

Implementation of SB-1383 Requirements

- **Introduction of Ordinance Repealing and Replacing Chapter 22 of the County Code to Comply with SB-1383 and to Harmonize the County's Ordinance with Existing Operational Conditions**
 - **Authorization of a Related Agreement with Zero Waste Sonoma to Facilitate Countywide Compliance with SB-1383**
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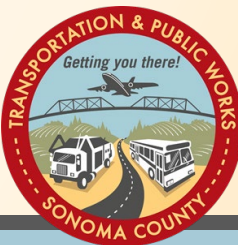
DEPUTY DIRECTOR

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS



Background

- In 2016, Governor Brown signed SB-1383 into law in an effort to reduce emissions of short-lived climate pollutants, such as methane, which are generated from landfilling organic material like food and yard trimmings.
- SB-1383 is the most significant waste reduction mandate to be adopted in California in the last 30 years



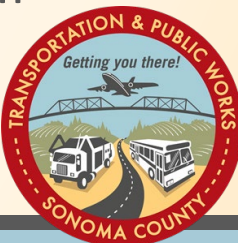
Schedule of Regulatory Time Frame

January 1, 2022 - CalRecycle's SB-1383 regulations go into effect and are enforceable.

January 1, 2024 - Jurisdictions are required to impose penalties for non-compliance on regulated entities subject to their authority.

January 1, 2025 - The state must achieve a 75% reduction of organic material disposed in landfills compared to the 2014 baseline. In addition, no less than 20 percent of currently landfilled edible food must be recovered for human consumption.

Note: SB 619 Allows for up to a 1 year extension to the January 1, 2022 deadline if certain criteria are met.



SB-1383 Goals / Requirements

- Reduce methane gas emissions
- Educate generators about proper separation of organic materials, waste prevention and recycling
- Develop and implement an edible food recovery program to reduce waste and food insecurity
- Procure recovered organic waste (e.g. compost) in accordance with a target determined by CalRecycle



SB-1383 Impacts to County

Mandatory Organic Waste Collection Service for Residents and Businesses in the County

- The County must provide organics, solid waste, and recycling collection service to all residential and commercial generators within its jurisdiction, except as waivers may be applicable

Edible Food Recovery Requirements for the County

- The County will be required to develop a list of food recovery services and organizations available to service commercial edible food generators in the unincorporated areas



SB-1383 Impacts to County

Edible Food Recovery Requirements for Food Generators

1. Tier One Commercial Edible Food Generators must donate their excess edible food and comply with the associated recordkeeping requirements starting **January 1, 2022**.
2. Tier Two Commercial Edible Food Generators must do the same starting **January 1, 2024**. Tier One and Tier Two Generators must maintain a contract with each food recovery organization that provides a pick-up service to, or accepts donated food from, the generator.
3. Additionally, Tier One and Tier Two Generators must keep records of the amounts and types of food donated, as well as the frequency of donation.



SB-1383 Impacts to County

Requirements for Food Recovery Organizations

- Food recovery organizations will be required to maintain records of the contact information of each organization they service. Additionally, they must keep records of the kinds and amounts of food collected, delivered, or rejected.



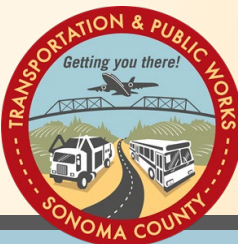
SB-1383 Impacts to County

Procurement Requirements

The County and cities are required to procure annually a quantity of recovered organic waste products to achieve targets established by CalRecycle based on their respective populations. Jurisdictions can satisfy this requirement by purchasing any combination of the following recovered organic waste products:

- Compost
- Mulch
- Renewable Energy (Transportation Fuel, Heat, and Electricity) from Anaerobic Digestion and Electricity from Biomass Conversion

The County estimates annual costs to total \$40,000 in order to achieve CalRecycle's procurement requirements.



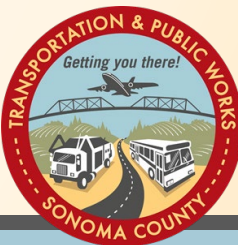
SB-1383 Impacts to County

County Enforcement Requirements

- The County is required to adopt an ordinance by **January 1, 2022** requiring all residential and commercial generators in the unincorporated to subscribe to organic, recycling and solid waste collection services.

CalRecycle Enforcement

- The regulations also provide that if CalRecycle finds that a jurisdiction is not fulfilling one of more of its responsibilities to implement and enforce SB-1383, CalRecycle may engage in enforcement actions of its own.



