

Report To Governor and the Legislature **Farm And Ranch Solid Waste Cleanup** **and Abatement Grant Program**

Purpose of Report

The purpose of this report is to fulfill the California Integrated Waste Management Board's (Board) requirement to review the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (program) pursuant to Public Resources Code § 48104 (b), Senate Bill 1330 (Lockyer), Chapter 875, Statutes of 1997. The Statute requires the Board to report to the Governor and the Legislature by January 1, 2001, on its costs and effectiveness in cleaning up and abating solid waste illegally disposed of on farm or ranch property. The Board's legislative office has provided notice that the report is pending Board approval which will be considered at its January 23-24, 2001 public meeting.

This report provides a summary, background, analysis, and recommendations and includes the following information as mandated by SB 1330:

- 1) The number of sites that have been cleaned up in each county;
- 2) The types of solid waste cleaned up;
- 3) The number of sites not approved for the grant program, and the reasons for that disapproval;
- 4) The number of participant cities and counties; and
- 5) The types of property on which solid waste has been cleaned up or abated.

This report is based on data generated by applications received since January 1, 1999.

Summary

The program offers an option to cleanup a category of small illegal solid waste disposal sites on farm or ranch properties that litter California's rural landscape. Under the program owners of farm or ranch property can receive grant funds through a city or county, to reimburse them for the cost of cleanup. The Board has approved 72 sites for cleanup under the program. As of November 1, 2000, 23 of these sites have been cleaned up and 49 are being cleaned up or are pending. The program has had a significant effect on the cleanup of rural sites. As required by Statute, the Board has successfully completed the rulemaking process to implement the program.

The Board has put resources into outreach and marketing and is currently working with local jurisdictions to select eligible sites and complete grant applications. An additional 11 jurisdictions are expected to be approved for grants in the current fiscal year. The numbers of jurisdictions receiving grants and the amounts awarded have grown substantially from year to year as awareness of the program has increased. Listed below is the annual data:

1998-1999	--	4 jurisdictions	\$110,280
1999-2000	--	11 jurisdictions	\$219,984
2000-2001	--	13 jurisdictions	\$500,000 (estimated)

The Board has integrated the program with other substantial commitments to resolving the statewide problem of illegal solid waste disposal sites. The Board is conducting training at five venues across the state (November 2000 through January 2001) for local jurisdictions on illegal dumping enforcement and cleanup, in addition to providing increased technical assistance on closed, illegal and abandoned site investigation and enforcement (CIA Program). The Solid Waste Disposal and Codisposal Site Cleanup Program, AB 2136 (Eastin), Chapter 655, Statutes of 1993, provides alternative funding and cleanup options. Another important effort is the pilot illegal dumping surveillance and enforcement program funded by the Board with a match of \$196,750 under a contract with Los Angeles County.

Senate Bill (SB) 876 (Statutes 2000, Chapter 838) provides additional funding and incentives for cleanup of the waste tire fraction of farm and ranch cleanup grant sites and is expected to increase the number of applications and cleanups under the program. The Board will aggressively implement this portion of SB 876 upon approval of the Waste Tire Program Five-Year Plan and allocation from the tire program budget.

The Farm and Ranch Solid Waste Cleanup and Abatement Grant Program is a new program with only one full fiscal year of operation. The next few years will provide more information about the viability of the program. The Board's goal continues to be to promote and improve the program with stakeholder involvement to increase the number of sites cleaned up each year.

Background

In 1997, the Legislature passed SB 1330 to provide monetary assistance to agricultural property owners who fall victim to illegal dumping of solid waste. The legislation requires the Board, on or before January 1, 1999, to establish a farm and ranch solid waste cleanup and abatement grant program under which cities and counties may seek financial assistance on behalf of property owners for the purposes of cleanup of illegal disposal sites on agricultural properties. The Board was required to adopt regulations, develop criteria for grant eligibility, and establish a process that is open and accessible under which grants may be reviewed, ranked, and awarded. Regulations to implement the program were adopted by the Board and became effective upon Office of

Administrative Law (OAL) approval in June 2000. These regulations are contained in Title 14, California Code of Regulations, Division 7, Chapter 11, Articles 1-5. The Board adopted grant procedures in February 1999 and the first grants were awarded in May 1999.

