

SANTA CRUZ COUNTY
INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE
Thursday, February 8, 2024, 3:00 – 5:00 pm
County Board Chambers
701 Ocean Street, 5th Floor
Santa Cruz CA 95060



Hybrid Meeting Information:

Zoom Meeting Link: <https://us02web.zoom.us/j/83616234840>

Meeting ID: 836 1623 4840

One tap mobile

+16694449171,,83616234840# US

+16699006833,,83616234840# US (San Jose)

Meeting ID: 836 1623 4840

Find your local number: <https://us02web.zoom.us/j/83616234840>

Please note: Members/alternates attending remotely cannot vote or count toward a quorum unless arranged in advance with "just cause."

AGENDA

1) Welcome and Quorum Verification

2) Election of Officers: Task Force annually elects a Commission Chair and Vice-Chair.

3) Oral Communications from the Public: A time for members of the public to raise items not on the agenda and within the scope of the commission's subject matter jurisdiction. State law prevents the commission from addressing issues in detail that are not included on the meeting agenda, but it can direct staff to provide a brief answer or schedule the issue for inclusion on a future agenda.

4) Oral Communications from Task Force Members/Alternates: A time for commission members and alternates to report on items of interest within the scope of the commission's subject matter jurisdiction.

5) Approve December 5, 2023 Meeting Minutes (Attachment A)

6) Approve 2024 Meeting Locations. (Watsonville [June], City of Santa Cruz [September], Capitola [December].)

7) Review, Comment On, and Approve 5-Year Countywide Integrated Waste Management Plan Review Report (Attachment B)

8) Review, Comment On, and Approve Task Force Annual Report and Recommendations to the County Board of Supervisors (Attachment C)

9) Consider Multi-Jurisdictional Waste Characterization Study

10) Report on Items from Prior Agendas

- **SB 54 Update** – Draft regulation available 12/28/2023, Formal rulemaking to process starts Spring 2024, Producer Responsibility Organization selected [Circular Action Alliance], Advisory Board appointed on February 2, 2024.
- **Forest Biomass Letter to EPA** – MBARD agreed that disaster debris cleanup is exempt from Title V Subpart EEE. Only a simple request letter is needed.

11) Legislative Update – (Attachment D)

12) Call for June Agenda Items

13) Adjourn



**SANTA CRUZ COUNTY
INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE**

Thursday, December 7, 2023, 3:00 – 5:00 pm

**Capitola City Hall
420 Capitola Avenue
Capitola CA 95010**

Hybrid Meeting Information:

Zoom Meeting Link: <https://us02web.zoom.us/j/82410707406>

Meeting ID: 824 1070 7406

One tap mobile

+16694449171,,82410707406# US

+16699006833,,82410707406# US (San Jose)

Meeting ID: 824 1070 7406

Find your local number: <https://us02web.zoom.us/j/82410707406>

Please note: Members/alternates attending remotely cannot vote or count toward a quorum unless arranged in advance with “just cause.”

Members Present: Justin Cummings (County, chair), Jessica Kahn (Cap), Jacob Guth (County, citizen rep), Will Smith (Wat), Tami Stolzenhaller (Wat, alt.) Leslie O’Malley (SC alt).

Members/Alternates Absent: Felipe Hernandez (County, vice-chair), Alexander Pedersen (Cap, alt), Scott Newsome (SC), Bob Nelson (SC), Rene Golder (SC, alt), Allan Timms (SV), Eduardo Montesino (Wat), Danielle Green (Wat alt.).

Task Force Staff: Beau Hawksford (County), Kasey Kolassa (County), Darcy Pruitt (County).

Agency Staff: Courtney Lindberg (Wat.), Christina Horvat (County), Mary Ann LoBalbo (County), Tiffany Martinez (County) Lana Martinez-Davis (County-online).

Guests: Dennis Webb (Big Creek Lumber), Susan Petrie (Peninsula Open Space Trust [POST]-online), Desert Waters (POST-online), Rich Sampson (CalFire-online), Clifford Eagle Eye Escobar (Chairman, Esselen Tribe Department of Natural Resources-online), Dylan Skybrook (Santa Cruz Mountain Stewardship Network-online), Laura Chain (CalRecycle online), Colida Johnson (GreenWaste Recovery-online), Matthew Lyles (Grey Bears-online) Claudia Villalta-Mejia (Environmental Innovations-online) Jaz (online), Trish Pinella (online), Lauren Korth (POST-online), Javier Pedroza (Grey Bears-online), Emma Western (online).

Meeting Minutes

14) Welcome and Quorum Verification

- Quorum present, Chair Cummings started meeting at 3:00 PM.

15) Oral Communications – Public:

- No public comments were made to the commission.

16) Oral Communications - Task Force Members/Alternates

- Chair Cummings raised a constituent’s question whether North Coast County residents can use the City of Santa Cruz Dimeo Lane Resource Recovery Facility. Commission staff member Kasey Kolassa provided a brief response that North County residents are allowed to use the Dimeo Lane facility if they pay a 28% out of service area surcharge over the posted rates paid by City residents. Leslie O’Malley confirmed this surcharge represents the amount not paid by

County residents that City residents pay through other fees and rates not charged at the gate.

17) **October 5, 2023 Meeting Minutes Approved** (Attachment A)

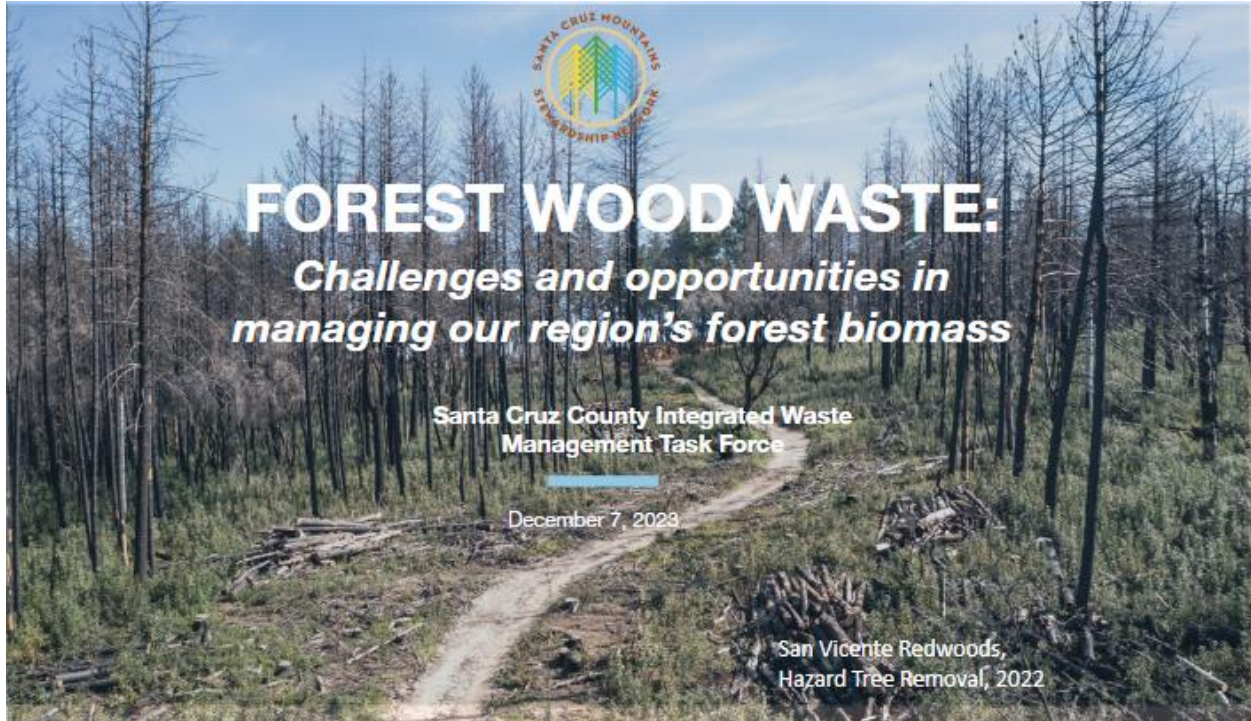
- Member Will Smith moved to approve the October meeting minutes, Alternate Tami Stolzenhaller seconded the motion. Vote resulted in unanimous approval of the October meeting minutes.

18) **Guest presentation – Santa Cruz Mountains Stewardship Network:**

- Desert Waters, Clifford Eagle Eye Escobar, and Susie Petrie delivered a presentation discussing the problems related to excess forest wood waste. Other Santa Cruz Mountains Stewardship Network members were available to answer questions. Network members explained problematic excess woody biomass that make local forests more vulnerable to future fires and less resilient even after the CZU fire. The problems include standing deadwood that was not completely consumed in the CZU fire, overstocked second growth forests with too many trees, and vigorous regrowth that all provide abundant fuel for future fires. Network members discussed the problems related to unmerchantable wood that must be removed from the forests to create shaded firebreaks and a healthy, resilient forest. The main problems are the large volume of wood that needs to be removed from the forest to increase resilience and the lack of cost-effective solution that increase fire safety without increasing air quality impacts. Network members described the current management strategies that they are pursuing to reduce fuels and limit air quality impacts. Network members also announced their Regional Woody Biomass Utilization Strategy study to identify best practices for long term woody biomass management. The study will investigate many strategies to manage woody biomass with a goal to identify alternatives and make recommendations on the best utilization strategies. Network members presentation included a discussion to petition the United States Environmental Protection Agency (USEPA) to change Clean Air Act Title V permitting rules for woody biomass carbonators. These machines are designed to reduce air quality emissions over pile burning while producing biochar, a soil amendment and water filter materials. However, under the Clean Air Act, carbonators require permitting similar to those needed to operate a power plant. (see presentation slides and summary at Attachment A).
- Chair Cummings and other members asked questions to clarify parts of the presentation. They were interested in understanding the biomass utilization study timeline. D Waters responded that the study had just begun. Task Force staff agreed to provide contact information to the Committee Chair for further follow-up on the study. Members were curious about the cost to purchase a carbonator (C.E.E Escobar quoted \$1.5M/carbonator), and asked questions about permitting restriction for working with the Air District and in the Coastal Zone. Will Smith asked questions about Title V air permits. S. Petrie described the costs, delay, and monitoring requirements related to Title V and explained that similar equipment [curtain burners] used by CalFire has a similar exception and does not require the Title V permit.
- Chair Cummings asked for public comments – No comments received from the public.
- Chair Cummings brought the request to support the EPA waiver request back to the commission for consideration: W. Smith moved that the commission support the EPA Letter requesting a permit waiver in concept with final approval based on local consideration of the language drafted for delivery to US EPA. J. Guth seconded. The motion passed unanimously.
- **Staff Follow up:** Network Members will send proposed language to Task Force staff for delivery to each member jurisdiction for consideration.

- 19) **Five Year Plan Update:**
- Staff presented completed final draft Five-Year Review/Report to commission members and discussed next steps for review and approval locally before required submission to CalRecycle in March 2024.
 - Staff indicated that it had received a response from CalRecycle on questions related to covering the new diversion requirements added by SB 1383 in the Review Report. CalRecycle directed staff to use the existing AB 939 template and do not include consideration of SB 1383 requirements.
 - Chair asked for comments/questions from public and then members – no comments received.
 - **Staff Follow up:** Staff will poll partner agency staff members for comments on the final draft prior to next Task Force meeting to ensure agencies have adequate time to review and comment.
- 20) **Task Force 2024 Meeting Schedule:** Alter 2024 meeting schedule to meet 5-Year Plan Update statutory approval requirements.
- Members conferred with staff the need to alter the 2024 quarterly meeting schedule to allow the time to approve five-year review report before submission to CalRecycle. Members ask staff whether a fifth meeting will be needed or a simple reschedule the March meeting to February. Staff indicated that there did not appear to be a necessity for an extra meeting, but should they select to reschedule the March meeting to February they could always add a fifth meeting later in the year if needed.
 - Chair Cummings asked for public comments – No comments received.
 - L. O'Malley moved to reschedule the March 7th meeting to February 8, 2024 and leave the rest of the 2024 meeting schedule unchanged. W. Smith seconded. The motion passed unanimously.
 - The 2024 meeting schedule will be on the following Thursdays: February 8th, June 6th, September 5th, and December 5th.
- 21) **Staff Update and Commission Discussion** – Disaster Debris Management and Regional Collaboration.
- Staff provided a brief update on disaster debris management based on outreach to other jurisdictions that have also suffered. Staff has collected several plans and has identified FEMA guidance for the preparation of a Debris Monitoring Plan that will allow the jurisdictions to collect the data needed to ensure costs for debris removal can be recovered from State or Federal agencies when disasters occur.
 - Chair Cummings asked for public comments – No comments received.
 - Members discussed and agreed that having a streamlined Debris Monitoring Plan that can be implemented to improve cost recovery would be helpful.
- 22) **Staff presentation** – SB 54 Plastic Pollution Prevention and Packaging Producer Responsibility Act.
- Staff presented slides to summarize Senate Bill 54, which is intended to reduce single use plastic packaging and increase recyclability and compostability of materials sold into California. The slides provided an overview of program milestones to increase the reuse of materials and outlined the producer responsibility organization's responsibilities to create a more circular economy. (see **Attachment B**).

