

Zoom Meeting Link:

<https://us02web.zoom.us/j/89031609605?pwd=RHB0UVhzSS83M1A5L0c0SkNXUGYzd09>

Cities of:

Arcata
Blue Lake
Eureka
Ferndale
Fortuna
Rio Dell
Trinidad

County of Humboldt

Humboldt Waste
Management Authority

The Humboldt County Local Task Force serves in an advisory capacity to individual agencies and the HWMA towards the implementation of the integrated management of solid wastes and recyclables.

The Local Task Force is also responsible for assisting in the coordination, review and implementation the county and cities 5-Year CIWMP Report.

Humboldt County Solid Waste Local Task Force-

Agenda-

Monday, April 25th, 2022 (11:00 am-12:30 pm)

Virtual Zoom Meeting: <https://www.zoom.us/>

Meeting ID: 890 3160 9605

Passcode: 172678

Call In: 408-638-0968

Copies Available: Copies of the agenda materials are available electronically upon request by emailing rpraszker@ci.eureka.ca.gov

1. Call to Order/Roll Call

2. Teleconference Meetings (report attached)

Recommendation: Authorize Remote Teleconference Meetings Of The Solid Waste Local Task Force Pursuant To Brown Act Provisions Due To A State Of Emergency and Imminent Risk of In-Person Meetings as Humboldt County Remains an Area of High COVID-19 Transmission.

3. January 31, 2022 Minutes (attached) – Review & Approve

4. Jurisdiction Representative Reports- Receive updates and take action as appropriate.

5. Ongoing Discussion Items

1. Recycling

- a. **CA Redemption Value Buy Back Centers- Receive update from Peter Fuller, Executive Director of HWMA; Take action as appropriate.**
- b. **Curbside Recycling- Receive update from Linda Wise, General Manager of Recology. Take action as appropriate.**
- c. **Contamination Ad Hoc- Receive update from Ad Hoc members**

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2. “Mandatory Organic Recycling” (AB1826) and “Short Lived Climate Pollutants” (SB1383) - *Group discussion; Take action as appropriate.*

- a. Edgar and Associates - *Receive update on Compliance Road Map and regional SB1383 compliance efforts by Edgar & Associates (attached)***

6. Non-Local Task Force Organization Reports

This is a standing agenda item for non-member organizations to provide reports to the SWLTF on their respective waste management topics.

1. HWMA
2. Recology
3. Zero Waste Humboldt
4. LEA

7. Proposed Future Tasks/Actions

The LTF will identify tasks or action items to be addressed at a specified LTF meeting.

8. Oral and Written Communications

- a. This time is provided for people to address the Task Force or to submit written communications concerning matters not on this agenda. Task Force Members may respond to statements, but any request that requires action will be referred to appropriate agency staff for review. Reasonable time limits may be imposed on both the total amount of time allocated for this item, and on the time permitted to each individual speaker. Such time allotment or portion thereof shall not be transferred to other speakers.

13. Adjournment

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Humboldt County - Solid Waste Local Task Force

REPORT

SUBJECT: Item 2) Teleconference Meetings

RECOMMENDED ACTION: Voice vote.

Authorize Remote Teleconference Meetings of The Solid Waste Local Task Force Pursuant to Brown Act Provisions Due to A State of Emergency and Imminent Risk of In-Person Meetings as Humboldt County Remains an Area of High COVID-19 Transmission.

On September 16 Governor Newsom signed AB 361 into law. The bill revises the Ralph M. Brown Act by continuing the Governor's Executive Order N-29-20's teleconference rule waivers under certain conditions through January 1, 2024.

AB 361 allows the Solid Waste Local Taskforce, its subcommittees to meet virtually provided that:

1. A state-proclaimed state of emergency exists, and
2. State or local public health officials impose or recommend social distancing measures.

The Task Force may also find that, as a result of the proclaimed emergency, meeting in-person presents an imminent threat to the health or safety of attendees. Below are the findings:

- Proclamation of Imminent Risk of In-Person Meetings. The SWLTF hereby proclaims that as Humboldt County remains an area of high transmission of COVID-19 as determined by the Centers for Disease Control and Prevention, that meeting in-person presents imminent risks to the health or safety of attendees.
- Ratification of Governor's Proclamation of a State of Emergency. The SWLTF hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.
- Remote Teleconference Meetings. The members of the Solid Waste Local Task Force, including but not limited to the members and its subcommittees, are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this recommendation including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

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Rio Dell
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Humboldt Waste
Management Authority

The Humboldt County Local Task Force serves in an advisory capacity to individual agencies and the HWMA towards the implementation of the integrated management of solid wastes and recyclables.

The Local Task Force is also responsible for assisting in the coordination, review and implementation the county and cities 5-Year CIWMP Report.

- Effective Date. This motion shall take effect immediately upon its adoption and shall be effective for 30 days or until this motion is extended by a majority vote of the SWLTF
- Extension by Motion. The SWLTF may extend the application of this by motion and majority vote by up to 30 days at a time, provided that it makes all necessary findings consistent with and pursuant to the requirements of Section 54953(e)(3).

In conclusion, meeting in-person during the current state of emergency would present imminent risks to the health or safety of attendees. This recommendation would permit meetings under the provisions of AB 361 for a period of 30 days. After 30 days, the Task Force would need to renew its recommendation, consistent with the requirements of AB 361, if it desires to continue meeting under the modified Brown Act requirements or allow the authorization to lapse.

Staff recommends the SWLTF approve the recommendation which provides necessary findings that, as a result of the continuing COVID-19 pandemic state of emergency, that meeting in person would present imminent risks to the health and safety of participants.

Humboldt County Local Task Force

Meeting Minutes

Monday, January 31, 2022 at 11:00 AM

Cities of:

Arcata
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Fortuna
Rio Dell
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County of Humboldt

Humboldt Waste Management Authority

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The Local Task Force is also responsible for assisting in the coordination, review and implementation the county and cities 5-Year CIWMP Report.

Virtual Meeting Link

<https://us02web.zoom.us/j/89894110198>

Meeting ID: 898 9411 0198

Call In: 408-638-0968

Copies Available: Copies of the agenda materials are available electronically upon request by emailing dwood@ci.eureka.ca.gov

1. Call to Order/Roll Call

Arcata	Emily Benvie
Blue Lake	Trevor Pumnea
Eureka	Donna Wood (Chair), Robin Praszker
Ferndale	Not Present
Fortuna	Merritt Perry, Bob Natt
Humboldt Co.	Tom Mattson
Trinidad	Eli Naffah
Rio Dell	Kyle Knopp (late arrival)

HWMA Peter Fuller, Eric Keller-Heckman

Members of the Public

Linda Wise – Recology
Frank Nelson – Recology
Spencer Fine – CalRecycle
Mario Kalson – DHHS – Public Health
Tasha Eisner – Humboldt Sanitation Co.
Carolyn Hawkins – Humboldt LEA
Tracy Taylor – Humboldt State

2. Teleconference Meetings

Motion to authorize remote teleconference meetings of the Solid Waste Local Task Force pursuant to Brown Act provisions due to a state of emergency and imminent risk of in-person meetings as Humboldt County remains an area of high COVID-19 transmission by Merritt Perry (Fortuna). Second by Emily Benvie (Arcata).

Public comment:

Carolyn Hawkins asked how remote meetings are announced publicly if people want to attend.

Robin Praszker shared that the agenda is posted physically at Eureka City Hall and on the City of Eureka's waste page online. Open to recommendation for further outreach but those are the minimum requirements.

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Motion passed.

Ayes: Arcata, Blue Lake, Eureka, Fortuna, Rio Dell, Trinidad, Humboldt County

Noes: None

Absent: Ferndale

Abstain: None

3. Approval of November 1, 2021 Minutes

Motion to approve minutes as submitted by Merritt Perry (Fortuna). Second by Emily Benvie (Arcata).

Public comment opened and closed.

Motion passed.

Ayes: Arcata, Blue Lake, Eureka, Fortuna, Rio Dell, Trinidad, Humboldt County

Noes: None

Absent: Ferndale

Abstain: None

4. Elect 2022 Chairperson

Elect Donna Wood (Eureka) to serve as 2022 Chairperson.

Public comment opened and closed.

Ayes: Arcata, Blue Lake, Eureka, Fortuna, Rio Dell, Trinidad, Humboldt County

Noes: None

Absent: Ferndale

Abstain: None

5. Elect 2022 Vice Chairperson

Elect Emily Benvie (Arcata) to serve as 2022 Vice Chairperson.

Public comment opened and closed.

Ayes: Arcata, Blue Lake, Eureka, Fortuna, Rio Dell, Trinidad, Humboldt County

Noes: None

Absent: Ferndale

Abstain: None

6. Jurisdiction Representative Reports

Arcata – Second round of funding June 15, CalRecycle says, yes, the ordinance was required. Groups indicated that it would be required by June 2022. Arcata was feeling like Eureka that it may be too soon to have that in place. Also, happy to jump on board with bulky item. Ending CalWaste Prevention and Rescue grant.

Eureka – Preventing holiday waste PSA was well received and regionally working together on waste topics. Before COVID, we had created ads about bulky item pickup, do we want continue with that type of outreach? Linda Wise shared that the focus on holiday waste specifically had an impact. Donna Wood shared that Eureka has chosen to pause.

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Fortuna – Get SB 1383 grants in there, that’s what we’re paying for Edgar and Associates. It makes sense for people to submit that grant. Compliance with SB1383, we could get that done by April. Is an ordinance required? Mandatory ordinance by April 1st? Looking at the grant and it requires a draft resolution which is designated.

CalRecycle – Says just a resolution.

Recology – Eric Keller-Heckman from previous emails says adopt an ordinance or similar mechanism for first round funding.

Humboldt County – Encouraged to submit anyway even if we haven’t had it complete. County says yes to helping with bulky item pickup outreach.

Blue Lake, Rio Dell, Trinidad – No report.

Ferndale– Not present

7. Ongoing Discussion Items

1. Recycling

a. CA Redemption Value Buy Back Centers

Peter Fuller, HWMA, provided an update. In July direction from board for CRV, was to give Hambro the opportunity to get things going in 6 months. David Schlagel on December 14th, Arcata approved minor use permit, then went back to council for clarification. Emily Benvie shared the site location is in the coastal zone so it’s up to the Coastal Commission.

b. Curbside Recycling

Linda Wise, Recology, provided an update. It is related to CRV buy back centers. Just today we sent a confidential document to HWMA for the recycling service fee to be implemented in July for 2022-23, favorable in jurisdictions, any changes to HWMA tip fees with regard to disposal. CRV materials in the recycling, so unusual as, we get CRV curbside so we can credit that to the ratepayers. But we have issues where we could all work better with communications. 32.7 % coming out of the backend that could be contributed to HWMA. There are opportunities.

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Frank Nelson added that what is being seen on the frontline is working but we're looking for something more actionable in the future.

c. Contamination Ad Hoc

Robin Praszker (Eureka) provided an update. Ad hoc helped launch that campaign. Next month, outreach and education services from Zero Waste Humboldt, (we can report on that presentation that they'll give).

Maggie Gainer (Zero Waste Humboldt) added that there is a video from national Zero Waste conference. You can address the at-the-curb symptom (which is a confused public) such as single use plastics.

Spencer Fine (CalRecycle) shared additional information.

<https://www.calrecycle.ca.gov/organics/slcp/owrlocalassistancegrant/faq202122> Can you please explain first and second round funding?

First round funding will go to applicants who certify that they will have an enforceable ordinance(s), or similarly enforceable mechanism (Title 14, CCR, section 18981.2) submitted to CalRecycle by April 1, 2022 and will have their Resolution(s) with, if applicable, Letters of Authorization submitted by the March 1, 2022 due date. All other applicants will have until June 14, 2022 to submit the aforementioned documentation and will receive second round funding. Samples are located on the CalRecycle Resolution and Letter Examples webpage.

2. “Mandatory Organic Recycling (AB1826) and “Short Lived Climate Pollutants” (SB1383)

- a. **Edgar and Associates Presentation**– SWLTF received a presentation on regional SB1383 compliance efforts by Edgar and Associates.

PRESENTATION: Friday – edible food recovery. (Email Eric Keller-Heckman for video.) SB619 was just being signed. Have programs phased in by 2022 as late as 2023. Surplus money \$60 million will go to local jurisdictions. Round 1 – ordinance must be done. Round 2 – awarded as late as September with a lot of flexibility, but a lot of accountability. Enforcement ordinance – we do have a model ordinance

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(but for smaller places with a 5-year waiver) they can be modified. (Still apply, due February 1st.) We can also do a presentation on that. First compliance, second, collection and processing. How do we collect the food waste? Backyard compost, community, commercial, etc. Three collection options, modify permits, presenting on February 16th, a compliance organics road map finished by April 16, 2022. Peter Fuller (HWMA) is hosting a meeting in February (what are the difference aspects). March 1st compliance schedule for what parts of 1383 will be implemented. January 1, 2023 a collection program in place and how do we process it and what are the options. Get feedback from LTF, the authority (February 17th), Zero Waste Humboldt with Maggie Gainer & and intern that is reaching out to different stakeholders. Three effort (good faith effort), substantial effort by CalRecycle, and reasonable effort – so some programs will have to span after 2023, permit for a transfer station to accept food waste. So what would be a reasonable date for residential and commercial organic waste that would be accepted by HWMA? (Consult with Eric Keller-Heckman).

Tom Mattson (Humboldt County) – I'd like to pick Edgars brain. Right now food is going out with MSW going to Dry Creek, but how can we do this in a county capacity? Ferndale said they could do agricultural compost. What's the procurement – how does the community buy back compost and mulch? Or bioenergy..? Through CalRecycle agricultural recycle permit?

Edgar and Associates – Compost on the farm, good examples in California. Clean green material – sequester that material and carbon into the soil (carbon farming – prevent erosion, and soil going back in to the soil). Keep clean green compost in Humboldt County. What is organic and what is not? What goes into a green bin? what is compostable, and compostable packaging? What can really go in? Have that in a common ordinance. That is in the drop box of record – Eric Keller-Heckman (HWMA) said he sent the files to the drop-box destination link. How can cities use that as a framework? Important to put that ordinance in a workshop setting.

Peter Fuller (HWMA) – don't over communicate, to what we can do.

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Tom Mattson (Humboldt County) – On the farm composting, but farmers are very scared about the compliance. The last thing they want is more water board regulations.

Edgar and Associates – We've made other presentations but there should be a new presentation for composting food waste. We do not want to send the food waste out of the area for processing and it has to be clean green 12,500 cubic yards. Slurry it? Mix it for feed stock? February 16th then finalize by April 16th.

Mario Kalson – DHHS – Looking to recruit a full-time senior (so additionally at environmental health).

Ben Dolf – Supervisor at DHHS for the retail food team – please reach out.

Evan Edgar – A food waste slurry at the Hawthorne site. Good case studies and LEA's out there. LEA, CalRecycle oversight, and local planning to fit county and city codes.

