



## CALEPA ENVIRONMENTAL ENFORCEMENT AND TRAINING GRANT PROGRAM

### 2017 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.

### 2017 Distributions

CalEPA distributed a total of \$570,804 in 2017 as follows:

#### **Mandatory Disbursements**

The statutorily-required disbursements were made as follows:

- \$174,202 to CDAA's Environmental Enforcement Training Project;
- \$174,202 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 three applications for discretionary grants and awarded all three applicants, as follows:

- \$20,000 to the **Del Amo Action Committee (DAAC)** to partially fund the Los Angeles Environmental Justice (EJ) Network's two EJ enforcement symposia in January and February 2018.
- \$74,850 to **Greenaction for Health and Environmental Justice**, in collaboration with Comite Civico Del Valle, West Oakland Environmental Indicators Project (WOEIP) and the Environmental Justice Coalition for Water (EJCW), to create an environmental justice training for regulators and to implement environmental justice training tours for regulators.
- \$27,550 to **CDAA** for continued support of the Environmental Circuit Prosecutor Project and for costs associated with presenting a new water sampling techniques training.

### Summary of 2017 Disbursements

<b>Mandatory Distributions</b>	<b>Amount</b>
CDAA Environmental Enforcement Training Project	\$174,202
CDAA Environmental Circuit Prosecutor Project	\$174,202
POST	\$100,000
<b>Discretionary Distributions</b>	<b>Amount</b>
DAAC	\$20,000
Greenaction, et al.	\$74,850
CDAA	\$27,550
<b>TOTAL DISTRIBUTION</b>	<b>\$570,804</b>

## **CDAA ENVIRONMENTAL CIRCUIT PROSECUTOR PROJECT UPDATE**

In 2017, the project saw the departure of two experienced circuit prosecutors to state and local prosecution offices, and gained one additional prosecutor. These personnel changes have necessitated shifting county assignments and resulted in slightly larger responsibilities for the two remaining experienced circuit prosecutors. Local circuit prosecutors are now actively enforcing environmental laws in sixteen rural counties. The prosecutors are also conducting regular task force meetings and 2018 looks to see a significant increase in county referrals. The statewide circuit prosecutor is authorized to represent twenty-four counties in statewide matters.

In 2017, local circuit prosecutors filed 15 new criminal cases with five cases pending review, and resolved 10 criminal cases. The total penalties included: a total of \$10,940 in court fines and fees, and a total of six months jail time, 23 years of probation, and 795 hours of community service. The local prosecutors also settled 13 single county civil enforcement actions resulting in cost reimbursement, penalties and special environmental projects ordered in the amount of \$358,070.

The statewide circuit prosecutor joined 11 multi-county cases and participated in the settlement of six multi-county cases in 2017. The statewide prosecutor also participated in the renewed litigation involving stayed penalties and injunctive violations in two previously prosecuted cases. This year's statewide efforts in conjunction with the Attorney General and other prosecution offices resulted in substantial civil penalties, cost recovery, injunctive relief, and over \$2 million in supplemental environmental projects (or SEPs) benefitting both urban and rural counties.

### **2017 CDAA Environmental Training Project Statistics**

In 2017, 14300 account funds were used to present or participate in the following activities:

- Worker Safety training in Riverside California
- Environment 101 training in Sacramento, California
- Advanced Topics in Environmental Enforcement training in Lake Arrowhead, California
- Multiple training seminars at the 2017 CUPA Conference
- Presentation of six Proposition 64- Adult Use of Marijuana Act (Prop 64) trainings throughout the state
- Six additional Cannabis enforcement trainings
- Three classes on Natural Resources/Water and Circuit Prosecutor Project County Updates.

Additionally, CDAA's Environmental Project Director provided assistance to the Western States Project by participating in a newly developed Inspector Safety Course. Western States also completed two trainings related to the criminal and civil enforcement of environmental laws. Both trainings were conducted in California using California prosecutors.

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

In 2017, POST completed the development of five Environmental Crimes Training Courses for Law Enforcement:

### Institute of Criminal Investigation (ICI) - Environmental Crimes Investigation

This ICI foundation specialty course provides investigators with the knowledge, skills and techniques for recognizing and investigating an environmental crime. This course covers many topics including environmental crimes terminology, crime scene safety considerations and management, law and regulations, resources and allied agencies, access and search warrants, evidence collection, sampling and analysis, interviewing techniques, investigative resources and methods and case preparation.

Twenty-two law enforcement officers attended the pilot presentation of this course in February 2017. The course is additionally scheduled for August 2018.

### Environmental Crimes – Response

This course is intended to develop fundamental skills for law enforcement to safely respond to and identify an environmental crime, initiate the investigative process and coordinate with all necessary allied agencies. Students will learn how to recognize potential environmental crime scenes and how to respond safely.

This course is scheduled for presentation in 2018.

### Dispatchers/Role in Environmental Crimes

This course covers the role of the Dispatcher receiving and dispatching calls concerning reported Environmental Crimes. The course is intended to provide students with the knowledge and skills necessary to recognize violations and correctly respond to reports of environmental crimes.

This course is scheduled for presentation in 2018.

### Environmental Crimes Cannabis Symposium

In 2016, California voters passed Proposition 64, the Adult Use of Marijuana Act that made substantial changes in cannabis law. With new regulations and licensing of cannabis cultivators and dealers taking effect on January 1, 2018, California law enforcement agencies need to be aware of the changes and its effect on environmental crimes associated with cannabis cultivation. This symposium will provide the latest information on law and regulation changes, the environmental impact of cannabis cultivation, and investigation, and enforcement strategies to target those who violate the law.

This course is scheduled for presentation in 2018.

### Environmental Crimes Investigation Overview

This online video training course provides an overview of criminal and civil codes, and investigative strategies, resources and techniques of environmental crime enforcement by working through real-life based environmental crime scenarios.

384 officers completed this course in 2017.