SB-1383 Implementation Plan

MOU with Zero Waste Sonoma:

- Staff recommends utilizing the Joint Powers Authority (JPA) to comply with certain SB-1383 requirements, however, the County remains ultimately responsible for compliance. The proposed MOU will authorize the JPA to perform these services on behalf of the County, which include education, reporting, and capacity planning.

Franchise Agreement Amendments

- The County also intends to amend its two franchise agreements with Sonoma Garbage Collectors and Recology Sonoma Marin to conduct route reviews (contamination checks) and provide organics collection services as required by SB-1383.



SB-1383 Implementation Plan – JPA Role

County will work with JPA through MOU with Zero Waste Sonoma (ZWS) to provide services including:

- Reporting
- Education and Outreach
- Manage Edible Food Program
- Procurement of Compost through voucher program
- Review of waiver requests, if requested
- Complaint/Violation Investigation

SB-1383 Implementation Plan

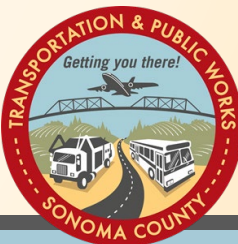
Sonoma County Chapter 22 Updates

- Mandatory Waste Collection Services for Residents and Businesses in the County, with limited exemptions
- Expanded prohibitions against disposal of recyclable materials and organic waste
- Addition of source-separation, diversion, record-keeping and reporting obligations for generators who are permitted to self-haul organic waste
- Addition of edible food recovery requirements for all edible food generators
- Clarification of exceptions to franchise requirements
- Elimination of solid waste collection licenses in favor of franchises
- Elimination of the ban on importation of foreign organic wastes and sludges



Policy Considerations and Enforcement

- The adoption of the proposed ordinance furthers the Climate Action and Resiliency pillar of the County's Strategic Plan by decreasing methane emissions from landfills
- Chapter 22 will be enforced by the Director of Public Works and/or County Environmental Health Staff, as may be requested by the Director



Stakeholders Impacts and Outreach

All residents of Sonoma County will be impacted by these changes, in both practical and financial ways. Most generators who already have (and properly use) a 3-can system will not need to change their behavior. The majority of fiscal impacts to the County with SB-1383 costs are passed along directly to customers receiving service under the requirements of the new regulations where they will see noticeable increases in waste collection service rates.

- **Equity Outreach** - Initial work included working with the office of equity in identifying stakeholders and Economic Development Board (EDB). All commercial customers were initially notified of the change in law via a mailer by ZWS. Education and outreach programs will continue with these new regulations.
- **CARE program** – recently implemented with Recology the CARE program which provides financial assistance to those who are disadvantaged and qualify for the program to receive solid waste services at a discounted rate.



Stakeholders Impacts and Outreach

Distribution of New Mandatory Service Accounts Absent Exemptions

Service Type	Accounts
Agriculture	934
Commercial	379
Multi Family Dwelling	53
Residential	7,915
Total	9,281



Stakeholders Impacts and Outreach

Mandatory Service Exemptions (De-minimus Waiver)

- The Premises are presently undeveloped
- The Premises is inaccessible due to road conditions that are unsafe, severely impractical, or impossible, in the judgment of both County and Franchisee
- The Residential Premises shares service with a neighboring Residential Premises and the shared service arrangement is approved by both County and its Franchisee;
- A Commercial Premises lacks adequate space for Collection Containers.



Stakeholders Impacts and Outreach

Exemptions for Commercial Only (De-minimus Waiver)

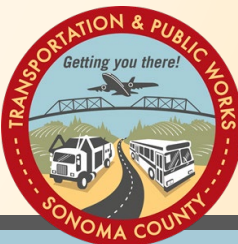
- If the Commercial Business' green collection service comprises less than 20 gallons per week
- The Commercial Business maintains a back-haul program in compliance with the Self-Hauler requirements



Recommendations

The Department of Transportation and Public Works (TPW) is recommending that the Board:

- Adopt a Resolution introducing, reading the title of, and waiving the reading of an Ordinance Repealing and Replacing Chapter 22 of the Sonoma County Code Mandating Solid Waste Removal and Participation in Organics Waste Diversion Programs, Subject to Certain Exemptions, and Providing for the Granting of Related Exclusive Franchises; and
- Authorize the Director to Execute an MOU with Zero Waste Sonoma for administration of specified responsibilities pursuant to SB-1383.



QUESTIONS ?

