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LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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April 2, 2020

The Honorable Senator Benjamin Allen, Chair
Senate Committee on Environmental Quality
State Capitol, Room 2205
Sacramento, CA 95814

Dear Senator Benjamin Allen:

SUPPORT – SENATE BILL 1191 (DAHLE) AS AMENDED ON MARCH 23, 2020 – ORGANIC WASTE: REDUCTION GOALS: LOCAL JURISDICTIONS

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) **supports** Senate Bill 1191 (SB 1191), as amended on March 23, 2020.

If enacted, the proposed legislation would require the California Department of Resources Recycling and Recovery (CalRecycle), in determining whether or not to issue a compliance order or impose a penalty on a local jurisdiction pursuant to Senate Bill 1383's (SB 1383, Chapter 395 of the 2016 Statutes) organic waste reduction requirements or in determining the amount of any penalties imposed pursuant to SB 1383 implementing regulations, to consider specified information, including (a) whether a local jurisdiction has made a good faith effort to implement its organic waste reduction program, and (b) whether any of the specified factors affected the local jurisdiction's ability to implement its organic waste reduction program or otherwise comply with those regulations. Additionally, this bill would require CalRecycle, upon request by a local jurisdiction, to issue a waiver from a requirement imposed pursuant to said regulations to separate and recover food waste and food-soiled paper for all or part of the local jurisdiction where there are or could be public safety issues associated with food waste collection as a result of nearby bear populations. The bill would establish an alternative organic waste management program that a local jurisdiction may comply with instead of those regulations until specified dates.

The Task Force **supports** the proposed legislation because the bill furthers the Task Force's position that the "good faith effort" identified in Section 42652.5.(a) (4) of the Public Resources Code (PRC) is required to be utilized in CalRecycle's evaluating of jurisdictional compliance with SB 1383's organic waste reduction requirements. PRC Section 42652.5. (a) (4) *requires* CalRecycle to consider "good faith effort" in determining a jurisdiction's progress in complying with the law. It states that CalRecycle "**shall** base its determination of progress on relevant factors, including, but not limited to, reviews conducted pursuant to **Section 41825**" (emphasis added). Since PRC Section 41825 establishes the process to determine whether a jurisdiction has made a "good faith effort" to comply with the law, it is clear that CalRecycle is required to consider "good faith effort" in making its determination of a jurisdiction's compliance. However,

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considering that the SB 1383's implementing regulations drafted by CalRecycle do not include "good faith effort" in evaluating jurisdictional compliance, the Task Force strongly supports the legislation's further clarifications on this matter.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated and cost-effective and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, waste management industry, environmental groups, the public, and a number of other governmental agencies.

Based on the foregoing, the Task Force strongly **supports** SB 1191 as amended on March 23, 2020. If you have any questions, please contact Mr. Mike Mohajer, a member of the Task Force, at MikeMohajer@yahoo.com or at (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Mayor, City of Rosemead

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cc: Senator Brian Dahle
Each Member and staff of the Senate Committee on Environmental Quality
California State Association of Counties
League of California Cities – Los Angeles County Division
Each Member of the Los Angeles County Board of Supervisors
Sachi A. Hamai, Los Angeles County Chief Executive Officer
San Gabriel Valley Council of Governments
South Bay Cities Council of Governments
Gateway Cities Council of Governments
Westside Cities Council of Governments
Each City Mayor and City Manager in the County of Los Angeles
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Solid Waste Management
Committee/Integrated Waste Management Task Force