

# Request for Approval

**To:** Mark de Bie  
Deputy Director, Waste Permitting, Compliance and Mitigation Division

**From:** Steve Santa Croce  
Senior Waste Management Engineer, Engineering Support Branch

**Reviewed By:** Steve Levine, Legal Office  
Anthony Balestreri, Legal Office  
Raaz Morairty, Fiscal and Process Oversight Section  
Pukar Deoja, Budgets Office

**Request Date:** June 3, 2024

**Decision Subject:** Grant Awards for the Solid Waste Disposal and Codisposal Site Cleanup Grant Program (Solid Waste Disposal Trust Fund, Fiscal Year 2023–24)

**Action By:** June 7, 2024

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## Summary of Request

Staff requests approval of six grant awards in the amount of \$2,500,000.00 as specified in Table 2 for the Illegal Disposal Site Abatement Grant Program and Table 3 for the Legacy Disposal Site Abatement Partial Grant Program. Detailed project information for each recommended grant is in the Attachments.

## Funding

The FY 2023-24 Budget Act allocates \$2,500,000.00 to the Solid Waste Disposal Trust Fund account (FY2023-24) for grants within the Solid Waste Disposal and Codisposal Site Cleanup Program. CalRecycle originally allocated \$1,000,000.00 for Illegal Disposal Site Abatement Grants and \$1,500,000.00 to the Legacy Disposal Site Abatement Partial Grants. The allocations were revised to reflect \$1,375,000.00 for Illegal Disposal Site Abatement Grants and \$1,125,000.00 to the Legacy Disposal Site Abatement Partial Grants to use all the FY funds in order of scoring.

**Table 1. Funding**

<b>Fund Source</b>	<b>Initial Amount Available</b>	<b>Revised Amount Available</b>	<b>Amount to Fund Item</b>	<b>Amount Remaining</b>	<b>Line Item</b>
Solid Waste Disposal Trust Fund (FY 2023–24)	\$1,000,000.00	\$1,375,000.00	\$1,375,000.00	\$0.00	Illegal Disposal Site Abatement Grant/State Operations
Solid Waste Disposal Trust Fund (FY 2023–24)	\$1,500,000.00	\$1,125,00.00	\$1,125,000.00	\$0.00	Legacy Disposal Site Abatement Partial Grant/State Operations

## Background and Findings

### Statutory Authority

Public Resources Code section 48020 et seq. authorizes CalRecycle to expend funds from the Solid Waste Disposal Trust Fund directly for cleanup, to provide loans to responsible parties who demonstrate the ability to repay, to provide matching grants to public entities for site cleanups, and to provide full grants to public entities for the abatement of illegal disposal sites.

### Program Background

The Solid Waste Disposal and Co-disposal Site Cleanup Program addresses the cleanup of solid waste disposal sites and solid waste at co-disposal sites where the responsible party either cannot be identified or is unable or unwilling to pay for a timely remediation and where cleanup is needed to protect public health and safety or the environment. Cleanup projects are implemented through contracts, grants, and loans. Under the Program, local agencies can finance a wide range of projects through both Legacy Disposal Site Abatement Partial Grants and Illegal Disposal Site Abatement Grants.

### Criteria and Process

The Eligibility Criteria and Evaluation Process was discussed at the July 26, 2022, CalRecycle public meeting and subsequently approved by the Deputy Director. The Notice of Funds Available was placed on the CalRecycle web site in August 2023, with an appropriate notice sent to interested parties.

Applications for both Legacy Disposal Site Abatement Partial Grants and Illegal Disposal Site Abatement Grants were due September 20, 2023, with a secondary due date of October 25, 2023, for authorizing documentation submission. Staff reviewed the applications in accordance with the approved evaluation and scoring criteria and ranked them based upon score.

During the first cycle for the Illegal Disposal Site Abatement Grant Program, CalRecycle received six applications requesting \$2,013,188.60. The maximum individual grant award is \$500,000. One application was deemed ineligible. For the Illegal Disposal Site Abatement Grant Program, staff proposes to fund three of the five applicants based on their ranking.

During the first cycle for the Legacy Disposal Site Abatement Partial Grant Program, CalRecycle received four applications requesting a total of \$2,375,000.00. The maximum individual grant award is \$750,000.00. Two applications were disqualified due to ineligibility, and one application withdrew their application due to failure to submit their resolution by the secondary due date. For the Legacy Disposal Site Abatement Partial Grant Program, staff proposes to fund the one eligible applicant. Given the remaining funding available after the grant awards, staff continued with the second cycle for only the Legacy Disposal Site Abatement Partial Grant Program.

Applications for only the Legacy Disposal Site Abatement Partial Grants were due February 14, 2024, with a secondary due date of March 13, 2024, for authorizing documentation submission. Staff reviewed the applications in accordance with the approved evaluation and scoring criteria and ranked them based upon score.

