



City Council Agenda Item

City Council Meeting Date: February 15, 2022

TO: Dean Albro, City Manager

FROM: Keith Quinlan, Solid Waste Superintendent
K_quinlan@ci.lompoc.ca.us

SUBJECT: Adoption of Resolution No. 6476(22) Authorizing Submission of Applications for CalRecycle Grant and Payment Programs, Including The Program to Assist with Funding the City's Compliance with Senate Bill 1383 Mandatory Organic Waste Disposal Reduction Requirements

Recommendation:

Staff recommends the City Council adopt Resolution No. 6476(22), authorizing the submittal of applications to the Department of Resources Recycling and Recovery (CalRecycle) for any of its grant and payment programs, including programs to provide funding to local jurisdictions in order to comply with State recycling requirements and SB 1383 organics disposal reduction requirements.

Background:

The California Integrated Waste Management Act of 1989 (Act)¹ requires cities and counties to reduce, reuse, and recycle (including composting) solid waste generated in their jurisdictions to the maximum extent feasible before any incineration or landfill disposal of waste, in order to conserve water, energy, and other natural resources, and to protect the environment.

In 2011 the Act was updated² to require businesses and multi-family property owners that generate a specified threshold amount of solid waste to arrange for recycling services. It also requires jurisdictions to implement a Mandatory Commercial Recycling program. It further set a policy deadline of the year 2020 for not less than 75% of solid waste to be reduced, recycled, or composted.

¹ California Public Resources Code Section 40000, et seq.

² Assembly Bill 341 (2011) approved by the Governor on October 5, 2011, amended Sections 41730, 41731, 41734, 41735, 41736, 41800, 42926, 44004, and 50001 of, and added Sections 40004, 41734.5, and 41780.01 and Chapter 12.8 (commencing with Section 42649) to Part 3 of Division 30 of, and added and repealed Section 41780.02 of, the Public Resources Code.

In 2014 the Act was again updated³ to require businesses and multi-family property owners that generate a specified threshold amount of solid waste, recycling, and organic waste per week to arrange for recycling services for that waste. It also requires jurisdictions to implement a recycling program to divert organic waste from businesses subject to the law, and requires jurisdictions to implement a Mandatory Commercial Organics Recycling program.

SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires CalRecycle to develop regulations to reduce organics in landfills as a source of methane. The regulations place requirements on multiple entities including local jurisdictions, residential households, commercial businesses and business owners, commercial edible food generators, haulers, self-haulers, food recovery organizations, and food recovery services to support achievement of statewide organic waste disposal reduction targets.

Discussion:

In September 2016, Governor Edmund Brown, Jr., set methane emissions reduction targets for California (SB 1383)⁴ in a statewide effort to reduce emissions of short-lived climate pollutants. Those targets are to reduce organic waste disposal 50% by 2020 and 75% by 2025, and to rescue at least 20% of currently disposed surplus food by 2025 to feed people in need.

CalRecycle is administering a one-time grant program to provide aid to cities and other jurisdictions in the implementation of regulations adopted by CalRecycle pursuant to Chapter 395, Statutes of 2016 and SB170 Budget Act of 2021. This non-competitive grant program provides \$57,000,000 of funding to local jurisdictions to assist with the implementation of regulation requirements associated with SB 1383, including but not limited to:

- Capacity Planning;
- Collection;
- Edible Food Recovery;
- Education and outreach (includes organic waste & edible food recovery);
- Enforcement and Inspection;
- Program Evaluation/Gap Analysis;
- Procurement Requirements; and
- Record Keeping.

The City is eligible to receive \$56,754 through CalRecycle's non-competitive grant. Applicants who certify they will adopt an ordinance by April 1, 2022, will be eligible to receive first round funding (tentative Spring 2022). In addition, the first round of awardees may be eligible to receive additional remaining funds from entities who did not apply.

³ Assembly Bill 1826 (2014) approved by the Governor on September 28, 2014, added Chapter 12.9 (commencing with Section 42649.8) to Part 3 of Division 30 of the Public Resources Code, relating to Solid Waste.

⁴ SB 1383 Lara, Chapter 395, Statutes of 2016.

Fiscal Impact:

There is no fiscal impact to the General Fund for applying for the grant. However, there could be a negative impact for not applying as the requirements must be met regardless of whether the City receives the funding or not.

Conclusion:

By adopting Resolution No. 6476(22), the City's Utility Director, or designee, will be authorized to submit applications to CalRecycle for grant and payment programs for a period of the next five years, including the one-time SB 1383 grant program and receive the funds if awarded.

The one-time grant program from CalRecycle will be utilized to help implement the City's requirements under SB 1383. The Solid Waste Division will primarily use the monies for education, outreach and purchasing additional organics/green waste containers.

Respectfully submitted:

Keith Quinlan, Solid Waste Superintendent

APPROVED FOR SUBMITTAL TO THE CITY MANAGER:

Charles J. Berry, Utility Director

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Dean Albro, City Manager

Attachment: Resolution No. 6476(22)