Peter Fuller (HWMA) – Thanks, Tom Mattson, clarifying fact over fiction (and lots of people are very concerned with making sure they are compliant.)

Maggie Gainer (Zero Waste Humboldt) – She's excited about carbon farming and wants to do a webinar.

Robin Praszker (Eureka) – Notice of intent – wants to make sure Fortuna is in place (and if they're going for a waiver too?)

Evan Edgar – Said that they did meet but not sure what they've applied for. So he works with HWMA – to assist and facilitate – he doesn't know what each city is particularly doing.

Linda Wise (Recology) – What are we doing for organics processing? Is there something we can refer them to, that is consistent so we can put it on our website?

Spencer Fine – CalRecycle (even small population waiver) there are still requirements and opportunities for that.

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Evan Edgar – Small population or rural jurisdiction. Can you explain what requirements, edible food recovery and procurement, rurals are exempt from procurement but not exempt from the paper procurement requirement.

Trinidad – Still requirements they have to do.

Evan Edgar – Said small population is exempt for 5 years, but 1826 is still enforced with 1383?

Eric Keller-Heckman (HWMA) says he will double check.

CalRecycle posts a lot of Q&A on their website.

b. SB1383 Ad Hoc

Is the ad hoc still needed or is the timing okay to diminish the ad hoc?

Tom Mattson (Humboldt County) thinks SWLTF can let it go now that we have a consultant on board.

Donna Wood (Eureka) and Emily Benvie (Arcata) agree.

Robin Praszker (Eureka) would like SB1383 to stay on the agenda.

8. LTF Recurring Meetings

Once every five years, to one year, to now quarterly... A regular meeting time? Fourth Monday of the beginning of every quarter? Consistent? Potentially Monday at 11am.

Humboldt County – No Tuesdays.

Recology – 11am is good.

9. Non-Local Task Force Organization Reports

This is a standing agenda item for non-member organizations to provide reports to the SWLTF on their respective waste management topics.

1. **HWMA** –No report.
2. **Recology** –Linda Wise provided a report. Recology is writing a letter of support for the Nordic Aqua Farms project. It will clean-up the peninsula but

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co-businesses with that. Possibilities for the organics program. Anyone else interested in submitting a letter of support can copy Recology's.

3. **Zero Waste Humboldt** –Maggie Gainer provided a report. Zero Waste Humboldt is doing business outreach. We've learned the most effective way is to really feature, showcase and publicly applaud people who are going above and beyond. Please forward any nominations to Zero Waste Humboldt. Waste education for shoppers? Join one meeting a month. Social media, countywide voice. If September, a north country fair, Zero Waste Humboldt may manage it this year. We have had events for large outdoor event producers. Zero Waste Humboldt has new employees and a new board that they're excited about.
4. **LEA** – Carolyn Hawkins reported. She like the holiday waste prevention PSAs. It's so nice for everyone in the local task force to be together.
5. **CalRecycle** – No report.

10. Proposed Future Tasks/Actions

The LTF will identify tasks or action items to be addressed at a specified LTF meeting.

Eureka – Maybe third Mondays?

Peter Fuller (HWMA) – Focus is SB1383.

11. **Oral and Written Communications** –Public comment opened and closed.

12. **Adjournment.** Next meeting to be determined by chair.

DRAFT COMPLIANCE PLAN ROAD MAP



SB 1383 Compliance:

Organics Regional
Compliance Services

February 28, 2022



Humboldt Waste
Management Authority

*Sequoia
sempervirens*



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Appendices

Appendix A - SB 1383 Model Ordinance

Appendix B - SB 1383 Tonnage Model

Appendix C - Hawthorne Street Transfer Station Site Plan for Organics Processing Building

Appendix D - Preferred 3-container system to collect organics as specific for Humboldt County

Appendix E - Commercial Organic Generator List

Appendix F - Sample public outreach and education material from Recology

Appendix G - Desk Review Checklist



Introduction

Humboldt Waste Management Authority (HWMA) is a California Joint Powers Authority formed in 1999 and The Authority is a public agency, comprised of six municipal members that include the County of Humboldt and the Cities of Arcata, Blue Lake, Eureka, Ferndale, and Rio Dell. The remaining non-member public agency jurisdictions in Humboldt are the cities of Fortuna and Trinidad. It is the desire of these HWMA member and non-member entities to coordinate and work regionally on SB 1383 and Organic Regional Compliance Services. SB 1383 requires 75% reduction of organic waste by 2025. Additionally, SB 1383 sets a goal that not less than 20% of edible food that is currently disposed of is recovered for human consumption by 2025.

California is now experiencing the effects of a climate crisis: hotter summers with world record-breaking temperatures, even more devastating fire seasons, more extreme droughts, and rising sea levels that erode our coastlines. Scientists tell us that greenhouse gasses released by human activities, such as landfilling food and yard waste, cause climate change. To respond to this climate crisis, California is implementing statewide organic waste recycling and surplus food recovery. SB 1383 is not just another recycling law; it is a bill to reduce short-live climate pollutants and was designed to address climate change impacts.

The Humboldt County Solid Waste Local Task Force (“HCSWLTF” or “Local Task Force”) is comprised of representatives from all 8 jurisdictions, with administrative support provided by HWMA. At their July 6, 2021 meeting, the Local Task Force requested the HWMA Board of Directors to coordinate with the HCSWLTF in the development and circulation of a Request for Proposals (RFP) for a Regional SB 1383 Action Plan for all its municipal jurisdictions, selection of a successful consultant, and management of the consultant contract. HWMA contracted with Edgar & Associates (Edgar) in December 2021 to provide consulting services to coordinate on SB 1383 issues. With SB 1383 being effective on January 1, 2022, there is a compressed time frame to catch up and achieve compliance.

SB 1383 requires significant action by local jurisdictions, residential and commercial organics generators, haulers, and facilities to reduce organics disposal. It will require the jurisdictions to enhance landfill reduction efforts related to food waste, green waste, wood waste, paper, cardboard, and other organics.. This SB 1383 Compliance Plan Road Map presents a strategy for the jurisdictions compliance with SB 1383 requirements through expansion of its existing programs and implementation of new programs and policies.

SB 1383 is a major overhaul of the solid waste and recycling structure in over 30 years when being compared to AB 939, which set a goal of 50% diversion by 2000. The magnitude and scope of SB 1383 requirements with the inclusion of penalties for non-compliance extends to jurisdictions, generators, facilities, and haulers. SB 1383 expands beyond AB 341 and AB 1826 mandatory commercial recycling and organics diversion requirements through its broad organics definition

and its applicability to all sectors, including single-family, multi-family, and commercial generators. Whereas AB 341 set a statewide recycling goal of 75% by 2020, not mandated or enforced. CalRecycle reported a statewide recycling rate of just 42% in 2020; more work needs to be done. During this period, Humboldt County increased their disposal of organics waste by 25% from a 2014 base year.

SB 1383 requires mandatory collection with local and state enforcement with potential impacts on recyclables and organics reduction, collection, and processing programs. Additionally, SB 1383 covers activities not accounted for in AB 939, AB 341, or AB 1826, such as monitoring and enforcement, recovered organic waste product procurement, education and outreach, reporting and record keeping, and edible food recovery.

SB 1383 compliance deliverables act as guidelines to aid municipal jurisdictions to establish appropriate legal authority in municipal code, develop critical pathways to enable expansion of food recovery infrastructure, and establish organic diversion programs to identify appropriate policies and activities to maintain compliance.

Current Solid Waste & Diversion Services Infrastructure

Municipal solid waste management, disposal, and diversion services are handled through a combination of private and public providers. Waste management services are administered through individual City and County collection programs, and for certain services, such as transportation and disposal of solid waste, on a multi-jurisdictional basis.

Curbside Collection

Jurisdictions enter into individual franchise collection agreements with one of three curbside haulers for the collection of solid waste, recyclables, and green waste (where available). Table 1 and Figure 1 below provides an overview. HWMA member agencies are obligated to direct their solid waste materials to HWMA's Hawthorne Street Transfer Station or an approved HWMA satellite transfer station. Non-member agencies direct their hauler to transport solid waste and recyclables to designated transfer stations.

Not all of the unincorporated areas are offered curbside collection services. This is due primarily to the large geographic area and low-density populations that are unable to support affordable collection services. Residents in these areas self-haul their solid waste and recyclables to a transfer station for management and disposal. Collection haulers include one of three companies: Humboldt Sanitation, Recology or Tom's Trash.

Table 1: Jurisdiction, Collection Haulers & Services

Jurisdiction	Collection Hauler	Collection Services			Universal or Voluntary Collection
		Solid Waste	Curbside Recyclables	GreenWaste	
Arcata	Recology	✓	✓	✓	Universal
Blue Lake	Humboldt Sanitation	✓	✓		Voluntary
Eureka	Recology	✓	✓	✓	Universal/Voluntary
Ferndale	Recology	✓	✓	✓	Voluntary
Fortuna	Recology	✓	✓	✓	Voluntary
Rio Dell	Recology	✓	✓	✓	Voluntary
Trinidad	Humboldt Sanitation	✓	✓		Voluntary

Unincorporated County Collection Areas					
Greater Arcata Area	Recology	✓	✓	✓	Voluntary
Greater Eureka Area	Recology	✓	✓	✓	Voluntary
Fieldbrook/Blue Lake	Recology	✓	✓	✓	Voluntary
Northwest Humboldt	Humboldt Sanitation	✓	✓		Voluntary
Willow Creek	Tom's Trash	✓	✓		Voluntary
Holmes/Redcrest	Recology	✓	✓		Voluntary
Weott/Myers Flat	Recology	✓	✓		Voluntary
Garberville	Recology	✓	✓		Voluntary

Transfer Stations & Services

Transfer stations accept curbside collected and self-hauled materials from solid waste haulers, contractors, and the general public. Some transfer stations also accept materials collected from rural container sites, and this tonnage is reflected in the overall transfer station tonnage. Municipal waste is transferred into trailers and hauled to out-of-county landfills.

Humboldt Sanitation: accepts approximately 20,000 tons annually of solid wastes, green wastes, recycling and special materials from member and nonmember agencies.

HWMA Hawthorne Street Transfer Station: accepts approximately 71,000 tons annually of solid wastes, green wastes, recycling, household hazardous wastes and special materials from member agencies.

Recology Eel River Transfer Station: accepts approximately 28,000 tons annually of solid wastes, green wastes, recycling and special materials from member and nonmember agencies.

Redway Transfer Station: accepts approximately 5,700 tons annually of solid wastes, green wastes, recycling and special materials from member agencies.

Material Recovery Facility (Recycling Only):

Recology Humboldt: Mixed recycling sorting and processing facility that accepts approximately 14,000 tons of mixed recycling from HWMA member agencies and nonmember jurisdictions

Organics Processing Facilities

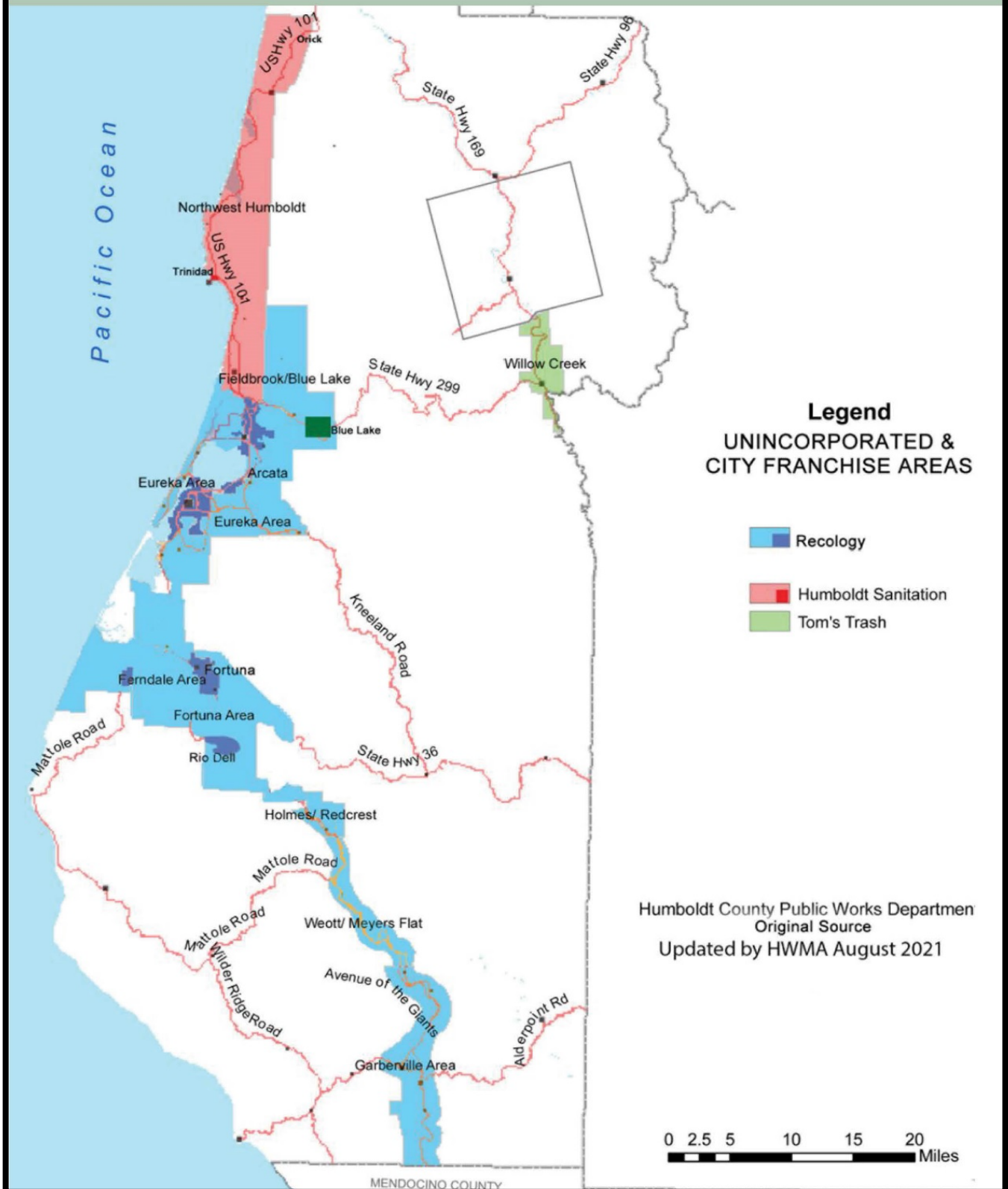
Wes Green Company: only green waste accepted at this site. Total annual tonnage accepted is approximately 18,000 tons with 4,500 tons coming from nonmember agency sources.

There are several other small organic processors that include Blue Lake Rancheria, North Coast Co-Op, Full Cycle Compost, The Local Worm Guy and residential composters.

Biosolids Composting from Wastewater Treatment Plants: Wastewater treatment plants located in Arcata, Eureka and Fortuna treat wastewater and regularly remove and compost biosolids from their respective anerobic digesters. Edgar will be interviewing these facilities to determine if they want to pursue receiving SB 1383 organic waste as a feedstock to produce biomethane.