During the second cycle for the Legacy Disposal Site Abatement Partial Grant Program, CalRecycle received two applications requesting a total of \$675,000.00. One application was deemed ineligible. For the Legacy Disposal Site Abatement Partial Grant Program, staff proposes to fund the one eligible applicant.

Staff recommends reallocating the remaining unused funding of \$375,000.00 from the second cycle (SWC99) Legacy Disposal Site Abatement Partial Grant Program and combining it with the remaining \$22,531.40 from the first cycle (SWC96) Illegal Disposal Site Abatement Grant Program and awarding partial funding of \$397,531.40 of the requested amount \$500,000.00 to Los Angeles County for the Illegal Disposal Site Abatement Grant. This grant application was the highest scored and ranked application not receiving funding.

As these are grants, any applicant's need for the funds is to be considered. Each grant application has a section for applicants to substantiate the financial need for the grant funds that is evaluated by staff as part of the Scoring Criteria. The applicant expressed that their current funding is inadequate to complete the project. In addition, there is also a section for the substantiation of the threat to public health and safety and/or the environment, which is also evaluated by staff as part of the Scoring Criteria. Based on the evaluations, the need for funding and threat being remediated are quantified and included in the grant's overall score.

Title 14, California Code of Regulations, Section 18904 specifically lists eligible and ineligible remedial actions under the Program and allows CalRecycle to consider approval of any other remedial actions not specified as ineligible. Unless otherwise noted, specific actions proposed for each project are specifically eligible pursuant to the regulations.

Cost recovery is not applicable when the grants involve the cleanup of public land, maintained for public benefit and use, and the entity did not cause or gain a benefit from the disposal of the waste. A grant is appropriate and cost recovery is not applicable to the public entity. Where grant funds will be used to clean up private parcels, the grantee has agreed to pursue cost recovery on behalf of CalRecycle.

## Attachment A

**Grantee:** Great Redwood Trail Agency

**Grant Program:** Illegal Disposal Site Abatement Grant Program

**Estimated Project Costs:** \$265,000.00

**Requested Amount:** \$250,000.00

**Recommended Funds:** \$250,000.00

**Project Information:** The Great Redwood Trail Agency (GRTA) is a local agency established by the Great Redwood Trail Agency Act, Government Code § 93000 et seq., to develop and manage the Great Redwood Trail and discharge the duties of a rail common carrier before the Surface Transportation Board. The GRTA is the owner and responsible party for management of a vast stretch of the old Northwestern Pacific Railroad line, covering 252 miles in Mendocino, Trinity, and Humboldt Counties. In March of 2022, the GRTA took over ownership and responsibilities of this area from the North Coast Railroad Authority (NCRA), the predecessor agency. The grant request is to remediate solid waste materials on one specific site, The Calpella Building property, within the properties managed by the GRTA.

The Calpella Building property is a 2-acre property with a 70,000 square foot building. The site was formerly owned by the NCRA and leased since January 2018, as the Piedmont Lumber building. The NCRA neglected proper management of the site, and the former lessee failed to pay rent for over three years. Moreover, during the former lessees' tenancy, the site had become an encampment for the unhoused, which had resulted in illegal dumping on the property and inside of the building, which significantly increased over time during the NCRT's tenure as landlord.

The GRTA acknowledges that the NCRA had demonstrated a lack of responsibility for the site during its tenure as owner. However, the GRTA asserts that it is an agency separate and independent from the predecessor agency, with a current Board almost entirely different from the NCRA's (only one of the nine current members also served on the NCRA Board). After this Board transition, the GRTA took the necessary steps through the eviction process and had Mendocino County formally evict/lockout the previous lessee in May 2023. Inspections of the solid waste materials present on site consisted of encampment garbage, tires, vehicles, lumber, metal, building materials, a 5th wheel trailer and minor quantities of hazardous waste containers. There were also reports of open fires within the building started by those illegally inhabiting the building.

The GRTA's proposal is focused on site remediation efforts and site security. Once the site cleanup has been completed, the GRTA will contract a fencing contractor to install secure fencing to prevent trespass and unauthorized use of the site. The GRTA will evaluate whether to lease the empty building to a new tenant or tear it down, selecting the course of action best suited to its' new mission of converting the soon to be former rail line to the future Great Redwood Public Trail.

Historically, through the Illegal Disposal Site (IDS) Abatement Grant Program (Program), public entities may obtain a grant with a waiver of the pursuit of cost recovery against the parties responsible for the IDS under certain circumstances. These include but are not limited to where the property was acquired by a public entity from a private landowner formerly responsible for the IDS, in consideration of the public benefit such ownership would entail. However, this application appears to present a matter of first impression, as the property was acquired by the GRTA not from a private owner for the public benefit, but from an apparently negligent prior public owner, such that the property was already being held for the public benefit. Grant funding for public entities across our programs is generally curtailed when a public entity itself has demonstrated a lack of due care resulting in the creation of a condition on its site which poses a threat to public health, safety and/or the environment.

