

Notification of Intent to Comply

CalRecycle is providing this optional form as a convenience to assist jurisdictions (counties, cities, a county and city, or special districts providing solid waste collection services) for purposes of submitting a notification of intent to comply to CalRecycle [see Public Resources Code (PRC) section 42652.5(c)].

A jurisdiction may submit a notification of intent to comply if it is facing continuing violations of the Short-lived Climate Pollutants: Organic Waste Reductions requirements in Title 14 California Code of Regulations (14 CCR). The written notification of intent to comply, adopted by resolution of the jurisdiction's governing body, shall be sent to CalRecycle no later than **March 1, 2022**, to NOIC@CalRecycle.ca.gov.

A jurisdiction shall, at minimum, include the following in its notification:

1. A description, with specificity, of the continuing violations.
2. A detailed explanation of the reasons, supported by documentation, why the local jurisdiction is unable to comply.
3. A description of the impacts of the COVID-19 pandemic on compliance.
4. A description of the proposed actions the local jurisdiction will take to remedy the violations within the timelines established in 14 CCR section 18996.2 with a proposed schedule for doing so. The proposed actions shall be tailored to remedy the violations in a timely manner.

Upon approval by CalRecycle of a jurisdiction's notification and implementation of the intent to comply, a jurisdiction may be eligible for both of the following:

1. Administrative civil penalty relief for the 2022 calendar year pursuant to PRC section 42652.5(d).
2. A corrective action plan pursuant to 14 CCR section 18996.2.
 - a. CalRecycle may address through a corrective action plan any violations disclosed in a jurisdiction's notification that will take more than 180 days to correct. In this situation, the proposed actions and schedule in the jurisdiction's approved notification will be in effect until a corrective action plan is issued.

CalRecycle will respond in writing to a jurisdiction within 45 business days of receiving its notification with an approval, disapproval, request for additional information, or timeline for a decision on approval or disapproval. CalRecycle will include details about why a jurisdiction did not meet the requirements for a Notification of Intent to Comply when disapproving the jurisdiction's notification.

Please clearly print or type responses. Attach additional pages as necessary.

Jurisdiction Name:City of Coachella

County:Riverside

Person Completing the Form:

First Name:Maritza

Last Name:Martinez

Title:Public Works Director

Mailing Address:53-990 Enterprise Way

City:Coachella

Zip Code:92236

Email Address:mmartinez@coachella.org

Phone Number:760-501-8111

1. Select using the check boxes below or write in the continuing violations for each applicable regulatory section. For each selection, please describe the specific violations related to the regulatory section.

Example:

- (B) 14 CCR section 18984.1 Three-Container Organic Waste Collection Services
- i. Not implementing mandatory residential foodwaste collection for all residents. Note: City already provides mandatory greenwaste collection to all residents*
- ii. Not implementing mandatory commercial organics collection for all businesses under 2 cubic yards. Note: City already provides mandatory commercial organics collection to all businesses 2 cubic yard or more.*

Disclaimer: The list of possible continuing violations below is not inclusive of all potential violations of the regulations.

- (A) 14 CCR section 18984 Combined Organic Waste Collection Services. *This requirement is not included since the requirements are further specified in sections 18984.1-18984.11.*
- (B) 14 CCR section 18984.1 Three-Container Organic Waste Collection Services
- (C) 14 CCR section 18984.2 Two-Container Organic Waste Collection Services
- (D) 14 CCR section 18984.3 Unsegregated Single Container Collection Services
- (E) 14 CCR section 18984.4 Recordkeeping Requirements for Compliance with Organic Waste Collection Services
- (F) 14 CCR section 18984.5 Container Contamination Minimization
- (G) 14 CCR section 18984.6 Recordkeeping Requirements for Container Contamination Minimization
- (H) 14 CCR section 18984.7 Container Color Requirements
- (I) 14 CCR section 18984.8 Container Labeling Requirements
- (J) 14 CCR section 18984.11 Waivers Granted by a Jurisdiction
- (K) 14 CCR section 18985.1. Organic Waste Recovery Education and Outreach.
- (L) 14 CCR section 18985.2. Edible Food Recovery Education and Outreach
- (M) 14 CCR section 18985.3. Recordkeeping Requirements for a Jurisdiction's Compliance with Education and Outreach Requirements
- (N) 14 CCR section 18988.1. Jurisdiction Approval of Haulers and Self-Haulers
- (O) 14 CCR section 18988.3. Self-haulers of Organic Waste
- (P) 14 CCR section 18988.4. Recordkeeping Requirements for Compliance with Jurisdiction Hauler Program
- (Q) 14 CCR section 18989.1. CALGreen Building Codes
- (R) 14 CCR section 18989.2 Model Water Efficient Landscape Ordinance

- (S) 14 CCR section 18991.1. Jurisdiction Edible Food Recovery Program
- (T) 14 CCR section 18991.2. Recordkeeping Requirements for Jurisdiction Edible Food Recovery Program
- (U) 14 CCR section 18992.1. Organic Waste Recycling Capacity Planning
- (V) 14 CCR section 18992.2. Edible Food Recovery Capacity
- (W) 14 CCR section 18993.1. Recovered Organic Waste Product Procurement Target
- (X) 14 CCR section 18993.2. Recordkeeping Requirements for Recovered Organic Waste Procurement Target
- (Y) 14 CCR section 18993.3. Recycled Content Paper Procurement Requirements
- (Z) 14 CCR section 18993.4. Recordkeeping Requirements for Recycled Content Paper Procurement

(AA) 14 CCR section 18994.2. Jurisdiction Annual Reporting

Note: This requirement is not included since jurisdictions are still expected to report to CalRecycle.

