



Upper Valley Waste Management Agency Board Agenda Letter

TO: Board of Directors

FROM: Steven Lederer - Manager
Upper Valley Waste Management Agency

REPORT BY: Steven Lederer, Director, Public Works - 259-8228

SUBJECT: Board Study Session on SB 1383, Organics Diversion Regulations

RECOMMENDATION

STUDY SESSION ON SB 1383, ORGANICS DIVERSION

DISCUSSION ITEM: The Agency Manager requests the Board conduct a Study Session on SB 1383, with a focus on the new duties and requirements that will need to be met, and discuss possible division of responsibilities between the Agency and Company staff, to better inform the ongoing negotiations for the UVDS and CFL Franchise contracts.

EXECUTIVE SUMMARY

SB 1383 requires the Agency and its member jurisdictions to enact several new ordinances and implement new programs which will require additional staffing and other resources (funding). The purpose of this study session is to get deeper into the details of these new requirements and start to decide how those duties will be divided. This will also help inform the ongoing contract negotiations with UVDS/CFL.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

In September 2016, Governor Brown signed [SB 1383 \(Lara, Chapter 395, Statutes of 2016\)](#), establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants (SLCP) in various sectors of California's economy. The bill codifies the [California Air Resources Board's Short-Lived Climate Pollutant Reduction Strategy](#), established pursuant to [SB 605 \(Lara, Chapter 523, Statutes of 2014\)](#), in order to achieve reductions in the statewide emissions of short-lived climate pollutants. Actions to reduce short-lived climate pollutants are essential to address the many impacts of climate change on human health, especially in California's most at-risk communities, and on the environment.

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 from the 2014 level by 2020 and a 75 percent reduction by 2025. The law grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025.

Methane emissions resulting from the decomposition of organic waste in landfills are a significant source of greenhouse gas (GHG) emissions contributing to global climate change. Organic materials--including waste that can be readily prevented, recycled, or composted--account for a significant portion of California's overall waste stream. Food waste alone accounts for approximately 17-18 percent of total landfill disposal. Increasing food waste prevention, encouraging edible food rescue, and expanding the composting and in-vessel digestion of organic waste throughout the state will help reduce methane emissions from organic waste disposed in California's landfills. In addition, compost has numerous benefits including water conservation, improved soil health, and carbon sequestration. Anaerobic digestion produces biogas that can be used to create electricity or renewable transportation fuels. Food rescue has the added benefit of assisting Californians who are unable to secure adequate, healthy food by diverting edible food to food banks and pantries.

SB 1383 builds upon California's leading commitments to reduce greenhouse gas emissions and air pollution statewide. Governor Brown identified reductions of short-lived climate pollutant emissions, including methane emissions, as one of [five key climate change strategy pillars](#) necessary to meet California's target to reduce GHG emissions 40 percent below 1990 levels by 2030 as established in SB 32 (Pavley, Chapter 249, Statutes of 2016). SB 1383 will further support California's efforts to achieve the statewide [75 percent recycling goal by 2020](#) established in [AB 341 \(Chesbro, Chapter 476, Statutes of 2011\)](#) and strengthen the implementation of [mandatory commercial organics recycling](#) established in [AB 1826 \(Chesbro, Chapter 727, Statutes of 2014\)](#).

What does 1383 require us to do?

See the attached spreadsheet for more details, but basically:

1. Assess your capacity for collecting and disposing of organics;
2. Offer services to all generators;
3. Educate; educate; educate;
4. Label containers; mandated lid colors statewide;
5. Adopt an ordinance to force people to comply;
6. Monitor containers on a regular basis to ensure compliance (trash audits);
7. Conduct route reviews to look for contamination;
8. Conduct load checks;
9. Adopt ordinance to impose fees and penalties on non compliant customers;
10. And keep a bunch of records and send in regular reports.

And then a bunch of things that aren't really solid waste functions:

1. Adopt an ordinance to compel compliance with specified sections of the CalGreen Building Standards; and,
2. Adopt an ordinance to compel compliance with the State's Model Water Efficiency landscaping program;
3. Create an edible food recovery program (and another ordinance), and educate, and monitor, and do a bunch of record keeping and reports;
4. And each jurisdiction shall purchase a certain amount or compost; whether you need it or not.

Staff will provide a presentation on each of these in more detail, and with input from the Franchisee hopes to begin the process of determining "Who is going to do What by When". SB 1383 officially takes effect on January 1, 2022, though we can't be penalized for not doing it until January 1, 2024.

SUPPORTING DOCUMENTS

A . SB 1383 Task List

Recommendation: Approve

Reviewed By: Steven Lederer