Staff has weighed the above factors and recommends a limited extension of our provision of grants where the site is acquired by a public entity from a private owner for public benefit, to this situation, based upon the unique circumstance of this application. Specifically, this project represents a distinctive opportunity to partner in the funding this new trail-focused agency with, among others, the State Legislature (which paid off the NCRA's debt of \$7.5 million), to facilitate the transition to the substantial public benefit this new multiuse recreational trail represents.

As a grant is a bestowal of funds to the grantee, cost recovery against the GRTA is not applicable where, as here, the grant involves the cleanup of public land maintained for public benefit and use and the GRTA did not cause or gain a benefit from the disposal of the waste. As to the predecessor agency NCRA and the former lessees, due to a lack of solvency and/or other factors, cost recovery against these parties is not practicable.

The GRTA has demonstrated adequate funds to monitor and perform minor maintenance on its properties. The GRTA has funded the removal of some of the tires, cars, and machinery at the site, but has inadequate funds to remediate this site in its current condition. The GRTA is requesting grant funding to remediate and prevent further illegal disposal at the Calpella Building property.

## **Attachment B**

**Grantee:** City of Clearlake

**Grant Program:** Illegal Disposal Site Abatement Grant Program

**Estimated Project Costs:** \$489,573.52

**Requested Amount:** \$477,468.60

**Recommended Funds:** \$477,469.00

**Project Information:** The City of Clearlake (City) is requesting grant funding to address illegal dumping and the deteriorating properties located within Clearlake. The 37 private properties pose a serious risk to the health and safety of the nearby residence. These properties contain trash heaps, discarded appliances, and inoperable/abandoned vehicles. Structures on the properties have structural or fire damage and have been red-tagged as uninhabitable by City Code Enforcement for numerous violations. In this condition, these properties pose an attractive nuisance that furthers illegal dumping activities. The demolition of some of these structures and removal of the solid waste will remove the attractive nuisance and prevent potential fires from occurring.

The City has relied on grant funding to supplement its limited resources and provide essential services. The local Code Enforcement Bureau (CEB) was awarded a \$500,000.00 Community Development Block grant to fund additional staff and enforcement efforts to conduct citywide cleanups. Additional grant support from the Department of Housing and Community Development has enabled the City to provide intervention to stem illegal disposal.

With help from the CEB, the City has made efforts to contact the property owners through numerous notices to abatement for both the structures and other solid waste materials. Each of the listed private properties has documented evidence provided in the City's grant application detailing the inability or unwillingness of property owners to fund the cleanup. As a result, these private properties are left in a state of abandonment and the City must clean up with their limited resources. Work will be performed on private property; the City will pursue cost recovery efforts in accordance with the grant agreement.

In addition to site remediation, the City will also recycle material in accordance with California Green Code 4.408.1 to minimize landfill contribution and dedicate a team to monitor the sites.

The private properties located in the City are as follows:

1. Address: 16272 32nd Ave.  
APN: 042-242-340  
Property Owner/Responsible Party (RP): Verma Louise Jones Trustee

2. Address: 5925 Mohican Place  
APN: 041-313-080  
Property Owner/Responsible Party (RP): Thurman Thomas Underwood-Hardy
3. Address: 3360 7th St.  
APN: 038-291-180  
Property Owner/Responsible Party (RP): Western Network Solutions
4. Address: 16140 Dam Rd.  
APN: 010-025-020  
Property Owner/Responsible Party (RP): Lee B Watson & Rosemary C Trustee
5. Address: 14045 Hale St.  
APN: 039-231-220  
Property Owner/Responsible Party (RP): Stella T Edgerly Trustee
6. Address: 3603 Peony St.  
APN: 039-632-070  
Property Owner/Responsible Party (RP): George Lowden
7. Address: 3273 11th St.  
APN: 038-211-200  
Property Owner/Responsible Party (RP): Robert Charles Bible
8. Address: 13790 Sonoma  
APN: 039-621-270  
Property Owner/Responsible Party (RP): Brenda Hall
9. Address: 15576 33rd Ave.  
APN: 041-401-160  
Property Owner/Responsible Party (RP): Charles D Green
10. Address: 3237 3rd St.  
APN: 038-294-220  
Property Owner/Responsible Party (RP): O B and Ollie Mitchell
11. Address: 3247 3rd St.  
APN: 038-294-230  
Property Owner/Responsible Party (RP): O B and Ollie Mitchell Trustee
12. Address: 3257 3rd St.  
APN: 038-294-240  
Property Owner/Responsible Party (RP): O B and Ollie Mitchell Trustee
13. Address: 16072 19th Ave.  
APN: 042-202-310  
Property Owner/Responsible Party (RP): Abel and Laura Fabela Trustee