- 23) **Senate Bill 54 Staff Presentation and Commission Study Session –**
- Staff provided a brief overview of the differences between our existing environmentally acceptable packaging ordinances currently in use by each local jurisdiction.
 - SB 54 is likely to change the materials included in these ordinances over time.
 - Commissioners discussed aligning local jurisdiction’s ordinances to provide consistency across the County. Challenges would be to align environmental policy across all five jurisdictions. Benefits would be to reduce confusion within the county as a whole, to increase legislative cooperation and educational messaging throughout the county as a whole.
 - Commissioners discussed the thinking behind the current ordinances to reduce contamination in the environment when materials are disposed improperly. Issues to consider include: durables for dine in, no PFAS in disposables, encourage compostables, consistent rules throughout local jurisdictions, consistent messaging across jurisdictions.
 - Commissioners recommended staff develop a working group to monitor SB 54 rulemaking to ensure local jurisdictions are informed on developments and can participate in regulation developments as needed. Working group should also develop recommendations for consistent local environmentally acceptable packaging ordinances and outreach.
- 24) **Staff Presentation – SB 1383 Edible Food Recovery Update**
- Staff provided a brief recap of the many Senate Bill 1383 compliance requirements that local jurisdictions must implement [universal waste & organics collection services, edible food recovery, organics capacity planning, organics and food recovery education, organics recycling and procurement requirements, contamination monitoring].
 - Staff outlined the areas where local jurisdictions have agreed to partner to fulfill SB 1383 compliance requirements [Food recovery partner survey; Capacity planning reporting; Developing bilingual outreach materials; Tier 1&2 outreach and onboarding; Tier 2 edible food recovery training; and Technology to improve edible food recovery communication, collection and reporting.]
 - Jurisdictions agreed to support this local collaboration using funds proportional to their population from CalRecycle SB1383 grants [Capitola: \$10,091; Scotts Valley: \$11,755; Santa Cruz: \$56,156; County: \$131,747; Watsonville: \$51,366] (see **Attachment C**)
- 25) **Legislative Update**
- Staff provided a brief overview of the solid waste bills that were passed into law and reviewed the bills that are still under consideration.
- 26) Call for next meeting agenda items: Five Year Plan Review, SB54 Update.
- 27) Meeting Adjourned at 4:55pm



Presenters:

**DESERT WATERS
REDWOODS PROGRAM MANAGER,
PENINSULA OPEN SPACE TRUST (POST)**

**TOM LITTLE BEAR NASON
CHAIRMAN, ESSELEN TRIBE
OWNER, VENTANA FORESTRY**

**SUSIE PETRIE
STEWARDSHIP PROJECT MANAGER,
PENINSULA OPEN SPACE TRUST (POST)**

**CLIFF EAGLE EYE ESCOBAR
CHAIRMAN, ESSELEN TRIBE-
DEPARTMENT OF NATURAL RESOURCES**

**DENNIS WEBB
CHIEF FORESTER, BIG CREEK LUMBER**

**RICH SAMPSON
CZU DIVISION CHIEF, CAL FIRE**

**DYLAN SKYBROOK
MANAGER, SANTA CRUZ MOUNTAINS STEWARDSHIP NETWORK**



Santa Cruz Mountains Stewardship Network



Santa Cruz Mountains Stewardship Network





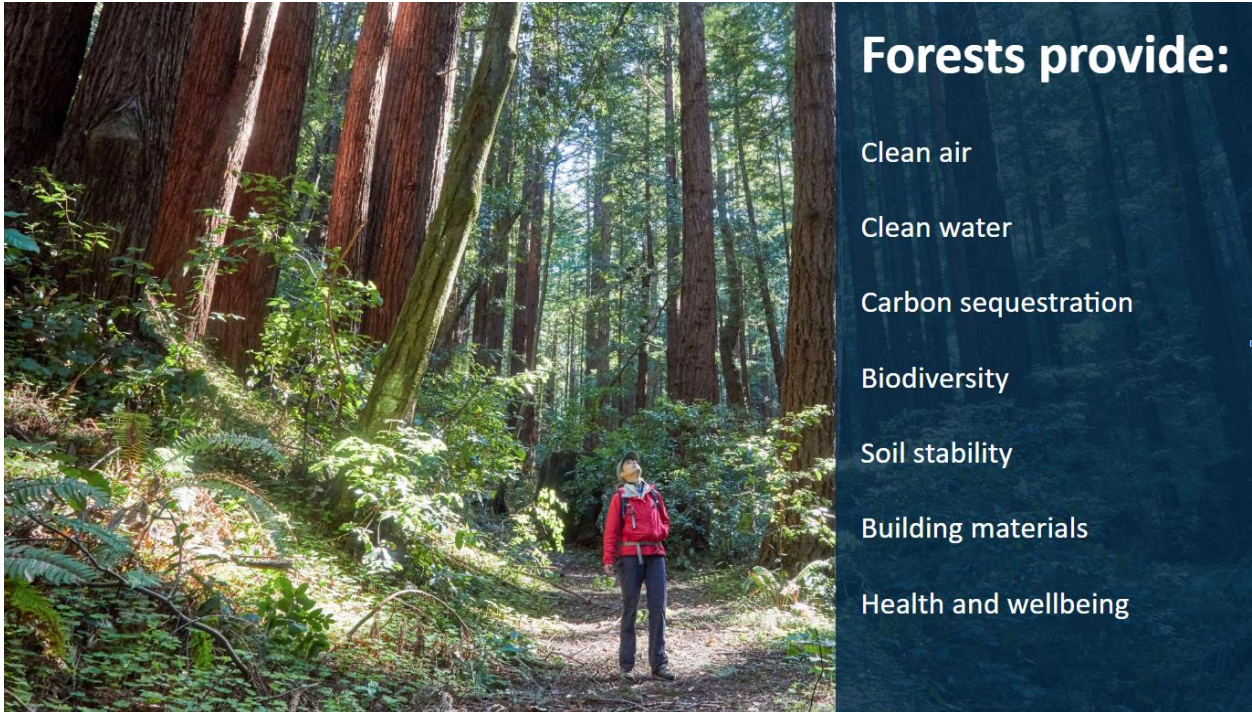
We are facing a crisis.

The forests of the Santa Cruz Mountains are at risk, threatening the resilience of our local ecosystem and our human communities. Land managers across the region - public agencies, private timberland owners, etc. - are racing to create resilient forests, but are repeatedly facing a bottleneck about what to do with the wood waste.



What we'll cover:

- What is forest wood waste? Why are we producing it?
- Current efforts to process wood waste
- Obstacles to achieving results at scale
- Opportunities for future partnership



Our forests evolved with frequent, low-intensity fires. Indigenous management – used fire to manage fuels, reduce the smaller trees and ground level plants (also known as fuel). Large trees flourished. Smaller diameter trees were not as prevalent. Moving from indigenous forest management to industrial forest management (clear cutting, etc.) has lead to current conditions: impaired/overstocked forests.



Post clear cutting, second growth forests are now overstocked. Even though this looks pretty, it's bad for forest health as a forest fire risk.

CZU Lightning Complex Fire

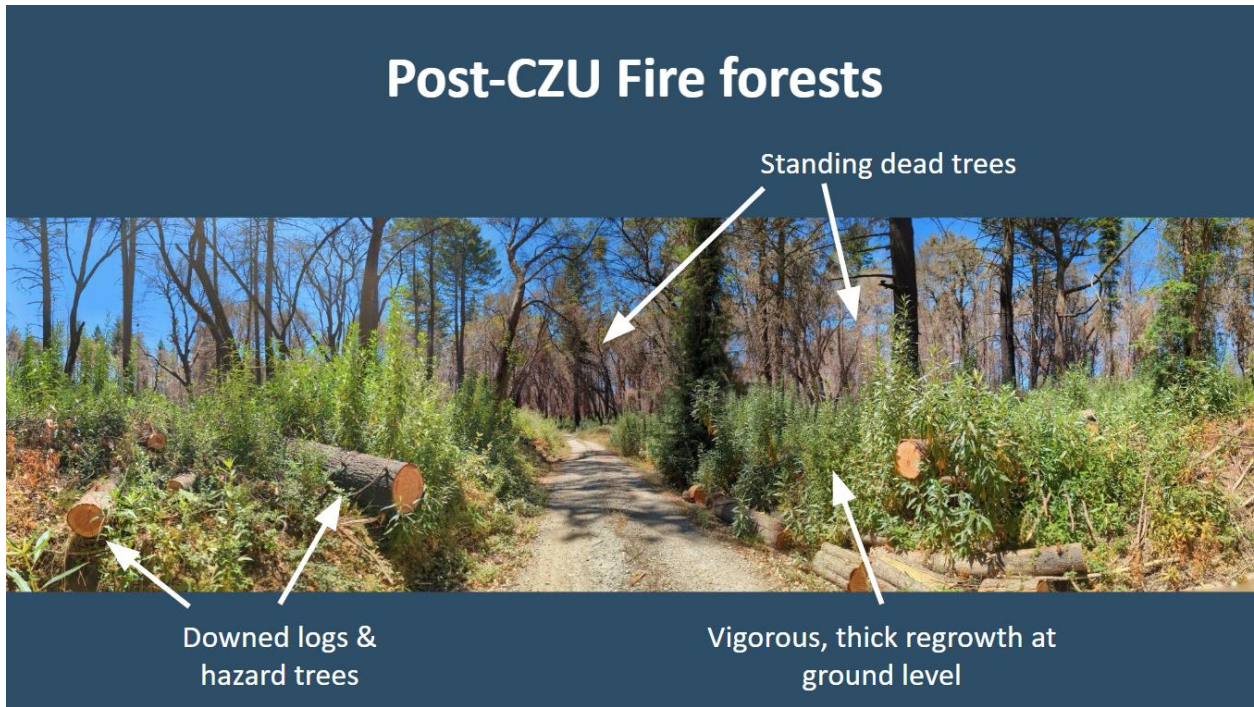
August 2020

- Over 86,500 acres burned
- Several ignition points made intervention very challenging, response relied heavily on pre-fire low fuel areas to modify fire behavior (roads, fuel breaks, etc.)
- Active fire for 37 days, with a huge expansion on the second night
- Created a mosaic of burn severity: 43% of footprint at moderate to high severity, 57% at low to very low severity



August 2020 - Photo credit: Teddy Miller

86,000 acres burned including 36,000 acres of managed timber land.



CZU Fire created a whole new set of problems. Lots of dead wood, vigorous regrowth. Lot's of fuel which has not reduced the risk of fire.

Thriving forest ecosystems require management:

- Fuels reduction (Prescribed fire, grazing, mechanical thinning)
- Selective timber harvest
- Post-fire clean up and hazard removal

This management produces woody biomass with very limited outlets.

<https://spranch.calpoly.edu/shaded-fuel-break-lessons-learned-post-wildfire-san-vicente-redwoods>

Forests need management.



State of California:

- CA Wildfire and Forest Resilience Action Plan, Forest Carbon Plan, and Task Force
- Providing funding for forest health and pilot projects
- Incentivizing regions to develop solutions



<https://wildfiretaskforce.org/action-plan/>

Government context

December 7, 2023 Meeting Minutes
Attachment A: Santa Cruz Mountain Stewardship Network Presentation Slides and Summary



160 tons of decked logs

Recent Fuel Reduction Projects at San Vicente Redwoods:

Warrenella Shaded Fuel Break (360 acres) (mixed burn intensity) → 20,000 tons

Empire Grade Shaded Fuel Break (60 acres) (low burn severity) → 1,000 tons

Deadman Ridgeline Fuel Break (52 acres) (moderate burn severity) → 4,000 tons

25,000 tons from 472 acres

Partial list of forest management work in progress that will wrap up next summer on POST's 9,000 acre property. These projects will generate 25,000 tons of woody biomass. If we treated the entire 9,000 acre property the amount would be 475,000 tons. The POST property represents just 10% of the CZU fire footprint.



Woody biomass is generated by many projects, not just forest management residue. Four main sources are: Forestry management, Storm debris, Urban forestry, and Construction debris.

Current options for dealing with wood waste



Two types of equipment are now in use to reduce woody biomass in the CZU burn scar: Air Curtain Burners (produce ash) and Corbonators (produce biochar). Both pieces of equipment reduce air quality impacts over open pile burning. Biochar can be used as a filter materials and a soil amendment.

Costs Comparison of Existing Ways to Management Forest Wood Waste

Method	Cost per Acre of High Burn Severity	Fire Risk on the Land	Emissions Impact Compared to Wildfire
Leave logs on site	\$0	No improvement	No reduction
Chip and leave on site	\$10,000	No improvement	No reduction
Chip and bring to county facility	\$29,000	Improvement	Reduction
Pile Burning	\$20,000	Improvement	No reduction
Air Curtain Burner Incineration (1)	\$30,000	Improvement	Significant reduction
Carbonator Incineration (1)	\$27,000	Improvement	Very Significant Reduction

Comparison of woody biomass management practices (costs/fire risk reduction/emission impacts).



Challenges are big and complicated

Very limited markets for wood and wood byproducts

Biomass processing on-site seasonally limited and limits potential byproducts market

No ability to offer secured supply of feedstock from forest waste

Working in burned forests will only get more dangerous and complicated

Regulations and permits from different agencies conflict with one another and make more responsible management actions more expensive

Potential Solutions

- Must be multi-pronged to provide a long term solution
- Many models and tools exist in the state ([joint powers authority](#), [non-profit conservation/economic development organizations](#), [woody biomass grant programs](#), [air board incentives to think creatively](#))
- Expanded cultural and prescribed burns on the landscape
- Need centralized locations to support the region that could theoretically offer:
 - a fleet of mobile incineration units
 - a stationary biomass power plant that also creates electricity, biochar, or bio-oil
 - a storage facility for free firewood, choice logs for artisanal use, and woodchips for home use
 - sawmills to accommodate doug fir and/or hardwoods
 - workforce development in biomass utilization using all of these approaches



County-lead biomass strategy: Forest Biomass Strategic Plan, Energy Crediting, etc.

Example: Placer County's Incentivization to Process Forest Biomass

Home » Government » Departments A - D » Air Pollution Control » Air Quality » Biomass » Biomass Waste for Energy Greenhouse Gas Protocol

BIOMASS WASTE FOR ENERGY GREENHOUSE GAS PROTOCOL

The District has developed a protocol ([protocol \(PDF\)](#) / [summary \(PDF\)](#)) that provides a rigorous accounting framework for quantifying greenhouse gas emission offset credits for biomass waste for energy projects. The protocol has been peer reviewed and endorsed by numerous agencies ([support letters \(PDF\)](#)). The protocol supports the use of biomass wastes for energy through the innovative monetary valuation of the greenhouse gas benefits. Greenhouse gas offset credits will be issued for compliance with California Environmental Quality Act mitigation obligations through a greenhouse gas exchange registry coordinated by the California Air Pollution Control Officers Association.



<https://www.placerair.org/1810/Biomass>



<https://placerair.org/DocumentCenter/View/74787/2023-APCD-strategic-plan-FINAL>

Joint Power Authority

Example: Marin Wildfire Prevention Authority

- Goal 1: Vegetation Management
- Goal 2: Detection, Alert & Evacuation
- Goal 3: Grants
- Goal 4: Public Outreach & Education
- Goal 5: Defensible Space & Home Hardening

Vision Statement

Marin Wildfire Prevention Authority communities are informed, prepared, fire adapted, resilient and capable of withstanding a major fire limiting loss of life and major property damage while protecting our rich environmental diversity.

Mission Statement

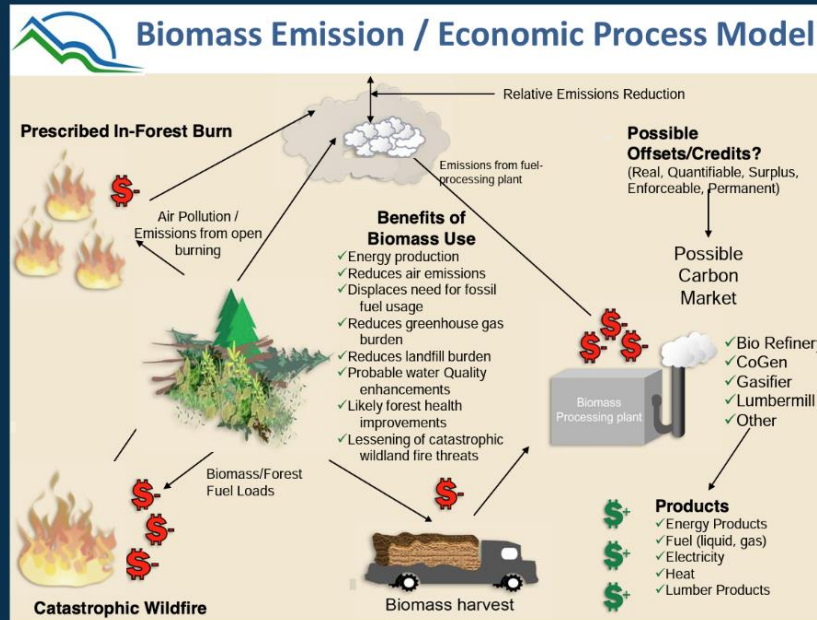
The Marin Wildfire Prevention Authority leads the development of fire adapted communities using sound scientific, financial, programmatic, ecological practices, vegetation management, community education, evacuation and warning systems with the support of its member and partner agencies.

