

REQUEST FOR APPROVAL

To: **Howard Levenson**
Deputy Director, Materials Management and Local Assistance Division

From: **Laurie Kikumoto**
Acting Branch Chief, Financial Resources Management Branch

Request Date: December 3, 2013

Decision Subject: Eligibility Criteria and Evaluation Process for the Local Government
Waste Tire Cleanup Grant Program (Tire Recycling Management Fund,
FY 2014/15)

Action By: December 17, 2013

Summary of Request: This Request for Approval proposes the eligibility criteria and evaluation process for the Local Government Waste Tire Cleanup (TCU) Grant Program for Fiscal Year (FY) 2014/15. In July 2013, CalRecycle adopted the *Draft Five-Year Plan for Waste Tire Recycling Management Program – (Seventh Edition Covering Fiscal Years 2013/14-2017/18), (Five-Year Plan)* which allocates \$1,800,000 in FY 2014/15 for the TCU Grant Program.

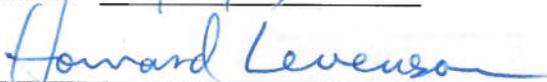
Staff will conduct the FY 2014/15 TCU Grant Program cycle using the eligibility criteria and evaluation process applied in FY 2012/13, with the exception of three tie breaking procedures for applications to determine priority within Rank 2 as described under the *Proposed Process and Eligibility* section on page three.

Recommendation: Staff recommends approval of the proposed eligibility criteria and evaluation process for the TCU Grant Program for FY 2014/15, as described under *Proposed Process and Eligibility*.

Deputy Director Action:

On the basis of the information and analysis in this Request for Approval and the findings set out herein, I hereby approve the eligibility criteria and evaluation process for the TCU Grant Program for FY 2014/15.

Dated: 12/17/13



Howard Levenson
Deputy Director

Background and Analysis:

Statutory Authority

CalRecycle receives an annual appropriation from the California Tire Recycling Management Fund (Tire Fund) to administer the California Tire Recycling Act (Senate Bill 937, Vuich, Statutes of 1990, Chapter 35) (Public Resources Code (PRC) sections 42860 et seq.). PRC section 42872 authorizes CalRecycle to award grants to public entities who take actions to reduce illegally disposed waste tires. PRC section 42889(b)(5) specifically authorizes CalRecycle to pay the costs of cleanup, abatement, removal, or other remedial action related to tire stockpiles throughout the state, including all approved costs incurred by other public agencies involved in these activities by contract with CalRecycle.

In July 2013, CalRecycle adopted the *Draft Five-Year Plan* which allocates \$1,800,000 each in FYs 2014/15 and 2016/17 for the TCU Grant Program.

Program Background

The purpose of the TCU Grant Program is to help divert waste tires from landfill disposal and prevent illegal tire dumping. Funds are limited to the removal of waste tires along public rights-of-way and on private property with either: (a) less than 500 tires on site or (b) 500 to 4,999 tires if the property owner signs an affidavit stating that they did not bring the tires onto the site or allow others to bring the tires on site. Sites that are zoned agricultural are ineligible for this grant program until they have first attempted to obtain a grant through CalRecycle's Farm and Ranch Solid Waste Cleanup and Abatement Grant Program. California cities, counties, special districts, Qualifying Indian Tribes, and other political subdivisions and jurisdictions joined together by formal agreements are eligible to apply either individually or regionally. A regional application consists of two or more eligible jurisdictions partnering together for the purpose of grant implementation. Grants will not be awarded to two agencies within the same jurisdiction (Example: City of Sacramento Public Works Department and City of Sacramento Health Department).

The following table summarizes grant awards in the TCU Grant Program:

Fiscal Year	Number of Awards	Amount Awarded
2006/07	20	\$ 845,867
2007/08	15	\$ 790,923
2008/09	20	\$ 834,943
2009/10	19	\$ 1,027,855
2010/11	21	\$ 1,081,559
2011/12	0	*
2012/13	23	\$ 1,723,223
2013/14	0	**
Totals	118	\$ 6,304,370

* The program was suspended for FY 2011/12

**Funding was allocated to the Local Government Waste Tire Amnesty Grant Program

Proposed Process and Eligibility

Staff will conduct an initial review of all applications to determine completeness. Complete applications will be evaluated to confirm applicant, project eligibility and to determine the recommended grant award amount.

In addition, \$100,000 is the maximum available for individual grant awards and \$250,000 is the maximum available for a regional grant award. Applications with a cost per tire greater than \$8.00 will be disqualified. Sites with 5,000 tires or more are ineligible for cleanup under this grant program.

Staff is proposing to include three tie breaking criteria to Rank 2 to determine priority among applicants whose cost per tire are the same. Applications will be ranked in the following order:

Rank 1 – Serious threat to public health and safety and the environment.

(Projects that propose to remediate waste tire piles within 1,000 feet of residential homes, schools, recreational areas, waterways, public walkways, airports, commercial or industrial centers, electrical transmission lines or an environmentally sensitive area)

Rank 2 – Lowest cost per tire.

Tie Breaking Criteria 1 – Existing tire pile(s) identified.

Tie Breaking Criteria 2 – At least one existing tire pile with 10 or more tires.

Tie Breaking Criteria 3 – Did not receive a grant for the previous TCU grant cycle.

Any cost per tire that is derived from an estimate of tires that exceeds twice the amount cleaned up under previous cycles of this grant must be accompanied by a statement from the applicant explaining why the estimated number of tires has increased. Failure to submit an explanation, or if the Grant Manager determines that the explanation is not reasonable or does not satisfactorily explain the increase, will result in the application being given the lowest priority in Rank 2.

Tentative Timeline for FY 2014/15

As shown in the table below, staff will post a Notice of Funds Available (NOFA) on CalRecycle’s website informing potential applicants of the funding, eligibility requirements, deadlines, and other important information. Notices will also be distributed through the Grants Management System database, Group listserv, outreach presentations and newsletters. NOFAs will be sent to current and past TCU grant recipients and shared with CalRecycle’s Local Assistance and Market Development staff to inform their local jurisdictions.

Target Date	Activity
December 2013	Post NOFA, Application Guidelines and Instructions, and related documents on the CalRecycle website
February 2014	Applications due
March 2014	Secondary due date for Resolutions
March/April 2014	Conduct application evaluation/review process; determine funding for eligible applicants
May 2014	Grant awards presented at CalRecycle Public Meeting
July/August 2014	Grant Agreements distributed and executed
June 30, 2016	Grant term ends

