



## Legislation Details (With Text)

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**File created:** 3/30/2020      **In control:** Board of Supervisors

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**Title:** Supervisor Parlin recommending the Board authorize the Chair to sign a letter of support for Senate Bill 1191, related to organic waste management, allowing low population counties and rural jurisdictions to develop and implement alternative organic waste management programs.

FUNDING: N/A

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - 20190 SB1191\_98 Dahle, 2. B - Planning for Implementation of SB 1383 -SB 1191, 3. C - RCRC letter of support SB 1191, 4. D - Draft EDC Letter of support SB 1191, 5. Executed Senate Bill 1191 - SUPPORT Letter

Date	Ver.	Action By	Action	Result
4/7/2020	1	Board of Supervisors	Approved	Pass

Supervisor Parlin recommending the Board authorize the Chair to sign a letter of support for Senate Bill 1191, related to organic waste management, allowing low population counties and rural jurisdictions to develop and implement alternative organic waste management programs.

**FUNDING:** N/A

### DISCUSSION / BACKGROUND

SB 1383 (Lara, 2016) requires the state to reduce organic waste disposal 75% and to increase edible food recovery 20 percent by 2025. CalRecycle’s SB 1383 regulations are nearly finalized and will be challenging to implement. CalRecycle estimates the cost may reach \$40 billion over the next decade and will require adding 50 - 100 new/expanded facilities. The regulations require:

- Commercial and residential organic waste collection and recycling
- Sampling and monitoring to minimize contamination
- Procurement of organic waste products by jurisdictions
- Local infrastructure capacity planning for organic waste facilities
- Establishing food waste recovery programs
- Public education and outreach
- Extensive recordkeeping, reporting, and enforcement

The regulations include provisions for temporary waivers/exemptions for which jurisdictions can apply, including:

- Until December 31, 2026, a rural jurisdiction exemption (19 counties with populations of less than 70,000 are eligible)
- Renewable five-year waivers for organic waste collection for areas with a low population density (census tracts with fewer than 75 persons/square mile)

- High altitude elevations (over 4,500') for food waste separation and recovery requirements programs in place of the SB 1383 mandates. SB 1191 will temporarily (until January 1, 2028 for low population counties and January 1, 2035 for rural jurisdictions) allow local alternative organic waste management programs that recover edible food waste, evaluate collaborative approaches to organic waste recycling for animal feed and compost production, and explore opportunities for siting new regional organic waste facilities and markets.
- Exempts jurisdictions below 4,500' with nearby bear populations from food separation and collection requirements for residential and small commercial generators.
- Aligns CalRecycle's organic waste management statute to conform it to long-standing provisions that require CalRecycle to consider whether a jurisdiction made a "good faith" effort to implement its recycling program before issuing a compliance order or imposing penalties on that jurisdiction. SB 1383's statutory placement precludes CalRecycle from exercising such commonsense considerations and leaves little flexibility in CalRecycle's enforcement strategy.

The Rural County Representatives of California (RCRC) and the Rural Counties' Environmental Services Joint Powers Authority worked with CalRecycle to reduce the burden of the proposed regulations; however, there is still not enough flexibility. To provide additional flexibility, RCRC is sponsoring SB 1191 (Dahle) which:

Allows low population counties (populations 70,000-250,000) and rural counties (populations less than 70,000) to implement alternative organic waste management

#### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

Obtain the Chair's signature, send letter to recipients.

#### **STRATEGIC PLAN COMPONENT**

Infrastructure: Provide, operate and maintain our infrastructure, public facilities, and associated services that protect our community, environment and economic well-being.

#### **CONTACT**

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