**Everyone has a role
in adapting to wildfire**



LEADING THE DEVELOPMENT OF A FIRE ADAPTED MARIN

<https://www.marinwildfire.org/>

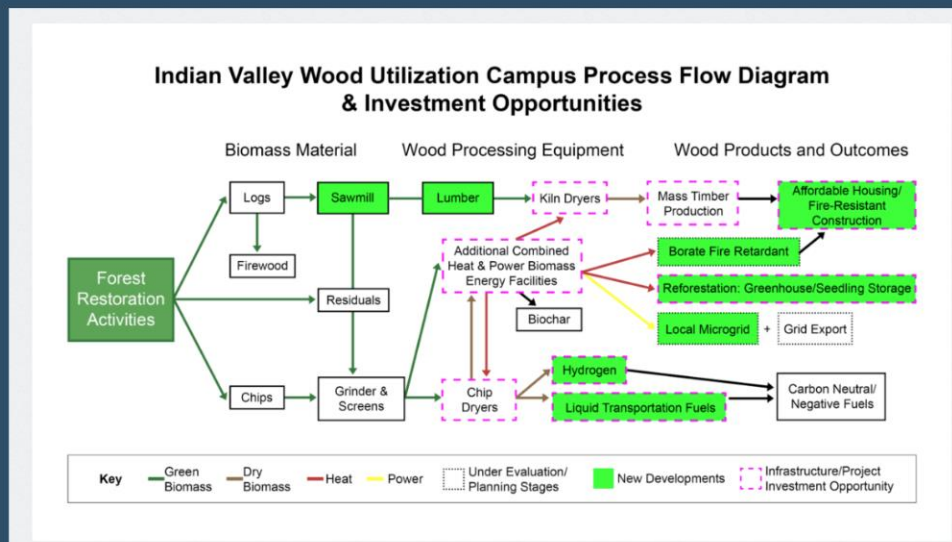


<https://www.placerair.org/DocumentCenter/View/2081/Forest-Resource-Sustainability-Presentation-PDF>

When grants are available to implement fuels management work, we can continue doing critical work, but at some point federal and state grants will run out and we will need to develop a way to help fund this critical work to keep forests healthier. Forest products can be converted into merchantable products. One obvious solution is bringing back more mills that can process more local species to help add value to the woody biomass being pulled from the forest. The California Department of Conservation has determined that to achieve the state's goals for pace and scale of biomass management work, using woody biowaste to create bio-energy (electricity or fuels) is the best path forward.

Unification of economic development and wood utilization objectives

Example: Sierra Institute's Indian Valley Wood Utilization Campus



<https://sierrainstitute.us/program/ivwpc/>

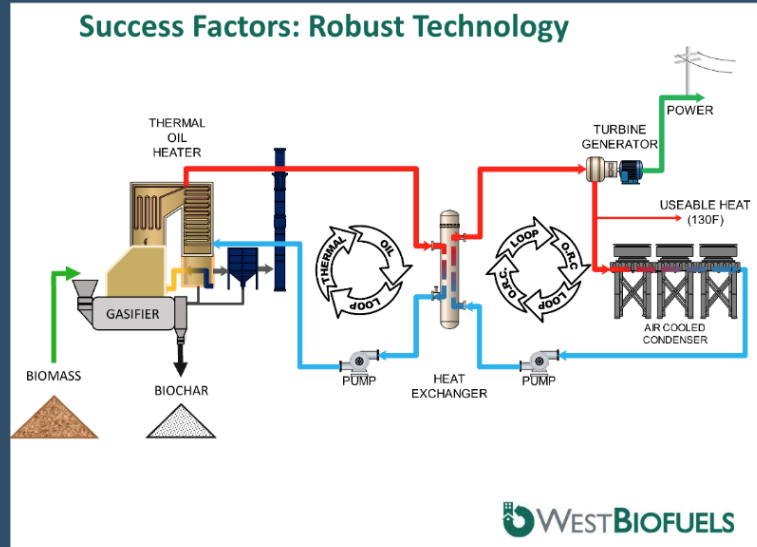
Biomass campus with a variety of tools available (Sierra Institute in Taylorsville, CA).

Gasification for electricity production and biochar

Example: WestBiofuels: Hat Creek Bioenergy Project

- Converts woodchips into electricity and biochar, and usable heat
- Ideally located adjacent to something that requires heat
- Opportunity to partner with ag producers, water processing facilities, etc. to provide heat

Success Factors: Robust Technology



Other facilities are being commissioned that create electricity and biochar soil amendments from woody waste.

Bioenergy co-location with private partners: Pairing facilities with electricity users, like food processors

Examples: Meat processing plant in Italy; JBS meat facility in Australia



In other countries, biomass power plants are co-located with places that use substantial amounts of electricity, like this meat processing plant that requires significant electricity to freeze food products.

Regional Woody Biomass Utilization Strategy



- In-depth interviews with a variety of landowners and stakeholders
- Identify overlapping needs and cumulative potential benefits
- Will lead to innovative regional proposals to maximize outcomes for multiple groups

The investigation into the many strategies to manage woody biomass is the reason the Santa Cruz Mountain Stewardship Network is embarking on the Regional Woody Biomass Utilization Strategy. To study the alternatives and make recommendations on the best utilization strategies for the region.

Key Takeaways

- Many of our forests are overstocked
- Just because CZU Fire burned already doesn't make it safe.
- Let's rethink what a "beautiful forest" is and strive for a "safe forest."
- Land managers are working to creating fire resilient landscape & generating a lot of wood waste with no ideal solution. Grants will dry up before we've completed our work.





Key Takeaways

- Landowners cannot solve this regional issue alone.
- Excess biomass isn't just a problem in the CZU footprint. Unburned unmerchantable wood needs a home too. This problem is not going away.
- Existing options available to us are either too expensive, or have negative emissions and fire risk impacts.
- In order to meet our fire resilience goals - we need to remove wood from the forest-across the entire region
- Prescribed fire needs to be part of the long-term solution for maintenance, but we need to prepare by removing large fuels now.



Key Takeaways

- We don't know what the dream solution is yet, but we're going to be asking for your support.
- Forest management <-> Waste management.

First Step— let's work together to reduce the red tape to process biomass as part of emergency clean up.

The EPA requires that emissions from a mobile carbonator be monitored like an industrial power plant, increasing complexity and costs. Using mobile equipment to designed to capture emissions should be exempt from Title V—especially when providing an alternative to pile burning. Will you sign our letter?

Next Steps for You

Please get in touch with any of us to forge ahead together! Stay tuned for recommendations

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[Woody Biomass Problem - Google Slides](#)



Countywide Integrated Waste Management Plan

Integrated Waste Management Task Force

SB 54 Plastic Pollution Prevention and Packaging Producer Responsibility Act

Senate Bill 54 – Landmark Legislation

- Nation’s most comprehensive legislation to cut dependence on single-use products.
- Establishes new extended producer responsibility program to ensure packaging and plastic food ware sold in California is recyclable or compostable.
- Shifts plastic pollution responsibility from local municipalities to producers.
- Sets recycling rate requirements.
- Advances reuse/refill infrastructure.



Circular Economy – The Path Forward

- Keeps resources and materials in circulation through reuse, repair, recycling, and mindful use of resources.
- Shifts economy away from waste production by ensuring products are easily reused or recycled.
- Designs waste and pollution out of the production cycle.



Key Features of SB 54

- Packaging must be recyclable or compostable by January 2032
- Packaging must achieve milestone recycling rates
 - 30% recycling rate by 1/1/2028
 - 40% recycling rate by 1/1/2030
 - 65% recycling rate by 1/1/2032 and thereafter
- Packaging must achieve source reduction milestones
 - 10% source reduction by 1/1/2027 (2% reuse/refill)
 - 20% source reduction by 1/1/2030 (4% reuse/refill)
 - Evaluation every 5-years to determine if greater source reduction is needed
- Other reduction tools focused on product optimization
 - Lightweighting, concentrating, changing packaging types
 - Recycled content capped at 8% as alternative compliance



Producer Responsibility Features of SB 54

- Producer Responsibility Organization (PRO) will administer the process to shift packaging pollution burden from municipalities to product/packaging producers
- Producers will support the work of the PRO
 - Cover the costs to collect and process covered materials
 - To achieve SB 54 pollution reduction goals
- Producer Responsibility Plan
 - Create program
 - Increase recycling
 - Enroll Manufacturers
 - Cut trash pollution in Disadvantaged Communities
 - Plan must be complete by 1/1/2027

Producer Responsibility Organizations



Create Programs



Increase Recycling



Cut Trash Pollution in Disadvantaged Communities



Enroll Manufacturers



Pay All Implementation Costs

SB 54 CalRecycle Activity Timeline 2023–2026

2023

July 1, 2023: Appoint Advisory Board
Hold Informal Rulemaking Workshops & Engage with Stakeholders

Recurring Activities

2024

Hold Informal Rulemaking Workshops & Engage with Stakeholders

- Publish list of recyclable and compostable materials in CA

2025

Establish baseline for Plastic Materials for Source Reduction
Report to Legislature
Promulgate regulation by January 1, 2025
Material Characterization Study published

- Publish list of recyclable and compostable materials in CA

2026

Review and approve producer responsibility organization (PRO) plans
Publish covered material recycling rates
CalRecycle and Advisory board consider

- Publish list of recyclable and compostable materials in CA

Senate Bill 54 – Potential Problems

- Recyclable & Compostable materials must be defined during rulemaking.
- SB 54 through AB 1201 gives CalRecycle authority to define plastic product specifications for compostability.
- CalRecycle will develop specifications for plastics compostability and exempts “fiber products” that contain no plastic from these specifications.
- Current CalRecycle definitions of organic and compostable materials include many items that do not break down as compost.



Residential Compost



Commercial Compost

Questions?

Thank You





Integrated Waste Management Local Task Force

Edible Food Recovery Regional Partnerships

Countywide Update

Senate Bill 1383 Recap Short-Lived Climate Pollutant Reduction Act

- [CalRecycle](#) developed regulations to reduce landfill disposal of organics
 - Requires all jurisdictions to provide:
 - Universal waste service, including organic waste collection services;
 - Diversion of edible food for human consumption;
 - Countywide capacity planning to ensure adequate organics recycling and food recovery capabilities.
 - Organics recycling and food recovery education;
 - Recycling organic waste materials collected into soil amendments or biofuel products;
 - Jurisdictional procurement of recovered organic waste products;
 - Contamination monitoring (route reviews & waste evaluations); and
 - Enforcement for failure to comply with SB 1383 diversion and procurement requirements



SB 1383 Edible Food Recovery Update

- Local jurisdiction are partnering to use available CalRecycle grant funds to support collaborative Edible Food Recovery projects:
 - Food Recovery Partner Survey,
 - Capacity Planning Report,
 - Bilingual outreach materials,
 - Tier 1 Vendor/Distributor outreach and onboarding,
 - Tier 2 outreach and onboarding,
 - Tier 2 edible food recovery training,
 - Technology to improve edible food recovery:
 - Communication,
 - Collection,
 - Record keeping and reporting.

Percentage of grant by Population Based on CalRecycle Population Annual Procurement Target		
Capitola	10,091	3.86%
Santa Cruz	56,156	21.50%
Unincorporated	131,747	50.45%
Scotts Valley	11,755	4.50%
Watsonville	51,366	19.67%
	261,115	

Countywide Capacity Planning – August 2024

- Cities and County must work together to ensure:
 - Adequate organic waste recycling facilities exist to recycle organic materials diverted from landfills.
 - Estimate organic waste diverted from landfills.
 - Identify available organic waste recycling capacity.
 - Identify whether new or expanded capacity is needed.
 - Adequate food recovery capacity exists to accept the maximum amount of edible food available from Tier 1 and Tier 2 mandatory food donors.
 - Estimate the amount of edible food that mandated food donors would send to landfills.
 - Identify available existing capacity at food recovery organizations/services.
 - Identify whether new or expanded capacity is needed by county's local jurisdictions.
 - Support development of expanded edible food recovery capacity if needed.



SB 1383: Edible Food Recovery Tier 1 & Tier 2 Donors

- Requires Tier 1 and Tier 2 food donors to donate all edible food that would otherwise be disposed in landfills
- Tier 1 and Tier 2 food donors must have a contract with a food recovery organization and maintain food donation records on site.
 - Tier 1 donor requirements took effect January 1, 2022:
 - Fits well with traditional food recovery operation collection and placement operations.
 - Tier 2 donor requirements take effect January 1, 2024:
 - Increased recovery of prepared foods will challenge traditional food recovery operations.
- County and local jurisdictions are examining technology solutions to simplify food recovery.



Questions?
Thank you

Attachment B
FINAL DRAFT 5-Year Countywide Integrated Waste Management Plan Review Report

STATE OF CALIFORNIA
CalRecycle 709 (Rev. 03/19)

DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY (CalRecycle)

Five-Year CIWMP/RAIWMP Review Report Template

Public Resources Code (PRC) Sections 41770 and 41822, and Title 14, California Code of Regulations (CCR) Section 18788 require that each countywide or regional agency integrated waste management plan (CIWMP or RAIWMP), and the elements thereof, be reviewed, revised if necessary, and submitted to the Department of Resources Recycling and Recovery (CalRecycle) every five years. CalRecycle developed this Five-Year CIWMP/RAIWMP Review Report template to streamline the Five-Year CIWMP/RAIWMP review, reporting, and approval process.

A county or regional agency may use this template to document its compliance with these regulatory review and reporting requirements and as a tool in its review, including obtaining Local Task Force (LTF) comments on areas of the CIWMP or RAIWMP that need revision, if any. This template also can be finalized based on these comments and submitted to CalRecycle as the county or regional agency's Five-Year CIWMP or RAIWMP Review Report.

The [Five-Year CIWMP/RAIWMP Review Report Template Instructions](#) describe each section and provide general guidelines with respect to preparing the report. Completed and signed reports should be submitted to the CalRecycle's Local Assistance & Market Development (LAMD) Branch at the address below. Upon report receipt, LAMD staff may request clarification and/or additional information if the details provided in the report are not clear or are not complete. Within 90 days of receiving a *complete* Five-Year CIWMP/RAIWMP Review Report, LAMD staff will review the report and prepare their findings for CalRecycle consideration for approval.

