

COUNTY OF EL DORADO

330 Fair Lane
Placerville, CA 95667
(530) 621-5390
(530) 622-3645 Fax

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March 12, 2024

The Honorable Jim Wood
Member, California State Assembly
1021 O Street, Room 8320
Sacramento, CA 95814

RE: Assembly Bill 2902 – Support

Dear Assembly Member Wood:

On behalf of the County of El Dorado, we are pleased to support your Assembly Bill 2902, regarding organic waste management.

Assembly Bill 2902 provides additional flexibility to local governments implementing the state's SB 1383 organic waste diversion objectives. SB 1383 requires the state to reduce landfill disposal of organic waste by 75 percent by 2025. CalRecycle's implementing regulations impose many costly new requirements on local governments. Many of those requirements are generally tailored to the solid waste collection system that exists in urban areas. The greatest implementation challenges and highest rate increases will occur in rural and sparsely populated areas of the state, such as El Dorado.

AB 2902 extends the *existing* rural exemption for the state's 19 counties with fewer than 70,000 residents (and cities within those counties)¹. Under CalRecycle's SB 1383 regulations, this rural exemption expires on December 31, 2026, and cannot be extended. At that time, rural counties will have to comply with SB 1383's collection and procurement obligations, which are ill-suited for the remote and rural nature of those counties and will result in disproportionately high compliance costs relative to the amount of organic waste diverted or procured. Procurement will be particularly challenging for the eight rural border counties, as they are generally too small to support new composting facilities and would be barred from complying with the procurement obligations by using products from nearby out-of-state facilities. Considering these challenges, AB 2902 appropriately extends the current exemption. As such, rural jurisdictions will continue to be exempt from collection and procurement requirements but will still have to implement SB 1383's edible food recovery, recycled paper procurement, and model water-efficient landscaping requirements.

¹ Lake, San Benito, Tehama, Tuolumne, Calaveras, Siskiyou, Amador, Lassen, Glenn, Del Norte, Colusa, Inyo, Plumas, Mariposa, Trinity, Mono, Modoc, Sierra, and Alpine Counties.

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AB 2902 also provides compliance flexibility for another 12 smaller counties that generate less than 200,000 tons of solid waste annually.² Unfortunately, there is little flexibility built into the existing regulations to let lower population counties develop innovative alternative compliance pathways. Lower population counties have different organic waste profiles and management strategies that still result in the diversion of organic waste, but in different ways than are contemplated in the regulations. AB 2902 creates a pathway for smaller counties to innovate and submit alternative organic waste management plans that cover unincorporated parts of the county to CalRecycle for approval.

AB 2902 also helps to avoid adverse interactions between human and bear populations by creating a pathway through which CalRecycle can allow higher elevation jurisdictions to dispose of food waste in trash cans where nearby bear populations pose a public safety and animal welfare risk. Finally, we appreciate that AB 2902 seeks to increase local benefits from edible food recovery programs, sustain the use of organics for local animal feed practices, and facilitate the development of smaller-scale community composting programs.

For these reasons, we are pleased to support AB 2902.

Thank you,

A handwritten signature in blue ink that reads "Wendy Thomas" followed by a horizontal line.

Wendy Thomas
Chair, El Dorado County Board of Supervisors

cc: The Honorable Brian Dahle, Member, California State Senate
The Honorable Isaac Bryan, Chair, Assembly Natural Resources Committee
Rural County Representatives of California

² El Dorado, Humboldt, Imperial, Kings, Mendocino, Madera, Napa, Nevada, Shasta, Yuba, Sutter, and Yolo Counties.