14. Address: 13535 Santa Clara Ave.  
APN: 037-321-300  
Property Owner/Responsible Party (RP): Kevan R Callahan
15. Address: 14115 Lupoyoma St.  
APN: 039-093-510  
Property Owner/Responsible Party (RP): Ruth Withrow
16. Address: 2943 5th St.  
APN: 038-172-610  
Property Owner/Responsible Party (RP): Loni M Brooks
17. Address: 16026 25th Ave.  
APN: 042-183-150  
Property Owner/Responsible Party (RP): Augustine M Trujillo
18. Address: 16116 33rd Ave.  
APN: 041-183-490  
Property Owner/Responsible Party (RP): Shawn Kossow
19. Address: 3014 5th St.  
APN: 038-183-450  
Property Owner/Responsible Party (RP): Asset Advisors Consulting LLC
20. Address: 3971 Pine Ave.  
APN: 039-401-400  
Property Owner/Responsible Party (RP): Hing Chan
21. Address: 14920 Davis Ave.  
APN: 039-292-260  
Property Owner/Responsible Party (RP): Robert Kennedy
22. Address: 16436 34th Ave.  
APN: 041-253-450  
Property Owner/Responsible Party (RP): Michael Richardson
23. Address: 14053 Hale St.  
APN: 039-241-060  
Property Owner/Responsible Party (RP): Wilford D Morgan Trustee
24. Address: 14236 Hale St.  
APN: 039-211-100  
Property Owner/Responsible Party (RP): Robert A Roy
25. Address: 3180 2nd St.  
APN: 038-186-090  
Property Owner/Responsible Party (RP): Jeanette Sousa



26. Address: 16303 22nd Ave.  
APN: 042-273-180  
Property Owner/Responsible Party (RP): Kevin and Elizabeth Zeier
27. Address: 16721 Cache Creek Ln  
APN: 012-037-070  
Property Owner/Responsible Party (RP): Eduardo Cesar Borbadilla
28. Address: 5740 Hale Ave.  
APN: 041-302-200  
Property Owner/Responsible Party (RP): Cleotilde Gonzalez Garcia Encarnacion and Cat Garcia
29. Address: 3111 16th St.  
APN: 038-131-260  
Property Owner/Responsible Party (RP): Dyudanov RD LLC
30. Address: 16293 33rd Ave.  
APN: 042-242-310  
Property Owner/Responsible Party (RP): Paul V Slatin
31. Address: 6347 Armijo  
APN: 042-122-050  
Property Owner/Responsible Party (RP): Michael Walton
32. Address: 6725 Old Hwy 53  
APN: 010-008-180  
Property Owner/Responsible Party (RP): Frida A Hilsabeck Trustee
33. Address: 4782 Yarrington Court  
APN: 040-330-280  
Property Owner/Responsible Party (RP): Helen Palacios
34. Address: 4800 Old Hwy 53  
APN: 040-330-520  
Property Owner/Responsible Party (RP): Erva C Denham
35. Address: 4030 Hayward Ave.  
APN: 040-211-170  
Property Owner/Responsible Party (RP): Earl Vogt
36. Address: 3783 Cedar Ave.  
APN: 039-392-580  
Property Owner/Responsible Party (RP): Candido Guzman
37. Address: 15416 Brannan St.  
APN: 041-342-300  
Property Owner/Responsible Party (RP): Ron Prior

The abatement sites are on private property. As grant funds will be used to clean up private parcels, the subject private parcels to be remediated will be specifically delineated in the grant agreement and the grant disbursement for this site will be limited to only remediation costs. Moreover, the City has agreed to pursue cost recovery on behalf of CalRecycle for the cleanup of the subject private parcels, as follows:

The City will as part of the grant agreement institute local administrative abatement proceedings and/or other administrative or judicial proceedings in order to compel the owners to abate. If the owners fail to abate the sites in accordance with the orders issued in the proceedings, the City will then obtain through the proceedings an access order authorizing the City and its remediation contractor(s) entry onto the site for the purpose of remediating the site. Only after such an access order obtained through the subject proceeding is issued shall the City then perform the remediation and, upon successful completion, seek grant reimbursement from CalRecycle. Regardless of the administrative or judicial proceeding selected, the City will agree that as a condition of the grant for this project, the cost recovery mechanism selected will at a minimum afford the opportunity for the City to effectuate a lien, special assessment, or other charge against the remediated property, to the satisfaction of CalRecycle. For example, should the City elect to proceed with a local administrative abatement proceeding, the following procedural conditions are typically called for: (a) the accounting of costs in the abatement proceeding shall include CalRecycle's grant costs in remediating the property; (b) said costs shall be made special assessments added to the City Page 6 of 15 assessment roll and become a lien on the real property; (c) CalRecycle shall be named as a third party beneficiary of any and all recoveries under the assessments and/or the lien, up to the full amount of said costs as specified in the accounting, which shall have priority over any City costs in said accounting; (d) CalRecycle shall be named in the lien document, along with the City, as a party to receive notice of any and all payoff demands and/or other notices relating to the lien; and (e) a draft of the lien document shall be submitted to CalRecycle prior to issuance, and said document must reflect the above requirements to CalRecycle's satisfaction before issuance.