Figure 1: Humboldt County Map and Franchise Areas

Reference: *Request for Proposal: Humboldt County SB 1383 & Organics Compliance Services*



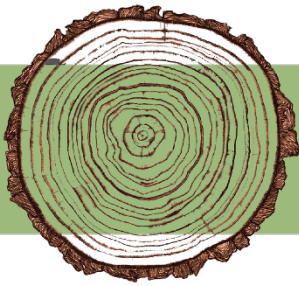
Transportation and Disposal to Out-of-Area Landfills

There are no operating landfills in Humboldt. All solid waste is transported to out of county landfills.

- Dry Creek Landfill (White City, Oregon):
 - All HWMA solid waste and Humboldt Sanitation.

- Anderson Landfill (Anderson, CA):
 - Includes Fortuna and Redway material, and self-hauled by independent haulers.

- Potrero Hills Landfill (Suisun City, CA):
 - Incidental materials by self-haulers



Task 1: Compliance Plan Road Map

In an effort to combat Climate Change, California has developed a range of approaches that will result in the reduction of climate change pollutants. The consequences of climate change are rapidly moving from the realm of prediction to the day-to-day experiences of the people living in California. Each of the last five years have been the hottest years on record. Wildfires in the State are increasingly common to the point at which the State of California now has a reliable wildfire season in which the skies are greyed for weeks at a time. Humboldt County exists in California's north coast, which is subject to droughts and forest fires, and the rising of the ocean waters.

In 2016, Californian legislators decided to act against global warming and the greenhouse gases that cause it. The State passed SB 1383, which is a bill designed to reduce methane emissions, which are produced in large part from the decomposition of organic waste in our State's landfills. The goal of SB 1383 is to reduce the amount of organic waste to 25% of what was disposed of in 2014 by the year 2025.. This plan provides a Road Map for participating jurisdictions to meet all of the requirements of the SB 1383. This plan will serve as a guide to help the jurisdictions navigate each of the requirements, which are listed below.

SB 1383 IN ACTION					JURISDICTION REQUIREMENTS				
									
ORDINANCE	ORGANICS COLLECTION SERVICE	CAPACITY PLANNING	EDUCATION & OUTREACH	MONITORING & ENFORCEMENT	CONTAMINATION MONITORING	ORGANIC WASTE PROCUREMENT	RECYCLED PAPER PROCUREMENT	EDIBLE FOOD RECOVERY	REPORTING



- **ORDINANCE** | A Model Ordinance following examples provided by CalRecycle and StopWaste.Org provided to participating jurisdictions for use in development of individual ordinances with an available workshop to discuss questions and receive additional input.
- **ORGANICS COLLECTION SERVICE** | This is the cornerstone of the SB 1383 law. The law provides for universal organic recycling and conventional recycling access for every resident and business in California. Further, SB 1383 will standardize collection programs with container labelling and colors across Humboldt County and the State.
- **CAPACITY PLANNING** | The County will prepare the organic waste processing capacity for a 15-year period meeting both its organic waste recycling and edible food recovery capacity planning requirements.
- **EDUCATION AND OUTREACH** | Participating jurisdictions to develop programs with a standardized, consistent message to keep the communities informed and educated on both the importance and execution of organic waste recycling.
- **MONITORING AND ENFORCEMENT** | Participating jurisdictions will be tasked with enforcement of SB 1383 requirements.

MONITORING AND ENFORCEMENT | As with any recycling program, contamination monitoring is central to its success. Participating jurisdictions will plan route reviews and correct good faith recycling efforts to ensure materials are collected with minimal contamination.

- **ORGANIC WASTE PRODUCT PROCUREMENT** | Diverting 75% of discarded organics will require an end destination for the resulting final products. SB 1383 has provisions requiring jurisdictions to support markets for compost, mulch, bioenergy, and other recycled organic waste products.
- **RECYCLED PAPER PROCUREMENT** | A model policy following CalRecycle tools for purchasing the highest recycled content paper available.
- **EDIBLE FOOD RECOVERY** | Recovering edible food for human consumption reduces more than three times as much greenhouse gas as composting. Participating Jurisdictions will develop partnerships with larger food generators to rescue food for hungry families, in compliance with the regulation.
- **REPORTING** | SB 1383 has robust recordkeeping and reporting requirements. This plan details where each of the records are kept, and how reporting will occur.

SB 1383 Background and Implementation

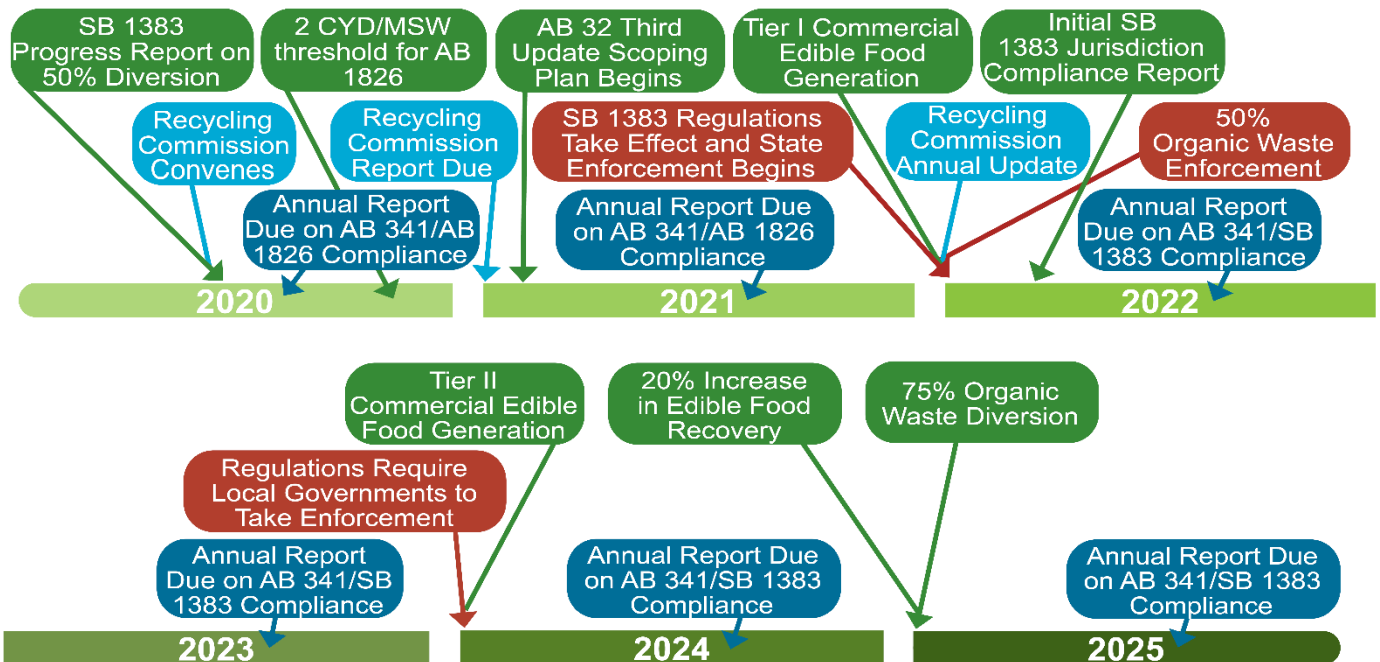


SB 1383 “Organics Reduction for Methane Mitigation” | Senate Bill 1383 identifies the reduction of methane generation of organic waste as a prioritized climate change mitigation strategy. As such, SB 1383 mandates reductions in the landfilling of organic waste, and thereby methane emissions. Whereas AB 341 and AB 1826 placed the burden of mandatory collection on the generators with a local government planning effort, SB 1383 explicitly shares the responsibility with local government. CalRecycle has added fines and penalties much like AB 939, but with delayed enforcement until 2024. CalRecycle, in consultation with CARB, has adopted regulations that achieve the specified targets for reducing organic waste in landfills by 2022 and 2025. SB 1383 has authorized local jurisdictions to charge and collect fees to recover the local jurisdiction’s costs incurred in complying with the regulations. The regulations have included requirements intended to meet the goal that not less than 20% of edible food that is currently disposed of is recovered for human consumption by 2025. The Implementation Schedule and reporting Compliance checklist is provided in Figure 2 below.

Specifically, this bill adds two goals for organic waste disposal reductions:

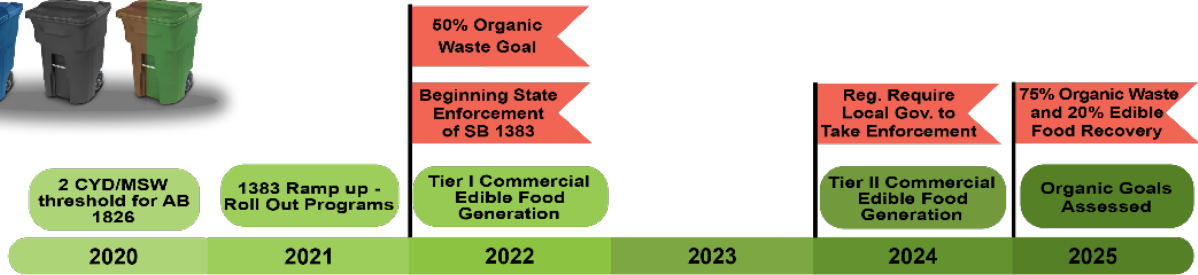
- ✓ A 50% reduction in the level of statewide disposal of organic waste from the 2014 level by 2020.
- ✓ A 75% reduction in the level of statewide disposal of organic waste from the 2014 level by 2025.

Figure 2 - Implementation Schedule for SB 1383



SB 1383 Compliance Checklist

Three Container Collection Program



Ordinance(s) or Similar Enforceable Mechanisms

<input type="checkbox"/>	Jurisdiction adopts and keeps a record of a three container collection system	§ 18981.2	January 1, 2022	Jurisdiction
<input type="checkbox"/>	Reportable ordinance or other enforceable mechanisms to CalRecycle	§ 18994.1	January 1, 2022	Jurisdiction
<input type="checkbox"/>	Designate an enforcement lead	§ 18994.1	January 1, 2022	Jurisdiction
<input type="checkbox"/>	Generators to have three containers, wherever trash containers are located	§ 18995.1	January 1, 2022	Jurisdiction
<input type="checkbox"/>	Annual review of generators	§ 18995.1	January 1, 2022	Jurisdiction
<input type="checkbox"/>	Adopt an ordinance requiring compliance with CALGreen Building Code	§ 18989.1	January 1, 2022	Jurisdiction
<input type="checkbox"/>	Inspections to be performed at Tier 1 and Tier 2	§ 18995.1	January 1, 2022 January 1, 2024	Jurisdiction
<input type="checkbox"/>	Issue Notice of Violation within 60 days of offense, follow up within another 90 days, issue penalties within 150	§ 18995.4	January 1, 2024	Jurisdiction
<input type="checkbox"/>	Provide tenants information within 14 days of move in	§ 18984.1	Ongoing	Jurisdiction
<input type="checkbox"/>	Venues and large events must require vendors meet 3 container requirements	§ 18991.1	Ongoing	Jurisdiction
<input type="checkbox"/>	Recordkeeping: Enforcement actions	§ 18995.2	Ongoing	Jurisdiction



Three Container System

<input type="checkbox"/>	Provide a three container system	§ 18984.1	January 1, 2022	Hauler
<input type="checkbox"/>	Haulers: Identify facilities where they transfer organics waste and provide documentation	§ 18988.1	April 1, 2022	Hauler
<input type="checkbox"/>	Properly label the cart	§ 18984.8	August 1, 2022	Hauler
<input type="checkbox"/>	Recordkeeping: Geographic area, type of service, used facilities, recovery rates, etc.	§ 18984.4	August 1, 2022	Jurisdiction
<input type="checkbox"/>	Match gray, blue, green system when replacing container	§ 18984.7	December 1, 2022	Hauler



Route Review

- | | | | | |
|--------------------------|---|-------------|---------------|--------------|
| <input type="checkbox"/> | Perform waste Route Review to verify commercial businesses and residential generators are meeting requirements | § 18984.5 | April 1, 2022 | Jurisdiction |
| <input type="checkbox"/> | OPTIONAL in lieu of Route Review: Sample all hauler routes, with a minimum of 25-40 samples depending on size. 25% limit on contamination, otherwise additional outreach is required. | § 18984.5 | April 1, 2022 | Hauler |
| <input type="checkbox"/> | Facility Quarterly Waste Characterizations of Gray Container Stream | § 17409.5.7 | July 1, 2022 | Facility |
| <input type="checkbox"/> | Recordkeeping: Waste evaluation documentation | § 18984.6 | Ongoing | Hauler |



Outreach and Education

- | | | | | |
|--------------------------|--|-----------|------------------|--------------|
| <input type="checkbox"/> | Provide generators relevant information annually. Includes sorting instructions, sorting outreach materials, community compost, approved haulers, source reduction, etc. | § 18985.1 | February 1, 2022 | Jurisdiction |
| <input type="checkbox"/> | Edible food recovery outreach: List organizations and how to access them | § 18985.2 | February 1, 2022 | Jurisdiction |
| <input type="checkbox"/> | Recordkeeping: Track outreach efforts | § 18985.3 | February 1, 2022 | Jurisdiction |



Procurement

- | | | Regulation | Due Date | Responsible Party |
|--------------------------|--|-------------------|-----------------|--------------------------|
| <input type="checkbox"/> | Must procure (population x 0.08 tons) of organic waste product equivalent annually | § 18993.1 | January 1, 2022 | Jurisdiction |
| <input type="checkbox"/> | Must meet procured paper standards | § 18993.3 | January 1, 2022 | Jurisdiction |
| <input type="checkbox"/> | Recordkeeping: Records of both | § 18985.3 | Ongoing | Jurisdiction |



Planning and Reporting

- | | | Regulation | Due Date | Responsible Party |
|--------------------------|--|-------------------|------------------|-------------------------------------|
| <input type="checkbox"/> | Initial Jurisdiction Compliance Report | § 18994.1 | April 1, 2022 | Jurisdiction |
| <input type="checkbox"/> | Estimate tons organic waste disposed. Estimate tons capacity needed. Evaluate expansion options, including community compost | § 18992.1 | August 1, 2022 | County with Input from Jurisdiction |
| <input type="checkbox"/> | Estimate edible food capacity | § 18990.2 | August 1, 2022 | County with Input from Jurisdiction |
| <input type="checkbox"/> | Jurisdictional Annual Report | § 18994.2 | August 1, 2022 | Jurisdiction |
| <input type="checkbox"/> | Create implementation schedule | § 18990.1 | December 1, 2022 | County with Input from Jurisdiction |

SB 1383 Initial Compliance – Short-Term

The short-term plan to achieve SB 1383 compliance involves the following activities:

- SB 1383 Waivers for 5-year Extensions applications submitted by December 1, 2021
- SB 1383 Local Assistance Grant Program applications submitted by February 1, 2022
- SB 619 Notice of Intent to Comply completed and submitted by March 1, 2022
- Initial Jurisdictional Compliance Report completed and submitted by April 1, 2022

SB 1383 Waivers for 5-year Extensions starting December 1, 2021

A jurisdiction (city or special district providing solid waste collection services) may apply to CalRecycle for a waiver for some or all its generators for some or all the requirements. To qualify for a low population waiver, the following must apply to the jurisdiction:

- The jurisdiction disposed less than 5,000 tons of solid waste in 2014 as reported in the CalRecycle Disposal Reporting System.
- The jurisdiction has a total population of less than 7,500 people.