If you have any questions about the Five-Year CIWMP/RAIWMP Review Report process or how to complete this template, please contact your LAMD representative at (916) 341-6199. Mail the completed and signed Five-Year CIWMP/RAIWMP Review Report to:

Dept. of Resources Recycling & Recovery
Local Assistance & Market Development, MS-9
P. O. Box 4025
Sacramento, CA 95812-4025

To edit & customize this template, the editing restrictions (filling in forms) must be disengaged. Select the Review tab, Protect Document, and then Restrict Formatting and Editing (uncheck editing restrictions). There is no password (options). Please contact your LAMD representative at (916) 341-6199 with related questions.

General Instructions: Please complete Sections 1 through 7, and all other applicable subsections. Double click on shaded text/areas () to select or add text.

SECTION 1.0 COUNTY OR REGIONAL AGENCY INFORMATION			
I certify that the information in this document is true and correct to the best of my knowledge, and that I am authorized to complete this report and request approval of the CIWMP or RAIWMP Five-Year Review Report on behalf of:			
County or Regional Agency Name <u>County of Santa Cruz</u>	County(s) [if a RAIWMP Review Report] <u>Santa Cruz</u>		
Authorized Signature	Title <u>Recycling & Solid Waste Services Manager</u>		
Type/Print Name of Person Signing <u>Kasey Kolassa</u>	Date <u> </u>	Phone <u>(831) 454-2160</u>	
Person Completing This Form (please print or type) <u>Darcelle Pruitt</u>	Title <u>Resource Planner IV</u>	Phone <u>(831) 454-2970</u>	
Mailing Address <u>701 Ocean Street, Room 410</u>	City <u>Santa Cruz</u>	State <u>CA</u>	Zip <u>95060</u>
E-mail Address <u>darcelle.pruitt@santacruzcountyca.gov</u>			

Attachment B
FINAL DRAFT 5-Year Countywide Integrated Waste Management Plan Review Report

STATE OF CALIFORNIA
CalRecycle 709 (Rev. 03/19)

DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY (CalRecycle)

TABLE OF CONTENTS

<u>Section</u>	<u>Description</u>	<u>Page</u>
2.0	<u>BACKGROUND</u>	<u>3</u>
3.0	<u>LOCAL TASK FORCE REVIEW</u>	<u>3</u>
4.0	<u>TITLE 14, CALIFORNIA CODE of REGULATIONS SECTION 18788 (3) (A) THROUGH (H) ISSUES</u>	<u>3</u>
4.1	<u>Changes in Demographics in the County or Regional Agency</u>	<u>3</u>
4.2	<u>Changes in Quantities of Waste within the County or Regional Agency; and Changes in Permitted Disposal Capacity and Quantities of Waste Disposed in the County or Regional Agency</u>	<u>4</u>
4.3	<u>Changes in Funding Source for Administration of the Siting Element and Summary Plan</u>	<u>6</u>
4.4	<u>Changes in Administrative Responsibilities</u>	<u>6</u>
4.5	<u>Programs that were Scheduled to be Implemented but were not</u>	<u>7</u>
4.6	<u>Changes in Available Markets for Recyclable Materials</u>	<u>8</u>
4.7	<u>Changes in the Implementation Schedule</u>	<u>8</u>
5.0	<u>OTHER ISSUES (optional)</u>	<u>9</u>
6.0	<u>ANNUAL REPORT REVIEW</u>	<u>9</u>
7.0	<u>REVISION SCHEDULE</u>	<u>9</u>

Attachment B
FINAL DRAFT 5-Year Countywide Integrated Waste Management Plan Review Report

STATE OF CALIFORNIA
CalRecycle 709 (Rev. 03/19)

DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY (CalRecycle)

SECTION 2.0 BACKGROUND

This is the county's sixth Five-Year Review Report since the approval of the CIWMP. The following changes have occurred since the approval of the county's planning documents or the last Five-Year CIWMP Review Report (whichever is most recent):

- | | |
|---|---|
| <input type="checkbox"/> Diversion goal reduction
<input type="checkbox"/> New regional agency
<input type="checkbox"/> Changes to regional agency
<input type="checkbox"/> New city (name(s) _____) | <input checked="" type="checkbox"/> Other <u>Less than 15 years of permitted landfill disposal capacity within the county available to certain jurisdictions.</u> |
|---|---|

Additional Information (optional)

SECTION 3.0 LOCAL TASK FORCE REVIEW

- a. In accordance with Title 14 CCR, Section 18788, the Local Task Force (LTF) reviewed each element and plan included in the CIWMP and finalized its comments at the February 2024 LTF meeting. electronically (fax, e-mail) other (Explain): _____
- b. The county received the written comments from the LTF on 02/08/2024.
- c. A copy of the LTF comments is included as Appendix A. was submitted to CalRecycle on _____.

SECTION 4.0 TITLE 14, CALIFORNIA CODE of REGULATIONS SECTION 18788 (3) (A) THROUGH (H)

The subsections below address not only the areas of change specified in the regulations, but also provide specific analyses regarding the continued adequacy of the planning documents in light of those changes, including a determination on any need for revision to one or more of the planning documents.

Section 4.1 Changes in Demographics in the County or Regional Agency

When preparing the CIWMP Review Report, the county or regional agency must address at least the changes in demographics.

POPULATION			
Population For Each Jurisdiction	1990	2023	% Change
City of Capitola Population	10,171	9,625	-5.37
City of Santa Cruz Population	49,711	63,224	27.18
City of Scotts Valley Population	8,667	11,859	36.83
City of Watsonville Population	31,099	49,876	60.38
Unincorporated Population	130,086	127,467	-2.01
Countywide Population	229,734	262,051	14.07

Attachment B
FINAL DRAFT 5-Year Countywide Integrated Waste Management Plan Review Report

STATE OF CALIFORNIA
CalRecycle 709 (Rev. 03/19)

DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY (CalRecycle)

EMPLOYMENT			
Employment Factor For Each Jurisdiction	1990	2023	% Change
Countywide Employment	126,800	130,100	2.60

TAXABLE SALES TRANSACTIONS			
Taxable Sales Factor For Each Jurisdiction	1990	2022-2023	% Change
City of Capitola Taxable Sales	303,753,000	508,058,669	67.26
City of Santa Cruz Taxable Sales	480,315,000	1,102,747,253	129.59
City of Scotts Valley Taxable Sales	138,614,000	218,890,476	57.91
City of Watsonville Taxable Sales	284,337,000	916,961,813	222.49
Unincorporated County Taxable Sales	442,424,000	4,795,865,250	984.00
Countywide Taxable Sales Transactions	1,833,560,000	7,542,523,461	311.36

Consumer Price Index			
Statewide Consumer Price Index	1990	2023	% Change
	135	332.04	145.96

Dwelling Information

Jurisdiction	Single Family Dwellings			Multi-family Dwellings			Mobile Homes		
	1990	2020	% change	1990	2020	% change	1990	2020	% change
Capitola	2,282	2,260	-0.96	2,229	2,521	13.10	771	773	0.26
Santa Cruz	12,718	15,854	24.66	6,240	7,751	24.21	406	349	-0.14
Scotts Valley	2,100	3,200	52.38	675	774	14.67	797	765	-0.04
Watsonville	6,320	8,711	37.83	2,832	4,385	54.84	757	1,130	49.27
Uninc. County	42,272	46,392	9.75	7,053	7,359	4.34	4,426	3,911	-11.64

The following resources are provided to facilitate this analysis:

1. Demographic data, including population, taxable sales, employment, and consumer price index by jurisdiction for years up to 2006, are available at: <https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram/AdjustmentFactors>. Data for years beyond 2006 can be found on the following websites:
 - Population: [Department of Finance](#) E-4 Historical Population Estimates for Cities, Counties, and the State

Attachment B
FINAL DRAFT 5-Year Countywide Integrated Waste Management Plan Review Report

STATE OF CALIFORNIA
CalRecycle 709 (Rev. 03/19)

DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY (CalRecycle)

- Taxable Sales: [Board of Equalization](#)
 - Employment: [Employment Development Department](#) Click on the link to Local Area Profile, select the county from the drop down menu, then click on the “View Local Are Profile” button.
 - Consumer Price Index: [Department of Industrial Relations](#)
2. The [Demographic Research Unit](#) of the California Department of Finance is designated as the single official source of demographic data for State planning and budgeting (e.g., find E-5 City/County Population and Housing Estimates under Reports and Research Papers and then Estimates).
 3. The Department of Finance’s Demographic Research Unit also provides a list of [State Census Data Center Network Regional Offices](#).

Analysis

Upon review of demographic changes since 2019:¹

- The demographic changes since the development of the CIWMP do not warrant a revision to any of the countywide planning documents. Specifically, **Between 2018 and 2022 County population declined by 4.3% from 273,713 to 262,051.**
- These demographic changes since the development of the CIWMP warrant a revision to one or more of the countywide planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.2 Changes in Quantities of Waste within the County or Regional Agency; and Changes in Permitted Disposal Capacity and Waste Disposed in the County or Regional Agency

Jurisdiction	Year	Population Disposal (PPD)		Employment Disposal (PPD)		Jurisdictional Review Status
		Target	Annual	Target	Annual	
City of Capitola	2007	6.3	4.6	8.1	5.9	Approved
	2008	6.3	4.3	8.1	5.6	Approved
	2009	6.3	4.2	8.1	6.0	Approved
	2010	6.3	4.5	8.1	6.6	Approved
	2011	6.3	4.3	8.1	6.1	Approved
	2012	6.3	4.3	8.1	6.0	Approved
	2013	6.3	4.3	8.1	5.7	Approved

¹ The year of the data included in the planning documents, which is generally 1990 or 1991.

Attachment B
FINAL DRAFT 5-Year Countywide Integrated Waste Management Plan Review Report

STATE OF CALIFORNIA
CalRecycle 709 (Rev. 03/19)

DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY (CalRecycle)

	2014	6.3	4.1	8.1	5.1	Approved
	2015	6.3	4.5	8.1	5.8	Approved
	2016	6.3	4.4	8.1	5.8	Approved
	2017	6.3	4.2	8.1	6.1	Approved
	2018	6.3	5.3	8.1	7.7	Approved
	2019	6.3	4.9	8.1	6.9	Approved
	2020	6.3	4.4	8.1	6.8	Approved
	2021	6.3	4.5	8.1	7.8	Approved
	2022	6.3	4.8	8.1	7.3	Approved
City of Santa Cruz	2007	6.8	5.3	14.1	10.9	Approved
	2008	6.8	5.1	14.1	10.4	Approved
	2009	6.8	5.0	14.1	10.7	Approved
	2010	6.8	4.3	14.1	10.3	Approved
	2011	6.8	4.5	14.1	10.3	Approved
	2012	6.8	4.1	14.1	9.8	Approved
	2013	6.8	4.4	14.1	9.5	Approved
	2014	6.8	4.0	14.1	8.6	Approved
	2015	6.8	4.4	14.1	9.0	Approved
	2016	6.8	4.5	14.1	9.0	Approved
	2017	6.8	4.7	14.1	9.6	Approved
	2018	6.8	4.8	14.1	9.5	Approved
	2019	6.8	5.4	14.1	10.8	Approved
	2020	6.8	5.1	14.1	10.4	Approved
2021	6.8	5.4	14.1	10.2	Approved	
2022	6.8	4.8	14.1	9.6	Approved	
City of Scotts Valley	2007	8.9	3.8	13.4	5.6	Approved
	2008	8.9	2.4	13.4	3.7	Approved
	2009	8.9	3.3	13.4	5.4	Approved
	2010	8.9	3.8	13.4	7.2	Approved
	2011	8.9	3.8	13.4	6.8	Approved
	2012	8.9	3.7	13.4	6.7	Approved
	2013	8.9	4.0	13.4	7.0	Approved
	2014	8.9	4.1	13.4	7.4	Approved

Attachment B
FINAL DRAFT 5-Year Countywide Integrated Waste Management Plan Review Report

STATE OF CALIFORNIA
CalRecycle 709 (Rev. 03/19)

DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY (CalRecycle)

	2015	8.9	3.9	13.4	6.8	Approved
	2016	8.9	4.3	13.4	7.3	Approved
	2017	8.9	4.6	13.4	7.3	Approved
	2018	8.9	4.2	13.4	7.0	Approved
	2019	8.9	4.4	13.4	7.5	Approved
	2020	8.9	3.8	13.4	6.6	Approved
	2021	8.9	3.7	13.4	7.0	Approved
	2022	8.9	4.1	13.4	7.2	Approved
City of Watsonville	2007	7.9	4.2	17.9	9.7	Approved
	2008	7.9	3.5	17.9	8.3	Approved
	2009	7.9	3.5	17.9	8.6	Approved
	2010	7.9	4.0	17.9	10.1	Approved
	2011	7.9	3.8	17.9	9.3	Approved
	2012	7.9	3.6	17.9	9.0	Approved
	2013	7.9	3.7	17.9	9.2	Approved
	2014	7.9	3.9	17.9	9.1	Approved
	2015	7.9	4.8	17.9	11.1	Approved
	2016	7.9	4.2	17.9	9.4	Approved
	2017	7.9	3.9	17.9	8.7	Approved
	2018	7.9	4.4	17.9	10.0	Approved
	2019	7.9	4.4	17.9	9.7	Approved
	2020	7.9	6.2	17.9	13.2	Approved
2021	7.9	5.8	17.9	13.0	Approved	
2022	7.9	5.4	17.9	11.7	Approved	
Unincorporated County	2007	4.6	3.2	21.7	13.1	Approved
	2008	4.6	2.6	21.7	10.3	Approved
	2009	4.6	2.7	21.7	11.9	Approved
	2010	4.6	2.9	21.7	15.1	Approved
	2011	4.6	2.7	21.7	11.5	Approved
	2012	4.6	2.8	21.7	11.6	Approved
	2013	4.6	2.6	21.7	10.7	Approved
	2014	4.6	2.9	21.7	12.4	Approved
	2015	4.6	3.2	21.7	13.2	Approved

Attachment B
FINAL DRAFT 5-Year Countywide Integrated Waste Management Plan Review Report

STATE OF CALIFORNIA
CalRecycle 709 (Rev. 03/19)

DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY (CalRecycle)

2016	4.6	4.0	21.7	16.4	Approved
2017	4.6	4.1	21.7	16.3	Approved
2018	4.6	4.4	21.7	17.4	Approved
2019	4.6	4.4	21.7	17.4	Approved
2020	4.6	4.8	21.7	19.1	Approved
2021	4.6	4.1	21.7	17.2	Approved
2022	4.6	3.8	21.7	14	Approved

A number of tools to facilitate the analysis and review of such changes in the waste stream are available from the following CalRecycle sources:

1. Various statewide, regional, and local disposal reports are available at <http://www.calrecycle.ca.gov/LGCentral/Reports/DRS/Default.aspx>.
 - a. CalRecycle's [Disposal Reporting System](#) tracks and reports the annual estimates of the disposal amounts for jurisdictions in California; additional California solid waste [statistics](#) are also available.
 - b. CalRecycle's Waste Flow by [Destination](#) or [Origin](#) reports include solid waste disposal, export, and alternative daily cover. They show how much waste was produced within the boundaries of an individual city, or within all jurisdictions comprising a county or regional agency. [These](#) data also cover what was disposed at a particular facility or at all facilities within a county or regional agency.
2. The [Waste Characterization Database](#) provides estimates of the types and amounts of materials in the waste streams of *individual California jurisdictions* in 1999. For background information and more recent statewide characterizations, please see <https://www2.calrecycle.ca.gov/WasteCharacterization/>
3. CalRecycle's [Countywide, Regionwide, and Statewide Jurisdiction Diversion Progress Report](#) provides both summary and detailed information on compliance, diversion rates/50 percent equivalent per capita disposal target and rates, and waste diversion program implementation for all California jurisdictions. Diversion program implementation summaries are available at <https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram>

Together, these reports help illustrate changes in the quantities of waste within the county or regional agency as well as in permitted disposal capacity. This information also summarizes each jurisdiction's progress in implementing the Source Reduction and Recycling Element (SRRE) and complying with the 50 percent diversion rate requirement (now calculated as the 50 percent equivalent per capita disposal target), see [Per Capita Disposal and Goal Measurement \(2007 and Later\)](#) for details

- The county or regional agency (if it includes the entire county) continues to have adequate disposal capacity (i.e., equal to or greater than 15 years).