## Attachment C

**Grantee:** Lake County

**Grant Program:** Illegal Disposal Site Abatement Grant Program

**Estimated Project Costs:** \$290,250.00

**Requested Amount:** \$250,000.00

**Recommended Funds:** \$250,000.00

**Project Information:** Lake County (County) is requesting grant funds to remediate 42 private properties located in seven townships/communities - North Lakeport, Nice, Lucerne, Clearlake Oaks, Lower Lake, Middletown and Kelseyville. The 42 private properties were identified by community input, code complaints, and town hall meetings. The sites have become an attractive nuisance resulting in illegal dumping with accumulation of trash and debris on the properties.

The County has made efforts to contact and notify the landowner or responsible party (RPs) to address illegal disposal issues on the properties. But, due to financial limitations, the landowner or RPs have been unable or unwilling to pay for timely and proper remediation. In addition, the County of Lake's Code Enforcement Division has been historically under-resourced and does not have sufficient funding to address all illegal disposal sites. The County hopes to address illegal disposal by establishing a more robust cost recovery program to identify responsible parties and seek reimbursement for cleanup costs on private properties. Also, the County plans on adopting a countywide Illegal Dumping Ordinance as a long-term cost recovery strategy. Because work will be performed on private property, the County will pursue cost recovery efforts in accordance with the grant agreement.

In addition to site remediation efforts, the County will use grant funds for preventative measures (e.g., barriers and surveillance cameras) and public awareness campaigns, and free dump days. The project is supported by local agencies and the volunteering efforts of the local AmeriCorps members. The County plans to issue quarterly grant invoices and progress reports to CalRecycle grant manager that evaluate cleanups, public awareness activities, cost recovery efforts, identifying efficiencies, challenges, successes, and improvements for the next quarter. Once the grant term concludes and all grant funds have been exhausted, the County will prepare a final report to determine the program's viability for continuation beyond the grant term.

The private properties located in the township/community of North Lakeport are as follows:

1. Address: 4258 Lakeshore Blvd, Lakeport, CA 95453  
APN: 029-151-28  
Property Owner/Responsible Party (RP): Wratishlaw Steve; Victoria L (Trustee)
2. Address: 4270 Lakeshore Blvd, Lakeport, CA 95453  
APN: 029-151-37  
Property Owner/Responsible Party (RP): Wratishlaw Steve; Victoria L (Trustee)

The private properties located in the township/community of Nice are as follows:

1. Address: 2520 Fall St, Nice, CA 95464  
APN: 030-071-07  
Property Owner/Responsible Party (RP): PG&E
2. Address: 2527 Harding Dr, Nice, CA 95464  
APN: 030-072-79  
Property Owner/Responsible Party (RP): PG&E
3. Address: 2660 Mira Vista St, Nice, CA 95464  
APN: 030-073-09  
Property Owner/Responsible Party (RP): Sherrill Steven
4. Address: 2708 Monroe St, Nice, CA 95464  
APN: 030-125-18  
Property Owner/Responsible Party (RP): Church Stanley A; Church Loretta
5. Address: 2745 Bush St, Nice, CA 95464  
APN: 030-143-01  
Property Owner/Responsible Party (RP): Jones Micky; Douglas K
6. Address: 2785 Bush St, Nice, CA 95464  
APN: 030-143-05  
Property Owner/Responsible Party (RP): LOVEJOY ROBERT C & DONNA M J
7. Address: 2793 Sherman St, Nice, CA 95464  
APN: 030-174-03  
Property Owner/Responsible Party (RP): Dunn John C
8. Address: 2804 Clinton St, Nice, CA 95464  
APN: 030-141-04  
Property Owner/Responsible Party (RP): Nice Mutual Water Company, C/O Edie Parks
9. Address: 7413 Main St, Nice, CA 95464  
APN: 030-163-12  
Property Owner/Responsible Party (RP): Knox Robert S
10. Address: 7483 Main St, Nice, CA 95464  
APN: 030-163-26  
Property Owner/Responsible Party (RP): Tauro Raynah B
11. Address: 7546 High St, Nice, CA 95464  
APN: 030-097-03  
Property Owner/Responsible Party (RP): Worsley Harold E
12. Address: 7560 Jackson St, Nice, CA 95464  
APN: 030-091-06  
Property Owner/Responsible Party (RP): C/O WPL Holdings LLC