Unincorporated County areas may apply to CalRecycle for a waiver for some or all the generators within the unincorporated county from some or all the requirements. To qualify for a low population waiver, the following must apply:

- The identified census tracts have a population density of less than 75 people per square mile within the jurisdiction and be in unincorporated portions of the County.

CalRecycle-approved waivers are valid for a period of up to five years. A jurisdiction may apply to renew a waiver at any time up to 180 days prior to the expiration of an existing approved waiver. Table 2 and Figure 2 below shows the low population area of Humboldt County. An approved waiver is for collection and collection related activities and does not waive a jurisdiction from its obligation to comply with the other requirements of the SB 1383 regulations including, but not limited to, promoting, and providing information to generators about waste prevention, procurement, edible food recovery, community composting, managing organic waste on-site, and other means of recovering organic waste as shown in Table 3 below.

The cities of Eureka, Fortuna, and Arcata, and the portions of the unincorporated County of more than 75 people in a census tract are expected to have SB 1383 programs starting in 2022, where the rest of the County and the cities will need to start SB 1383 collection programs by 2027, as shown in the Table 2 below. With SB 619 allowing up to one year phase in of programs without being subject to administrative penalties, the Compliance Roadmap will focus on establishing these programs by 2023 with the medium-term food waste export programs for a term of up to 5 years. Building local food waste processing on a regional approach will take over 5 years and may be ready as soon as 2027.

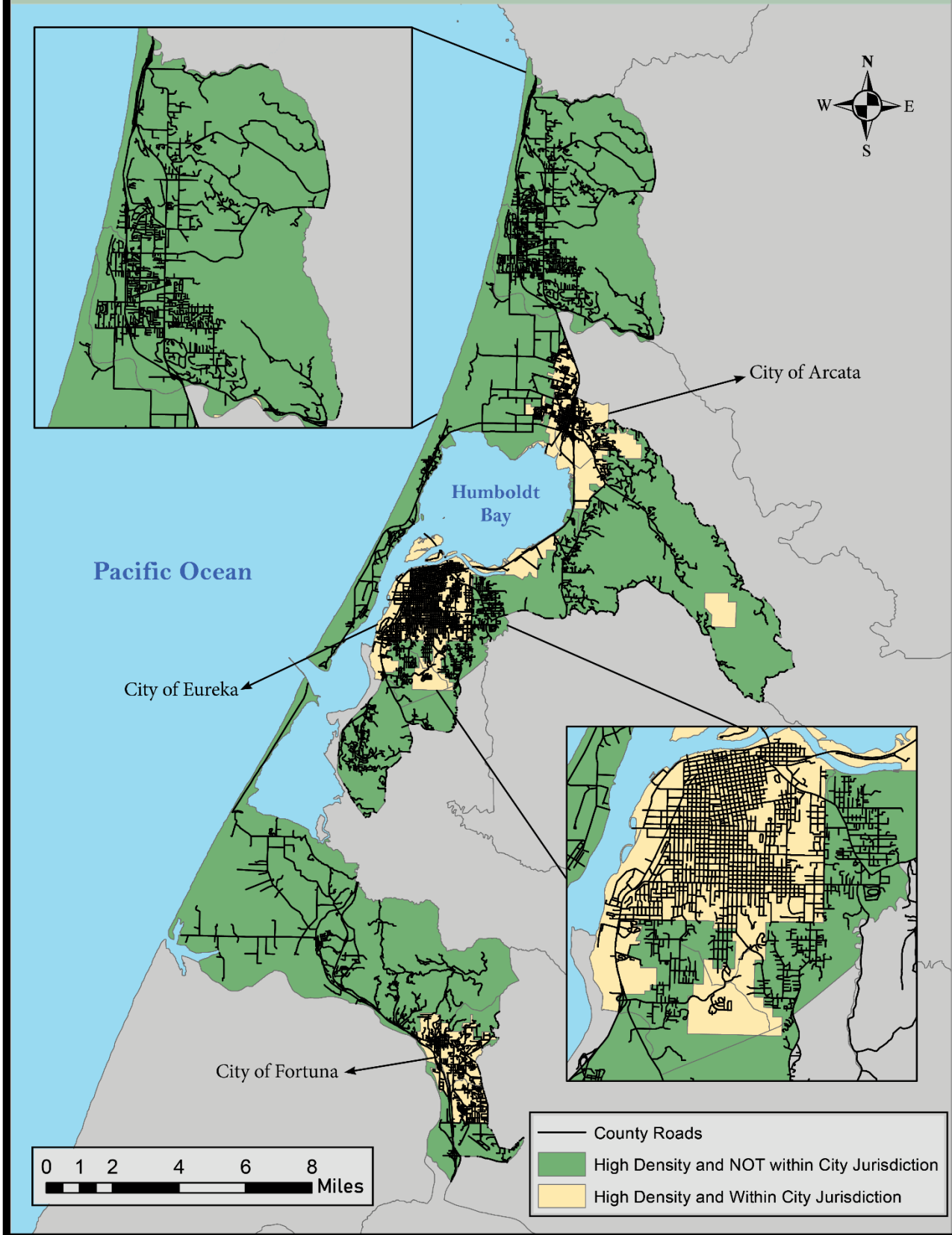
Table 2 – SB 1383 Waivers and SB 619 Notice to Comply

Jurisdiction	Area (sq miles)	2019 Population	2014 Disposal Tons	People/Square Mile	Exemption/ 5-Year Waiver	Collection Start Date
Eureka	9.4	26,278	25,053	2,796	None	2023
Fortuna	4.9	12,195	12,140	2,489	None	2023
Arcata	9.1	18,579	7,318	2,042	None	2023
Unincorporated Humboldt	4,020	71,444 TBD	33,570 TBD	> 75 people/mile < 75 people/mile	None Low Density	2023 2027
Rio Dell	2.3	3,325	767	1,446	Population/Disposal	By 2027
Ferndale	1.0	1,339	602	1,339	Population/Disposal	By 2027
Blue Lake	0.6	1,233	535	2,055	Population/Disposal	By 2027
Trinidad	0.5	347	349	694	Population/Disposal	By 2027

Table 3 – SB 1383 Requirements for Low Population and Low Density

SB 1383 - Department Issued Waivers		
	Low Population – Rio Dell, Ferndale, Blue Lake, and Trinidad	Low Density
Waiver Requirement #1	5,000 or fewer tons disposed in 2014	Potions of unincorporated County
	7,500 or fewer people in 2014.	Is a census tract in unincorporated area
Waiver Requirement #2		Has fewer than 75 people per square mile
Duration	Up to 5 years	Up to 5 years
SB 1383 Waived Requirements	Three Bin System Collection Recordkeeping Contamination Monitoring Container Color Requirements Container Label Requirements Generator Requirements to Separate Food All Other Generator Requirements	Three Bin System Collection Recordkeeping Contamination Monitoring Container Color Requirements Container Label Requirements Generator Requirements to Separate Food All Other Generator Requirements
SB 1383 Remaining Requirements	Education and Outreach Hauler Recordkeeping CalGreen and MWELO Edible Food Recovery Capacity Planning Procurement Reporting Enforcement Facility Requirements Adopt an Ordinance	Education and Outreach Hauler Recordkeeping CalGreen and MWELO Edible Food Recovery Capacity Planning Procurement Reporting Enforcement Facility Requirements Adopt an Ordinance

Figure 2: Humboldt County High Population Density



SB 1383 Local Assistance Grant Program – By Feb 1, 2022

The Department of Resources Recycling and Recovery (CalRecycle) is administering a one-time grant program meant to provide aid in the implementation of the SB 1383 regulations. This non-competitive grant program provides \$57,000,000 of funding to local jurisdictions to assist with the implementation of regulation requirements associated with SB 1383, including but not limited to:

- Capacity Planning
- Collection
- Edible Food Recovery
- Education and outreach (include organic waste & edible food recovery)
- Enforcement and Inspection
- Program Evaluation/Gap Analysis
- Procurement Requirements
- Record Keeping

With the applications being filed before February 1, 2022, the participating agencies could receive up to \$ 250,819 total with the allocation for each city is generally based on the population with base funding of at least \$20,000 per jurisdictions as noted in Table 4 below:

Table 4 – SB 1383 Local Assistance Grant Amount

Humboldt County	Grant Amount
Arcata	\$ 23,199
Blue Lake	\$ 20,000
Eureka	\$ 35,271
Ferndale	\$ 20,000
Fortuna	\$ 20,000
Rio Dell	\$ 20,000
Trinidad	\$ 20,000
Humboldt County	\$ 92,349
Total	\$ 250,819

The second round of funding will have until June 14, 2022, to submit the documentation. On or after September 1, 2022, CalRecycle will consider funding recommendations, and if approved, conditionally awards grants on this date.

The First-Round grant term is for 2 years starting on April 1, 2022, and ending on April 1, 2024, with Progress Reports due every six months, and a Final Report due at the end of the grant. The Second-Round grant term is for 2 years starting on September 1, 2022, and ending on September 1, 2024, with Progress Reports due every six months, and a Final Report due at the end of the grant.

SB 619 Notice of Intent to Comply – March 1, 2022

Jurisdictions are required to implement SB 1383 starting on January 1, 2022. As jurisdictions are preparing to implement the law, many local governments are facing challenges due to the COVID-19 pandemic. In response, Governor Newsom signed SB 619 (Laird) into law to support local governments as they design and implement successful organic waste recycling programs throughout the state. The law authorizes CalRecycle to waive civil penalties if a jurisdiction submits a Notification of Intent to Comply (NOIC) for some or all the regulatory requirements and successfully implements a plan to correct their violations. When the State of California adopted SB 1383, CalRecycle was authorized to levy enforcement fines of \$10,000 per day for jurisdictions that do not meet SB 1383 requirements.

Jurisdictions that are unable to fully implement the regulations due to the COVID-19 pandemic, may submit to CalRecycle a Notification of Intent to Comply by March 1, 2022. A condition of this relief is that jurisdictions must submit a “Notice of Intent to Comply” to CalRecycle along with a schedule for compliance, and a resolution approving the Notice of Intent to Comply. A jurisdiction shall, at minimum, include the following in its notification:

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

Edgar provided a sample Notice of Intent to Comply form, as well as the Resolution, and followed up with a webcast to the member agencies. The plan is to phase in SB 1383 programs during 2022 with implementation by January 1, 2023.

CalRecycle will review each request within 45 business days of receiving a notification of intent to comply to ensure that it is complete and accurate. If the notification is not complete or accurate, CalRecycle will contact the person submitting the notification for clarification. CalRecycle will respond in writing to a jurisdiction within 45 business days of receiving a notification of intent to comply with one of the following responses:

1. Approval
2. Disapproval
 - a. If CalRecycle disapproves the notification, CalRecycle will include the reasons for disapproval.
3. Request for additional information
4. Timeline for a decision on approval or disapproval.

When CalRecycle approves a jurisdiction’s notification, the jurisdiction may be eligible

for both of the following:

1. Administrative civil penalty relief for the 2022 calendar year.
2. A corrective action plan.
 - 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 may establish any maximum compliance deadline in a corrective action plan that it determines to be necessary and appropriate under the circumstances for the correction of a violation of the regulations. CalRecycle may address through a corrective action plan any violations disclosed in a jurisdiction's notification that may take more than 180 days to correct.

Waiving Administrative Civil Penalties

CalRecycle may waive administrative civil penalties for the violations if the jurisdiction implements the actions proposed in the notification to remedy the violations. For violations that commence during the 2022 calendar year and continue into the 2023 calendar year, administrative civil penalties may begin accruing as of January 1, 2023. Those administrative civil penalties accruing on and after January 1, 2023, shall be waived upon complete compliance with the terms of a corrective action plan. Note: If a jurisdiction fails to adhere to the proposed actions and schedule described in the approved notification, then CalRecycle may revoke its approval and impose administrative civil penalties for violations occurring during the 2022 calendar year retroactive to the date of violation.

SB 1383 Substantial Compliance Process

The SB 1383 enforcement structure allows CalRecycle to focus on compliance assistance first and dedicate enforcement efforts to serious offenders. The regulations allow for flexibility and deadline extensions in some instances when there are extenuating circumstances causing compliance issues despite a jurisdiction's substantial efforts, such as the COVID-19 pandemic and natural disasters.

The enforcement process is an escalating process, and the timelines are not triggered until a Notice of Violation (NOV) is issued.

- CalRecycle has discretion to address compliance issues with a jurisdiction through compliance evaluations prior to moving to enforcement proceedings.
- CalRecycle will consider the totality of circumstances surrounding a jurisdiction's compliance prior to issuing NOVs.
- CalRecycle has discretion to issue NOVs and, depending on circumstances, not seek penalties.

If CalRecycle takes enforcement action, it can consider **extenuating circumstances** as well as **substantial efforts** made by a jurisdiction and place the entity on a Corrective Action Plan (CAP). CalRecycle has enforcement discretion to allow for a longer timeline for compliance.

Notice of Violation (NOV) - If CalRecycle determines a jurisdiction is violating one or more requirements and decides to take enforcement action, it must issue an NOV.

- A jurisdiction will have **90 days** to correct the violation.
- That timeframe can be extended an **additional 90 days** to a **total of 180 days** if CalRecycle finds that additional time is necessary.

Corrective Action Plan (CAP) - For violations due to barriers outside a jurisdiction's control (**extenuating circumstances**) and when a **substantial effort** is made towards compliance:

- Jurisdictions can be placed on a Corrective Action Plan, extended compliance timelines.

Extenuating circumstances are:

- Acts of God such as earthquakes, wildfires, flooding, and other emergencies (such as pandemics) or natural disasters.
- Delays in obtaining discretionary permits or other government agency approvals.
- An organic waste recycling infrastructure capacity deficiency requiring more than 180 days to cure.

Substantial effort is where a jurisdiction has done everything within its authority and ability to comply. **Substantial effort does not include** circumstances where a decision-making body of a jurisdiction has not taken the necessary steps to comply with the chapter, including, but not limited to:

- Failure to provide adequate staff resources to meet its obligations, or
- Failure to provide sufficient funding to meet its obligations, or
- Failure to adopt the ordinance(s) or similarly enforceable mechanisms.

