

# Attachment E

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# Litter Abatement Program

## **OVERVIEW**

Throughout the year, Supervisorial District residents request services to address illegal dumping of household, commercial, and industrial waste on County roads and public lands. Removal of the illegal dumping can be delayed due to a shortage of available labor, which leads to blight, impacts agricultural operations, and adversely affects environmental resources.

In March 2020, the Board of Supervisors directed staff to pursue a Litter Abatement Program, expanding current efforts in areas where illegal dumping is prevalent. Monterey County Resource Management Agency (RMA) and Health Department-Environmental Health Bureau (EHB) are working with the Salinas Valley Solid Waste Authority (SVSWA) and Monterey Regional Waste Management District (MRWMD) to develop a coordinated Program where County contractors collect waste and mitigate illegal dumping throughout Monterey County. The Board of Directors for SVSWA and MRWMD have expressed continued support for the County litter and illegal dumping abatement programs.

The Litter Abatement Program proposes to remove illegal dump sites using funding from SVSWA and MRWMD to reimburse contractor work within their service areas. In addition, the County intends to allocate additional funding to support timely cleanup of illegal dumpsites along roadways. The Transient Occupancy Tax (TOT) is discretionary funding allocated to the Road Fund for maintenance services.

## **PROGRAM**

The Litter Abatement Program is a partnership between the County (RMA, EHB), waste authorities (SVSWA, MRWMD), and contractor(s) with multiple components.

Health Department/Environmental Health Bureau (EHB) administers the solid waste Agreement (Unified Franchise Agreement or “UFA”) with Waste Management, Inc. for solid waste services in unincorporated Monterey County. Services include cleanup events, outreach/education, recycling service pick up, green waste service pick up, special events, and services connected to emergency operations. EHB often partners with Waste Management, Inc. (WM) outreach and education via EHB’s Recycling and Resource Recovery team.

EHB will work with SVSWA, MRWMD, and their partners to expand more frequent community cleanups countywide and negotiate additional cleanup events and expanded road cleanup response. EHB is working to expand outreach efforts to reduce illegal dumping through the illegal dumping task force.

Waste Management, Inc. offers disposal vouchers that authorize free disposal of materials collected and delivered to the Monterey Peninsula Landfill (Marina), Johnson Canyon Landfill (Gonzales), Sun Street Transfer Station (Salinas), or Jolon Road Transfer Station (King City). The Litter Abatement Program will supplement the Monterey County free disposal voucher program.

MOUs are required between the County and each agency for services and annual funding considerations. Each agency is requested to support the program with \$100,000 each to the Litter Abatement Program, which equates to \$300,000 in addition to existing programs/funding. Funding allocated from SVWA and MRWMD to the Litter Abatement Program would be utilized within their service areas. If funding is decreased from either entity, then less work could occur in that area.

Abatement within the rights-of-way is currently performed by public works crews, supplemented with Alternative Work crews, and is eligible for using Road Funds. Abatement on County (public) lands other than rights-of-way is performed by RMA-Facilities, which requires use of General Funds. Between these two programs, RMA has expended an average of \$450,000 per year for litter abatement, which will be the maintenance of effort baseline.

In addition to existing funding (maintenance of effort), RMA will budget \$100,000 annually out of the Road Fund TOT allocation to the Litter Abatement Program to support removal of illegal dumping sites at the discretion of the Chief of Public Works. TOT funds allow greater flexibility for discretionary use whether located within rights of way or elsewhere. Any unused funding at the end of a FY rolls over into the next fiscal year, augmenting the annual Litter Abatement Program allocation.

Contractor(s) will perform litter abatement and cleanup at the direction of RMA-Public Works. Staff will process contracts for services since current contracts with vendors do not include these services. RMA will issue a Request for Proposals (RFP) once funding is secured, and will coordinate with EHB on selecting qualified contractor(s). The projected time frame for the Board of Supervisors to consider awarding contracts and starting work under this Litter Abatement Program is November 1, 2020.

## **BACKGROUND**

RMA currently operates a Litter Abatement Program for public rights-of-way and County lands by responding to Requests for Service (RFS). Abatement on County (public) lands other than rights-of-way is performed by RMA-Facilities. Abatement within the rights-of-way is performed by public works crews, supplemented with Alternative Work crews, and is eligible for using Road Funds. Since 2010, RMA's Litter Abatement efforts have averaged \$450,000 per year.

Currently, RMA has two (2) Litter Guard positions to run the Work Alternative Program, a program where the courts assign individuals to perform community service. Since 2013, Work Alternative resources have diminished, which resulted in reduction of Litter Guard positions. As a result, there is a significant RFS backlog for litter removal, and the response time can take up to one (1) month depending on scheduling of resources around other regular maintenance activities.

EHB administers the solid waste Agreement (Unified Franchise Agreement or "UFA") with Waste Management, Inc. for solid waste services in unincorporated Monterey County. These services also include special cleanup events (certain locations), outreach/education, recycling service pickup, green waste service pickup, special events, and services connected to emergency

operations. EHB often partners with Waste Management, Inc. (WM) on outreach and education via EHB's Recycling and Resource Recovery team.

In 2019, County requested that the two waste districts allocate \$100,000 each to help enhance existing Litter Abatement services. Salinas Valley Solid Waste Authority (SVSWA) allocated \$100,000. Monterey Regional Waste Management District (MRWMD) provided \$75,000 for road cleanup efforts in addition to implementing a cleanup for hazardous waste in Big Sur costing \$50,000, equating to a total of \$125,000 for both MRWMD services.

MOUs signed by the Board of Supervisors and SVSWA/MRWMD explicitly restricted the program to non-profit organizations. When staff tried to formalize contracts with non-profits, mutually satisfactory terms for what is required to perform these services could not be reached. As a result, funding allocated from SVSWA/MRWMD was not used to supplement the County's services.

Staff has been working with SVSWA and MRWMD to revise the MOUs and request funding for next fiscal year. Revised MOUs with both SVSWA and MRWMD are in draft form. The SVSWA has verbally agreed to contribute \$100,000 to match up to 50 percent (50%) of program costs. The MRWMD has budgeted \$25,000 to contribute to the program and will continue with their separate efforts to support waste removal in the Marina area and along Highway 101 north of Salinas. Pending finalization of the MOU's and the agreement with the WM and EHB, and the results from the RFP, Staff expects the litter abatement program to begin in Fall 2020.

Currently EHB is in contract negotiations with Waste Management, Inc. to expand services related to illegal dumping. These negotiations have been extended to August 31, 2020. Response and services related to illegal dumping will be a staple part of any solid waste agreement to help mitigate illegal dumping in unincorporated Monterey County.

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