13. Address: 7583 High St, Nice, CA 95464  
APN: 030-096-02  
Property Owner/Responsible Party (RP): Gallegoes T Lawrence; Florina
14. Address: 7584 Main St, Nice, CA 95464  
APN: 030-153-01  
Property Owner/Responsible Party (RP): Sprague Douglas A
15. Address: 7715 Lakes St, Nice, CA 95464  
APN: 030-062-08  
Property Owner/Responsible Party (RP): Toly Margaret Joan
16. Address: 7762 Main St, Nice, CA 95464  
APN: 030-173-08  
Property Owner/Responsible Party (RP): Danselman Peters Jean
17. Address: 7771 Main St, Nice, CA 95464  
APN: 030-174-25  
Property Owner/Responsible Party (RP): Pearson William W; Paula L
18. Address: 7776 Main St, Nice, CA 95464  
APN: 030-174-13  
Property Owner/Responsible Party (RP): Bartlett Daisy Mae (Trustee)

The private properties located in the township/community of Lucerne are as follows:

1. Address: 4779 Abbot Trail, Lucerne, CA 95458  
APN: 033-191-16  
Property Owner/Responsible Party (RP): Chittim Tami Lyn (Trustee)
2. Address: 4789 Abbott Rd, Lucerne, CA 95458  
APN: 033-191-15  
Property Owner/Responsible Party (RP): Williams Carolyn (Trustee)
3. Address: 5009 Dunstan Rd, Lucerne, CA 95458  
APN: 033-192-11  
Property Owner/Responsible Party (RP): Braley Michael E; Hudson Paul D
4. Address: 5055 Dunstan Rd, Lucerne, CA 95458  
APN: 033-162-35  
Property Owner/Responsible Party (RP): Etkes Amnon
5. Address: 5987 Fennel Rd, Lucerne, CA 95458  
APN: 033-191-01  
Property Owner/Responsible Party (RP): Vereb Steven
6. Address: 5993 Windsor Rd, Lucerne, CA 95458  
APN: 034-292-78  
Property Owner/Responsible Party (RP): Swallow Shirley

The private properties located in the township/community of Clearlake Oaks are as follows:

1. Address: 583 Junction Plaza, Clearlake Oaks, CA 95423  
APN: 010-020-17  
Property Owner/Responsible Party (RP): Mount Robert A; Madeleine J (Trustee)
2. Address: 11950 Stubbs Rd, Clearlake Oaks, CA 95423  
APN: 006-028-21  
Property Owner/Responsible Party (RP): Lovisone Donna M; Lovisone Eugene
3. Address: 12215 Mountain View, Clearlake Oaks, CA 95423  
APN: 066-029-25  
Property Owner/Responsible Party (RP): Heshmero Holdings
4. Address: 12312 Mountain View, Clearlake Oaks, CA 95423  
APN: 035-181-54  
Property Owner/Responsible Party (RP): Ruggiero Linda
5. Address: 12316 Mountain View, Clearlake Oaks, CA 95423  
APN: 035-181-55  
Property Owner/Responsible Party (RP): Ruggiero Linda
6. Address: 12476 Mountain View, Clearlake Oaks, CA 95423  
APN: 035-191-75  
Property Owner/Responsible Party (RP): Alvey Gary J; Marcille A (Trustee)
7. Address: 12574 Mountain View Dr, Clearlake Oaks, CA 95423  
APN: 035-201-33  
Property Owner/Responsible Party (RP): Kircher Jens; L Cheryl
8. Address: 12584 Mountain View Dr, Clearlake Oaks, CA 95423  
APN: 035-191-53  
Property Owner/Responsible Party (RP): Morris Adrienne Joan; Morris Andrew
9. Address: 12720 Mountain View Dr, Clearlake Oaks, CA 95423  
APN: 035-201-28  
Property Owner/Responsible Party (RP): Konyn Lorraine C

The private properties located in the township/community of Lower Lake are as follows:

1. Address: 10998 Clayton Creek Rd, Lower Lake, CA 95457  
APN: 012-044-09  
Property Owner/Responsible Party (RP): Wilder William John; Wilder Kristi (Trustee)
2. Address: 16704 Ellen Springs Dr, Lower Lake, CA 95457  
APN: 049-121-06  
Property Owner/Responsible Party (RP): Krmsiek H E; Dorothy T (Trustee)

3. Address: 18365 Little High Valley Rd, Lower Lake, CA 95457  
APN: 012-047-08  
Property Owner/Responsible Party (RP): Dunker Shawn
4. Address: 18635 Diamond Ridge Rd, Lower Lake, CA 95457  
APN: 012-050-28  
Property Owner/Responsible Party (RP): Kursa Lawrence V; Liza W

The private properties located in the township/community of Middletown are as follows:

1. Address: 11850 Dry Creek Rd, Middletown, CA 95461  
APN: 013-052-03  
Property Owner/Responsible Party (RP): Wall Street Mining Corp, C/O James A Kinyon

The private properties located in the township/community of Kelseyville are as follows:

1. Address: 7366 Wight Wy, Kelseyville, CA 95451  
APN: 007-025-21  
Property Owner/Responsible Party (RP): Villeneuve Conrado
2. Address: 9172 Bottle Rock Rd, Kelseyville, CA 95451  
APN: 011-004-05  
Property Owner/Responsible Party (RP): Duryea Robert P; Elenda D

The abatement sites are on private property. As grant funds will be used to clean up private parcels, the subject private parcels to be remediated will be specifically delineated in the grant agreement and the grant disbursement for this site will be limited to only remediation costs. Moreover, the County has agreed to pursue cost recovery on behalf of CalRecycle for the cleanup of the subject private parcels, as follows:

The County will as part of the grant agreement institute local administrative abatement proceedings and/or other administrative or judicial proceedings in order to compel the owners to abate. If the owners fail to abate the sites in accordance with the orders issued in the proceedings, the County will then obtain through the proceedings an access order authorizing the County and its remediation contractor(s) entry onto the site for the purpose of remediating the site. Only after such an access order obtained through the subject proceeding is issued shall the County then perform the remediation and, upon successful completion, seek grant reimbursement from CalRecycle. Regardless of the administrative or judicial proceeding selected, the County will agree that as a condition of the grant for this project, the cost recovery mechanism selected will at a minimum afford the opportunity for the County to effectuate a lien, special assessment, or other charge against the remediated property, to the satisfaction of CalRecycle. For example, should the County elect to proceed with a local administrative abatement proceeding, the following procedural conditions are typically called for: (a) the accounting of costs in the abatement proceeding shall include CalRecycle's grant costs in remediating the property; (b) said costs shall be made special assessments added to the County Page 6 of 15 assessment roll and become a lien on the real property; (c) CalRecycle shall be named as a third party beneficiary of any and all recoveries under the assessments and/or the lien, up to the full amount of said costs as specified in the accounting, which shall have

priority over any County costs in said accounting; (d) CalRecycle shall be named in the lien document, along with the County, as a party to receive notice of any and all payoff demands and/or other notices relating to the lien; and (e) a draft of the lien document shall be submitted to CalRecycle prior to issuance, and said document must reflect the above requirements to CalRecycle's satisfaction before issuance.



## Attachment D

**Grantee:** Los Angeles County

**Grant Program:** Illegal Disposal Site Abatement Grant Program

**Estimated Project Costs:** \$500,000.00

**Requested Amount:** \$500,000.00

**Recommended Funds:** \$397,531.00

**Project Information:** The proposed project plans to address the issue of illegal dumping in three unincorporated areas of Los Angeles County (County). These areas threaten public health, safety, and the environment due to the prevalence of illegally dumped waste. The project locations are communities within the Belvedere Garbage Disposal District, the Florence-Firestone Garbage Disposal District, and Lake Los Angeles. All site locations are on publicly owned land, such as County streets and rights-of-ways.

In the 2022-23 fiscal year, the cost to remove trash from County streets alone was \$16.3 million. This was a \$3 million increase from the previous year and does not include the costs for clearing trash in waterways. The project will target problem areas identified through routine maintenance patrols, public reports, field inspections, and illegal dumping databases. After the cleanup efforts have been completed, the county will analyze project costs compared to previous metrics used and determine the cost effectiveness and success of the project. By removing trash from these areas, the project aims to improve quality of life, restore areas for the public benefit and use, and preserve local habitat and wildlife.

As a grant is a bestowal of funds to the grantee, cost recovery is not applicable where, as here, the grant involves the cleanup of public land maintained for public benefit and use and the County did not cause or gain a benefit from the disposal of the waste.

## **Attachment E**

**Grantee:** City of Sacramento

**Grant Program:** Legacy Disposal Site Abatement Partial Grant Program

**Estimated Project Costs:** \$2,462,331.44

**Requested Amount:** \$750,000.00

**Recommended Funds:** \$750,000.00

**Project Information:** The City of Sacramento (City) is requesting grant funds to address identified Area of Concerns (AOCs) at the Cannon Landfill (Facility Number 34-CR-5001) and the Scollan Landfill (Facility Number 34-CR-5005), as well as a small portion of the Dellar Landfill (Facility Number 34-AA-0182).

The Cannon, Scollan and Dellar Landfills are legacy solid waste disposal sites owned and maintained by the City. Each of the sites began operations sometime in the 1950s by the City as operator under private property ownership, and the City took ownership within the past decade of all of the Cannon and Scollan Landfills, and the small portion of the Dellar Landfill which is the subject of this project. Each of the sites ceased accepting public waste and were closed prior to the current requirements specified in Title 27 of the California Code of Regulations (27 CCR). The small area of legacy solid waste fill discovered on part of the Dellar Landfill (Facility Number 34-AA-0182), had been missed when the City remediated the remainder of the Landfill in 2014.