If a jurisdiction does not demonstrate that they have made a **substantial effort**, they would not be eligible for the extended compliance deadlines. However, CalRecycle will consider the totality of circumstances surrounding a jurisdiction's compliance prior to issuing NOV's.

Penalties are imposed after all other compliance actions have failed.

- If a jurisdiction does not meet NOV or CAP deadlines, CalRecycle has another opportunity to exercise enforcement discretion by determining when to commence an action to impose administrative civil penalties.
- When CalRecycle commences an action to impose administrative civil penalties, it shall serve an accusation and hold a hearing—if requested by the respondent (roughly, a 180-day process).

AB 939's Good Faith Effort vs. SB 1383's Compliance Determination

AB 939 established a specified waste diversion target for each jurisdiction.

- A *Good Faith Effort* determination relies upon a suite of indicators to determine if a jurisdiction is actively trying to implement programs and achieve its targets.

SB 1383 establishes a statewide target and prohibits a target for each jurisdiction.

- SB 1383 requires a more prescriptive approach and state minimum standards.
- Jurisdictions must demonstrate compliance with each prescriptive standard.
- Legislators amended SB 1383 to remove the requirement that CalRecycle use the AB 939 *Good Faith Effort* requirement for its enforcement for SB 1383.
- The 75 percent organic waste diversion target in 2025 will not be reachable with the longer compliance process under the *Good Faith Effort* standard.

Eligibility for a CAP through the NOIC Process – For violations identified in the SB 619 NOIC, CalRecycle may address any violations disclosed through a CAP that will take more than 180 days to correct.

A jurisdiction is not required to demonstrate a substantial effort to be eligible for a CAP through the NOIC process. This differs from the SB 1383 enforcement process.

These **Substantial Compliance Process** allows for extended compliance timelines (under certain circumstances), giving jurisdictions additional flexibility to come into compliance before penalties are issued.

Initial Jurisdictional Compliance Report – By April 1, 2022

Each jurisdiction shall report to CalRecycle on its implementation and compliance with SB 1383 requirements by April 1, 2022, the following information:

1. A copy of ordinances or other enforceable mechanisms adopted pursuant to this chapter
2. The following reporting items:
 - a. The type of organic waste collection service(s) provided by the jurisdiction to its generators.
 - b. The total number of generators that receive each type of organic waste collection service provided by the jurisdiction.
 - c. If the jurisdiction allows placement of compostable plastics in containers, the jurisdiction shall identify each facility that has notified the jurisdiction that it accepts and recovers that material.
 - d. If the jurisdiction allows organic waste to be collected in plastic bags and placed in containers, the jurisdiction shall identify each facility that has notified the jurisdiction that it can accept and remove plastic bags when it recovers source separated organic waste.
3. The following contact information:
 - a. The name, mailing address, phone number, and email address of the employee of the jurisdiction that the jurisdiction has designated as the primary contact person for the purposes of receiving communications regarding compliance with this chapter.

- b. The name and address of the agent designated by the jurisdiction for the receipt of service of process from CalRecycle for the purposes of enforcement.

Edgar has notified the member agencies and both Recology and Humboldt Sanitation of the need for the haulers to provide the total number of generators that receive each type of organic waste collection service provided by the jurisdiction which would include the programs under AB 1826 that mandated collection starting in 2016, and whether there is any current bagged use.



Ordinance by April 1, 2022

SB 1383 requires that jurisdictions establish legal authority to implement and mandate programs through adoption of ordinances, policies, or similarly enforceable mechanisms. The adoption of an Ordinance or a SB 1383 Enforcement Mechanism is essential to the success of a collection program. The State regulations mandate that all jurisdictions adopt one, and will need to include all aspects of SB 1383 including Edible Food Rescue, Procurement, and Model Water Efficient Landscape Ordinance (MWELo). The CalRecycle “Model Mandatory Organic Waste Disposal Reduction Ordinance” was used as a guide.

Under the SB 1383 Regulations, local jurisdictions that do not adopt enforceable mechanism by January 1, 2022, to implement the SB 1383 Regulations locally are subject to penalties issued by CalRecycle. On October 5, 2021, the Governor signed SB 619 to provide some relief for jurisdictions that may not be compliant with SB 1383 requirements by the January 1, 2022, deadline.

To obtain the benefits of SB 619 NOIC will need to adopt to comply with the SB 1383 Regulations by resolution at a Council or Board meeting and send the notification to CalRecycle by March 1, 2022. If CalRecycle approves the notification, penalties will not accrue against the City during 2022. However, if the jurisdiction does not take action to comply with the extended deadline, then the City would be liable for the fines retroactively.

The proposed ordinance is a mechanism for the jurisdiction to enforce the SB 1383 Regulations. Key provisions of the proposed ordinance are highlighted below (the list is not comprehensive):

Single-family, multi-family and businesses must subscribe to solid waste, recyclables and organics collection service and properly sort these materials.

- Businesses and multi-family buildings must acquire and supply an adequate number of labeled, color-specific containers for employees, contractors, tenants, and customers, consistent with the 3-container program provided by Recology and educate employees and tenants about proper sorting.
- Businesses (excluding multi-family) must provide additional labeled or color-specific containers for organic waste and recyclable materials generated by that business in all

areas where the business provides disposal containers for employees, tenants, customers, and other users of the premises.

- The jurisdictions review requests from businesses and/or multi-family buildings for waivers from organic waste collection requirements, and grant waivers when criteria are met.
- Ensure that collection containers provided by the haulers meet color requirements and are labeled to specify the materials allowed for those containers
- Self-haulers of organic materials must source-separate organics, take them to a facility that recovers organics, and keep specified records.
- Develop and implement an edible food recovery program that recovers edible food from commercial edible food generators for human consumption.
- Commercial edible food generators must enter into written agreements with food recovery organizations and keep specified records.
- Food recovery organizations and services must maintain certain records, including written agreements with commercial edible food generators.
- The jurisdictions must inspect and enforce the requirements in the Ordinance. The penalties for violations are consistent with the jurisdiction's penalties for other ordinances.
- Ensure that contamination monitoring of containers to inspect for prohibited contaminants is conducted.
- The jurisdictions must provide educational materials, issue notice of violations, and issue administrative citations for violations of the Ordinance as specified.
- The jurisdictions shall work with the haulers and others to ensure that education and outreach regarding the SB 1383 requirements are provided to generators, haulers, facilities, and edible food recovery organizations.

While the jurisdictions may designate a public or private entity to fulfill some of its SB 1383 regulatory responsibilities via contracts, MOUs or written agreements, the jurisdictions itself remains responsible for its SB 1383 compliance and enforcing other entities' compliance with the SB 1383 regulations through the Ordinance. Under the SB 1383 Regulations, the jurisdictions are also not allowed to delegate the authority to impose civil penalties for any violation of the Ordinance, or to issue waivers, to a private entity.

The SB 1383 regulations also require the jurisdictions to:

- Procure recycled content paper, and procure recovered organic waste products (i.e., compost, mulch, electricity generated from biomass conversion, and renewable natural gas) at levels prescribed by the state annually.
- Keep specified records and report implementation efforts.

The jurisdictions must adopt certain CALGreen and Model Water Efficient Landscape Ordinance (MWELo) provisions specific to organic waste diversion. Because some of the jurisdictions may have already has incorporated the current CALGreen and MWELo provisions in the Code, those provisions may not be part of their Ordinance.

StopWaste.Org - Alameda County Waste Management Agency – Model Ordinance

To assist member agencies and to create a consistent set of requirements throughout Alameda County, StopWaste committed to preparing a countywide model ordinance. Member agencies would adopt an “opt-in” ordinance after the Alameda County Waste Management Authority (ACWMA) Board adopts the proposed countywide ordinance. Member agencies would have the ability to adopt the opt-in ordinance (first and second readings). This is how ACWMA conducts their business to provide an overall framework. A comparison of the CalRecycle Model Ordinance prepared by HF&H and the ACWMA Ordinance is compare on Table 5 below.

HWMA is primarily responsible for post-collection, and member agencies are poised to coordinate and work regionally on the development of model Ordinances. The SB 1383 Model Ordinance prepared by Edgar (Appendix A) is expected to aid the individual municipal jurisdictions in their respective establishment of appropriate legal authority in their existing municipal codes and ordinances and describe critical pathways to enable expansion of existing food recovery and develop organic diversion programs and identify new programs and policies as appropiate. Edgar will offer a webcast in March to review the proposed Model Ordinance.

Table 5 – Comparison on SB 1383 Model Ordinance

	CalRecycle (Prepared by HF&H)	ACWMA – StopWaste.org
Single-Family	Must get service unless self-haul, includes color requirements	Must get service unless self-haul - enforced by member agency
Commercial & Multifamily	Must subscribe to 3-bin system, includes color requirements	Must subscribe to 3-bin system, enforced by member agency, color requirements
Commercial & Multifamily	Requirements to inform tenants, employees	Requirements to inform tenants, employees
Waivers	De Minimus, Collection Frequency, Space - all others are jurisdiction's responsibility	De Minimus, Collection Frequency, Space - all others are jurisdiction's responsibility
Edible Food Generators	Must subscribe if meets requirements, cant spoil food intentionally etc.	Must subscribe if meets requirements, cant spoil food intentionally etc.
Edible Food Organizations	Recordkeeping and arrangements with generators, capacity planning	Recordkeeping and arrangements with generators, capacity planning
Hauler Requirements	Identify Facilities, Only haul organics to correct facilities,	Identify Facilities, Only haul organics to correct facilities,
Self-Haul Requirements	Recordkeeping	Recordkeeping
Inspections and Enforcement	City Manager of Regional Agency as enforcer	Authorizes Inspections, requires recordkeeping and penalties
Opt-In	-	Opt In Provisions
CalGreen	CalGreen Requirements Written In	Added from HF&H
MWELo	MWELo Requirements	Added from HF&H
Procurement	Mandates Procurement (optional)	None – Already in place
Effective Date	Effective Jan 1 2022	Effective Jan 1 2022

SB 1383 Targeted Tonnage Analysis

The state of California has set its statewide organic waste diversion goal to be that 2025 organic disposal is 25% of the amount disposed of in 2014. Edgar has calculated the amount of new tons of diversion that would need to occur by 2025 to have jurisdictions divert their fair share of organic waste to keep pace with this goal. To make this determination, Edgar estimated the amount of organic waste disposed of by jurisdictions in 2014, present year, and the new tons that will be needed to achieve the goal. This is done using the following information:

- Humboldt disposal tonnages as reported to CalRecycle under the disposal reporting system.
- Humboldt Waste Management Authority Waste Characterization Report Dated March 2012
- Humboldt Waste Management Authority Waste Characterization Study Dated October 2021

- CalTrans Population Projections for Humboldt County
- Edgar is using a tonnage model that has several advantages:
- It ensures the Humboldt is using a consistent baseline with local waste characterization data
 - it provides reasonable estimates of organics that must be recovered. This model analysis assumes that Humboldt County and the cities provide programs to divert their fair share of organics sent to landfill, 75% organics diversion in 2025, compared to 2014 baseline disposal.
 - The most relevant population growth data could be utilized to update the model

The California Department of Finance data is typically used but was dated from 2010 with negative growth towards 2020, and the new 2020 census data projections to 2030 are not posted yet. The CALTRANS data from 2017 shows a higher growth population with more recent data. With unprecedented growth coming to Humboldt County, Edgar has requested the most recent data for population growth to 2030 and 2045. Until relevant data can be provided, the 2017 CALTRANS data will be used. Using this data may underrepresent the future waste generation rate and will calculate a lower targeted organic waste tonnage while determining the fair-share of organic waste reduction to reach the statewide mandate of 75% by 2025 and calculations to determine the 15-year of organic waste processing capacity.

The first calculation in Table 6 below is to determine what percentage of the disposed tons belong to each sector (commercial, residential, and self-haul). A follow-up calculation uses the above-mentioned waste characterizations to ascertain the percentage of these sectors’ waste is organic. For the purposes of this study, organic waste are compostable papers, manures, green waste, wood wastes, and food waste. Textile, carpets, and baled fiber material that are defined as SB 1383 organic waste types are not included in these calculations.

Table 6 – Percentage of Organic Waste from 2011 to 2020

	% of Waste Belonging to Each Sector									
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Commercial	26%	26%	27%	28%	29%	29%	30%	31%	31%	32%
Residential	28%	27%	26%	25%	25%	24%	23%	22%	22%	21%
Multifamily	5%	5%	5%	5%	5%	5%	4%	4%	4%	4%
Self-Haul	41%	41%	42%	42%	42%	42%	42%	43%	43%	43%
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

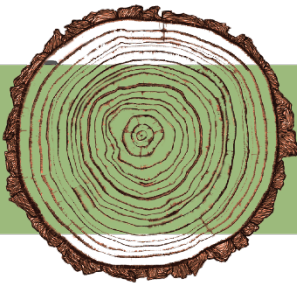
	% of Each Sector's Waste that is Organic									
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Commercial	48%	47%	47%	47%	46%	45%	44%	43%	42%	41%
Residential	59%	58%	57%	47%	48%	48%	48%	49%	49%	50%
Multifamily	59%	58%	57%	40%	42%	43%	45%	47%	48%	50%
Self-Haul	41%	40%	39%	39%	38%	36%	34%	33%	31%	29%

Using the 2012 and 2020 waste characterizations and the disposal data reported to CalRecycle, a trendline is established estimating the amount of organic waste disposed for all years in between, including the 2014 base year. Although Humboldt's population has remained steady for the past several years, disposal has been increasing overall. The 30% increase in disposal has been coupled with a modest decrease in the percentage of waste that is organic. The net result is that Humboldt is disposing **8,308 tons** more tons in 2020 than it did in 2014. This is a 25% increase in organic disposal.

According to CalTrans projections for Humboldt County, the Humboldt County population will increase to 136,254 by 2025. At that rate, and without further organic waste diversion, the disposal amount will increase from **42,709 tons in 2020** to **44,748 tons in 2025**. Thus, for Humboldt County to meet its SB 1383 fair share target of less than **8,503 tons** of organic waste disposal in 2025, Humboldt County must create capacity to divert **37,332 new tons of organic waste in 2025**. The SB 1383 Tonnage Model is provided in Appendix B with detailed information on the amount of tonnages by source; commercial, residential, multi-family, and self-haul, and by organic waste type; food waste, green waste, compostable paper, and manure., and the amount of greenhouse gases avoided from diverting organics from landfilling.

The target new SB 1383 tons for 2025 to achieve a 75% organic waste reduction amounts of the following: 1) Food waste - 18,703 tons, 2) Green waste - 5,525 tons, 3) Wood waste - 6,825 tons, 4) Compostable paper - 6,694 tons; and 5) Manure - 817 tons.

We also note that the SB 1383 75% organic waste diversion mandate is not required for a specific jurisdiction or landfill but is a statewide mandate that will be analyzed after 2025 by CalRecycle. With the standard 3-contianer system in place, CalRecycle will focus on program design and implementation with reasonable outreach, education, and monitoring. Targeted tonnage and program design are key to developing programs, but SB 1383 does not require that member agencies to meet the 75% goal in 2025 with a tonnage calculation.



