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NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: July 28, 2020
TO: Board of Supervisors
FROM: Trisha Tillotson, Director of Public Works
SUBJECT: **CalRecycle Presentation: An Overview of SB 1383's Organic Waste Reduction Requirements – All Districts**

RECOMMENDATION: Informational Item

FUNDING: N/A

BACKGROUND:

In September 2016, Governor Brown signed Senate Bill SB1383, establishing statewide methane emission reduction targets. As it pertains to CalRecycle, SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste (e.g. green waste, wood waste, food waste, and fibers such as paper and cardboard) from the 2014 level by 2020 and a 75 percent reduction by 2025; and establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025.

SB 1383 is the most significant waste reduction mandate to be adopted in California in the last 30 years with significant policy and legal implications for the state and local governments. CalRecycle started the formal regulation rulemaking January 18, 2019 and is expected to conclude in March 2020. Under SB 1383, jurisdictions will be required to:

- Provide organic waste (including food waste) collection to all residents and businesses
- Establish an edible food recovery program that recovers edible food from the waste stream
- Conduct outreach and education to all affected parties, including generators, haulers, facilities, edible food recovery organizations, and city/county departments
- Capacity Planning
- Procure recycled organic waste products like compost, mulch, and renewable natural gas (RNG) at state mandated levels based on population
- Inspect and enforce compliance with SB 1383
- Maintain accurate and timely records of SB 1383 compliance

Jurisdictions must have their programs in place on January 1, 2022 and will be required to take enforcement against noncompliant entities beginning on January 1, 2024. CalRecycle can begin enforcement actions on jurisdictions for noncompliance starting on January 1, 2022.

County staff have been engaged in the SB 1383 rulemaking process since 2018, providing input and comments both as a member of the Rural Counties' Environmental Services Joint Powers Authority and directly to CalRecycle. Additionally, on March 12, 2019, the Board of Supervisors adopted Resolution 19-108, calling for the Governor to establish a statewide commission to address significant challenges to California's recycling markets; and expressing concerns over the implementation of SB 1383, specifically the lack of sufficient infrastructure capacity throughout the state and potential cost burden to jurisdictions.

On June 25th, 2019, per Resolution 19-360, the Board of Supervisors approved an amended and restated agreement between the County and Waste Management. In order to meet the collection and outreach requirements of SB 1383 and Assembly Bill 1826, the amended agreement outlines the implementation of food waste collection programs for residential and commercial customers, and additional route audits, reporting, record keeping, and public outreach activities. However, implementation of a food waste collection program is contingent on the availability of adequate regional facilities to accept organic material (food waste); staff is currently working with Waste Management to identify a viable option.

On June 11, 2019, per Resolution 19-255, the Board of Supervisors approved and awarded a Franchise Agreement to Tahoe Truckee Disposal Company (TTSD) for Eastern Nevada County collection services. Although this agreement includes alternative program options for SB 1383 based on the current draft language, Eastern County will qualify for a population density waiver (for census tracts with a population of less than 75 people per square mile), and an elevation waiver (for areas above 4,500 feet elevation), which exempts the TTSD contract area from SB 1383 requirements.

In order to be in full compliance with SB 1383, additional steps will be required by the County including: adoption of a local enforcement ordinance and CalGreen ordinance, development of food recovery programs, development of commercial generator inspection programs, development of minimum procurement protocols, capacity planning, etc. This law extends beyond solid waste operations and staff requiring a collaborative effort involving various County departments and jurisdictions (City of Grass Valley, Nevada City and Town of Truckee). Moving forward staff will continue to coordinate with CalRecycle to bring Nevada County into compliance with SB 1383.

Item Initiated by: David A. Garcia, Jr., Solid Waste Program Manager

Approved by: Trisha Tillotson, Director of Public Works

TT:DG:KK

Submittal Date: February 28, 2020

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