

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

952



FROM: Waste Management Department

SUBMITTAL DATE:

June 2, 2011

SUBJECT: Oppose Unless Amended Assembly Bill 341, Solid Waste: Diversion

RECOMMENDED MOTION: That the Board:

1. Oppose, unless amended, Assembly Bill 341 which mandates 75% of solid waste is diverted from landfills; and
2. Authorize the Chairman to sign the attached letter of opposition on behalf of the Board; and
3. Direct the Waste Management Department and the Board's Sacramento representatives to further the Board's position.

BACKGROUND: This Bill would require that on or before January 1, 2020, the Department of Resources, Recycling and Recovery (CalRecycle) "ensure" that 75 percent of solid waste is diverted from landfills, and would require commercial and multi-family recycling. (continued)

Hans W. Kernkamp, General Manager-Chief Engineer

**FINANCIAL
DATA**

Current F.Y. Total Cost: \$ 0
Current F.Y. Net County Cost: \$ 0
Annual Net County Cost: \$ 0

In Current Year Budget: Yes
Budget Adjustment: No
For Fiscal Year: 2011

SOURCE OF FUNDS: N/A

Positions To Be Deleted Per A-30 ☐

Requires 4/5 Vote ☐

C.E.O. RECOMMENDATION:

APPROVE

BY:
Michael R. Shetler

County Executive Office Signature

Dep't Policy ☒ Policy
Consent ☒ Consent

Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.:

District: All

Agenda Number:

12.2

Background (cont'd)

Staff has concerns that an increase in the diversion requirement without additional tools to help local governments will place undue burden on cities and counties.

Staff closely tracked, and reviewed with the Local Task Force (LTF), the negotiations around last year's version of this Bill, AB 737 (2010), and supported the final draft that would have required CalRecycle to develop strategies to meet the 75 percent goal, rather than "ensure" that 75 percent is achieved. Staff is recommending, along with CSAC, that this Bill be amended to reflect last year's approach. We believe this is a more realistic and effective way to accomplish the goal of this Bill.

Staff also believes AB 341 is redundant in the area of commercial and multifamily recycling. CAL Recycle has been working with the California Air Resources Board (CARB) and stakeholders in finalizing commercial recycling regulations as required under the AB 32 Scoping Plan. Additional legislation regarding commercial recycling is, therefore, not necessary.

The Riverside County Solid Waste Management Advisory Council (Countywide Local Task Force) took a position at its May 19, 2011 meeting opposing, unless amended, AB 341 and recommending the Board of Supervisors take a similar position.

Staff recommends that the attached letter, should the Board approve the recommended motion, be sent as soon as possible as AB 341 is currently under review in the State Senate. AB 341 has not been assigned to a Senate committee yet. Staff will update the salutation and cc list once it is assigned to a Committee and notify the Board before it considers this matter on June 14, 2011.

The following entities have expressed their opposition to AB 341:

California State Association of Counties; California Refuse Recycling Council; Blue Line Transfer, Inc.; Burrtec Waste Industries, Inc.; CR&R Incorporated; Orange County Board of Supervisors; Rainbow Disposal Co., Inc.; Solid Waste Association of North America; South San Francisco Scavenger Company; Varner Bros., Inc.

June 14, 2011

The Honorable Wesley Chesbro, Chair
Assembly Natural Resources Committee
California State Capitol, Rm 2141
Sacramento, CA 95814

Dear Assembly Member Chesbro:

AB 341 (Chesbro) OPPOSE UNLESS AMENDED

On June 14, 2011, the Riverside County Board of Supervisors (County) considered Assembly Bill 341 (Chesbro) and moved to oppose this legislation, unless it is amended. This Bill would require the Department of Resources, Recycling and Recovery (CalRecycle) to "ensure" that 75 percent of solid waste is diverted from landfills, and would require commercial and multi-family recycling. Cities and counties have made significant strides in implementing programs for the diversion of solid waste from landfills. Collectively, our state exceeds the required 50% goal that was established many years ago.

