



## CAL EPA ENVIRONMENTAL ENFORCEMENT AND TRAINING ACCOUNT GRANT PROGRAM

### 2013 Distribution Report

Effective January 1, 2003, the Environmental Enforcement Training Act (Pen. Code, § 14300 et seq.) created the Environmental Enforcement Training Account (14300 Account). Under the authority of the Secretary of the California Environmental Protection Agency (CalEPA), the 14300 Account serves as a source of funding for environmental enforcement and training.

In establishing the 14300 Account, the Legislature recognized that enforcement of environmental laws is essential to protect human health, the environment, and the state's economy. The 14300 Account is a key component of the state's efforts to support coordinated and uniform environmental enforcement. It provides funding to ensure that all counties in California, including rural counties, have the ability to prosecute violations of environmental laws effectively, thus maximizing deterrence throughout the state. Funds from the Account are also used to provide regulators, law enforcement and prosecutors with the special training necessary to understand complex environmental laws, detect violations, and prepare and present enforcement actions.

Although contributions to the 14300 Account may come from public and private funding sources, virtually all funding for the 14300 Account comes from judgments in local, state and federal environmental law enforcement actions. These contributions are often referred to as Supplemental Environmental Projects or SEPs. For more information on SEPs, please see CalEPA's website at <http://www.calepa.ca.gov/enforcement/policy/>.

The funds in the Environmental Enforcement Training Account are allocated according to the formula outlined in Penal Code section 14314:

- 25% to the Environmental Circuit Prosecutor Project;
- 25% to the California District Attorneys Association (CDAA) to provide environmental enforcement training to prosecutors, investigators, and regulators;
- 25% to the California Commission on Peace Officers Standards and Training (POST) up to \$100,000, but POST may decline all or part of the funds allocated, with any funds so declined going to CalEPA's grant program for reallocation for the environmental training of peace officers; and
- The remaining balance to the Secretary for Environmental Protection for grants to be awarded to public agencies or private nonprofit organizations for the purposes of supporting statewide environmental enforcement, education and training programs for peace officers, investigators, state and local environmental regulators and public prosecutors.

The amount of grant funds available each year varies, depending on the annual deposits into the 14300 Account. CalEPA solicits grant applications from September 1 through September 30 annually. For complete information about the process, please see our webpage at <http://www.calepa.ca.gov/enforcement/grants/14300.htm>.

### **2013 Distribution**

A total of \$228,093.56 was distributed, as follows:

#### Statutory Distributions

- \$63,796.78 to the CDAA Environmental Circuit Prosecutor Project
- \$63,796.78 to the CDAA Environmental Training Project
- \$0 to POST, pursuant to POST's election to decline the funds to allow for redistribution through the CalEPA grant program as described below.

#### POST-Declined Grant Distributions

- \$10,000 to Orange County Coastkeeper to provide environmental training for peace officers focused on water issues, environmental justice and investigation and prosecution strategies.
- \$30,000 to San Bernardino City Fire Department to enable its peace officer arson investigators, who enforce the Hazardous Waste Control Act, environmental training courses provided by CalEPA, US EPA, California Hazardous Material Investigators Association and California State Training Institute.
- \$23,750 to CDAA for a multi-day training of peace officers, wardens, district attorney investigators and highway patrol officers in environmental crimes enforcement.

#### Discretionary Grant Distributions

- \$5,000 to Central California Environmental Justice Network to provide training to regulators, agencies and peace officers about its enforcement networks and other environmental justice issues related to enforcement, including cumulative health impacts affecting Central Valley communities.
- \$10,000 to San Bernardino City Fire Department to procure necessary equipment and to expand its hazardous materials and waste investigations unit designed to address illegal dumping, storage, disposal and transportation of hazardous materials and waste within the city's jurisdiction.
- \$35,750 to CDAA for continued operational support of the Circuit Prosecutor Project.
- \$10,000 to Orange County Coastkeeper to provide training for environmental regulators focused on water quality violations, environmental justice and investigation and enforcement strategies.

### **Circuit Prosecutor Project 2013 Statistics**

In 2013, there was one Circuit Prosecutor handling localized environmental cases and one Statewide Circuit Prosecutor, who handled multi-jurisdictional cases involving one or more rural county. The Circuit Prosecutors opened 14 criminal cases and closed 15 in 2013, resulting in \$315,823 in criminal fines, 650 hours of community service and 12.6 years of probation. Civilly, the local Circuit Prosecutor opened 16 cases and closed 18 cases, resulting in \$70,777 in civil penalties and cost recovery in addition to injunctive relief. The Statewide Circuit Prosecutor opened 16 multi-county cases and closed 18 cases, resulting in over \$15,269,000 in civil penalties, cost recovery and supplemental environmental projects benefitting both urban and rural counties.

### **Environmental Training Project 2013 Statistics**

In 2013, 14300 Account funds were used by the CDAA to sponsor, co-sponsor, or participate in the following training activities:

- Environmental Crimes Prosecution 101: Basics to Advanced
- Science for Prosecutors
- Advanced Topics in Environmental Enforcement
- Environmental Protection Committee meetings at CDAA's winter and summer conferences
- Management of Environmental Prosecutors' Brief Bank
- Worker Safety