



File #: 2021-359, **Version:** 1

Report to Mayor and City Council

Tuesday, May 04, 2021

Consent

SUBJECT:

CONSIDER SUBMITTING A LETTER OF SUPPORT IN CONCEPT FOR SENATE BILL 619 (LAIRD) AS AMENDED ON APRIL 13, 2021 - (ORGANIC WASTE: REDUCTION REGULATIONS) (CITY COUNCIL)

I. SUMMARY

SB 1383 was passed in 2016 and is the most significant waste reduction mandate to be adopted in California in the last 30 years. It requires the state to reduce organic waste [food waste, green waste, paper products, etc.] disposal by 75% by 2025. In other words, the state must reduce organic waste disposal by more than 20 million tons annually by 2025. The law also requires the state to increase edible food recovery by 20 percent by 2025.

SB 619, introduced by Senator John Laird, would among other elements ease the pace of implementing these massive changes at the local level by requiring the Department of Resources Recycling and Recovery (CalRecycle) until January 1, 2023, to only impose a penalty on a local jurisdiction and only allow a penalty to accrue for a violation of the regulations if the local jurisdiction did not make a reasonable effort, as determined by CalRecycle, to comply with the Senate Bill 1383 (Lara, 2016) [SB 1383] regulations.

Existing law and CalRecycle's regulations; however, do not recognize the significant challenges created by a lack of infrastructure and the COVID-19 pandemic. As such, it would benefit the City to request that the bill also be amended to include the specific additional provisions recommended by the Los Angeles County Solid Waste Management Committee / Integrated Waste Management Task Force (the "Task Force") discussed below.

A letter of support-in-concept for SB 619 is attached for City Council consideration.

II. RECOMMENDATION

APPROVE the City of Carson's support-in-concept position and the sending of a corresponding letter on SB 619 in the 2021/2022 legislative session.

III. ALTERNATIVES

1. DO NOT TAKE a support-in-concept position on SB 619.
2. TAKE another action the City Council deems appropriate.

IV. BACKGROUND

Using a good faith effort approach, as recommended by the Task Force, to extend enforcement until January 1, 2023, would provide local jurisdictions including Carson with needed flexibility; and extending the deadlines would allow local jurisdictions to further their efforts toward achieving the statewide organic waste recycling targets and climate goals. The existing timeline gives little time for local agencies to create effective programs and navigate permit and ordinance processes.

The additional provisions recommended by the Task Force that we would recommend including in the letter to the bill sponsor, Senator John Laird ,include:

1. Funding for required infrastructure.
 - a. Lack of necessary organic waste infrastructure is a significant challenge for Southern California. Best estimates are that over \$1 billion of new infrastructure is needed just in Los Angeles County, while to date only \$175 million in cap-and-trade funds has been allocated to CalRecycle since 2014, and no funding is proposed in the upcoming fiscal year.
 - b. Passing local ordinances with fines on local businesses and increasing solid waste collection rates in the midst of the COVID-19 emergency and subsequent economic recovery period will be very challenging.
2. Reduce the time and cost associated with solid waste facility permitting and environmental reviews process for new infrastructure.
3. Delay the requirement to pass a local enforcement ordinance to allow additional time for post-pandemic economic recovery and education and outreach surrounding new organic waste programs before penalties are imposed on residents and businesses. Also, allow for development and implementation of a phase-in procurement requirement, possibly three years, rather than the aggressive requirement currently mandated by the SB 1383 adopted regulation.

4. Market incentives for the development of new infrastructure, including incentives to include Renewable Natural Gas as a part of the transition to electrification.
5. Support for additional organic waste diversion options, including clear permitting tiers and sample programmatic CEQA documents for biomass conversion as well as funding to study high diversion capabilities and emissions reductions of other alternative technologies.

Should the City Council approve this letter, staff will transmit it as soon as possible to the author of SB 619, Senator John Laird.

V. FISCAL IMPACT

There is no direct fiscal impact associated with this item.

VI. EXHIBITS

Letter of Support-In-Concept for SB 619 (pgs. 4 - 6)

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