Despite these efforts, we have strong concerns with an increase in the diversion requirement at this time without additional tools to help local governments. The County was supportive of your previous version of this Bill, AB 737 (2010), which in its final form would have required CalRecycle to develop strategies to meet the 75 percent goal, rather than "ensure" that 75 percent is achieved. Such strategies are needed to create additional tools for increased diversion, including conversion technology, and the need to further market development. We believe this is a more realistic and effective way to accomplish increased diversion and recommend that AB 341 be amended to reflect this concept.

In addition, AB 341 includes a requirement for commercial and multifamily recycling. While we do not oppose the need for additional recycling from these areas, the County believes this requirement is duplicative of the current efforts underway at CalRecycle. As part of the AB 32 Scoping Plan, CalRecycle is finalizing its commercial recycling regulations. CAL Recycle has been working with municipal governments for months to craft these regulatory efforts. The County believes this has been an effective process and additional legislation regarding commercial recycling is not necessary.

We look forward to working with you and your staff to address these concerns. We recognize the need to continue diversion efforts from landfills and understand that counties play a significant role in that effort.

Sincerely,

Bob Buster
Chairman, Riverside County Board of Supervisors

cc: Members, Assembly Natural Resources Committee
Simon Housman, Vice-Chair, Solid Waste Management Advisory Council/Local Task Force



Riverside County
Waste Management Department

Hans W. Kernkamp, General Manager-Chief Engineer

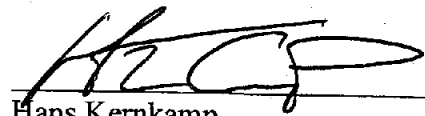
**SUBMITTAL TO THE SOLID WASTE MANAGEMENT ADVISORY COUNCIL
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FROM: Waste Management Department

SUBMITTAL DATE: May 19, 2011

SUBJECT: Assembly Bill 341: 75% Solid Waste Diversion – OPPOSE UNLESS AMENDED

RECOMMENDED MOTION: That the Riverside County Solid Waste Management Advisory Council/Local Task Force (LTF) take a position **OPPOSING, UNLESS AMENDED**, Assembly Bill 341, which would increase the solid waste diversion mandate to 75% and recommend to the Board of Supervisors that it take a similar position opposing Assembly Bill 341 unless it is amended.



Hans Kernkamp
General Manager-Chief Engineer

MINUTES OF THE SOLID WASTE MANAGEMENT ADVISORY COUNCIL

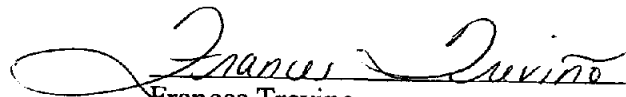
On the motion of Ella Zanowic, seconded by Bob Magee, and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: S. Housman; B. Scott; R. Keenan; F. Riddle; B. Magee; M. Arciniega; E. Zanowic; G. Newton; T. Dumas; D. West; S. Pastor

Noes: None

Abstain: C. Tobin

Absent: E. Campos; R. Schmid; T. Freeman; R. Moran; K. Barrows; S. Foster; C. Vogt; C. Showalter; P. Richardson



Frances Trevino
Executive Assistant

LTF Submittal

May 19, 2011

AB 341 75% Solid Waste Diversion

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BACKGROUND:

This bill would require that on or before January 1, 2020, the Department of Resources, Recycling and Recovery (CAL Recycle) "ensure" that 75 percent of solid waste is diverted from landfills, and would require commercial and multi-family recycling. Staff has concerns that an increase in the diversion requirement without additional tools to help local governments will place undue burden on cities and counties. Staff closely tracked, and reviewed with the LTF, the negotiations around last year's version of this bill, AB 737 (2010), and supported the final draft that would have required CAL Recycle to develop strategies to meet the 75 percent goal, rather than "ensure" that 75 percent is achieved. Staff is recommending, along with CSAC, that this bill be amended to reflect last year's approach. We believe this is a more realistic and effective way to accomplish the goal of this bill.

Support:

Californians Against Waste

Opposition:

California State Association of Counties; California Refuse Recycling Council; Blue Line Transfer, Inc.; Burrtec Waste Industries, Inc.; CR&R Incorporated; Orange County Board of Supervisors; Rainbow Disposal Co., Inc.; Solid Waste Association of North America; South San Francisco Scavenger Company; Varner Bros., Inc.

PD# 102206