(BB) 14 CCR section 18995.1. Jurisdiction Inspection Requirements

Note: Section 18995.1(a)(1) should not be included because a jurisdiction should already be completing this action due to the requirements of PRC Chapter 12.9 (commencing with Section 42649.8)

(CC) 14 CCR section 18995.2. Implementation Record and Recordkeeping Requirements

(DD) 14 CCR section 18995.3. Jurisdiction Investigation of Complaints of Alleged Violations

Note: This requirement is not included since jurisdictions are still expected to investigate complaints.

(EE) 14 CCR section 18995.4. Enforcement by a Jurisdiction

Use the check box(es) below to write in the continuing violations for any regulatory section(s) not reflected above and describe the specific violations related to the regulatory section.

Example:

(1) (Type regulatory section number) (Type regulatory section title)

i. *Describe the specific violations related to the regulatory section*

(1)

(2)

(3)

(4)

(5)

2. A detailed explanation of the reasons why the jurisdiction is unable to comply, supported by documentation, if applicable.

The City has approved its SB 1383 ordinance. The City has not completed its negotiations with its hauler and is working to amend the existing hauler agreement to include the mandated services. Once negotiations are completed the new service rates will require completion of the Proposition 218 process for adoption of the new solid waste rates and service packages.

Based on the above time-frame the City's Hauler has advised the City that roll out of carts for collection of organic waste for all customers will likely occur October 1, 2022. The City's hauler is currently awaiting receipt of carts, trucks and is making adjustments to its plant processes to allow for processing of residential organics waste.

3. A description of the impacts of the COVID-19 pandemic on compliance.

In 2021 the City created a SB 1383 Subcommittee to discuss how to best deploy these programs and services.

Fully implementing the various facets of the SB 1383 regulations during the pandemic has been difficult for the City to accomplish as these new programs will ultimately have a direct fiscal impact on our businesses and residents.

During the pandemic the City focused available resources to further programs directly improving the economic welfare of its residents and businesses during this time. Many of our small businesses were severely impacted, with many of our small businesses closing its doors. Our residents were also severely impacted as a high number of our population is employed by the hospitality sector which was immediately impacted by the COVID-19 pandemic.

4. Provide a description of the proposed actions the jurisdiction will take to remedy the violations with a proposed schedule for completing each action. The proposed actions shall be tailored to remedy the violations in a timely manner. See optional format below.

The City Council has adopted its SB 1383 Ordinance, which will take effect on March 11, 2022. The City is making progress in its negotiations with its hauler to amend the current franchise agreement and add the services mandated by SB 1383; it is projected an amended franchise agreement and correspondent updated service rates will be approved by July 1, 2022. The city will continue to work to educate solid waste customers about changes in solid waste collection services and new rates that will take effect.

I hereby certify under penalty of perjury that the information provided herein is true and correct to the best of my knowledge.

Maritza Martinez

Public Works Director

February 16, 2022

Signature

Printed Name

Title

Date

Description of the proposed actions with proposed schedules the jurisdiction will take to remedy the violations. The proposed actions shall be tailored to remedy the violations in a timely manner.

Regulatory Requirement and Description	
Action	Proposed Schedule
TASK 1: Negotiate amended Franchise Agreement.	Date to be completed: July 1, 2022
TASK 2: Implement organic waste collection services to residential and commercial customers.	Date to be completed: October 1, 2022
TASK 3:	Date to be completed:

Regulatory Requirement and Description	
Action	Proposed Schedule
TASK 1:	Date to be completed:
TASK 2:	Date to be completed:

Add Attachment

EXAMPLE

Regulatory Requirement: (B.i.) 14 CCR section 18984.1 Three-Container Organic Waste Collection Services	
Description: Not implementing mandatory residential foodwaste collection for all residents. Note: City already provides mandatory greenwaste collection to all residents	
Action	Proposed Schedule
TASK 1: Purchase two additional collection trucks and modify collection routes	Date to be completed: 4/7/2022
TASK 2: The city will work with its hauler to find a facility to accept mixed organic waste.	Date to be completed: 4/14/2022

Regulatory Requirement: (B.ii.) 14 CCR section 18984.1 Three-Container Organic Waste Collection Services	
Description: Not implementing mandatory commercial organics collection for all businesses under 2 cubic yards. Note: City already provides mandatory commercial organics collection to all businesses 2 cubic yard or more.	
Action:	Proposed Schedule
TASK 1: Purchase two additional collection trucks and modify collection routes	Date to be completed: 4/21/2022
TASK 2: The city will work with its hauler to acquire and distribute appropriate containers to all commercial accounts. The city will obtain monthly reports from the hauler to monitor full distribution of carts.	Date to be completed: 4/28/2022