



CALEPA ENVIRONMENTAL ENFORCEMENT AND TRAINING GRANT PROGRAM

2016 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 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.

2016 Distributions

CalEPA distributed a total of \$593,360 in 2016 as follows:

Mandatory Disbursements

The statutorily-required disbursements were made as follows:

- \$223,000 to CDAA's Environmental Enforcement Training Project;
- \$223,000 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 two applications for discretionary grants and awarded both, as follows:

- \$22,500 to the **California Air Pollution Control Officers Association (CAPCOA)** to expand and host the second annual Air Quality Enforcement Symposium in the fall of 2017.
- \$24,860 to **CDA**A for continued support of the Environmental Circuit Prosecutors Project and for costs associated with producing a third edition of the Environmental Crimes Prosecution Manual.

Summary of 2016 Disbursements

Mandatory Distributions	Amount
CDAA Environmental Enforcement Training Project	\$223,000
CDAA Environmental Circuit Prosecutor Project	\$223,000
POST	\$100,000
Discretionary Distributions	Amount
CAPCOA	\$22,500
CDAA	\$24,860
TOTAL DISTRIBUTION	\$593,360

CDAA ENVIRONMENTAL CIRCUIT PROSECUTOR PROJECT UPDATE

In 2016, the project was fully staffed with five full-time prosecutors providing real-time environmental prosecution support to California's rural counties. The two circuit prosecutors hired in 2015 rapidly gained experience in handling both civil and criminal environmental cases. One of the new prosecutors reestablished the Shasta County environmental crimes task force and, as a result, cases that had languished there were once again being pursued vigorously. The other new prosecutor was given the task of handling cases in Lake, Colusa, Glenn and Yuba counties and the goal of establishing a joint Colusa-Glenn County environmental crimes task force by early 2017.

In 2016, the circuit prosecutors opened 19 criminal cases and closed 13, resulting in \$45,642 in criminal fines and fees, 90 days in county jail, 983 hours of community service, and 21 years of probation. Among these cases was a felony conviction for hazardous waste after a jury trial in San Benito County. Civilly, the circuit prosecutors opened 49 cases and closed 8 cases, resulting in \$283,190 in civil penalties and cost recovery, in addition to injunctive relief.

The statewide circuit prosecutor joined 18 multi-county cases (of which 11 were retailers allegedly involved in "green washing") and participated in the litigation and settlement of three major cases, resulting in over \$329,220 in civil penalties, cost recovery, injunctive relief and SEPs benefitting both urban and rural counties.

2016 CDAA Environmental Training Project Statistics

In 2016, 14300 Account funds were used by the CDAA to present or participate in the following training activities:

- DDA/DAI Environmental Investigation Symposium
- Science for Prosecutors
- Advanced Topics in Environmental Enforcement
- Environmental Protection Committee meetings at CDAA's winter and summer conferences
- Safely Enforcing the Law at Cannabis Grow Sites (North and South)
- Published and distributed the 2016 compendium entitled "Environmental Crimes Associated with the Cultivation of Cannabis" to training attendees and law enforcement statewide.

POST ENVIRONMENTAL CRIMES TRAINING PROJECT UPDATE

In 2016, POST completed development of an environmental crimes investigator course under the Robert Presley Institute of Criminal Investigation, which presented a 40-hour pilot course in Sacramento, California in February 2017. The course was presented utilizing adult learning concepts and best practices. Twenty five investigator students from numerous law enforcement agencies attended and evaluated the course as positive and informative. The course was presented at the Public Safety Training Authority, an excellent venue for the scenarios and classroom.

In addition, POST developed and presented an eight-hour online training course entitled Environmental Crimes Awareness, designed for dispatchers.