STATE OF CALIFORNIA
CalRecycle 709 (Rev. 03/19)

DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY (CalRecycle)

- The county does not have 15 years remaining disposal capacity within its physical boundaries, but the Siting Element does provide a strategy² for obtaining 15 years remaining disposal capacity.
- The county does not have 15 years remaining disposal capacity and the Siting Element does not provide a strategy² for obtaining 15 years remaining disposal capacity. See Section 7 for the revision schedule(s).

There is greater than 15 years disposal capacity at Santa Cruz City landfill. The City of Watsonville landfill has less than one (1) year disposal capacity and is in the process of permitting a new cell which will include greater than 15-year disposal capacity. The County's Buena Vista Landfill has approximately 10-16 years disposal capacity depending on disposal rate. Both Watsonville and County, along with Capitola and Scotts Valley, have agreements with Monterey Regional Waste Management District (ReGen Monterey) to access disposal capacity at their landfill in Marina, CA, which has greater than 15 years disposal capacity.

Analysis

- These changes in quantities of waste and changes in permitted disposal capacity since the development of the CIWMP do not warrant a revision to any of the countywide planning documents. Specifically, _____.
- These changes in quantities of waste and changes in permitted disposal capacity since the development of the CIWMP warrant a revision to one or more of the planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.3 Changes in Funding Source for Administration of the Siting Element (SE) and Summary Plan (SP)

Since the approval of the CIWMP or the last Five-Year CIWMP Review Report (whichever is most recent), the county experienced the following significant changes in funding for the SE or SP:

- _____

Analysis

- There have been no significant changes in funding for administration of the SE and SP or the changes that have occurred do not warrant a revision to any of the countywide planning documents. Specifically, _____.
- These changes in funding for the administration of the SE and SP warrant a revision to one or more of the countywide planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

² Such a strategy includes a description of the diversion or export programs to be implemented to address the solid waste capacity needs. The description shall identify the existing solid waste disposal facilities, including those outside of the county or regional agency, which will be used to implement these programs. The description should address how the proposed programs shall provide the county or regional agency with sufficient disposal capacity to meet the required minimum of 15 years of combined permitted disposal capacity.

STATE OF CALIFORNIA
CalRecycle 709 (Rev. 03/19)

DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY (CalRecycle)

Additional Analysis (optional)

Section 4.4 Changes in Administrative Responsibilities

The county experienced significant changes in the following administrative responsibilities since the approval of the CIWMP or the last Five-Year CIWMP Review Report (whichever is most recent):

- _____

Analysis

- There have been no significant changes in administrative responsibilities or the changes in administrative responsibilities do not warrant a revision to any of the planning documents. Specifically, _____.
- These changes in administrative responsibilities warrant a revision to one or more of the planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.5 Programs that Were Scheduled to Be Implemented, But Were Not

This section addresses programs that were scheduled to be implemented, but were not; why they were not implemented; the progress of programs that were implemented; a statement as to whether programs are meeting their goals; and if not, what contingency measures are being enacted to ensure compliance with Public Resources Code Section 41751.

1. Progress of Program Implementation

- SRRE and Household Hazardous Waste Element (HHWE)
 - All program implementation information has been updated in the CalRecycle Electronic Annual Report (EAR), including the reason for not implementing specific programs, if applicable.
 - All program implementation information has not been updated in the EAR. Attachment _____ lists the SRRE and/or HHWE programs selected for implementation, but which have not yet been implemented, including a statement as to why they were not implemented.
- Nondisposal Facility Element (NDFE)
 - There have been no changes in the use of nondisposal facilities (based on the current NDFEs and any amendments and/or updates).
 - Attachment _____ lists changes in the use of nondisposal facilities (based on the current NDFEs).
- Countywide Siting Element (SE)
 - There have been no changes to the information provided in the current SE.
 - Attachment _____ lists changes to the information provided in the current SE.
- Summary Plan
 - There have been no changes to the information provided in the current SP.
 - Attachment _____ lists changes to the information provided in the current SP.

Attachment B
FINAL DRAFT 5-Year Countywide Integrated Waste Management Plan Review Report

STATE OF CALIFORNIA
CalRecycle 709 (Rev. 03/19)

DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY (CalRecycle)

2. Statement regarding whether Programs are Meeting their Goals

- The programs are meeting their goals.
- The programs are not meeting their goals. The discussion that follows in the analysis section below addresses the contingency measures that are being enacted to ensure compliance with [PRC Section 41751](#) (i.e., specific steps are being taken by local agencies, acting independently and in concert with _____, to achieve the purposes of the California Integrated Waste Management Act of 1989) and whether the listed changes in program implementation necessitate a revision to one or more of the planning documents. _____

Analysis

- The aforementioned changes in program implementation do not warrant a revision to any of the planning documents. Specifically, _____.
- Changes in program implementation warrant a revision to one or more of the planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.6 Changes in Available Markets for Recyclable Materials

The county experienced changes in the following available markets for recyclable materials since the approval of the CIWMP or the last Five-Year CIWMP Review Report (whichever is most recent):

Analysis

- There are no significant changes in available markets for recycled materials to warrant a revision to any of the planning documents. Specifically, _____.
- Changes in available markets for recycled materials warrant a revision to one or more of the planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.7 Changes in the Implementation Schedule

The following addresses changes to the county's implementation schedule that are not already addressed in Section 4.5:

Analysis

- There are no significant changes in the implementation schedule to warrant a revision to any of the planning documents. Specifically, _____.
- Changes in the implementation schedule warrant a revision to one or more of the planning documents. Specifically, _____.

Attachment B
FINAL DRAFT 5-Year Countywide Integrated Waste Management Plan Review Report

STATE OF CALIFORNIA
CalRecycle 709 (Rev. 03/19)

DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY (CalRecycle)

Additional Analysis (optional)

Note: Consider for each jurisdiction within the county or regional agency the changes noted in Sections 4.1 through 4.7 and explain whether the changes necessitate revisions to any of the jurisdictions' planning documents.

SECTION 5.0 OTHER ISSUES OR SUPPLEMENTARY INFORMATION (optional)

The following addresses any other significant issues/changes in the county and whether these changes affect the adequacy of the CIWMP to the extent that a revision to one or more of the planning documents is needed:

Analysis

SECTION 6.0 ANNUAL REPORT REVIEW

- The Annual Reports for each jurisdiction in the county have been reviewed, specifically those sections that address the adequacy of the CIWMP elements. No jurisdictions reported the need to revise one or more of these planning documents.
- The Annual Reports for each jurisdiction in the county have been reviewed, specifically those sections that address the adequacy of the CIWMP (or RAIWMP) elements. The following jurisdictions reported the need to revise one or more of these planning documents, as listed.

Analysis

The discussion below addresses the county's evaluation of the Annual Report data relating to planning document adequacy and includes determination regarding the need to revise one or more of the documents:

Santa Cruz County has reviewed the Annual Report data relating to planning document adequacy and the comments received from each jurisdiction in the county. The County has determined there is no need to revise the planning documents at this time.

SECTION 7.0 REVISION SCHEDULE (if required)

Not Required

Attachment B
FINAL DRAFT 5-Year Countywide Integrated Waste Management Plan Review Report

RE: County Integrated Waste Management Task Force Meeting



Kahn, Jessica <jkahn@ci.capitola.ca.us>
To: Darcelle Pruitt

Retention Policy 60-day Delete (60 days)
You replied to this message on 1/30/2024 9:32 AM.

Expires 3/30/2024



Tue 1/30/2024 9:29 AM

****CAUTION: This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Hi Darcy,

I had my staff review, the City of Capitola has no comments. See you next week!

Thanks, Jessica

Jessica Kahn, P.E.
Public Works Director
City of Capitola
(831) 475-7300 x 217
jkahn@ci.capitola.ca.us

From: Darcelle Pruitt <Darcelle.Pruitt@santacruzcountyca.gov>
Sent: Thursday, January 4, 2024 3:50 PM
To: Kasey Kolassa <Kasey.Kolassa@santacruzcountyca.gov>
Cc: Beau Hawksford <Beau.Hawksford@santacruzcountyca.gov>
Subject: FW: County Integrated Waste Management Task Force Meeting

Dear Task Force Members and Alternates,

Please review the attached Final 2024 Five-Year Plan Review Report with your local agency staff and come prepared with comments and recommendations to the February 8, 2024 Task Force meeting. **The Task Force must make a recommendation to the County Board of Supervisors that includes directing staff to submit the Five-Year Review Report to CalRecycle in March 2024.** Recommendations can include directing Task Force staff to make changes to the report, but comments must be received before or during the February 8th Task Force meeting.

As we discussed at the December 7th meeting, CalRecycle decided not to include SB 1383 requirements as part of the Five-Year Review Report. For this reason, all references to SB 1383 were removed.

Relevant background data is provided below to assist local agency staff in reviewing the report. Please let me know if you have questions or need additional information.

Please also open and accept the attached calendar invitation for the Task Force meeting on Thursday, February 8, 2024.

Thank you!



Darcy Pruitt

Resource Planner/Recycling & Solid Waste

Community Development & Infrastructure
Office: (831) 454-2970
701 Ocean Street, Room 410, Santa Cruz, CA
95060

Attachments

1. [March 2, 2023 Meeting Minutes - Approved](#)
2. [June 1 2023 Meeting Minutes - APPROVED](#)
3. [Oct52023MeetingMinutes-Approved](#)
4. [2023 LTF Attendance](#)

Board Letter

Recommended Action(s)

- (1) Approve Santa Cruz County Integrated Waste Management Local Task Force (Task Force) Annual Report and Attendance Log;
- (2) Make a determination that no revisions are needed to the Countywide Integrated Waste Management Plan;
- (3) Approve Local Task Force Recommendation for staff to submit Five Year Countywide Integrated Waste Management Review Report to Department of Resources Recycling and Recovery (CalRecycle) on or before March 31, 2024 to meet state regulatory deadline; and
- (4) Direct County staff to collaborate with Task Force member jurisdictions to coordinate Senate Bill 54 compliance policy for plastic pollution prevention by cooperatively developing a consistent countywide ordinance that is compliant with State law and acceptable to all members.

Executive Summary

This board letter is the required annual report from the Santa Cruz County Integrate Waste Management Local Task Force (Task Force) summarizing Task Force work in 2023. This year the Task Force reviewed the Countywide Integrated Waste Management Plan (Plan) and prepared the State mandated Five-Year Plan Review Report (Review Report). The Task Force recommends the Board of Supervisors approve the report, make the necessary Plan determination, and direct staff to submit the Review Report to CalRecycle by March 31, 2024.

Discussion

The Santa Cruz County Integrated Waste Management Local Task Force (Task Force) is an advisory commission to the Board of Supervisors on waste management policy. Established by the Integrated Waste Management Act of 1989 (AB 939), AB 939 requires the Task Force to oversee the Countywide Integrated Waste Management Plan and coordinate countywide waste management efforts of regional concern. The Task Force is a nine (9) member commission with representatives from each local jurisdiction within Santa Cruz County.

Task Force Composition:

County of Santa Cruz - three (3) representatives, including two members of the Board of Supervisors and a citizen representative designated by the Board,

City of Santa Cruz - two (2) representatives,

City of Watsonville - two (2) representatives,

City of Capitola - one (1) representative, and

City of Scotts Valley - one (1) representative.

The Task Force meets quarterly and representation is roughly proportional to each jurisdiction's population. Staff from the Community Development and Infrastructure Department, Recycling and Solid Waste Section serve as staff to the Commission. The Task Force oversees staff monitoring the Countywide Integrated Management Plan, makes recommendations to the Board on solid waste management issues of regional concern, facilitates the development of multi-jurisdictional waste management arrangements, and to the extent feasible, resolves conflicts and inconsistencies between local jurisdictions when implementing statewide waste management laws.

Task Force meetings are hosted by a different member jurisdiction each quarter at a location of their choosing. Meetings during 2023, were held in person with a hybrid option added at the June 1st meeting to increase participation by public and member agency staff. Under California state law AB 2449 remote meeting participation is allowed under narrow circumstances for members and alternates when "just cause" is present, however, no members or alternates needed to participate remotely in 2023.