Grant awards are limited to \$10,000 per site and \$50,000 annually to any individual city or county and restricted to sites where the property owner is not responsible of the illegal dumping. The Farm and Ranch Solid Waste Cleanup and Abatement Account was created in the General Fund and is expended by the Board, upon appropriation by the Legislature in the annual Budget Act.

Reporting Information Required by SB 1330 (Lockyer)

1) The number of sites that have been cleaned up in each county

Since inception of the program, the Board has approved a total of 17 grant applications for cleanup of 72 sites. Under the program, applicants have three fiscal years to collect the grant monies. In each of the 17 grants awarded, the Board approved all of the sites proposed in the grant applications. Cleanup must be completed before an applicant can be reimbursed for cleanup costs.

Attachment 1 summarizes all the jurisdictions that were awarded grants on behalf of property owners. Each jurisdiction is accompanied by the status of the cleanup efforts and the amount of money awarded for cleanup. Of the applicants, two counties, Mendocino and Plumas, have applied twice for funding. Therefore, fourteen (14) counties and one city have received grant monies from the Board under this program.

2) The types of solid waste cleaned up

Of the 72 sites that have been proposed and approved for cleanup, 23 have been cleaned up and 49 are pending mobilization of contractors by grant recipients. The cleanup of the 23 sites removed approximately 1,360 cubic yards of household garbage, appliances, metals, construction and demolition debris, and 1,462 tires. **Attachment 2** identifies the percentages of waste types (by volume) that were cleaned up.

In addition, approximately 9,882 cubic yards of household garbage, appliances, metals, construction and demolition debris, and 8,753 tires will be removed from the remaining 49 sites located in ten (10) separate agricultural communities where cleanups are pending. **Attachment 3** depicts the percentage of each waste type proposed for cleanup.

3) The number of sites not approved for the grant program, and the reasons for that disapproval

Only one grant application was not approved. This was due to the application being incomplete. The Board is currently working with the applicant to submit a complete application package. It is anticipated that the applicant will be awarded grant money by the end of the current fiscal year.

4) The number of participant cities and counties

A total of 15 jurisdictions (one city and 14 counties) participated in this program. **Attachment 1** provides a detailed break down of these participants.

5) The types of property on which solid waste has been cleaned up or abated

Both private and publicly owned properties are eligible for grant money. A variety of agricultural activities occur on applicant properties. These activities include timber harvesting, growing crops and orchards, managing open space, and grazing. Floodplains, logging roads and public and private access roads are highly targeted areas for illegal dumping. **Attachment 4** describes the types of properties where cleanup has been completed or is pending.

Analysis

The law provides that the Board may expend not more than 7% of program funds for purposes of administering the program. This funds one staff person annually. With these resources, the Board's outreach efforts included the following:

- Sent Notice of Funding Availability to more than 200 city and county administrators and to more than 50 Local Enforcement Agencies in March 1999
- Sent a news release at commencement of the program and for each grant that is awarded
- Implementation of a continuous filing (of applications) policy that allows an applicant to apply any time during the year and Board staff to score, rank and take applications forward for Board action/approval on a scheduled quarterly basis for approval. Response to this continuous filing has been positive among applicants and local agencies.
- Development of a model application with model work plans and cost estimate. Since the development of the model in mid-year 1999, all applicants have used the model and found it to be very useful and timesaving.

- Improved available online information.
- Advertising the program by presenting the program to the Local Enforcement Agency Roundtables, in May 1999, March 2000, September 2000, and October 2000, and having an information booth at the CIWMB/Local Enforcement Agency Conference, as well as Solid Waste Association of North America conference during mid-year 2000 and having an article published in the Farm Bureau newsletter.
- Conducting a statewide training at five venues across the state (November 2000 through January 2001) to Local Enforcement Agencies, Code Enforcement Agencies, Sheriff Departments, and Fire Departments, covering illegal dumping and promoting the program and other cleanup programs.
- Conducting several dozen site visits and meeting with more than 15 individual jurisdictions to explain the program and assist in the application process.