Task 2: Organic Processing and Collection

This task includes developing and implementing new programs related to SB 1383; including but not limited to backyard composting, community composting, residential curbside organics (including food waste) collection programs, source-separated commercial food waste programs, and other organic materials as identified through discussions with participating jurisdictions. For each possible program, concepts and recommendations will be proposed that will invite stakeholders to review and comment in this draft Compliance Plan Road Map, where a final plan would be issued after review by the Local Task Force. This task will review the following issues for the medium-term and long-term:

- Current Green Waste Handling Facilities
- Proposed Food Waste Processing Facilities
- Backyard Composting
- Community Composting
- Agricultural Composting
- Collection Programs with SB 1383 Compliance (short-term to long-term)

Current Green Waste Handling Facilities

When analyzing programs and facilities to fulfill the organic processing capacity needs, it is the intent to fully optimize the current in-County green waste processing capacity. The Wes Green Company Compost Facility can only process clean green material up to 12,500 cubic yards on-site under an Enforcement Agency Notification Tier accepting approximately 18,000 tons per year with 4,500 tons coming from nonmember agency sources.

There are several other smaller community composters in the County as identified in Figure 3 and Table 7 below where data is being obtained. Self-haul green waste from commercial landscapers and residencies can continue to deliver clean green materials to these facilities. Interviews and site visits are underway to verify the current operational capacity and peak capacity. With this information, a 15-year organic processing analysis can be performed. According to the SB 1383 target tons model, there may be about 5,300 new tons of green waste and 6,600 new tons of wood waste would need to be diverted by 2025 and is it the goal to keep all this material in Humboldt County.

SB 1383 requires that residential food waste be diverted. Only a few communities in urban dense communities have a fourth cart for food waste in California. It is typical that residential food waste is co-collected with residential green waste in the green cart. The moment the food waste is commingled with the green waste, CalRecycle has determined that material must go to a permitted food waste composting facility, where there are none in Humboldt County. Food waste must be separated out from the green waste to keep green waste in County.

Figure 3: Humboldt County Permitted Green Material Handling Facility Sites

Key

- 1 Steve Morris Logging & Contracting- **McKinleyville, CA**
- 2 Wes Green Company
Arcata, CA
- 3 Wes Green Co. Happy Valley Site
Arcata, CA
- 4 Arcata Forest Products
Arcata, CA
- 5 Compost and WWTP Facility
Arcata, CA
- 6 Eel River Transportation & Salvaging- **Fortuna, CA**
- 7 Wastewater Treatment Plant
Fortuna, CA
- 8 Eel River Power Plant
Scotia, CA

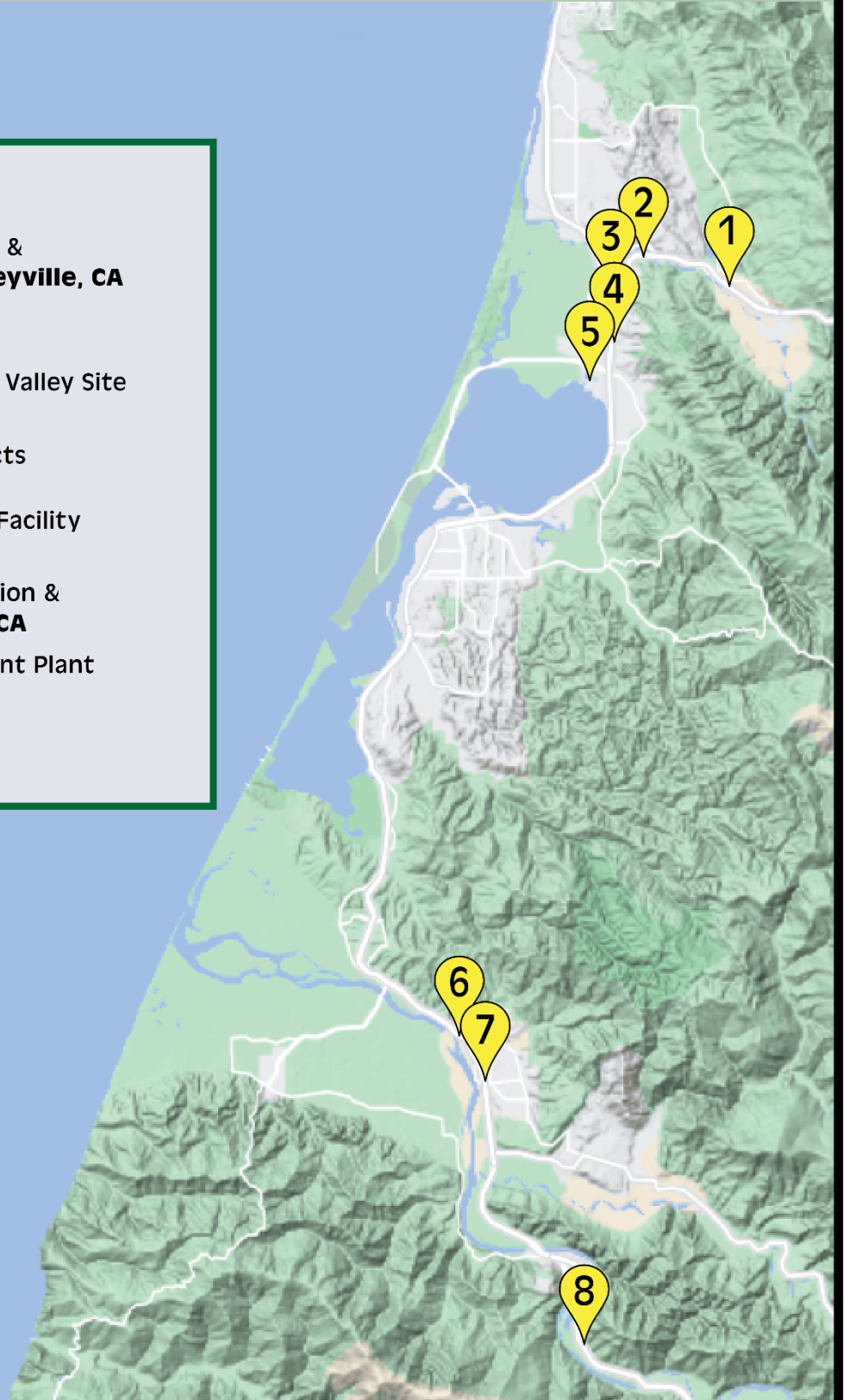


Table 7 – Green Waste Handling Facilities in Humboldt County

Site Name	Acceptable materials	Annual loading (permit) TPY	Peak loading (permit)	Operational Loading	add'l capacity (TPD)	Tier	Acres
Steve Morris Logging & Contracting	Green waste	450	25 TPD	not disclosed		17857.1 – green material	5
Wes Green Company	Green Material	10,000 TPY	15 TPD	15 TPD	0	17857.1 – green material	12
Wes Green Company-Happy Valley Site		10,000 TPY	15	15 TPD	0	17857.1 – green material	not disclosed
City Of Arcata Compost Facility	Biosolids, Green Materials (chipped yard waste), Aquatic vegetation	52 TPY	204 TPY			17859.1 – biosolids composting at POTWS	0.5
Eel River Transportation & Salvage	wood waste, green waste, "brush"	2,600 TPY	10 TPD	10 T	190	17857.1 – green material	0.5
City of Fortuna Wastewater Treatment Plt	Biosolids	150+ TPY	varies			17859.1 – biosolids composting at POTWS	3
Frank Jorge Excavation	Green material, manure, soil		25 TPD			excluded	1
Arcata Forest Products	Green material, untreated wood, yard trimmings, untreated C&D	15,600 TPY	200TPD	10	190	17857.1 - green material	18
Freedom Dynamics	animal manure, Hay, Grain, Straw	4000 CY	500 CYPD	Not currently operating - willing to discuss how to develop food waste composting facility		17856 - Agriculture material	2

CalRecycle has expectations that starting January 1, 2022, all jurisdictions have a co-collected residential green waste and food waste program, and it is the goal of the Roadmap to have that start on January 1, 2023, with the filing of SB 619 applications. When co-collection starts, existing compost operations will not have the ability to process co-collected residential.

Potential Food Waste Processing Facilities

Hawthorne Street Transfer Station

A Technical Memorandum and a PowerPoint presentation has been prepared on the organic waste processing options at Hawthorne Street Transfer Station and is provided in Appendix C with a Site Plan of the Solid Waste Facility Permit footprint.

The following was discussed at the HWMA Board on February 22, 2022, where additional information and proposed costs will be discussed at a future HWMA Board meeting.

- Relocate the Eureka Recycling Center
- Permit an Organics Processing Operation within the current Eureka Recycling Center footprint.

The critical path to SB 1383 compliance is finding a location for acceptance and processing of collected organics. The Eureka Recycling Center lies within the Hawthorne Street Transfer Stations Full Solid Waste Facility Permit (SWFP) that can be routinely amendment following the 30-day Transfer/Processing Report process with the LEA. Preparing the application package could take up to 45 days.

The proposed space would be used to process residential and commercial organics by separating green waste from food waste. The food waste would be shipped out of county and the green waste would remain in county for processing. This would bring jurisdictions into compliance with the smallest impact to ratepayers.

The 19,000 square foot Recycling Building could be repurposed into the Organics Processing Building with the following activity:

- Residential Organics: Receive and process residential co-collected organics (green waste with bagged food waste). Bagged food waste could be manually separated on a floor sort since it only represents 3% to 5% of the co-collected material. Several other facilities throughout the state conducts this activity. The bagged food waste would be combined with the commercial food waste. This separation allows green waste to continue to be processed at existing in-county facilities.
- Commercial Organics: Receive and process source-separated commercial organics with the bagged residential food waste being added to this stream. Even with best management practices and training, commercial organics still average 33% contamination that must be removed prior to composting or anaerobic digestion.



- Option 1 – For the short-term, transfer commercial food waste out of County to a permitted facility and place that service out to RFP. This could be a 5-year period until local food waste permitted capacity is secured.
- Option 2 – Process the commercial food waste with an extruder or screw-press processing technology into an organic slurry which could then be shipped out of county.
- Long-Term:
 - Slurry could be made pumpable (added liquids) for anaerobic digestion feedstock at a local wastewater treatment plant.
 - Slurry could be used as animal feed for fish food at the proposed Nordic Facility.
 - Slurry could be mixed with green waste for a compost feedstock.

Although there are green waste collection and self-haul services in some communities, the County does not currently have collection and commercial processing of food waste materials. Edgar will provide the County with an analysis and implementation timeline to establish a compost and/or an anaerobic digestion facility once the interview and site visits are conducted.

The evaluation will show the site location and infrastructure options for organics processing facilities, including evaluation of existing wastewater treatment plants, evaluation, and recommendation of potential composting technologies, and will compare and analyze collection options. This will be a multiyear process with plans to open County facilities by 2027; the 2027 timeline aligns with when waivers will expire for smaller cities, the proposed short term 5-year out-of-county compost capacity contracts expires, and the Dry Creek Landfill disposal contract ends.

Edgar has decades of experience in siting and permitting compost and anaerobic digestion (AD) facilities. Based on the analysis and results, Edgar will develop a finance plan to implement in County composting and AD services, such as grant funding and rate optimization. Recommendations will consider future waste generation over the next 20 years. On behalf of clients, Edgar has applied for and been awarded over \$20 million in CalRecycle and CEC grant funding in the last few years. With \$270 million budgeted for SB 1383 infrastructure at CalRecycle and further sustainable funding in the future, Edgar could additionally assist Humboldt in securing grant dollars under a separate scope of work.

Local capacity for SB 1383 organic waste streams of green and food waste will take at least five years to get permitted and operational. In the meantime, short-term processing capacity for the next five years needs to be procured with an RFP process to find permitted food waste compost capacity out of County.

There are eight permitted food waste compost facilities in northern California down southbound Hwy. 101, as shown in Figure 4 below. There are two in Mendocino County, one in Lake County, two in Yolo County, one on Solano County, one in Napa County and one in Marin County. These facilities are being interviewed and visited to determine if they have capacity for food waste from Humboldt County, and if they would be interested in the RFP.

The RFP could have the following requirements to ensure reliable and complaints services:

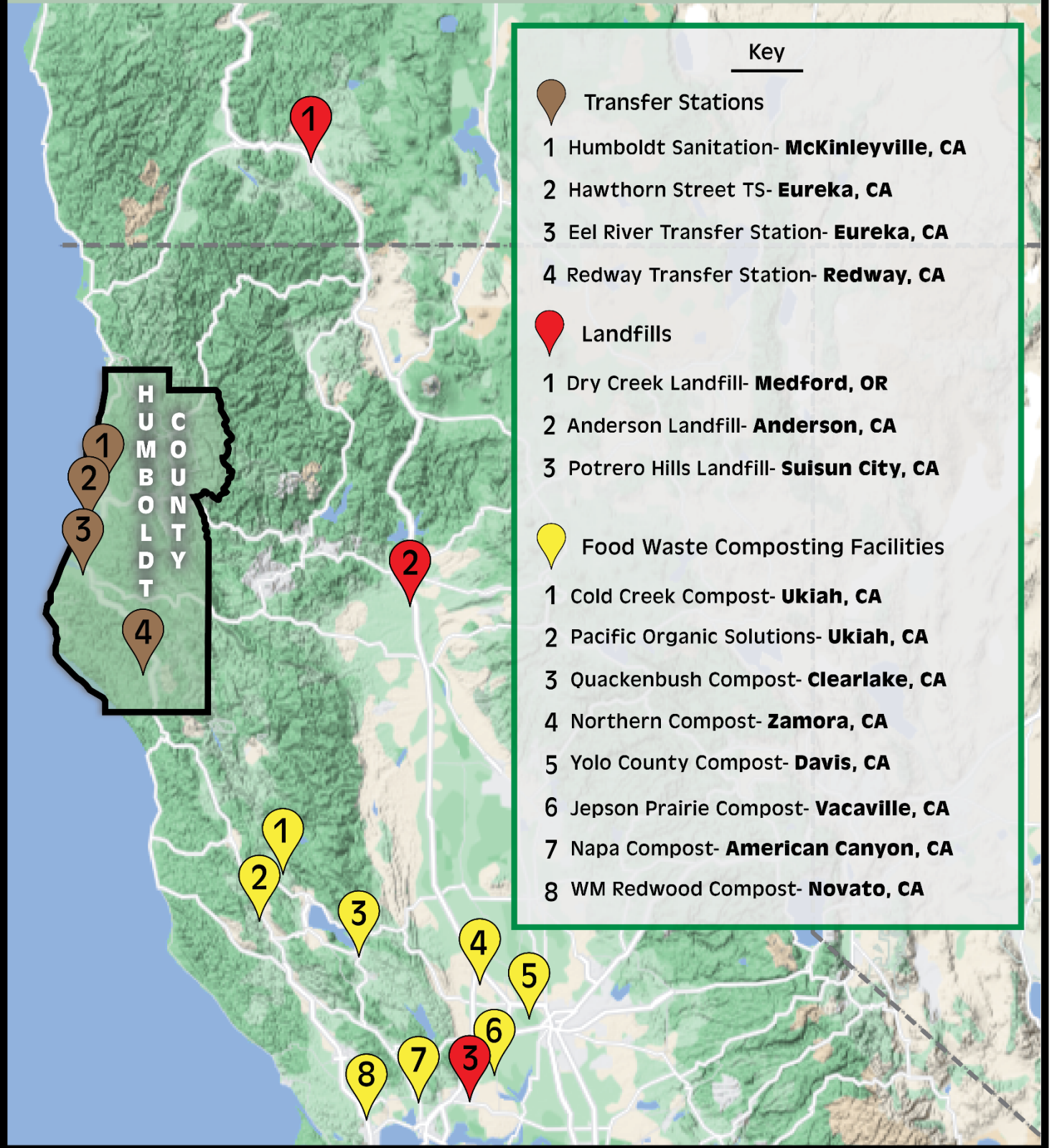
- Fully permitted with land use, waste, water, and air permits
- Guarantee capacity for up to 5-years
- Ability to accept and process raw commercial food waste
- Provide a list of acceptable organic waste types that are accepted
- Disclosure all past violations over the last five years
- Recording and reporting tonnage data
- Provide site visits to HWMA and the member agencies

A vehicles miles traveled (VMT) and greenhouse gas (GHG) analysis will be prepared to demonstrate that net GHG avoidance by hauling the food waste to a composting facility instead hauling the organics that are part of the municipal solid waste now to a methane generating landfill. The VMT may incrementally increase, but the GHG avoidance from not generating methane far outweighs any increase in additional hauling. Methane is a short-live climate pollutant that is 84-86 times stronger than carbon dioxide over a 20-year period. About 60% of global methane emissions are due to human activities.

