

**REQUEST FOR APPROVAL**

**To:** Mark De Bie, Deputy Director  
Waste Permitting, Compliance, and Mitigation Division

**From:** Wes Mindermann  
Supervising Waste Management Engineer  
Engineering Support Branch

**Reviewed By:** Steven Levine, Legal Office

**Request Date:** June 19, 2013

**Decision Subject:** **APPROVAL OF THE MASTER PARTICIPATING AGREEMENT BETWEEN THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY AND THE UNITED STATES FOREST SERVICE TO PERFORM JOINT PROJECTS USING THE SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP PROGRAM THROUGH DECEMBER 31, 2018**

**Action By:** June 21, 2013

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**Summary of Request:**

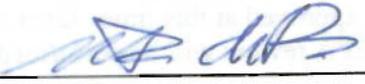
Department of Resources Recycling and Recovery (CalRecycle) staff have worked with United States Forest Service (USFS) staff to develop a Master Participating Agreement to conduct projects through December 31, 2018. The Agreement defines roles, responsibilities, and a framework to propose, consider and participate in future cleanup projects on USFS property, yet does not commit to any specific projects and/or funding at this time. Mutually acceptable individual projects will be brought forward under separate approval actions used for projects in the Solid Waste Disposal and Codisposal Cleanup Program (Program).

**Recommendation:** Department staff has worked with the staff of the USFS to develop this agreement and recommend approval of the Master Participating Agreement.

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**Deputy Director Action:**

On the basis of the information and analysis in this Request for Action, the Department hereby approves the Master Participating Agreement with the USFS. Individual projects to be completed using the agreement will be separately approved as they are identified.

  
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Mark De Bie  
Deputy Director  
Waste Permitting, Compliance, and Mitigation Division

Date

7/8/2013

**Background:** Illegal disposal sites and legacy dumps on USFS lands is a threat to the environment, public health and safety, and cause degradation to natural resources. One of CalRecycle's missions is to abate the effects of solid waste by cleaning up illegal disposal sites and remediating dumps within California utilizing its Solid Waste Disposal and Codisposal Site Cleanup Program (Program). One of the Forest Service's missions is to protect and preserve USFS lands from destruction and degradation and protect the public and welfare on USFS lands. To assist in meeting these mission objectives, the USFS and CalRecycle desire to enter into a cooperative formal relationship to share the costs of cleaning up and the removing of illegally deposited solid waste and hazardous material within units of the national forests located in the State of California.

The USFS and CalRecycle have worked cooperatively in the past under similar agreements. Under the most recent Master Participating Agreement in effect from July 31, 2010, through December 31, 2012, the sites at Hume Lake, Quinn Ranch, and Relief Hill were remediated for a total cost of \$402,739, which were split evenly between the USFS and CalRecycle. CalRecycle has also performed remediation projects under past similar agreements with the National Park Service and the Bureau of Land Management, and is currently in discussions to review projects and develop new agreements with them.

**Scope:** The Master Participating Agreement identifies roles and responsibilities between the USFS and CalRecycle for how to identify, review, approve, and perform solid waste remediation projects on USFS lands within the State of California. Once an individual project is identified and assessed, each agency separately approves their participation in the project, with no obligation to complete a project until a Task Order is executed by both parties.

The primary responsibilities of the USFS on approved projects are to provide technical assistance, conduct environmental review and permitting, provide site access to CalRecycle on USFS lands, provide one-half of the remediation project funding, and provide recommendations, maintenance, and monitoring for any revegetation. CalRecycle's primary responsibilities are to prepare a detailed work plan and cost estimate, perform project management, perform the remediation work using CalRecycle's contractor(s), and provide one-half of the remediation project funding.

**Fiscal Impacts:** There is no funding being approved at this time. Once a specific project is identified per the terms of the Master Participating Agreement, it will be brought forward for individual review and approval. Cost recovery will be reviewed for each project, but is typically shared equally between the USFS and CalRecycle as identified in the terms of the Master Participating Agreement.

**California Environmental Quality Act (CEQA):** The Master Participation Agreement only identifies roles and responsibilities for how to conduct solid waste remediation projects on USFS lands in California, with no specific projects or work are being approved at this time. Once a specific project is identified, the appropriate level of CEQA/NEPA review will be performed.