



STAFF REPORT
1/26/2022

TO: Honorable Mayor and City Council Members

FROM: Maritza Martinez, Public Works Director

SUBJECT: Adopt Resolution No. 2022-13 Authorizing the City Manager to Submit an Application to CalRecycle to Assist with the Implementation of Regulation Requirements Associated with SB 1383

STAFF RECOMMENDATION:

Staff recommends that the City Council consider adopting Resolution No. 2022-13, authorizing the City Manager to submit an application to CalRecycle to assist with the implementation of regulation requirements associated with SB 1383.

BACKGROUND:

In September 2016, Governor Edmund Brown Jr. set methane emissions reduction targets for California (SB 1383 Lara, Chapter 395, Statutes of 2016) in a statewide effort to reduce emissions of short-lived climate pollutants (SLCP). The targets must:

- ✓ Achieve a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and 75% by 2025;
- ✓ Rescue for people to eat at least 20% of currently disposed surplus food by 2025.

Organics like food scraps, yard trimmings, paper, and cardboard make up half of what Californians dump in landfills. Reducing Short-Lived Climate Super Pollutants like organic waste will have the fastest impact on the climate crisis. Cities will be expected to educate all residents and businesses about collection requirements, including what materials to put in curbside bins. Education to residents and businesses may be provided electronically, through hard copy materials, or through direct outreach.

The Department of Resources Recycling and Recovery (CalRecycle) is offering the SB 1383 Local Assistance Grant Program pursuant to Chapter 395, Statutes of 2016. This non-competitive grant program will provide one-time funding to local jurisdictions like the City of Coachella to assist with the implementation of regulation requirements associated with SB 1383. The City's estimated allocation is \$63,747. The project timeline is:

Feb 1, 2022 Applications due in GMS
Mar 1, 2022 Secondary due date for First Round Funding (approved Resolution)
Apr 1, 2022 Grants awarded for First Round Funding

Apr 2, 2024 Grant term end for First Round Funding

Eligible projects/products include: (the City will propose to use funds for collection and education/outreach)

- Capacity Planning
- Collection
- Edible Food Recovery
- Education and outreach (includes organic waste & edible food recovery)
- Enforcement and Inspection
- Program Evaluation/Gap Analysis
- Procurement Requirements (using recycled organic products – compost, mulch, electricity, and/or renewable gas and recycled paper and paper products)
- Record Keeping

DISCUSSION/ANALYSIS:

Since landfills are the third largest producer of methane, the State's SLCP strategy includes managing organic waste. Food scraps, green waste, paper, and cardboard are organic materials that account for a significant portion of California's overall waste stream. Increasing food waste prevention, encouraging edible food rescue, and expanding the composting and in-vessel digestion of organic waste will reduce methane from landfill operations. In addition to setting specific emissions reduction goals, SB 1383 mandates cities and counties to:

- Provide organic waste collection services to all residents and businesses
- Develop and adopt an enforcement mechanism or ordinance by April 1, 2022
- Establish an edible food recovery program
- Update the City's procurement policy to purchase recycled content paper and recycled organic waste products (e.g., compost, mulch, and renewable natural gas) at a volume of 0.08 tons/resident
- Provide outreach and education for generators, haulers, facilities, edible food recovery organizations, and municipal departments
- Plan and secure access for recycling and edible food recovery capacity
- Monitor compliance and conduct enforcement
- Maintain accurate compliance records

To meet the SB 1383 regulations, jurisdictions throughout the State are required to adopt an ordinance or other similarly enforceable mechanism by April 1, 2022. The ordinance will mandate that organic waste generators, haulers, and other entities subject to the requirements of SB 1383 regulations and subject to the jurisdiction's authority, comply with SB 1383 regulatory requirements. It will also help reduce food insecurity by requiring Commercial Edible Food Generators to arrange to have the maximum amount of their edible food, that would otherwise be disposed, be recovered for human consumption.

In addition to adopting an organic waste recycling and food recovery ordinance, SB 1383 requires that the City adopt an ordinance or other enforceable mechanism that requires compliance with Sections 492.6(a)(3)(B) (C), (D), and (G) of the Model Water Efficient Landscaping Ordinance (MWELo) as amended September 15, 2015 (MWELo SB 1383 Baseline Requirements. MWELo requires new construction and landscaping projects to meet water efficient landscape standards for compost and mulch application. Incorporating organic matter like compost and mulch in landscaping increases water retention and promotes productive plant growth. Compost and mulch also provide many direct and indirect benefits when utilized in landscaping and as a component of systems and treatments designed for carbon sequestration, erosion control, fire remediation, stormwater management, and other uses.

ALTERNATIVES:

No alternatives are recommended. Chapter 12 of Title 14, Division 7 of the California Code of Regulations (CCR) requires the City of Coachella to adopt this resolution or the City could face fines up to \$10,000 per day for non-enforcement/non-cooperation with this State mandate.

FISCAL IMPACT:

There is no fiscal impact with the recommended action.

ATTACHMENTS:

Resolution No. 2022-13