The SB 1383 Tonnage Model is provided in Appendix B with detailed information on the amount of tonnages by source; commercial, residential, multi-family, and self-haul, and by organic waste type; food waste, green waste, compostable paper, and manure., and the amount of greenhouse gases avoided from diverting organics from landfilling. In 2025, should the targets be met, 21,115 metric tons of carbon dioxide equivalents would be avoided.

Figure 4: Permitted Solid Waste Facilities

Existing Transfer Stations, Landfills, and Food Waste Composting Capacity Facilities



Backyard Composting

Many local governments encourage backyard composting to reduce trash disposal, save money, and conserve natural resources according to a recent BioCycle article from June 2020. About 30 percent of the typical household's waste is yard trimmings and food scraps that can be composted. Community public works managers across the nation have learned that the relatively small investment needed to help citizens begin composting at home is repaid many times over as local governments no longer have to collect, transport, compost, or dispose of tons of organic material.

Composting is the controlled decomposition of organic materials into a soil-like substance called compost. Organic materials, such as grass clippings, leaves, yard trimmings, food scraps, and non-recyclable paper products, can be composted at home in compost bins or piles. Backyard composting is an easy and economical way for individuals to convert their organic waste into a soil amendment that they can use to mulch landscaping, enhance plant growth, enrich topsoil, and provide other benefits to plants and soil.

Backyard composting provides the following benefits:

- Reduces collection, transfer, and centralized processing
- Lowers residential trash bills (where unit costing exists)
- Creates jobs (home composting program coordination and promotion)
- Reduces air and water pollution
- Reduces the need to purchase fertilizers and pesticides

Backyard composting has other benefits, such as improving soil health and fertility, providing a hands-on method of science education (especially worm composting), reducing traffic congestion (less hauling of materials), increasing exercise and relaxation, and increasing a sense of personal responsibility and personal and community pride.

When households use their compost to improve the soil, they do more than just add nutrients to the soil. Compost worked into the soil increases aeration, helps control soil erosion, increases the soil water-holding capacity, reduces water demands of plants and trees, neutralizes soil toxins, and reduces mineral leaching from the soil. Plants growing in soil with added compost have a sound root structure and deeper root growth, so they are better able to withstand drought and freeze.

Regardless of the size of the community, backyard composting programs tend to have at least one paid staff person who is responsible for the program, brochures on composting, workshops, a subsidized home composting bin distribution program, and an outreach program that educates school children or teachers about home or in-school composting. Some programs also have an Extension-run volunteer training program, a compost demonstration site, other written materials, advertising, and a telephone hotline.

Based on an averaging of program rankings for BioCycle surveys, the most effective backyard composting program components were:

- Subsidized bin distribution
- Variable collection fees for refuse
- Volunteer training and outreach programs
- School programs
- Workshops
- Books or booklets distribution
- Utility bill inserts
- Demonstration sites and displays
- Bin distribution at cost
- Newspaper ads

The most recommended approaches for starting backyard composting programs were to: (1) recruit a volunteer community group (such as Master Gardener or Composters) to help with education, and (2) provide free or low-cost compost bins to increase residents' interest in composting. The survey respondents made other recommendations for developing programs:

- Focus efforts on single-family households, targeting home gardeners first.
- Develop a home composting brochure (possibly adapted from existing ones).
- Harness volunteers and community support and offer workshops.
- Distribute information through the internet, the media and local groups.
- Include grass cycling tips in any promotional and educational information.
- Consider a mobile or neighborhood chipping program for brush and branches.
- Structure economic incentives for home composting by adopting refuse collection rates that reward waste reduction.
- Consider having a subsidized compost bin purchase program and one-day sales.
- Evaluate cost-sharing opportunities between jurisdictions, especially for educational efforts and bin distribution programs.
- Provide a home composting hotline number.
- Remember that success is measured over the course of at least a few years.
- Monitor results, participation and diversion rates, and cost per ton diverted.

Survey respondents identified several barriers to home composting, including apathy and resistance to change; the desire to have a “perfect, manicured yard;” concerns about odors, flies, and rodents; and the time and labor needed for composting.

12 Creative DIY Compost Bin IDEAS



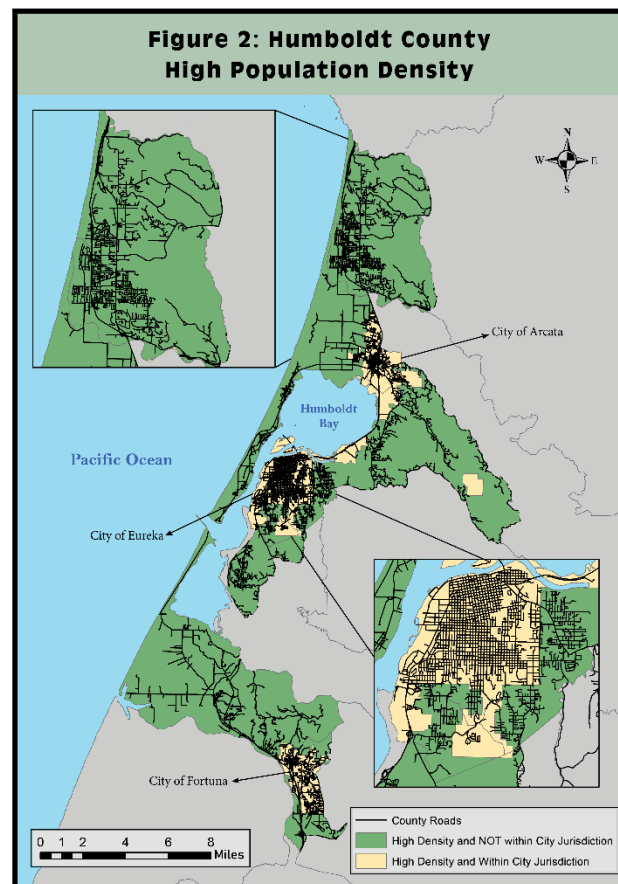
Backyard composting in rural areas is prevalent, where urban area has space concerns, lack of proper equipment and training. Backyard composting will create local capacity but will not provide adequate capacity for the SB 1383 target tons.

Low-Population Density - Rural Area

A growing number of municipalities and states are implementing household food waste diversion efforts such as curbside compost programs, though these programs present challenges for participation and implementation. While many food waste diversion programs are occurring in densely populated regions, understanding food waste management in rural regions is less studied. A recent research paper by Frontier Sustainable Food Systems from their January 21, 2020, edition examines the food waste perceptions and current and future food waste management behaviors of residents.

Other than the High Population Densities shown on Figure 2 copied to the left, the rest of Humboldt County is rural. SB 1383 collections program for these rural areas are phased in until 2027 with the CalRecycle waivers which should give plenty of time to promote backyard composting.

The findings suggest 55% of the rural resident's support banning food waste from landfills. Furthermore, 72% of residents compost at least some of their food waste currently and more than 75% anticipate doing so in the future. Conversely, 34% of residents anticipate using the garbage or a curbside compost pickup program in the future with urban county residents, renters, and those currently using garbage most interested in curbside programs. The majority of respondents were unwilling to pay anything additional for curbside compost pickup programs. These results suggest food waste management strategies in rural regions may be different than densely populated areas, particularly for programs that may require significant investments and have limited participation given the popularity of home composting. As a result, greater investment in education and infrastructure for backyard composting may be an important component of rural food waste management. For the low population densities areas of Humboldt County, SB 1383 collection programs may be phase in up to 2027, where there is time to incorporate backyard composting programs for those who may not have the awareness and training.



As food waste has continued to grow in recent years, there has been a focus on food waste diversion efforts directed at the household level, where significant portions of food waste are generated in high-income countries. Such efforts including curbside compost pickup programs are growing in popularity in urban areas but are also being suggested for more rural regions as well. This study examined the food waste perceptions and current and future food waste management behaviors of respondents in a rural area. The results suggest that most of the respondents support banning food from landfills, which may be in part because the majority of respondents were already managing their food waste in ways to minimize its introduction into the waste stream. Backyard composting or feeding food waste to pets or livestock was the most common food waste management behavior currently and in the future. While most respondents indicated their interest in a curbside compost pickup program, most were also unwilling to pay any additional costs associated with such a program.

Since there are unique challenges of implementing a program in a rural region, where economies of scale may not be achievable and costs may be significant, this has important policy implications about the tradeoffs for such efforts. Concentrating compost pickup programs in areas with higher population density may garner the greatest participation. A focus on consumer education and backyard composting infrastructure may provide fruitful outcomes for rural regions where many households are already composting or will do so in the future, and where other food waste management options relevant to densely populated regions may be less viable.

Given the complexity of these challenges and tradeoffs, and the current lack of research on rural food waste management strategies, additional research could help fill important gaps. This research could focus on assessing food waste strategies and household perceptions in additional rural regions to understand whether these results are more generalizable. As well, interdisciplinary research that could analyze the tradeoffs in food waste strategies across transportation and environmental costs and benefits would be significantly beneficial and assist rural municipalities in understanding which potential food waste management strategies would be most appropriate for a given scale of community. Finally, as more states and regions are implementing food waste policies, these varying policies offer a natural experiment to understand compliance and policy pathways for achieving reduced food waste and food waste management outcomes, if such policies can measure compliance.

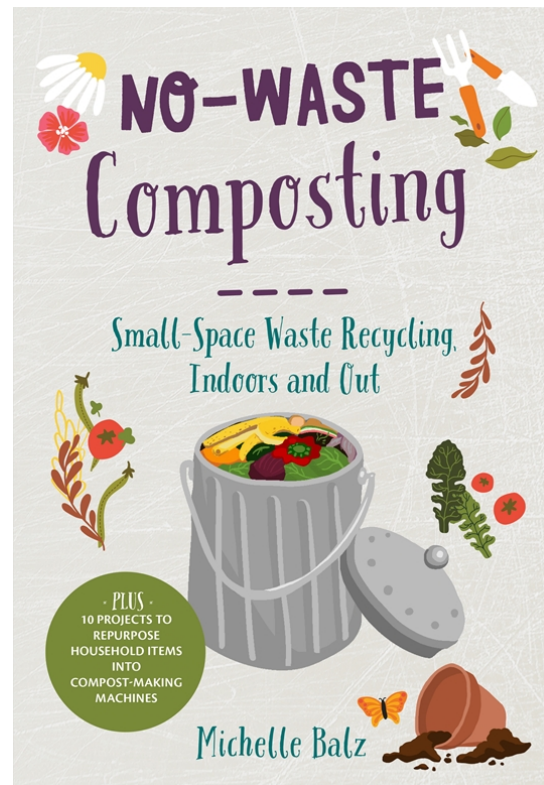
High Density Population Areas and the Cities

Backyard composting offers community members an easy and efficient method to process residential food scraps. Cumulatively, backyard composting programs can provide communities with limited organic waste processing capacity with very little capital investment. Participating jurisdictions can support a backyard composting program with education, equipment, guidelines, training, and incentives. These programs can help manage costs while encouraging local production and use of compost. Member agencies can decide how the program is best structured for their community.

Education

Education and training are essential elements of a successful backyard composting program. Effective composting education helps community members avoid practices that may create offensive nuisance within residential neighborhoods. If done poorly, back yard composting can produce odors and attract vectors. Consequentially, this could reduce participation and community acceptance of the backyard composting program. Education can be an effective tool to address these problems rather than imposing strict regulatory guidelines. Member agencies that wish to support a backyard composting program, could offer residents training in basic home composting practices. In-person workshops are typically the most effective, but various educational programs have been used with success, which could include:

- Free in-Person workshop
 - Who are the composting experts available in your community?
- In house or third party? - expensive to keep compost expert on staff.
- Publicly owned demonstration site available?
 - Use a location that has required infrastructure (chairs/table) and equipment (i.e., Library, community center, event center)
 - Online classes- More frequently attended than in-person, but likely not as effective.
- Master composting course
 - Master Composter certification courses train people in more advanced composting skills and how to teach others about composting – “train the trainers”
 - Require that participants complete volunteer hours in community-based composting education to get certificate
- Demonstration site
 - Visitors can learn about composting on their own schedule and view different types of composting systems they can purchase or build to use in their yards or at community composting gardens.
 - The sites can hold workshops offered as part of a home composting program or Master Composter course
- Potential collaboration with community composting organizations
- Compost Hotline
- These hotlines can provide information on general and more technical aspects of home composting and serve as the number for ordering bins and scheduling classes.



- Online/printed educational material
- Original or linked from other online sources (such as universities or other municipalities)

Equipment

It is encouraged that member agencies find a composting bin that they will promote to use within the backyard composting program. There are several different at-home composting bin designs on the market and a few factors to consider.

- Ability to provide conditions for ideal composting
 - Volume – ideally accommodate min 27 cubic feet (or 1 cubic yard) of material to achieve active composting temperatures (3 foot by 3 feet by 3-foot bin)
 - Aeration – openings no greater than 1/4" to avoid mice and rat infestation
- Ability to keep vectors and pests out
- Large opening to allow for ventilation and airflow



Part of the educational curriculum should be instructions on how the chosen bin is to be operated successfully. Member agencies can have a voucher or rebate program, sell bins at a subsidized rate, sell bins at wholesale costs, or offer them for free. Some jurisdictions have required workshop attendance to receive a composting bin.

