

REQUEST FOR APPROVAL

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

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

Request Date: June 1, 2015

Decision Subject: Eligibility and Evaluation Process for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (Farm and Ranch Cleanup Account, Fiscal Years 2015–16 and 2016–17)

Action By: June 17, 2015

Summary of Request:

This memo seeks approval of the proposed eligibility and evaluation process for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (Program) for Fiscal Years (FYs) 2015–16 and 2016–17. In addition, staff proposes to continue the pilot project implemented in FYs 2013–14 and 2014–15 to encourage more applicants.

Staff proposes to conduct the FYs 2015–16 and 2016–17 grant cycles using the same applicant/project eligibility and evaluation process used in the FYs 2013–14 and 2014–15 cycles.

Recommendation:

Staff recommends approval of the proposed eligibility and evaluation process for FYs 2015–16 and 2016–17, and continuation of the pilot project in the third cycle for FYs 2015–16 and 2016–17.

Deputy Director Action:

On the basis of the information and analysis in this Request for Approval and the findings set out herein, I hereby approve the eligibility and evaluation process, and continuation of the pilot project for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (Program) for FYs 2015–16 and 2016–17.

Dated: 6/23/15



Howard Levenson
Deputy Director

Background and Analysis:

Statutory Authority

Public Resources Code (PRC) section 48100 authorizes CalRecycle to award grants to cities, counties, Resource Conservation Districts and Federally recognized 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 Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (Program) is further described in the California Code of Regulations, Title 14, Division 7, Chapter 4.5.

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 directly 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, including, but not limited to, non-hazardous solid waste, tires, incidental amounts of household hazardous materials, and for site security measures to prevent the recurrence of illegal disposal after the projects are completed.

Beginning in FY 2013–14 a two-year pilot project was implemented. It allowed applicants to receive grant funding for identified illegal disposal sites without having to adhere to the standard grant application process. The intent was to increase the number of grant project applicants and address a chronic undersubscription issue with the program by allowing the applicant additional time to gather and submit some of the required documentation (detailed budget, land use/zoning designation, property access authorization and non-responsibility affidavit, site characterization form, vicinity map and work plan). The pilot project was implemented during the third grant cycle of each fiscal year and was scheduled to conclude in FY 2014–15. It was modeled off of a previously successful pilot project approved by the former California Integrated Waste Management Board in June 2008, in which Imperial County requested and received funding for illegal disposal sites already identified by the County but for which the County did not want to undergo the standard grant application process.

The Program has been undersubscribed, with the number of submitted grant applications declining overall for several years. Currently, the Program offers three cycles each fiscal year. In FYs 2013–14 and 2014–15, 50 percent of the grantees awarded in the third cycle applied under the pilot program.

Proposed Process and Eligibility

Staff will conduct an initial review of all applications to confirm applicant eligibility and application completeness. Eligible applicants must be either a local agency such as a city or county, a resource conservation district, or Native American tribe.

Applicants may apply for up to \$200,000 per fiscal year and funding for each eligible site shall not exceed \$50,000. Grantees may not expend more than seven (7) percent of the grant funds for administrative costs. PRC section 48100 specifies that annual funding for the Program shall not exceed \$1,000,000.

Tentative Timeline for FYs 2015–16 and 2016–17

As shown in the table below, staff will post a Notice of Funds Available on CalRecycle’s website informing potential applicants of the funding, eligibility requirements, deadlines, and other important information. Notices will also be distributed through the Grants Management System database at outreach presentations, and to current and past Program recipients. CalRecycle’s Local Assistance and Market Development staff will be asked to inform their local jurisdictions of this funding opportunity.

Tentative Dates FY 2015-16	Activity
June 2015	Post Notice of Funds Available, application, and related instructions and documents on the web site
July 28, 2015 November 3, 2015 February 9, 2016	Applications due
August 27, 2015 December 3, 2015 March 8, 2016	Application Secondary Due Date; Application evaluation/review process conducted; funding determined for eligible applicants
September 2015 January 2016 April 2016	Grant awards presented at CalRecycle Public Meeting and Grant Agreements distributed and executed
April 3, 2018	Grant terms end

The FY 2016–17 timeline will be similar to the tentative FY 2015–16 timeline above. To increase utilization of the Farm and Ranch Solid Waste Cleanup and Abatement program, the pilot project will continue in FYs 2015–16 and 2016–17. Staff will continue to increase outreach to build more awareness about the program, for example by communicating with additional LEA and local government contacts. However, without statutory change to address other barriers to increased participation, the program may continue to suffer from underutilization and threats to public health and safety posed by illegally disposed waste piles. These include: 1) allowing non-profit organizations, Special Districts and non-federally recognized Indian tribes residing within California to apply to the program; 2) removing or increasing the cap on administrative costs; and 3) removing or increasing maximum grant and per project amounts, the latter of which would enable CalRecycle to fund sites where cleanup costs exceed \$50,000.