The Board has integrated the program with other substantial commitments to resolving the statewide problem of illegal solid waste disposal sites. The Solid Waste Disposal and Codisposal Site Cleanup Program, AB 2136 (Eastin), Chapter 655, Statutes of 1993, provides alternative funding and cleanup options. Another important effort is the pilot illegal dumping surveillance and enforcement program funded by the Board with a match of \$196,750 under a contract with Los Angeles County. The Board is also implementing a new Closed, Illegal and Abandoned Disposal Site Program (CIA Site Program) to assist local enforcement agencies in the identification, investigation and enforcement of CIA sites that pose a potential threat to public health and safety and the environment. As a result of the CIA Site Program it is anticipated that more illegal sites will be identified for referral to the Farm and Ranch Cleanup Program.

The following statutory restrictions have been preliminarily identified as limiting additional sites from being cleaned up under the program:

- The \$10,000 cap per site limits the types and numbers of sites eligible for the grant and most cities and counties are financially unable to add additional resources to cover cleanup costs in excess of \$10,000 per site. Illegal disposal site cleanup costs can vary greatly. For example a 300 cubic yard site can vary from \$15,000 to \$45,000 depending on types of labor and equipment needed for the job. The following costs are not all-inclusive, but still place clean-up costs well above the \$10,000 cap:
 - Disposal costs are approximately \$3000 per site (\$10/cubic yard)
 - Trucking costs can vary greatly depending on distance to a disposal facility. On average, costs are about \$2000 per site (30 hours @ \$60/hr)
 - Equipment costs could vary greatly. Equipment costs for a typical site should be roughly \$4500 but could be much higher.
 - Equipment operator costs are \$3500 to \$5000 or more.

- Many local representatives claim that there is insufficient reimbursement to manage the grant. The cap is 3% (or \$300 maximum per site). Many local representatives claim that they have insufficient staff resources to apply for and manage the grant.
- The Board's administrative cap of 7% constrains outreach and assistance.
- Local procurement processes can be cumbersome often delaying or inhibiting local governments from accessing program funds.

Senate Bill (SB) 876 (Statutes 2000, Chapter 838) provides additional funding and incentives for cleanup of the waste tire fraction of farm and ranch cleanup grant sites and is expected to increase the number of applications and cleanups under the program (specifically, PRC Section 42889(j)). This funding will help reduce the funding cap barriers of the program for site cleanup and administrative costs. The Board will aggressively implement this portion of SB 876 upon approval of the Waste Tire Program Five-Year Plan and allocation from the tire program budget.

Recommendations

The program is still new with only one full fiscal year of operation. The next few years will provide more comprehensive information about the viability of the program. Therefore, the Board recommends that the program continue to be implemented and, after the second full year of operation (FY 2000/2001), be evaluated annually with stakeholder input to determine effectiveness of the program.

