



## Legislation Text

---

**File #:** 22-0242, **Version:** 1

---

Environmental Management Department recommending the Board:

- 1) Adopt and authorize the Chair to sign Resolution **032-2022** approving submittal of the Notification of Intent to Comply with Senate Bill 1383 Regulations regarding organics waste landfill diversion, as required by the California Department of Recycling Resources and Recovery; and
- 2) Authorize the Director of the Environmental Management Department to sign the Notification of Intent to Comply.

**FUNDING:** N/A

### **DISCUSSION / BACKGROUND**

On September 19, 2016, Governor Brown signed into law SB 1383 (Chapter 395, Statutes of 2016), establishing methane emissions reduction targets in an effort to reduce emissions of short-lived climate pollutants in various sectors of California's economy. The statute sets statewide targets to reduce landfill disposal of organic material compared to 2014 baseline data (50% reduction by 2020 and 75% reduction by 2025), and to recover 20% of currently disposed edible food for human consumption by 2025. The law granted CalRecycle the regulatory authority required to achieve these statewide reduction targets.

SB 1383 sets statewide reduction targets, instead of jurisdiction-specific targets, for organics reduction. CalRecycle developed the Short Lived Climate Pollutants: Organic Waste Reductions requirements in Title 14, California Code of Regulations (SB 1383 Regulations) to include prescriptive program requirements for all California jurisdictions, generators, waste haulers, and waste processors that were deemed necessary in order to meet the statewide organics reduction targets. SB 1383 Regulations require the County to establish legal authority to implement and mandate programs through the adoption of ordinances, policies, or similarly enforceable mechanisms by January 1, 2022. Environmental Management Department (EMD) is currently working on necessary revisions to the County Solid Waste Ordinance Code, the development of new or expanded programs and policies, and other enforceable mechanisms to ensure the County is in compliance with the SB 1383 regulations. However, EMD has not been able to complete all required actions by the statutory deadline of January 1, 2022 due to impacts on staffing and resources from the Covid-19 pandemic and the Caldor Fire.

On October 5, 2021, Governor Newsom signed into law SB 619 (Chapter 508, Statutes of 2021), authorizing local jurisdictions struggling to implement the SB 1383 regulation requirements due to the COVID-19 pandemic to submit to CalRecycle, no later than March 1, 2022, a Notice of Intent to Comply (NOIC) and resolution adopted by the jurisdiction's governing body that affirms the contents and timeline of its NOIC. If the County NOIC is approved by CalRecycle, the County may be eligible for administrative civil penalty relief for the 2022 calendar year pursuant to Title 14 California Code of Regulations (CCR) section 42652.5(d) and/or a Correction Action Plan (CAP) pursuant to Title 14 CCR section 18996.2.

EMD has made efforts for SB 1383 compliance by applying for SB 1383 Local Assistance Grant

Program, procurement for the necessary tracking software (Recyclist), adding a staff allocation and hiring a Sustainability Coordinator, completed the SB 1383 waiver process for census tracks, worked with haulers to develop pilot programs and established partnerships with the Cities of Placerville and South Lake Tahoe. EMD is focused on amending the Solid Waste Handling Franchise Hauler Agreements, revisions to the County Ordinances, and the development of an edible food recovery program among others. Approval of this item will allow the County to submit a NOIC to CalRecycle following the guidelines pursuant to SB 619. It is anticipated that a recommendation to consider a revised County Ordinance incorporating SB 1383 requirements will be brought to the Board for consideration in Spring 2022, followed by amendments to Solid Waste Handling Franchise Agreements for various County Franchise Areas in Summer 2022.

#### **ALTERNATIVES**

The Board may deny the acceptance of resolution.

#### **PRIOR BOARD ACTION**

N/A

#### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

CalRecycle

#### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

#### **FINANCIAL IMPACT**

N/A

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

N/A

#### **STRATEGIC PLAN COMPONENT**

Health Communities

#### **CONTACT**

Jeffrey Warren, REHS  
Director of Environmental Management Department