



Date: September 26, 2023

Honorable Mayor and Council Members:

Author and title: Erin Brewster, Sustainability Program Manager

Title: **Adoption of Ordinance Amending Solid Waste and Recycling Requirements**

Jen Callaway, Town Manager

Recommended Action:

- (1) Adopt Ordinance 2023-09 amending Chapter 6.01 of the Truckee Municipal Code Regarding Solid Waste and Recycling Management.
- (2) Find the adoption of the ordinance exempt from CEQA pursuant to CEQA guidelines sections 15061(b)(3), 15307, and 15308.

Discussion: The Town adopted an ordinance on November 9, 2021, to create an enforceable mechanism for the SB 1383 requirements on residential and commercial generators of organic waste. Through Keep Truckee Green’s work implementing SB 1383 and conversations with CalRecycle, staff have determined that some additional minor amendments are necessary to fully meet the adopted regulations.

Ordinance 2023-09, which would amend Chapter 6.01 of the Truckee Municipal Code, was introduced on September 12, 2023. This ordinance would make the following amendments to the Town’s solid waste and recycling requirements:

- Create a formal waiver process for de minimis and physical space constraints waivers allowed under the state’s mandatory commercial recycling and organics diversion laws.
- Add the required self-haul criteria for businesses self-hauling recyclables or organic material.
- Add requirements for businesses to provide sorting containers that meet CalRecycle’s color-coding and/or labelling requirements for recyclable or organic material, when applicable, for employees and customers.

Environmental Clearance

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), the adoption of this ordinance does not have potential for causing a significant effect on the environment and is therefore not subject to the CEQA guidelines. These proposed amendments, which the Town is required to adopt under the California Code of Regulations Title 14, Division 7, Chapter 12, seek to protect the environment and natural resources by reducing greenhouse gas emissions from landfilled organic waste. As such, both the original ordinance and these stated amendments are further exempt under CEQA Guidelines Sections 15307 and 15308, which exempt actions taken by regulatory agencies to assure the maintenance, restoration or enhancement of a natural resource or the environment.

Priority:

Enhanced Communication Climate and Greenhouse Gas Reduction Housing

Infrastructure Investment Emergency and Wildfire Preparedness Core Service

Fiscal Impact: Additional staff time is needed to implement and enforce the full requirements of SB 1383, which has been accounted for in the Solid Waste Program budget. These amendments do not change the Town's obligations under SB 1383.

Public Communication: Agenda Posting.

Attachments:

1. Ordinance 2023-09
2. Amended code with tracked changes
3. September 12, 2023 Staff Report available at:
<https://meetings.municode.com/adaHtmlDocument/index?cc=TRUCKEECA&me=2e3d0d0ce15548c5adb0ca7056734f52&ip=true>