Attachment 1
 Farm and Ranch Solid Waste Cleanup and Abatement Program

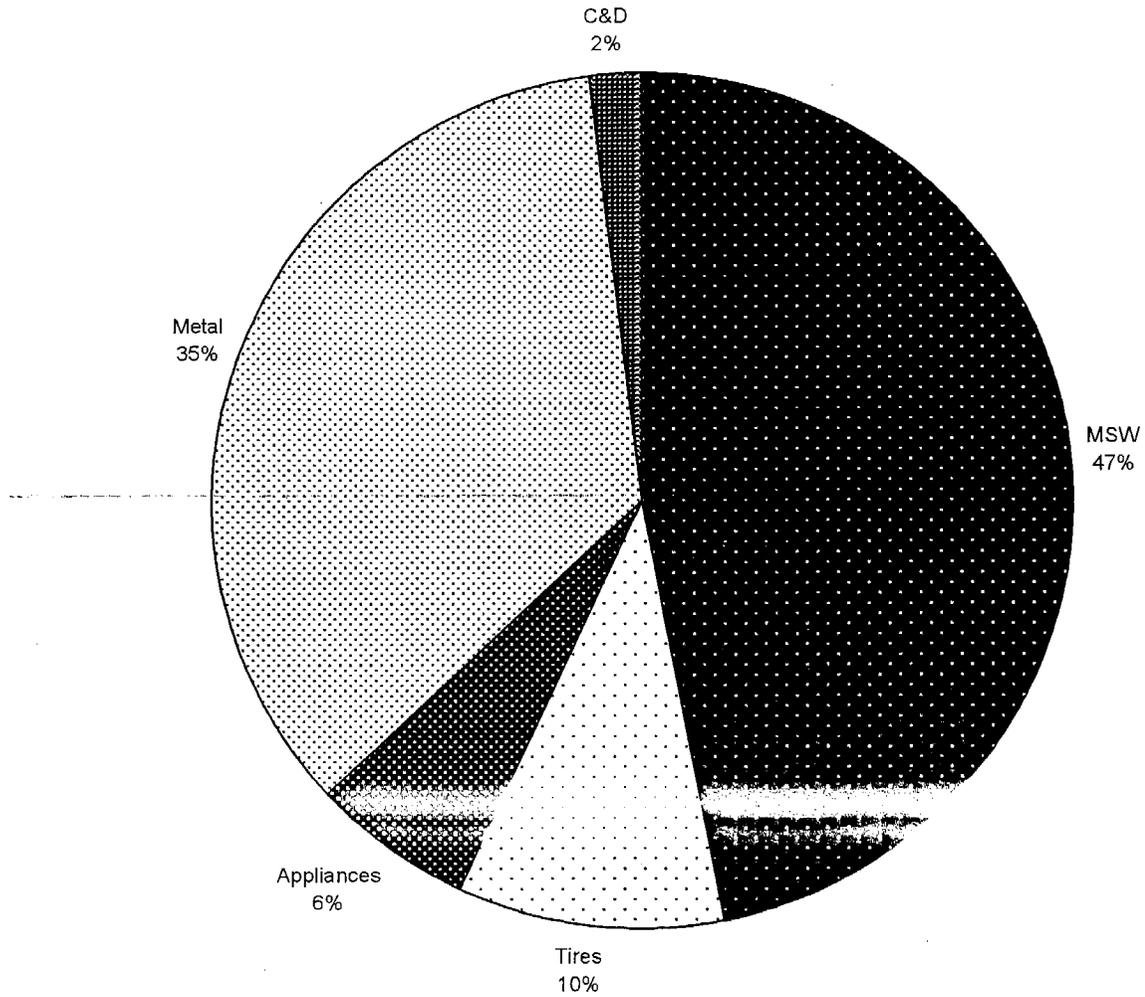
Jurisdictions Awarded Grants

County / City Applicant	Fiscal Year	Total Number of Sites Approved for Cleanup	Number of Sites Cleaned up as of November 1, 2000	Number of Sites Pending Cleanup	Money Awarded**
Plumas	98-99	1	0	1	\$ 3,565.00
San Joaquin	98-99	9	0*	9	\$ 49,312.00
Siskiyou	98-99	1	1	0	\$ 9,900.00
Trinity	98-99	9	8	1	\$ 47,503.12
Subtotal for FY 98-99		20	9	11	\$110,280.12
City of Avenal	99-00	1	0	1	\$ 8,932.00
Colusa	99-00	7	7	0	\$ 23,102.64
Del Norte	99-00	5	0*	5	\$ 50,000.00
El Dorado	99-00	1	0*	1	\$ 8,050.00
Lake	99-00	1	1	0	\$ 10,000.00
Mariposa	99-00	1	0	1	\$ 32,086.56
Mendocino	99-00	1	1	0	\$ 10,000.00
Plumas	99-00	22	0	22	\$ 30,292.13
Santa Cruz	99-00	3	0*	3	\$ 29,558.00
Sonoma	99-00	4	4	0	\$ 32,086.56
Tulare	99-00	1	1	0	\$ 7,963.00
Subtotal for FY 99-00		47	14	33	\$219,984.33
Lassen		4	0	4	\$ 33,560.00
Mendocino		1	0	1	\$ 10,000.00
Subtotal for FY 00-01		5	0	5	\$ 43,560.00
Total		72	23	49	\$373,824.45

* Indicates that cleanup activities have started in these counties.