Additional Task Force information, including bylaws, membership roster, agendas, and meetings minutes are found at: <https://www.dpw.co.santa-cruz.ca.us/Home/RecyclingTrash/Recycling/LocalTaskForce.aspx>

Annual Report

The Task Force considered the following topics and took the actions outlined below:

- Installation of commissioners and election of officers
 - Members and alternates sworn in as commissioners by Clerk of the Board
 - Supervisor Cummings unanimously elected Chair
 - Supervisor Hernandez unanimously elected Vice-Chair
- State Required Five-Year Plan Review Report analysis and pending submission
 - Members discussed State mandated CalRecycle Integrated Waste Management Plan reporting requirements.
 - Directed staff to provide a complete outline and approval schedule necessary to review and approve State required report.
 - Staff prepared schedule and provided periodic updates to complete the State's report template.
 - Staff submitted completed report template to commissioners at the end of 2023 for consideration at its February 2024 meeting.
 - See further discussion in Review Report section below
- State Law Compliance Requirement Updates - Countywide jurisdictional compliance oversight.
 - Mandatory Commercial Recycling (AB 341)
 - Mandatory Commercial Organics Recycling (AB 1826)
 - Commercial 3-bin Collection [Waste/Recycling/Organics] (AB 827)
 - Short-lived Climate Pollutants: Methane Emissions: Organic Waste: Landfills (SB 1383) Organics Diversion, Edible Food Recovery, Organics Capacity Planning, Procurement, Education, and Reporting requirements
- Legislative updates and local participation to lobby state lawmakers on waste management bills
 - Task Force tracked bills on battery recycling, plastic pollution prevention, and solar panel recycling.
- Updates and Deep Dives on local waste management programs and problems
 - Virtual and In-person waste facilities tours to orient commission members to complex waste management programs operated by various jurisdictions within the County.
 - Green Business Resources - PG&E free energy savings programs, free reusable dishware
 - Green Business and Green Schools Recognition Programs
 - Summer Litter Abatement Program

Attachment C
DRAFT Santa Cruz County Integrated Waste Management Annual Report

- Expanded polystyrene (EPS) Foam deep dive into recycling options, programs, and available grant opportunities
- Forest Biomass management and disposal challenges
 - Directed staff to put Chair in touch with Santa Cruz Mountain Stewardship Network (SCMSN) members.
 - Directed staff to follow up with SCMSN members regarding possible support for changes to air quality regulations related to Air Curtain Burners and Carbonators.
- Disaster Debris Management
 - Direct staff to investigate cost reimbursement requirements
- SB 54 Plastic Pollution Prevention
 - Direct staff collaboration to monitor SB 54 rulemaking and work to develop a consistent local environmentally acceptable packaging ordinances and outreach materials to implement State law acceptable to all jurisdictions.
- SB 1383 Grant and Countywide Edible Food Recovery Collaboration
 - Staff reported on collaborative work with local jurisdictions to increase edible food recovery compliance, share capacity planning reporting responsibilities, and work together to create and distribute SB1383 bilingual educational materials.

Plan Review Report

As discussed earlier, the Task Force's primary responsibility is to oversee waste management planning within Santa Cruz County as a whole. Part of this responsibility includes overseeing the implementation of the Countywide Integrated Waste Management Plan (Plan) and preparation of the Five-Year Plan Review Report (Review Report). The Review Report is a State mandated form used to analyze population, demographics, and waste management characteristics to assess whether local jurisdictions are meeting their AB939 waste diversion goals.

The template for the Review Report is provided by CalRecycle and is completed by Task Force staff for review and comment by Task Force members and their local jurisdictions (Attachment C). State law specifies that the Review Report must be considered by the Task Force and any comments on the report must be incorporated by staff within 45 days before the report is submitted to CalRecycle.

- State Required Five-Year Plan Review Report oversight
 - Task Force members received the final draft Review Report in December 2023 for consideration at its February 8, 2024 meeting
 - Members discussed the Review Report in detail;
 - Member's comments included _____ [if needed];
 - Task Force approved the Review Report as amended [if comments included]
 - Staff incorporated all substantive Task Force comments into the Review Report.

The County Board of Supervisors must determine if Plan revisions are required. The Board of Supervisors then directs staff to submit the Review Report to CalRecycle before its regulatory deadline.

- Task Force makes the following recommendations to the Board of Supervisors
 - Accept the Review Report as approved by the Task Force;
 - Make a determination that no Plan revisions are needed; and
 - Direct staff to submit the Review Report to CalRecycle on or before March 31, 2024.

Financial Impact

Costs for County to staff the Integrated Waste Management Local Task Force are included in the Recycling and Solid Waste Services budget (625110).

Attachment C
DRAFT Santa Cruz County Integrated Waste Management Annual Report

Document Comments

There is a blank in the Board Letter for Task Force comments on the Review Report that will be updated after the Task Force meets and provides direction to commission staff on February 8th.

Approved meeting minutes: [Local Task Force \(santa-cruz.ca.us\)](http://santa-cruz.ca.us)

Dec 2023 meeting minutes will be available after the February 8th meeting.

Attendance summary:

	03/02/23	06/01/23	10/05/23	12/07/23
Member	Santa Cruz County	City of Watsonville	City of Santa Cruz	Capitola by the Sea
City of Capitola				
Jessica Kahn			X	X
ALT: Alexander Pederson		X		
City of Santa Cruz				
Scott Newsome	X		X	
ALT: Renee Golder				
Bob Nelson		X	X	
ALT: Leslie O'Malley	X	X	X	X
City of Scotts Valley				
Allan Timms	X	X		
ALT: Chris Lamm	X	X		
City of Watsonville				
Eduardo Montesino		X		
ALT: Tami Stolzenhaller	X	X	X	X
Will Smith	X	X	X	X
ALT: Danielle Green		X	X	
County of Santa Cruz				
Justin Cummings, Chair	X	X		X
ALT: Vacant				
Filipe Hernandez, Vice Chair	X			
ALT: Vacant		X		
Citizen Representative				
Jacob Guth	X	X		X
ALT: Vacant				
Staff				
Kasey Kolassa	X	X		X
Beau Hawksford	X	X	X	X
Darcelle Pruitt	X	X	X	X

Body

Strategic Initiatives

Strategic Plan: Sustainable Environment 4B Natural Resources, 4C Local Conservation, 4D Climate Change; County Operational Excellence 6A Customer Experience, 6C County Infrastructure, 6D Continuous Improvement

CAAP - Strategy 14: Reduce Carbon Footprint of Landfill

Battery Recycling

AB 495, as introduced, Hoover. Battery recycling: records retention. The Rechargeable Battery Recycling Act of 2006 requires every retailer, as defined, to have in place a system for the acceptance and collection of used rechargeable batteries for reuse, recycling, or proper disposal. The act requires each July 1, the Department of Toxic Substances Control to survey battery handling or battery recycling facilities, or both, and to post on its internet website the estimated amount, by weight, of each type of rechargeable battery returned for recycling in California during the previous calendar year. Existing law makes the act inoperative on September 30, 2026, and repeals the act on January 1, 2027. This bill would require the department to continue to post that information on its internet website on and after October 1, 2026. This bill would declare that it is to take effect immediately as an urgency statute. *(Active Bill - In Committee Process – Assembly Environmental Safety and Toxic Materials)*

SB 615, as amended, Allen and Min. Vehicle traction batteries. Existing law requires the Secretary for Environmental Protection to convene the Lithium-Ion Car Battery Recycling Advisory Group to review, and advise the Legislature on, policies pertaining to the recovery and recycling of lithium-ion vehicle batteries sold with motor vehicles in the state. Existing law also requires the advisory group to submit policy recommendations to the Legislature aimed at ensuring that as close to 100% as possible of lithium-ion vehicle batteries in the state are reused or recycled at end-of-life in a safe and cost-effective manner. This bill would repeal those requirements. The bill would instead require vehicle traction batteries, as defined, in the state to be recovered and reused, repurposed, or remanufactured and eventually recycled at the end of their useful life in a motor vehicle or any other application. The bill would also require a vehicle manufacturer, dealer, automobile dismantler, automotive repair dealer, and nonvehicle secondary user to be responsible for ensuring the responsible end-of-life management of a vehicle traction battery once it is removed from a vehicle or other application to which the vehicle traction battery has been used. The bill would make a vehicle or battery manufacturer responsible for collecting a stranded battery, as defined, and repurposing the battery, if possible, but would require the manufacturer to ensure the battery is recycled if it cannot be reused. The bill would require, by January 1, 2025, a battery supplier, as described, to be responsible for the development of a core exchange program for replacing a battery, module, or cell removed from a vehicle, as specified. The bill would also require a battery supplier to annually submit a report to the Department of Toxic Substances Control, as provided. The bill would require a qualified facility, as defined, buying removed batteries to submit a report containing specified information to the department and would require specified entities that remove a battery from a vehicle that is still in service to participate in the core exchange program. The bill would make a secondary user that purchases a battery that was removed from a vehicle responsible for ensuring the battery is sent to a qualified facility at the end of the battery's useful life and reporting specified information to the department. The bill would include a related statement of legislative findings and declarations and a statement of policy regarding end-of-life management of vehicle traction batteries. *(Active Bill - In Committee Process – Assembly Environmental Safety and Toxic Materials - First hearing cancelled at the request of author.)*

Beverage Containers

AB 348, as introduced, Ting. Beverage containers: producer responsibility score. Under existing law, the California Beverage Container Recycling and Litter Reduction Act annually requires, on or before March 1, a manufacturer of a beverage sold in a plastic beverage container subject to the California Redemption Value to report to the Department of Resources Recycling and Recovery the amount of virgin plastic and postconsumer recycled plastic used by the manufacturer for plastic beverage containers subject to the California Redemption Value for sale

in the state in the previous calendar year. Existing law requires the department to post this information on its internet website within 45 days. *This bill would instead require the department to post this information on its internet website within 30 days. (Active Bill - In Committee Process – Referred to Assembly Natural Resources Committee)*

AB 891, as amended, Irwin. Beverage container recycling: nonpetroleum materials. (1) The California Beverage Container Recycling and Litter Reduction Act, which is administered by the Department of Resource Recovery and Recycling, is established to promote beverage container recycling. The act requires a beverage manufacturer to pay to the department a processing fee for each beverage container sold or transferred and requires the department to distribute those fees, with other moneys, as processing payments to processors and recycling centers. Beginning January 1, 2025, this bill would require the department to provide a 10% reduction in the processing fee applicable to the percentage of a beverage container, by weight, that derives from nonpetroleum biomaterials, not to exceed 50% of the total beverage container weight sold. The bill would require an independent third party to certify the recyclability and percentage of nonpetroleum biomaterials used in beverage containers, as specified. The bill would require the department to charge a fee to cover its reasonable costs of implementing these provisions. (2) The act annually requires, on or before March 1, a manufacturer of a beverage sold in a plastic beverage container subject to the California Redemption Value to report to the department the amount of virgin plastic and postconsumer recycled plastic used by the manufacturer for plastic beverage containers subject to the California Redemption Value for sale in the state in the previous calendar year. Existing law requires the department to post this information on its internet website within 45 days. This bill would also authorize a beverage manufacturer to report to the department, in pounds and by resin type, the amount of virgin plastic derived from nonpetroleum biomaterials for plastic beverage containers subject to the California Redemption Value for sale in the state in the previous calendar year. *(Active Bill - In Committee Process - Held Under Submission - Assembly Natural Resources Committee)*

Extended Producer Liability

AB 863 – as amended Aguiar-Curry. Carpet recycling: carpet stewardship organizations: fines: succession: training. Existing law establishes a carpet stewardship program to increase the amount of postconsumer carpet that is diverted from landfills and recycled into secondary products. Existing law requires a manufacturer of carpets sold in this state to submit, either individually or through a carpet stewardship organization, a carpet stewardship plan that meets specified requirements to the Department of Resources Recycling and Recovery. Existing law imposes a carpet stewardship assessment per unit of carpet sold in the state that is remitted to the carpet stewardship organization and may be expended to carry out the organization’s carpet stewardship plan. Existing law requires the carpet stewardship plan to provide sufficient funding to carry out the plan, including for grants to state-approved apprenticeship programs for training apprentice and journey-level carpet installers in proper carpet recycling practices. Existing law requires a carpet stewardship organization to include in the plan a description of the process by which the carpet stewardship organization will transfer assessment funds to a successor carpet stewardship organization in the event that should become necessary. Existing law requires a carpet stewardship organization in possession of assessment funds to, as directed by the department, transfer those funds to a successor carpet stewardship organization with an approved plan. Existing law authorizes the department to administratively impose civil penalties on any

Attachment D
February 2023 Legislative Update

person who is in violation of any provision of the carpet stewardship laws, of up to \$5,000 per day or \$10,000 per day if the violation is intentional, knowing, or negligent. This bill would amend those penalties to \$10,000 per day or \$50,000 per day, if the violation is intentional, knowing, or reckless. The bill would make a carpet stewardship organization that violates a provision of the carpet stewardship law 3 times ineligible to act as an agent on behalf of manufacturers to design, submit, and administer a carpet stewardship plan and would apply, in that event, the successorship process. This bill would require the department-approved carpet stewardship organization, plan, from to prioritize the assessments received for carpets sold for use in California, on activities to carry out the carpet stewardship plan within California, and make available up to 10% of those assessments for grants to apprenticeship programs for training apprentice and journey-level carpet installers in proper carpet recycling practices,-as provided. The bill would authorize the department, if it determines that a carpet stewardship organization or manufacturer has not complied with one or more of the requirements of the carpet stewardship laws, to adopt regulations that establish requirements for carpet stewardship organizations or manufacturers to take specific actions to bring those entities into compliance with those laws. *(Senate Inactive File - Ordered to inactive file at the request of Senator Portantino.)*

SB 560 – as amended Laird, Solid waste: gas cylinders: stewardship program. The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. The act establishes stewardship programs for various products, including, among others, carpet, mattresses, and pharmaceutical and sharps waste. This bill would establish a stewardship program for gas cylinder products, as defined, and would authorize producers of those products to establish one more producer stewardship organizations for that purpose. The bill would require each producer or producer stewardship organization to submit a gas cylinder stewardship plan to the department that details, among other things, convenient and accessible opportunities for the recovery of gas cylinders used by consumers. The bill would prohibit gas cylinder producers that are not participating in a department-approved stewardship plan from supplying, selling, or offering for sale gas cylinders in the state. The bill would impose recordkeeping and reporting requirements on producers and producer stewardship organizations with department-approved stewardship plans and would require those producers to pay all administrative and operational costs associated with establishing and implementing the stewardship plan in which it participates, including the cost of collection, transportation, recycling, and the safe and proper management of recovered gas cylinders. The bill would require the department to set, review, and revise necessary convenience and performance standards and ensure appropriate data metrics for the gas cylinder stewardship program. *(Active Bill - In Committee Process - Held in committee and under submission - Appropriations Committee.)*

SB 707 – as amended Newman. Responsible Textile Recovery Act of 2023. The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. The act establishes stewardship programs for various products, including, among others, carpet, mattresses, and pharmaceutical and sharps waste. This bill would enact the Responsible Textile Recovery Act of 2023, which would require producers, as defined, either individually or through the creation of one or more stewardship organizations, to establish a stewardship program for the collection and recycling of a covered product. The bill would define a “covered

product” to include any postconsumer apparel or postconsumer textile article that is unwanted by a consumer, except as specified. The bill would require a program operator, as defined, to submit a complete stewardship plan to the department for review and approval, disapproval, or conditional approval. The bill would require the program operator to review the plan at least every 5 years after approval. The bill would also require a program operator to submit an annual report to the department. The bill would require all reports and records provided to the department to be provided under penalty of perjury. By expanding the scope of the crime of perjury, the bill would impose a state-mandated local program. The bill would restrict public access to certain information collected for the purpose of administering a stewardship program. This bill would require the department to post on its internet website a list of producers that are in compliance with the requirements of the program. The bill would require the department to adopt regulations governing the program, and would authorize, beginning January 1, 2032, the department to reassess the adopted regulations to include adjusting the minimum required collection sites, establishing a minimum recycling efficiency rate for covered products collected and recycled by program operators, or establishing other criteria for the program. The bill would require program operators to pay fees to the department, not to exceed the department’s actual and reasonable regulatory costs to implement and enforce the provisions of the act. The bill would establish the Textile Stewardship Recovery Fund in the State Treasury for the deposit of all moneys received from program operators and would make the moneys in the fund available to the department, upon appropriation by the Legislature, for purposes of the program. The bill would also authorize the department to impose administrative civil penalties for a violation of the program’s requirements, not to exceed \$10,000 per day, or not to exceed \$50,000 per day for an intentional, knowing, or reckless violation, as specified. The bill would create the Textile Stewardship Recovery Penalty Account in the fund for the deposit of penalties, which would be available for expenditure upon appropriation by the Legislature. *(Active Bill - In Committee Process – Assembly Natural Resources Committee - First hearing cancelled at the request of author.)*

