



LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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November 5, 2009

Ms. Margo Reid Brown, Chair
California Integrated Waste Management Board
1001 I Street, Coastal Hearing Room
Sacramento, CA 95814-2815

Dear Ms Brown:

NOVEMBER 17, 2009, WASTE BOARD AGENDA ITEM 11- ELIMINATION OF POLICY REQUIRING THE GEOGRAPHIC DISTRIBUTION OF COMPETITIVE GRANT FUNDING

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) is **opposed** to the California Integrated Waste Management Board (Waste Board) staff proposal to eliminate existing policy providing for geographic distribution of grant funding for competitive grant programs, which originally appeared on the Waste Board's August 18, 2009, Board Meeting (Agenda Item 13) and will be reconsidered at the Waste Board's next Strategic Policy Development Committee Meeting on November 10, Item E, and Item 11 of the Waste Board November 17 Agenda.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (AB 939, as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and its 88 cities in Los Angeles County with a combined population in excess of 10 million. Consistent with these responsibilities, and to ensure a coordinated and cost-effective and environmentally-sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a Countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, the County of Los Angeles Board of Supervisors, the City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

In 2001, after years of efforts from Southern California local governments, the Waste Board adopted a policy that provides for competitive grants to be awarded taking into consideration the geographic distribution of the State's population. Since then, the

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policy has been chipped away to where only one out of 12 grant programs are evaluated using this criteria. As such local governments in Southern California are no longer receiving their fair share of what they contribute to the Waste Board. Ironically, this same situation is what prompted the Waste Board to implement the policy eight years ago.

On page 11-9 of the Waste Board staff's analysis for this item, Waste Board data shows that during Fiscal Years 2006-07 and 2007-08, Southern California jurisdictions received only 30 percent and 15 percent of allotted Tire Derived Product (TDP) grant funds, respectively, although they provided an estimated 61 percent of the funds to the Waste Board. On page 13-2 of the staff analysis for the August 2009 agenda item, Waste Board staff acknowledge that Southern California has been underserved by the current allocations. The August 2009 agenda item also noted that, despite concerns that deserving projects in Northern California were not receiving grant funds, following reallocation of remaining funds, **all** Northern California applicants that were identified as eligible applicants received funding.

On page 11-5 of the November 2009 agenda item, the staff analysis describes problems administering the TDP grants as a result of complications in having to take geography into consideration. However, the problems described in this section are not policy related, but rather related to operational practices and procedures. For example, a problem described was due to partial funding of grants resulting in multiple recommendations to the Waste Board. This can be mitigated by allocating grants at a later date in the year once all funds are received to allow recommendations to be taken to the Board only once. This is an operational problem and has nothing to do with the fairness of the existing policy.

The Waste Board staff analysis does not seem to recognize the inherent differences between jurisdictions in Southern California, which tend to be larger than in Northern California and therefore have proportionally larger requests for funding. These findings also emphasize the need to improve outreach efforts that encourages additional applicants from Southern California.

The Task Force's concerns with the elimination of the policy stem from the long history of disproportionate distribution of grant funding; which is what the policy was designed to combat. For this reason, it is pertinent that the Waste Board examine the history that led to this original policy, and consider the potentially far reaching ramifications of this change on Southern California local governments. Especially since no inequities have been verified as a result of the policy and one of staff's arguments is only based on what **may** happen in the future. As such the Task Force strongly recommends that the Waste Board consider the following additional criteria to fairly assess the impact of eliminating the policy:


- 1) Study the history leading up to the implementation of the policy in 2001.
- 2) Determine where funding for competitive grants is being generated, and determine the amount of competitive grant funding being awarded per region for all competitive grants.
- 3) Study of the historical allocations of grant funding from inception of the program, not only data for the last three years as presented in the current analysis.
- 4) Study the effects of the current policy that award recipients are not eligible to receive grants two years in a row, and how eliminating this policy may improve fairness in grant allocations.
- 5) In concert with jurisdictions in Southern California, determine the actual impact the previous changes in geographic distribution policy for grant programs has had on Southern Californian jurisdictions, and whether those modifications to the 2001 policy were appropriate.
- 6) Consider how the Waste Board intends to distribute grant funds in a manner that ensures fairness, since this should take geographic distribution into consideration (Note: even with the existing policy in place, the Waste Board continues to have the flexibility to put aside the policy when deemed necessary).
- 7) Consider the impact eliminating the policy would have on new future grants, or if existing grant award criteria changes. For example, the Rubberized Asphalt Concrete (RAC) grants employ a "ladder funding approach" which provides higher funding levels to first-time or inexperienced users of RAC and a gradually reduced funding level as grantees gain experience and familiarity with this material. While many of the early adapters of RAC application are located in Southern California and thus are no longer eligible for the higher financial incentives provided for first-time users, the amount of first time users will eventually decrease to the point where experienced RAC users may have to be given grant award preference. At that time Southern California may end up qualifying for a disproportionate amount of funds. If the policy is not in place at that time Northern California may not be shielded from having funds funneled from the region.

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Lastly, the Task Force would like to inform the Waste Board that while letters of opposition regarding the elimination of the policy as it relates to the upcoming November agenda may not have yet been received by Waste Board staff, representatives of local government did express opposition to the elimination of the policy as it appeared on the August 18 Board Meeting agenda.

The Task Force supports the fair distribution of grant funding, and therefore requests that the Waste Board **oppose** any staff proposal which eliminates existing policy requiring geographic distribution of grant funding for competitive grant programs. We hope you will continue to utilize this important safeguard which protects Southern Californians and directly benefits those Californians most in need. Should you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Council Member, City of Rosemead

RG:kp
P:\SEC\11_17_2009, WASTE BOARD AGENDA ITEM 11- ELIMINATION OF POLICY

cc: Governor Arnold Schwarzenegger
Each Member of the California Integrated Waste Management Board
California State Association of Counties
League of California Cities
Each Member of the County of Los Angeles' Board of Supervisors
Each City Mayor in Los Angeles County
League of California Cities, Los Angeles County Division
South Bay Cities Counsel of Governments
San Gabriel Valley Council of Governments
Gateway Cities Counsel of Governments
Southern California Association of Governments
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Integrated Waste Management Task Force