximum award amount) and one was incomplete. The six projects being recommended for funding include:

### Del Norte County

Number of Sites: 5

Grant Funds Recommended for Approval: \$119,096

These five sites are heavily forested and have had trash dumped on them for many years. All of the parcels are zoned appropriately for agricultural uses and are undeveloped. Nearly 200 tires and over 480 cubic yards of trash have been thrown illegally into the trees and bushes and down the hill which ends up in Rowdy Creek, a fish bearing stream. The waste is potentially harmful to the timber and the waterway and may attract further dumping if not remediated. The county intends to use barriers to prevent future access and post signs to help prevent additional dumping.

### Los Angeles County

Number of Sites: 3

Grant Funds Recommended for Approval: \$49,331

Over 3,100 cubic yards of household garbage, including tires, appliances, constructions debris and electronic waste has been strewn over three sites in rural, northern Los Angeles County. Each site has multiple agricultural uses allowed within the zoning description and all used for the grazing of sheep. A trench will be dug across the access roads leading from the adjacent public road onto each of the sites post cleanup to help prevent future illegal dumping. Public education will be conducted for the surrounding community about the harm illegal dumping causes and surveillance will be increased as well.

**Resource Conservation District of Santa Cruz County**

Number of Sites: 1

Grant Funds Recommended for Approval: \$24,830

Four cars, household appliances and other miscellaneous solid waste have been dumped in the creek channel and on the bank of Green Valley Creek of a privately owned parcel near Watsonville. The property is zoned for agriculture and has had an apple orchard on it for over one hundred years. Since the property is now fenced and occupied, there should be no future dumping.

**City of Lancaster** – Pilot Application

Number of Sites: 2

Grant Funds Recommended for Approval: \$99,402

The city plans to remove waste from two sites that once housed coops for a commercial turkey ranch. The dumping has occurred for many years. The waste is a hazard to public health and safety and the environment and may attract further dumping if not remediated.

**Trinity Resource Conservation District** – Pilot Application

Number of Sites: 20

Grant Funds Recommended for Approval: \$100,000

Twenty sites zoned for agricultural use have been littered with household trash. The Resource Conservation District (RCD) will work with the California Conservation Corps and CalFire inmate crews to clean up these areas to remove the threat to public health and safety and the environment. The RCD plans to install signs, gates and/or rock barriers to prevent future dumping. Public education will also be provided in the form of school presentations, outreach at the local fair and articles in the local newspaper and community newsletters.

**Yolo County** – Pilot Application

Number of Sites: 5

Grant Funds Recommended for Approval: \$44,100

The Cache Creek Conservancy, along with volunteers, will work with the county to remove a large amount of solid waste from five sites in and along Cache Creek. While the illegally dumped solid waste is directly impacting the water quality of the creek, it also has the potential to foul the farmland that is directly adjacent for each of the five sites in question. The parcels are all zoned for agriculture and are currently being used for orchards, row crops, grazing and an active ranch.