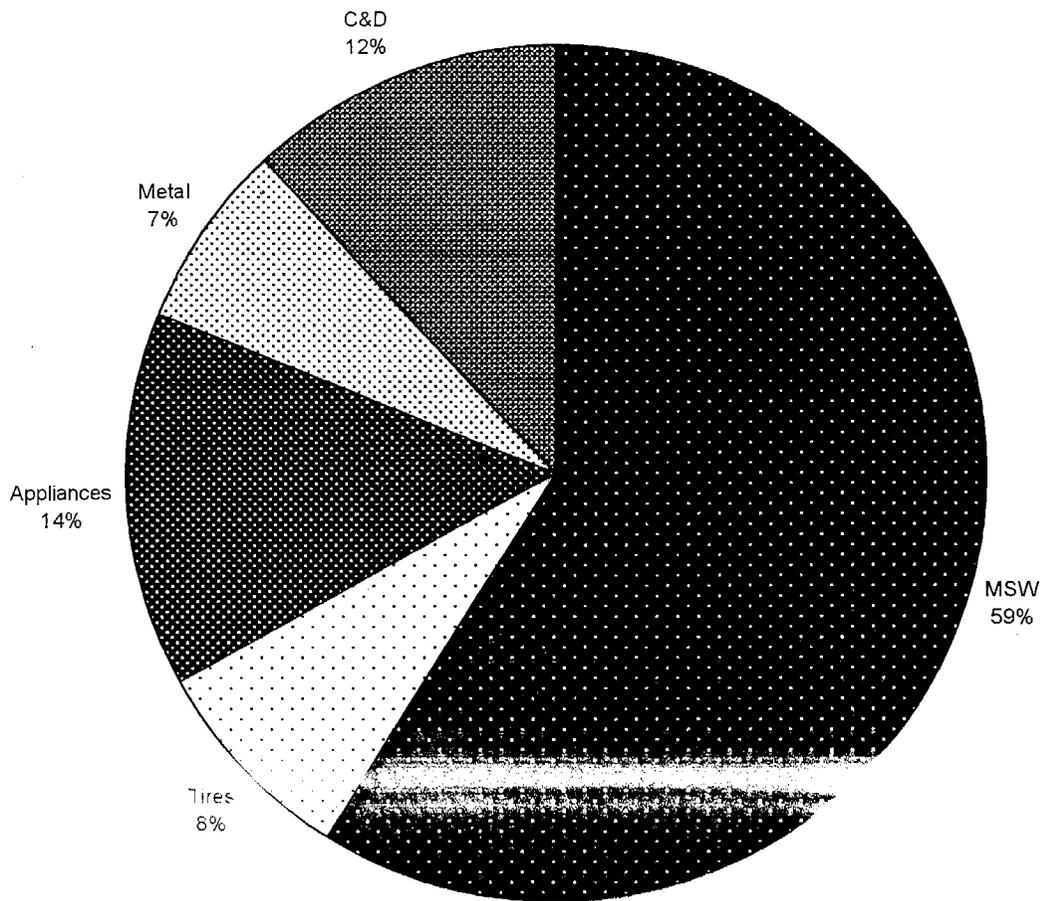
** This number represents the amount of money awarded, not the actual cleanup cost.

Types of Waste Cleaned Up by Volume



Municipal Solid Waste (MSW)
Construction Demolition Debris (C and D)

Types of Waste Proposed for Cleanup by Volume



Municipal Solid Waste (MSW)
Construction and Demolition Debris (C and D)

Attachment 4
 Farm and Ranch Solid Waste Cleanup and Abatement Program

Types of Properties Cleaned or Abated