SB 854, as amended, Smallwood-Cuevas. Carpet recycling: carpet stewardship. Existing law requires a manufacturer of carpets sold in this state to submit, either individually or through a carpet stewardship organization, a carpet stewardship plan that meets specified requirements to the Department of Resources Recycling and Recovery, and requires the department to approve or disapprove the plan. Existing law imposes a carpet stewardship assessment per unit of carpet sold in the state that is remitted by carpet manufacturers to the carpet stewardship organization and may be expended to carry out the organization’s carpet stewardship plan. Existing law requires the carpet stewardship plan to provide sufficient funding to carry out the plan, including for grants to state-approved apprenticeship programs for training apprentice and journey-level carpet installers in proper carpet recycling practices. This bill would, commencing with the July 1, 2024, fiscal year require a carpet stewardship organization to make available up to 10% percent of the assessments collected for the sale of carpet for use in California for grants to apprenticeship programs for training apprentice and journey-level carpet installers in proper carpet recycling practices, as provided. *(Active Bill - In Committee Process – Re-referred to Senate Appropriations Committee)*

Food Waste

Attachment D
February 2023 Legislative Update

AB 660, as amended, Irwin. Food and beverage products: labeling: quality dates, safety dates, and sell by dates: *recycling*. (1) Existing law requires the Department of Food and Agriculture, in consultation with the State Department of Public Health, to publish information to encourage food manufacturers, processors, and retailers responsible for the labeling of food products to voluntarily use specified uniform terms on food product labels to communicate quality dates, as defined, and safety dates, as defined. Existing law also requires the Department of Food and Agriculture to encourage food distributors and retailers to develop alternatives to consumer-facing “sell by” dates, defined to mean a date on a label affixed to the packaging or container of food that is intended to communicate primarily to a distributor or retailer for purposes of stock rotation and that is not a quality date or a safety date. The Food and Agricultural Code provides that, unless a different penalty is expressly provided, a violation of any provision of that code is a misdemeanor. This bill would instead require, on and after January 1, 2025, a food manufacturer, processor, or retailer responsible for the labeling of food items for human consumption that chooses, or is otherwise required by law, to display a date label to communicate a quality or safety date on a food item manufactured on or after January 1, 2025, to use one of the specified terms on the date label, as provided. The bill would prohibit a person from selling or offering for sale in the state a food item for human consumption manufactured on or after January 1, 2025, that displays a quality or safety date label that is not labeled in accordance with these terms. The bill would prohibit a person from selling or offering for sale in the state a food item for human consumption manufactured on or after January 1, 2025, that is labeled with the phrase “sell by,” as specified. The bill would also require the State Department of Public Health to make certain updates to its regulations involving the California Retail Food Code, as provided. The bill would specify that, unless otherwise required by law, nothing in these provisions shall be construed to require the use or display of a date label on a food item for human consumption unless the food item displays a date label, and would provide that these provisions do not prohibit a label that allows consumers to view online information about a food item for human consumption. The bill would not apply the above-mentioned provisions to infant formula, *eggs*, and *pasteurized in-shell eggs*. By creating new requirements regarding the labeling of food items, the violation of which would be a crime, the bill would impose a state-mandated local program.

(2) Existing law, the California Retail Food Code, establishes uniform health and sanitation standards for retail food facilities for regulation by the State Department of Public Health, and requires local enforcement agencies to enforce those provisions. Existing law, located within the California Retail Food Code, requires a food facility that packages food using a reduced-oxygen packaging method and *Clostridium botulinum* to have an approved plan, as specified, that, among other things, limits the refrigerated shelf life to no more than 30 calendar days from packaging to consumption, except the time product is maintained frozen, or the original manufacturer’s “sell by” or “use by” date, whichever occurs first. This bill would retain that requirement before January 1, 2025, and, on and after January 1, 2025, would limit the refrigerated shelf life to no more than 30 calendar days from packaging to consumption, except the time the product is maintained frozen, or the original safety date, as specified, whichever occurs first. Existing law, located within the California Retail Food Code, requires raw shucked shellfish to be obtained in nonreturnable packages that bear a legible label that identifies the name, address, and certification number of the shucker-packer or repacker of the molluscan shellfish, and a “sell by” date or a “best if used by” date for packages with a capacity of less than 1/2 gallon, or the date shucked for packages with a capacity of 1/2 gallon or more. This bill would retain the “sell by” date or “best if used by” date requirements before January 1, 2025,

and, on and after January 1, 2025, would require specified terms to communicate quality dates and safety dates, as provided. A violation of the California Retail Food Code is generally a misdemeanor. By revising the standards that are enforced by local health agencies and by expanding the scope of existing crime, this bill would constitute a state-mandated local program.

(3) The California Beverage Container Recycling and Litter Reduction Act, of which a violation is a crime, requires the plastic beverage containers sold by a beverage manufacturer, as specified, to contain a specified average percentage of postconsumer recycled plastic. The act imposes an administrative penalty on a beverage manufacturer that fails to include the required percentage of postconsumer recycled plastic in its plastic beverage containers. The act annually requires, on or before March 1, a manufacturer of a beverage sold in a plastic beverage container subject to the California Redemption Value to report to the Division of Recycling in the Department of Resources Recycling and Recovery the amount of virgin plastic and postconsumer recycled plastic used by the manufacturer for plastic beverage containers subject to the California Redemption Value for sale in the state in the previous calendar year. This bill would authorize a beverage manufacturer registered with the state to agree with another beverage manufacturer to be responsible for compliance with the above requirements, including the submission of a combined report with aggregated information in lieu of separate reports for each beverage manufacturer. The bill would provide that certification under penalty of perjury by each beverage manufacturer of the existence of the agreement is sufficient to qualify for filing a combined report. By requiring certification under penalty of perjury, this bill would expand the crime of perjury and impose a state-mandated local program.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason. With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above. *(Active Bill - In Committee Process – Re-referred to Senate Agriculture Committee.)*

Forest Biomass

AB 625, as amended, Aguiar-Curry. Forest biomass: management: Emissions: energy. (1) Existing law establishes the State Board of Forestry and Fire Protection in (CAL-FIRE), and requires CAL-FIRE to be responsible for, among other things, fire protection and prevention, as provided. Existing law establishes the State Board of Forestry and Fire Protection in CAL-FIRE to represent the state's interest in the acquisition and management of state forests and requires the board to maintain an adequate forest policy. The former Governor, Edmund G. Brown Jr., issued Executive Order No. B-52-18 that, among other things, established a Forest Management Task Force, now known as the Wildfire and Forest Resilience Task Force, involving specified state agencies to create the action plan for wildfire and forest resilience. The executive order also established a Joint Institute for Wood Products Innovation, to be located within the state board. This bill would establish the Forest Waste Biomass Utilization Program to be administered by the state board's Joint Institute for Wood Products Innovation to develop an implementation plan to meet the goals and recommendations of, and the comprehensive framework to align with the state's wood utilization policies and priorities and focused market strategy of, specified statewide forest management plans, and to develop a workforce training program to complement the

workforce needs associated with the implementation plan. The bill would require the state board, in coordination with the Wildfire and Forest Resilience Task Force, to submit an annual report to the Legislature, beginning January 1, 2025, on the progress made on implementing the implementation plan. This bill would require the Natural Resources Agency, in furtherance of the program, to facilitate the integration of recommendations for forest biomass waste utilization in relevant, state climate adaptation plans.

(2) The Warren-Alquist State Energy Resources Conservation and Development Act establishes the State Energy Resources Conservation and Development Commission (Energy Commission) and requires the Energy Commission to undertake various actions in furtherance of meeting the state's clean energy and pollution reduction objectives. Existing law requires the Energy Commission, in consultation with specified state and federal agencies and at least every 2 years, to conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices. Existing law requires the Energy Commission, in consultation with specified entities, to adopt a biennial integrated energy policy report containing certain information. This bill would require the Energy Commission, in furtherance of the Forest Biomass Waste Utilization Program, to prepare and submit a report to the Legislature, on or before December 31, 2024, that evaluates innovative bioenergy technologies that use forest biomass waste, as specified. The bill would also require the Energy Commission to include, as part of the 2025 edition of the integrated policy report, an assessment of the potential for forest biomass waste energy to provide firm renewable power.

(3) The California Global Warming Solutions Act of 2006 designates the State Air Resources Board (state air board) as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act requires the state air board to adopt a statewide greenhouse gas emissions limit, as specified, and to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. The act requires the state air board to develop, on or before December 31, 2020, and every 5 years thereafter, a report that assesses greenhouse gas emission associated with wildfire and forest management activities. This bill would require the state air board, in the report developed on or before December 31, 2025, and every 5 years thereafter, to include, among other things, a methodology to quantify the greenhouse gas and short-lived climate pollutant emissions from wildfire, pile burning, and forest management activities, as specified.

(4) Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations. The California Renewables Portfolio Standard Program requires every electrical corporation to file with the PUC a standard tariff for electricity generated by an electric generation facility, as defined, that qualifies for the tariff, is owned and operated by a retail customer of the electrical corporation, and is located within the service territory of, and developed to sell electricity to, the electrical corporation. The PUC refers to this requirement as the renewable feed-in tariff. The renewable feed-in tariff law, in part, requires the PUC to direct the electrical corporations, collectively, to procure at least 250 megawatts of cumulative rated generating capacity from developers of bioenergy projects that commence operation on or after June 1, 2013. Pursuant to this requirement, the PUC has established and revised the Bioenergy Market Adjusting Tariff (BioMAT) program. Existing law authorizes a community choice aggregator to submit eligible projects for cost recovery pursuant to the BioMAT program, as specified. This bill would require the PUC to continue the BioMAT program until the implementation of the provisions authorizing community choice aggregators to participate in the program has been resolved as specified, and adequate time is given to

community choice aggregators to participate in the program. Under existing law, a violation of the Public Utilities Act or any order, decision, rule, direction, demand, or requirement of the commission is a crime. Because certain provisions of this bill would be a part of the act and because a violation of a commission action implementing the bill's requirements would be a crime, the bill would impose a state-mandated local program.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason. *(Active Bill - In Committee Process - Held under submission – Assembly Natural Resources Committee.)*

Franchise Agreements/Labor Disputes

SB 752, as amended, Padilla. Solid waste: collection service: disruptions. The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. The act requires solid waste handling services, which includes the collection and transportation of solid waste, to be provided by a local agency, a solid waste enterprise, or both. This bill would require a provider of solid waste handling services to provide timely notice to its customers of a potential labor dispute that will disrupt the collection of solid waste. The bill would require a provider of solid waste handling services to provide a timely refund to customers following a failure to collect solid waste. The bill would also require the Attorney General to adopt regulations to enforce these provisions and to assess administrative penalties, as specified. *(Active Bill - In Committee Process – Senate Judiciary Committee - First hearing canceled at the request of author.)*

Hazardous Waste

AB 347 – as amended, Ting. Household product safety; toxic substances; testing and enforcement. Existing law prohibits a person from distributing, selling, or offering for sale in the state food packaging, as defined, that contains perfluoroalkyl and polyfluoroalkyl substances (PFAS). Existing law requires a manufacturer of specified cookware that contains certain chemicals in the handle of the product or in any cookware surface that comes in contact with food, foodstuffs, or beverages to post on an internet website for the cookware a list of those chemicals, among other information. Existing law requires, beginning January 1, 2024, the product label for this cookware to list those chemicals, among other information. Existing law prohibits this cookware from being sold, offered for sale, or distributed in the state unless the cookware and the manufacturer of the cookware comply with these provisions. This bill would require the Department of Toxic Substances Control to adopt guidance regarding the PFAS prohibition and the internet posting and labeling requirements for cookware, and to post that guidance on its internet website by January 1, 2025. By July 1, 2026, the bill would require the department to select and test at least 100 but no more than 200 random samples of food packaging and cookware for compliance with those PFAS prohibitions and the manufacturers' labeling and internet posting duties. The bill would authorize the department to select and test samples after July 1, 2026, upon appropriation by the Legislature. The bill would authorize the department to assess administrative fines against manufacturers of food packaging that is tested by the department and found to contain PFAS, as provided. The bill would require the department to ensure compliance with the product labeling

requirements and would authorize the department to assess administrative fines against manufacturers of cookware that does not comply with the labeling and internet posting duties. The bill would require all fines collected pursuant to this bill to be deposited into the Chapters 15 Fine Account, which the bill would create in the State Treasury, to be available for expenditure by the department upon appropriation by the Legislature, as specified. The bill would require the department to receive complaints from consumers concerning PFAS in these products that are sold in this state. The bill would require the department, by July 1, 2027, to submit a report to the Legislature regarding the testing and enforcement actions taken pursuant to the bill's provisions. *(Senate Inactive File - Ordered to inactive file at the request of Senator Cortese.)*

AB 909, as amended, Hoover. Solid Waste Disposal and Codisposal Site Cleanup Program. The Solid Waste Disposal and Codisposal Site Cleanup Program, administered by the Department of Resources Recycling and Recovery, pays for the cleanup of solid waste disposal sites and for the cleanup of solid waste at codisposal sites, as specified. This bill would authorize the department, beginning July 1, 2024, and upon appropriation by the Legislature, to collect and properly manage illegally disposed hazardous waste and household hazardous waste, as defined, regardless of whether they were codisposed with nonhazardous solid waste. The bill would require the department to annually seek up to \$500,000 from the Department of Toxic Substances Control in reimbursement for grants awarded and program costs incurred. The bill would also prohibit the department from expending funds from the Integrated Waste Management Fund for purposes of this program in excess of the amount reimbursed by the Department of Toxic Substances Control. *(Active Bill - In Committee Process – Held under submission - Appropriations Committee.)*