Each of the sites and properties are currently maintained in the public benefit and use as the surrounding properties (which are all part of the 28<sup>th</sup> Street Landfill) is the Sutter's Landing Park which includes a dog park, basketball courts, a skate park, bike and walking trails along the American River. After this proposed remediation project, the City eventually plans to develop a bike trail that will likely pass through the Cannon and Scollan sites, the Dellar site and connect with the existing bike trail. As a grant is a bestowal of funds to the grantee, cost recovery is not applicable where, as here, the grant involves the cleanup of public land maintained for public benefit and use and the City did not cause or gain a benefit from the disposal of the waste.

The Sacramento County Environmental Management Department (EMD), acting as the Local Enforcement Agency (LEA), issued a "Notification of Requirements" on November 16, 2016. The City was required to develop a comprehensive Disposal Site Remediation Work Plan (DSRWP), which would collectively bring each of the above sites into compliance with state minimum standards for Cover (27 CCR 21140), Grading (27 CCR 21142), Drainage and Erosion Control (27 CCR 21150), Landfill Gas monitoring and control (27 CCR 21160), and Post Closure Maintenance (27 CCR 21180). The City has submitted a landfill cover design that is presently being evaluated by the Central Valley Region Water Quality Control Board and the LEA. Project costs are estimated at \$2,462,331.44 for the overall project, and the city has applied for a \$750,000 grant to assist in their efforts.

## **Attachment F**

**Grantee:** Los Angeles Department of Water and Power

**Grant Program:** Legacy Disposal Site Abatement Partial Grant Program

**Estimated Project Costs:** \$750,000.00

**Requested Amount:** \$375,000.00

**Recommended Funds:** \$375,000.00

**Project Information:** Los Angeles Department of Water and Power (LADWP) is requesting grant funds to address identified violations at the Big Pine Landfill (Facility Number 14-AA-0028).

The Big Pine Landfill is a legacy solid waste disposal site that was operated by Inyo County and owned by LADWP. The site began operations sometime in the 1960s and ceased accepting public waste in 1980. It was closed prior to the current requirements specified in Title 27 of the California Code of Regulations (27 CCR). As noted in the LEA inspection report, the site has recently become an attractive nuisance for illegal dumping of household solid waste.

The Inyo County Local Enforcement Agency, acting as the Local Enforcement Agency (LEA), has issued violations of state minimum standards in 2013. A Remediation Design Report was completed by a CalRecycle consultant in 2018 that if implemented would bring the site into compliance with state minimum standards for Grading of Fill Surfaces (27 CCR 20650), Litter Control (27 CCR 20830), Site Maintenance (27 CCR 21180), and Site Security (27 CRR 20530).

According to the remediation design plans, approximately 5,090 cubic yards of wastes will be reconsolidated to improve the slope inclination of a firebreak side slope, creation of a run-on stormwater diversion channel, and reconsolidation of exposed surface wastes that were previously buried. Illegally dumped solid waste will be removed from the site to the appropriate permitted facilities for recycling, if practicable, and disposal.

Project costs are estimated at \$750,000.00 for the overall project, and the city has applied for a \$375,000.00 grant to assist in their efforts.

The landfill site is currently maintained in part for the public benefit and use, with public trails on and adjacent to the site and as open space accessible to the public. As a grant is a bestowal of funds to the grantee, cost recovery is not applicable where, as here, the grant involves the cleanup of public land maintained for public benefit and use and the County and LADWP did not cause or gain a benefit from the disposal of the waste.

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## Recommendation

Staff recommend approval of the grant awards as listed below in Table 2 and Table 3.

**Table 2. Recommended Illegal Disposal Site Abatement Grants for FY 2023-24**

Applicant	Award Amount
Great Redwood Trail Agency	\$250,000.00
City of Clearlake	\$477,469.00
Lake County	\$250,000.00
Los Angeles County	\$397,531.00
<b>Total Award</b>	<b>\$1,375,000.00</b>

**Table 3. Recommended Legacy Disposal Site Abatement Grants for FY 2023-24**

Applicant	Award Amount
City of Sacramento	\$750,000.00
Los Angeles Department of Water and Power	\$375,000.00
<b>Total Award</b>	<b>\$1,125,000.00</b>

## Deputy Director Action

On the basis of the information and analysis in this Request for Approval and the findings set out herein, I hereby conditionally approve the grant awards for the Solid Waste Disposal and Co-disposal Site Cleanup Grant Program as listed in Table 2 and Table 3. Each proposed grantee's award is subject to two conditions:

1. The recommended grantee must pay all outstanding debts due to CalRecycle, or bring current any outstanding payments owed to CalRecycle, within 60 days of the date of the award email.
2. The recommended grantee's Signature Authority (or where delegation is authorized, his or her Designee) must sign and return the Grant Agreement to CalRecycle. The signed Grant Agreement must be received by CalRecycle within 60 days of the date of the award email.

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Mark de Bie  
Deputy Director

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Dated