



## CALEPA ENVIRONMENTAL ENFORCEMENT AND TRAINING GRANT PROGRAM

### 2015 Distribution Report

CalEPA administers the Environmental Enforcement and Training Account Grant Program as authorized by Penal Code sections 14300-14315 and California Code of Regulations, title 27, sections 10014-10016. This grant program provides financial assistance for environmental enforcement, investigation, education, and training to enhance statewide enforcement of environmental laws. The grant program is a key component of the state's efforts to support coordinated and uniform environmental enforcement by providing funding to ensure effective prosecution of environmental laws in all regions of California, including rural areas. While funding may come from public and private sources, most funding for the program comes from judgments in local, state, and federal environmental law enforcement actions, often referred to as Supplemental Environmental Projects or SEPs. For more information on SEPs, click [here](#).

The funds are allocated according to the formula outlined in Penal Code section 14314:

- 25% to the Environmental Circuit Prosecutor Project run by California District Attorneys Association (CDAA);
- 25% to CDAA to provide environmental enforcement training to prosecutors, investigators, and regulators;
- 25% to the Commission on Peace Officer 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 for reallocation through discretionary grants for the environmental training of peace officers; and
- The remaining for discretionary grants to be awarded to public agencies or private nonprofit organizations for the purposes of (1) supporting statewide environmental enforcement education and training programs for peace officers, investigators, state and local environmental regulators, and prosecutors or (2) the enhancement of local environmental enforcement efforts.

### 2015 Distributions

CalEPA distributed a total of \$440,982.62 as follows:

#### **Mandatory Disbursements**

The statutorily-required disbursements were made as follows:

- \$112,495.65 to CDAA's Environmental Enforcement Training Project;
- \$112,495.65 to CDAA's Environmental Circuit Prosecutor Project; and
- \$100,000 to POST, which intends to use the funds to develop an Institute of Criminal Investigation Certification for environmental crime for peace officers.

## Discretionary Disbursements

CalEPA received eight applications for discretionary grants and awarded four grants, as follows:

- \$34,900 to **Nevada County Environmental Health** for environmental enforcement training for its investigators, and to purchase surveillance equipment to assist with the enforcement of environmental crimes.
- \$32,091.32 to **San Diego County Environmental Health** for costs associated with hosting 12 monthly California Environmental Reporting System (CERS) compliance workshops aimed at achieving full compliance with reporting requirements in the county.
- \$39,000 to **Santa Clara Fire Department** for costs associated with hosting quarterly, four-day environmental enforcement trainings for local regulators, and additional environmental investigation and enforcement training expenses for SCFD's HazMat Division staff.
- \$10,000 to **CDAA** for the Environmental Circuit Prosecutors Project with the goal of establishing two new rural county task forces, and to provide two trainings focused on environmental and enforcement issues surrounding the cultivation of cannabis.

### Summary of 2015 Disbursements

<b>Mandatory Distributions</b>	<b>Amount</b>
CDAA Environmental Enforcement Training Project	\$112,495.65
CDAA Environmental Circuit Prosecutor Project	\$112,495.65
POST	\$100,000
<b>Discretionary Distributions</b>	<b>Amount</b>
Nevada County Environmental Health	\$34,900
San Diego County Environmental Health	\$32,091.32
Santa Clara Fire Department	\$39,000
CDAA	\$10,000
<b>TOTAL DISTRIBUTION</b>	<b>\$440,982.62</b>

## **CDAА ENVIRONMENTAL CIRCUIT PROSECUTOR PROJECT UPDATE**

In 2015, CDAA hired two new circuit prosecutors to increase the capacity of the Environmental Circuit Prosecutor Project to support California's rural counties, finally reaching the goal set in 2012 of five full-time prosecutors on staff. Prior to hiring these two prosecutors, CDAA had two circuit prosecutors handling localized environmental cases and one statewide circuit prosecutor handling multi-jurisdictional cases involving one or more rural county.

The circuit prosecutors opened 15 criminal cases and closed 8 in 2015, resulting in \$47,742 in criminal fines, 223 days in county jail, 447 hours of community service, and 10 years of probation. In addition, a total of \$10, 192 in restitution was ordered by the court in a significant hazardous waste disposal case. Civilly, the circuit prosecutors opened 15 cases and closed 8 case cases, resulting in \$189,222 in civil penalties and cost recovery, in addition to injunctive relief. Participation in the Conoco-Phillips 66 underground storage tank case led to a statewide settlement of \$3 million.

The statewide circuit prosecutor joined 8 multi-county cases and participated in the litigation and settlement of 11 cases, resulting in over \$38 million in civil penalties, cost recovery, injunctive relief and supplemental environmental projects (or SEPs) benefitting both urban and rural counties.

### **2015 CDAA Environmental Training Project Statistics**

In 2015, 14300 Account funds were used by the CDAA to sponsor, co-sponsor, or participate in the following training activities:

- Environmental/Consumer Paralegal and Support Staff Training
- Natural Resources Protection and Enforcement Workshop
- Environmental Crimes 101
- Advanced Topics in Environmental Enforcement
- Environmental Protection Committee meetings at CDAA's winter and summer conferences
- Safely Enforcing the Law at Cannabis Grow Sites
- Worker Safety and Environmental Violations

## **POST ENVIRONMENTAL CRIMES TRAINING PROJECT UPDATE**

In 2015, 14300 Account funds were used by POST to develop an environmental crimes investigator course under the Robert Presley Institute of Criminal Investigation. POST has coordinated with South Bay Regional Training Center (SBRTC) to further develop and conclude the expanded course outline, finalize the breakdown of the curriculum, identify qualified instructors, and complete a course budget. POST and SBRTC have visited two training locations, the Public Safety Training Center at Monterey Peninsula College in Fort Ord, California and the Northern California Public Safety Training Center in Sacramento, California . POST and SBRTC are working with a subject matter expert to identify equipment and course materials that will be needed for a comprehensive presentation. Two of POST's expert instructors, called "Master Instructors," have been assigned to identify course objectives and refine the course outline and learning activities. The first pilot presentation is scheduled for the spring of 2017.