Illegal Dumping – Cleanup

SB 367, as amended, Seyarto. Farm, ranch, and public lands cleanup and abatement: grant program. Existing law establishes the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program, administered by the Department of Resources Recycling and Recovery, to award grants to public entities, defined as cities, counties, or resource conservation districts, and Native American tribes for purposes of cleaning up and abating the effects of solid waste that is illegally disposed of on farm or ranch property. Existing law creates the Farm and Ranch Solid Waste Cleanup and Abatement Account in the General Fund to include money appropriated from specified revenue sources, including tire recycling and used oil recycling fees, and authorizes the department to expend the money in the account for the grant program upon appropriation by the Legislature in the annual Budget Act. This bill would rename the grant program the Farm, Ranch, and Public Lands Solid Waste Cleanup and Abatement Grant Program and extend its purposes to cleaning up and abating the effects of solid waste that is illegally disposed of on public lands owned by the state or federal government. The bill would create the Public Lands Solid Waste Cleanup and Abatement Account in the General Fund and would authorize the department to expend the moneys in the account for these extended grant program purposes upon appropriation by the Legislature in the annual Budget Act. *(Active Bill - In Committee Process - Held in committee and under submission – Assembly Natural Resources Committee).*

Microparticles

AB 234, as amended, Bauer-Kahan. Microparticles. Existing law, the Plastic Microbeads

Nuisance Prevention Law, prohibits a person from selling or offering for promotional purposes in the state any personal care products containing plastic microbeads that are used to exfoliate or cleanse in a rinse-off product, including, but not limited to, toothpaste. This bill would enact the Synthetic Polymer Microparticles in Cosmetic and Cleaning Products Prevention Act. The bill would prohibit a synthetic polymer microparticle from being placed on the market in this state as a substance on its own or, where the synthetic polymer microparticles are present to confer a sought-after characteristic, in mixtures in a concentration equal to or greater than 0.01% by weight. The restriction would apply on and after specified dates depending on the type of product, as described, except as otherwise provided. The bill would specify the screening tests and pass criteria to be used for purposes of determining compliance with this prohibition. The bill would make a person who violates this prohibition liable for a civil penalty not to exceed \$5,000 per day for each violation, in addition to any other penalty established by law. The bill would authorize the civil penalty to be assessed and recovered in a civil action brought by a city attorney, a district attorney, a county counsel, or the Attorney General in any court of competent jurisdiction. *(Active Bill - In Committee Process - Re-referred of Committee on Natural Resources.)*

Organics

AB 573, as amended, Garcia. Organic waste: meeting recovered organic waste product procurement targets. Existing law requires the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a certain reduction in statewide emissions of methane, including a goal of a 75% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025. Existing law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve these organic waste reduction goals, that provide for, among other things, the calculation by the department of recovered organic waste product procurement targets for each local jurisdiction, and that may include penalties to be imposed by the department for noncompliance. This bill would require the department, for purposes of those regulations, to allow a local jurisdiction, until December 1, 2031, in procuring recovered organic waste products to meet the target procurement requirements, to use California-derived recovered organic waste that the local jurisdiction sends for processing at a facility or operation outside of the state that meets certain conditions, as provided. *(Active Bill - In Committee Process - Held under submission and placed on suspense file – Senate Appropriations Committee.)*

Plastics

AB 1290, as amended, Luz Rivas. Product safety: plastic packaging: substances. Existing law establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act, which covers certain single-use packaging and plastic single-use food serviceware, as provided. As part of its comprehensive statutory scheme, the act requires the producers, as defined, of these covered materials to source reduce covered plastic material, to ensure that covered material offered for sale, distributed, or imported in or into the state on or after January 1, 2032, is recyclable or compostable, and to ensure that covered plastic material offered for sale, distributed, or imported in or into the state meets specified recycling rates. Existing law prohibits any person from distributing, selling, or offering for sale in the state any food packaging that contains regulated

Attachment D
February 2023 Legislative Update

perfluoroalkyl and polyfluoroalkyl substances (PFAS), as defined, and requires a manufacturer to use the least toxic alternative when replacing regulated PFAS in food packaging to comply with this requirement. Existing law similarly prohibits, beginning July 1, 2025, a person from manufacturing, distributing, selling, or offering for sale in the state any new, not previously owned, textile articles that contain regulated PFAS, except as specified. This bill would prohibit, beginning January 1, 2026, a person from manufacturing, selling, offering for sale, or distributing in the state, (1) opaque or pigmented polyethylene terephthalate bottles, and (2) plastic packaging that contains certain chemicals, pigments, or additives, as specified. The bill would exclude from that prohibition packaging used for certain medical, drug, and federally regulated products. The bill would authorize the imposition of a civil penalty for a violation of that prohibition, as specified. *(Assembly Inactive File - Ordered to inactive file at the request of Assembly Member Luz Rivas).*

AB 1590, as amended, Friedman. Major coastal resorts: coastal development permits: audits: waste. (1) Existing law, the California Coastal Act of 1976, among other things, requires anyone wishing to perform or undertake any development in the coastal zone, except as specified, in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, to obtain a coastal development permit from the California Coastal Commission or a local government, as provided. This bill would establish the Major Coastal Resorts Environmental Accountability Act, and would define “major coastal resort” for these purposes. The bill would require the commission, with the assistance of a qualified consultant, to every 2 years prepare an audit of a major coastal resort’s compliance with specified provisions, including the coastal development permit, as provided. The bill would require the major coastal resort to provide for the qualified consultant’s compensation for the audit, as provided. The bill would require the commission to document the audit’s investigation and findings in a public report to be posted on the commission’s internet website, as provided. The bill would prohibit the major coastal resort from discriminating or retaliating against any employee or applicant for employment for, among other things, participating in the audit, investigation, or the report. The bill would require any coastal development permit pertaining to a major coastal resort approved after January 1, 2024, to include, in addition to any other permitting requirements, new requirements, including a turf, landscape, and pest management plan, as provided. The bill would require any major coastal resort’s coastal development permit, in existence as of January 1, 2024, to be amended to include these new requirements when the permit is renewed or updated. To the extent the bill would create additional duties for local governments, the bill would impose a state-mandated local program. The bill would also prohibit the use of any nonorganic pesticide, as defined, or fertilizing material, as defined, at a major coastal resort. (2) Existing law prohibits lodging establishments from providing a small plastic bottle containing a personal care product to a person staying in a sleeping room accommodation, in any space within the sleeping room accommodation, or within bathrooms shared by the public or guests. This bill would prohibit a major coastal resort from providing to guests specified materials, including single-use plastic bottled beverages. The bill would require a major coastal resort to, among other things, provide at least one recycling bin or container in each guest room, as provided. The bill would require the major coastal resort to maintain records related to these requirements for 3 years. The bill would subject a major coastal resort that violates these requirements to a civil penalty of \$500 per each day the violation continues. (3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above. *(Active Bill - In Committee Process - Failed passage at first hearing, Reconsideration granted.)*

SB 378, as introduced, Gonzalez. State parks: state beaches: expanded polystyrene food container and cooler ban. Existing law makes it an infraction punishable by a fine of up to \$25 for a person to smoke on a state beach or in a unit of a state park system. This bill would make it an infraction punishable by a fine of up to \$25 for a person to bring an expanded polystyrene, as defined, food container or cooler on a state beach, as defined, or in a unit of a state park system, as defined, and for improper disposal, as provided. The bill would establish a state-mandated local program by creating a new crime. The bill would provide that a person who violates this provision for the first time shall be subject to a warning by an officer of the state parks. The bill would require the Department of Parks and Recreation to, among other things, develop and post signs at strategic locations, as determined by the Director of Parks and Recreation, of state beaches and units of the state park system operated by the department to provide notice of the expanded polystyrene prohibition. The bill would require an entity operating, pursuant to an agreement with the department, a state beach or unit of the state park system that is not operated by the department to post signs approved by the department at strategic locations, as determined by the operating entity and approved by the department, to provide notice of the expanded polystyrene prohibition. The bill would require the expanded polystyrene prohibition to be enforced at a state beach or unit of the state park system only after appropriate signs have been posted pursuant to these provisions. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason. *(Active Bill - In Committee Process – Senate Natural Resources and Water - First hearing canceled at the request of author.)*

Single Use Food-Service Ware

~~SB 552, as introduced, Newman. Solid waste: single use foodware accessory and single use food packaging. Existing law prohibits a food facility from providing any single use foodware accessory or standard condiment, as defined, to a consumer unless requested by the consumer, as provided. This bill would state the intent of the Legislature to enact future legislation that would prohibit a restaurant from providing a dine in customer with any single use foodware accessory or single use food packaging. *(Referred to Senate Rules Committee.) Guttled and replace with public safety bill addressing pool and spa safety requirements.*~~

Solid Waste

AB 895, as amended, Chen. Solid waste: management. The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program that requires each county and city and county to prepare and submit to the department a countywide integrated waste management plan. Existing law requires the State Air Resources Board to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants in the state and to

approve and begin implementing the strategy to achieve a reduction in the statewide emissions of methane by 40% below 2013 levels by 2030, among other goals. Existing law requires the methane emissions goals to reduce the landfill disposal of organics by meeting specified targets that include a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025. Existing law authorizes the department, in consultation with the state board, to adopt regulations that achieve the specified targets for reducing organic waste in landfills. Existing law authorizes local jurisdictions to charge and collect fees to recover the local jurisdiction's costs incurred in complying with those regulations. Existing law also requires, no later than July 1, 2020, the department, in consultation with the state board, to analyze the progress that the waste sector, state government, and local governments have made in achieving the specified targets for reducing organic waste in landfills. Existing law authorizes the department, depending on the outcome of that analysis, to amend the regulations to include incentives or additional requirements, as specified. This bill would require the department to analyze the progress that the waste sector, state government, and local governments have made in achieving the organic waste reduction goals for 2020 and 2025 every 5 years. Because existing law authorizes the department to amend the regulations depending on the outcome of the analysis, as described above, the bill would add to the duties of local governments related to organic waste in landfills, thereby imposing a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

(Active Bill - In Committee Process - Re-referred to Assembly Committee on Natural Resources)

AB 1705 – as amended McKinnor, Solid waste facilities: state policy goals. The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program. Existing law provides that is the policy goal of the state that at least 75% of solid waste generated annually be source reduced, recycled, or composted, and that statewide landfill disposal of organic waste be reduced from the 2014 level by 50% on or before 2000 and by 75% on or before 2025. Existing law prohibits a person from establishing or expanding a solid waste facility in a county after a countywide or regional agency integrated waste management plan has been approved unless the solid waste facility is, among other things, a disposal facility, a transformation facility, or an EMSW conversion facility that meets specific criteria. Existing law defines an “EMSW conversion facility” as a facility where municipal solid waste conversion that meets specific requirements takes place and defines “transformation” as incineration, pyrolysis, distillation, or biological conversion, excluding composting, gasification, EMSW conversion, or biomass conversion. Existing law authorizes the department, by regulation, to specify classifications of solid waste facilities that are exempt from these and other facility regulations if the department makes specific findings, including that the nature of the solid wastes poses no significant threat to the public health, the public safety, or the environment. This bill would prohibit a person from establishing or expanding a transformation facility or an EMSW conversion facility in the state until the Department of Resources Recycling and Recovery has determined that the state has achieved the above-described solid waste and organic waste policy goals of the state for 3 consecutive years. *(Active Bill - In Committee Process - Hearing postponed by Assembly Natural Resources Committee)*

Solar Panels

AB 2 – as amended Ward, Recycling: solar photovoltaic modules. The Electronic Waste Recycling Act of 2003 (act) requires a retailer selling a covered electronic device in this state to collect from a consumer at the time of retail sale a covered electronic waste recycling fee or a covered battery-embedded waste recycling fee, as specified. The act defines “covered electronic device” to include certain video display devices and battery-embedded products. The act requires all charges collected pursuant to the act to be deposited into specified subaccounts within the Electronic Waste Recovery and Recycling Account, and outlines certain other requirements related to the establishment, adjustment, and administration of the charge. Moneys in the subaccounts are continuously appropriated for specified purposes, including, but not limited to, paying covered electronic waste recycling fee refunds and making electronic waste recovery and recycling payments. Moneys in the account may be expended, upon appropriation by the Legislature in the annual Budget Act, for other specified purposes, including the administration of the act by the Department of Resources Recycling and Recovery (CalRecycle) and the Department of Toxic Substances Control (DTSC) and to provide funding to DTSC to implement and enforce the hazardous waste control laws as they relate to covered electronic devices. Existing law incorporates the requirements and other provisions of the act by reference as requirements and provisions of the hazardous waste control laws. The act also expressly authorizes DTSC to enforce the act, and all regulations adopted pursuant to the act, through the hazardous waste control laws. A violation of the hazardous waste control laws is a crime. This bill would, among other things, expand the definition of “covered electronic device” to include a “customer-owned solar PV module,” as defined, thereby expanding the scope of the act to include covered solar photovoltaic (PV) module products, for limited purposes, as provided. The bill would also require, on or before October 1, 2026, and on or before October 1 each year thereafter, CalRecycle to establish a covered solar PV recycling fee based on the reasonable regulatory costs to administer covered electronic waste recycling. The bill would require the charge to be imposed upon a consumer or a service provider serving the consumer for the purchase of a new or refurbished covered solar PV module product. The bill would also require the charge to be adjusted annually based on the California Consumer Price Index. The bill would create the Covered Solar PV Module Recycling Fee Subaccount as a continuously appropriated fund in the Electronic Waste Recovery and Recycling Account. Because the funds deposited to the Covered Solar PV Module Recycling Fee Subaccount would be a new source of funds in the continuously appropriated subaccount within the continuously appropriated Electronic Waste Recovery and Recycling Account, the bill would make an appropriation. By expanding the scope of the act to make it applicable to covered solar PV module products, the bill would expand the scope of a crime, thereby imposing a state-mandated local program. Beginning January 1, 2028, the bill would require a solar photovoltaic module, that is not a customer-owned solar PV module, to be included in a plan that describes how the module will be managed at the end of its useful life, who is responsible for managing it, and how it will be recycled, refurbished, or reused. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason. *(Active Bill - In Committee Process - Held under submission and Placed on suspense file- Appropriations Committee)*

AB 1238 – as amended Ward, Hazardous Waste: Solar Panels. Existing law requires the

Attachment D
February 2023 Legislative Update

Department of Toxic Substances Control to adopt regulations for the identification and management of hazardous wastes. Existing law authorizes the department to adopt regulations designating end-of-life photovoltaic modules that are identified as hazardous waste as a universal waste and subject to regulations applicable to universal waste management. A violation of the Hazardous Waste Control Law, including a regulation adopted pursuant to that law, is a crime. This bill would require the department to develop alternative management standards for managing photovoltaic modules. The bill would specify parameters for the standards, including, but not limited to, that they promote the safe collection, reuse, and recycling of photovoltaic modules. The bill would require the department to hold at least one public workshop to discuss concepts for the standards with stakeholders before submitting an initial statement of reasons to the Office of Administrative Law. Because a violation of regulations adopted by the department under these provisions would be a crime, this bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason. *(Active Bill - In Committee Process - Referred to Senate Committee on Environmental Quality.)*