Guidelines

Member agencies should conduct preliminary research on the potential for a backyard composting program. It is encouraged that member agencies survey the community's interest in backyard composting. This data can help identify interested areas where a focused and coordinated marketing effort can be more effective. A staggered program rollout is an option when member agency financial resources may not be available for a full-scale program roll out. Ordinances are another tool to foster good practices and prevent bad practices. If this approach is considered, it is recommended to avoid nuanced technical requirements for backyard composting. Instead, identify and prohibit the negative consequences of poor composting practices. For instance, ordinances could prohibit nuisances and/or stipulate requirements for Best Management Practices. Additionally, member agencies may want to be able to act in cases where someone is being truly negligent or irresponsible. Ordinances can also mandate education and training – it is at the discretion of member agencies.

Incentives

Backyard composting programs won't be capable of replacing curbside collection for residential organics due to space limitations and urbanization. Unfortunately, to avoid attracting vectors and other nuisance, not all food scraps should be composted at home. Particularly, meat and other animal products as well as cooked food would need to be a part of curbside collection. This type of guideline has shown to support the success of backyard composting programs. Participating

jurisdictions could offer a reduced “organics” rate for residents participating in the backyard composting with training and verification of best practices. This rate consideration could be based on an established percentage of vegetative food waste from residential kitchen food scraps diverted to a backyard composting system.

Conclusions

Backyard composting programs can offer cost-efficient local composting capacity for vegetative food waste that would otherwise require long hauling distances or capital-intensive infrastructure. However, backyard composting does not provide 15-years of organic processing capacity for residential sources, and does not address commercial organic composting, where the residential green waste provides adequate bulking agents for the proper C:N ration and porosity to maintain aerobic conditions. Member agencies can support backyard program development through providing education, training, equipment, and verification. Case studies conducted by the Institute on Local Self Reliance was summarized for this memo – full report is linked below.

<https://ilsr.org/wp-content/uploads/2018/06/Yes-In-My-Backyard-Full-Report-v2.pdf>

Community Composting

CalRecycle exempts composting activity that is less than 100 cubic yards and a footprint that is less than 750 square feet, from permit and notification requirements. With those constraints, a typical community compost may be able to manage about 200 tons per year per location. Most community composting activities operate within these parameters, making it easy for those operations to comply with state regulations. Community composting at 200 tons/year per facility does not provide 15-years of organic processing capacity and may receive waste from both or residential sources, where green waste provides adequate bulking agents to add porosity and the proper C:N ratio with food waste to maintain aerobic conditions.

Community composting confronts legal hurdles when organizations operate a fee-based organic waste collection and hauling service when operating in exclusive franchise zones. All franchise agreements vary, but composting collection fee-based collection service areas may be in violation of certain exclusive franchise agreement guidelines. Community compost operations where the generator donates or sell their organics are viable wherever it is convenient.

If jurisdictions want to facilitate community composting operations ability to collect food scraps, language will have to be incorporated into municipal code and the franchise agreement to allow such services. Otherwise, a drop-off, or self-haul, based program with a fee for processing has been shown to be successful. When defining community composting within the solid waste ordinances, it is recommended that member agencies consider including the definitions, below:



“Community Composting” means any activity that composts green material, agricultural material, food material, and vegetative food material, alone or in combination, and the total amount of feedstock and Compost on-site at any one time does not exceed 100 cubic yards and 750 square feet, as specified in 14 CCR 94 Section 17855(a)(4); or as otherwise defined b 14 CCR Section 18982 (a)(8).

“Community Composting Operation”, “Community Composting Organization” or “Community Composter” means any for profit or non-profit entity that offers hauling and collection of vegetative food scraps for the purpose of composting the material in accordance with the above definition of Community Composting. Community Composting Organizations may charge generators a fee for providing services. Community Composting Organizations conducting business in the City of **<INSERT CITY>** will be restricted to hauling no more than **<VOLUME OR WEIGHT>** of vegetative food waste.

“Self-hauler” means a person, who hauls Solid Waste, Organic Waste or recyclable material he or she has generated to another person or Community Composter. Self-haul also includes a person who back-hauls waste, or as otherwise defined in 14 CCR 502 Section 18982 (a)(66). Back-haul means generating and transporting Organic Waste to a destination owned and operated by the generator using the generator’s own employees and equipment, or as otherwise defined in 14 CCR Section 505 18982 (a)(66)(A).

Passage of an ordinance maybe the most effective method to facilitate community composting hauling and processing services. Otherwise, drop-off programs are an alternative avenue to community composting to maintain operations in compliance with some exclusive franchise agreements.

In the Summer 2022, CalRecycle will be soliciting grants application for \$5 million in a typical amount of \$30,000 per location. Active community composters in Humboldt County will be interviewed on March 3-4 to determine if they qualify based on regulatorily requirements, and if they show interest in the upcoming CalRecycle grant.

Legal Definitions

Sustainable Economies Law Center advocates for community composting operations and is linked below. Jurisdictions existing franchise agreements should be examined to determine if their franchise is exclusive over all organic waste.

Since the material community-based compost organizations are recovering to build local soils are treated as resources. Generators may donate or sell of those resources to make local compost for the benefit of their community.

Language within SB 1383 may help entities to negotiate contracts that explicitly allow community-based resource recovery work which could be limited to 200 tons per year to stay within the CalRecycle regulatory definition.

Amendment to Franchise Agreement and Ordinance

The City of San Diego amended their solid waste ordinance to include provisions for non-franchise small scale recyclable hauling services. The program is the Certified Recyclable Material Collector (CRMC) and is capped to operate under 1,000 tons/year for all types of recyclable materials. The recent organics program pushed San Diego to include 'vegetative food waste' to be defined as a 'recyclable', which allowed community composting operations room to offer a fee-based collection service within the already established program. This was an effective strategy for San Diego.



Current franchise haulers are aware of existing community composting operations within Humboldt County.. SB1383 requirements will require a solid waste ordinance to include organic waste diversion programs. It may be advantageous to use this opportunity to discuss and possibly incorporate language that facilitates community composting operations.

Residential Drop-Off Programs

Drop-off programs have become a common method to legally operate small scale community composting systems within the parameters of franchise law. This system is in alignment with the self-hauler protections. Residential food scraps can be dropped off by residents or commercial generators on scheduled days and in central locations of the community within the 100 cubic yard limitations. Alternatively, residents can drop off food scraps at the community composting facility during operating hours. Often, residents using this type of service are given a small container to fill with food scraps and mulch to prevent odors. Residents using this kind of system pay a fee to process the food scraps.



Title 14 CCR section 18984.9 - *Organic Waste Generator Requirements* - provides room for community composting activities. The language doesn't prohibit a generator from preventing or reducing waste generation, managing organic waste on site, or using a community composting site. *Self-hauling rights and Organic Waste Generator Requirements provides framework for community composting drop-off programs.*

Food2Soil (www.food2soil.net) is a non-profit in San Diego that is working to develop varying systems to build resilience in community composting infrastructure. In unincorporated areas of San Diego County, they provide training and help manage a network of small community composting sites in their soil farmer program. These sites utilize a drop off program, which provides containers and mulch. Food2Soil helps manage monitoring, reporting and ensures Best Management Practices are employed. This is a very effective community composting drop off program.

This Road Map promotes community composting operations and education with verification on back yard composting to effectively facilitate community composting operations, member agencies may include language in the upcoming waste ordinance or franchise agreement amendment to facilitate community composting programs.

Additionally, The Institute for Local Self-Reliance (ILSR) has developed documents that support community composting infrastructure and back yard composting efforts. ILSR is a great resource for jurisdictions to use to bolster education for community composting programs.

<https://ilsr.org/wp-content/uploads/2019/03/Compost-BMP-v1.pdf>

Agricultural Composting

The agricultural sector is the largest market statewide for compost use and could be explored further in Humboldt County. With a livestock and livestock products valued at over \$ 190 million per year and nursery stock at over \$55 million per year as noted in the 2016 Humboldt County Crop Report, returning organics to soil for these productive industries will create healthier soils. Clean green materials as a feedstock for composting which may



be labeled “Certified Organic” would benefit the working lands of Humboldt County. SB 1383 will enable California farmers and nurseries to attain and use organic products made from urban green material more easily. Recycling organic materials completes the urban-to-agriculture loop which helps growers’ meet sustainability commitments. From fork-to-farm, composting organics balances urban development with environmental protection. For cities surrounded by agriculture, or with pockets of agriculture, an urban-to-agriculture program is a true, sustainable solution and a great carbon farming opportunity.

Agricultural composters have a track record of developing and supporting carbon projects throughout California. A typical facility on 10-acres of land could compost green materials and spread on rangelands and irrigated crops to curb erosion, improve water efficiency, reduce weeds, moderate soil temperatures, and sequester carbon. This is called carbon farming. A noted carbon-focused project is the Marin Carbon Project. This project consists of a consortium of independent agricultural institutions that enhance carbon sequestration in rangeland, agricultural land and forest soils through applied research, demonstration, and implementation throughout the state.

Title 14 CCR - Section 17852 has the following definitions for agricultural composting:

“Agricultural By-Product Material” means post-harvest agricultural by-products separated at a processing facility.

(A) Agricultural By-product Material includes, but is not limited to, solid or semi-solid materials from fruit, nut, cotton, and vegetable processing facilities such as stems, leaves, seeds, nut hulls and shells, peels, and off-grade, over-ripe, or under-ripe produce.

(B) Agricultural By-product Material does not contain packaging material, physical contaminants, or hazardous materials, and does not include wastewater, sludges, or additives.

“Agricultural Material” means waste material of plant or animal origin, which results directly from the conduct of agriculture, animal husbandry, horticulture, aquaculture, silviculture, vermiculture, viticulture and similar activities undertaken for the production

of food or fiber for human or animal consumption or use, which is separated at the point of generation, and which contains no other solid waste. With the exception of grape pomace or material generated during nut or grain hulling, shelling, and processing, agricultural material has not been processed except at its point of generation and has not been processed in a way that alters its essential character as a waste resulting from the production of food or fiber for human or animal consumption or use. Material that is defined in this section 17852 as “food material” or “vegetative food material” is not agricultural material. Agricultural material includes, but is not limited to, manures, orchard and vineyard prunings, grape pomace, and crop residues.

“Agricultural Material Composting Operation” means an operation that produces compost from green or agricultural material additives, and/or amendments.

“Amendments” means materials added to stabilized or cured compost to provide attributes for certain compost products, such as product bulk, product nutrient value, product pH, and soils blend. Amendments do not include septage, biosolids, or compost feedstock.

The facility operations cannot exceed 12,500 cubic yards, and could average 40 tons per day, or peak at 100 tons per day, where the compost is used on site and there are only incidental commercial compost sales.

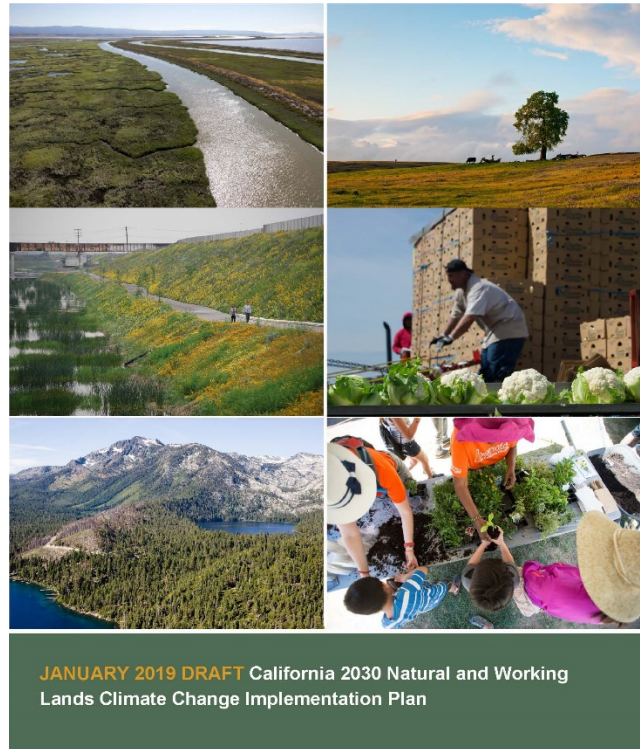


“Regenerative Agriculture” describes farming and grazing practices that, among other benefits, reverse climate change by rebuilding soil organic matter with the use of compost and biochar to restore degraded soil biodiversity. This process draws carbon into the soil while simultaneously improving the water cycle. Lawrence Livermore Labs released a January 2020 report, “Getting to Neutral – Options for Negative Carbon Emissions in California,” which featured natural climate solutions in which compost and biochar are used to sequester carbon into soils leading to carbon neutrality by 2045. These programs are noted as the most cost-effective climate solutions at a cost of only \$11 per metric ton of carbon dioxide. By contrast, the California Air Resources Board (CARB) regulatory offset price has a floor price of about \$17 per metric ton. Natural climate solutions are estimated to result in negative emissions of 21.6 million metric tons of CO₂ per year which will be needed in order to get to carbon neutral by in 2045.

The Climate Action Reserve develops voluntary GHG offsets and is working on a Soil Enrichment Protocol which will provide a strong basis for the CARB’s regulatory protocol. CARB prepared a

discussion paper in September 2019 for soil organic carbon accrual on non-forest lands. Validating and monetizing carbon negative emissions is needed to provide incentives for the use of compost at agricultural sites.

Compost production and use is now viewed as contributing to carbon neutrality in CARB's policy documents. The January 2019 Draft California 2030 Natural and Working Lands Climate Change Implementation Plan looks to double down on compost and mulch use by adding 31,000 to 62,000 acres each year through 2030. Additionally, the plan is to increase mulching on cropland at a rate of 10,400 to 20,800 acres per year. According to new research, soil could act as a significant carbon sink, holding up to three times as much carbon as is found in the atmosphere. Dirt can save the Earth and make the planet more resilient, provided that increasing quantities of recycled organics (such as compost, mulch, and biochar) are reintroduced to the world's soils each year. This Plan is now being incorporated into the Third Update of CARB's AB 32 Scoping Plan in 2022.



Sources

[Increasing Soil Organic Matter with Compost](#)

[January 2019 Draft California 2030 Natural and Working Lands Climate Change Implementation Plan](#)

[Draft Soil Enrichment Protocol Version 1.0](#)

[Getting to Neutral - Negative Carbon Emissions in CA](#)

[Making a Commitment to Combat Climate Change](#)

Collection Services Plan



SB 1383 compliance requires implementation of mandatory residential and commercial solid waste collection and mandatory recycling and organics collection and processing programs. At the core of SB 1383 implementation is the universal collection of separated organic waste and recyclable waste, in addition to the collection of municipal solid waste (MSW). Every generator will be required to separate these wastes into the respective green, blue, and gray containers or be subject to fines issued by the jurisdictions. The contents of these containers are to be taken to facilities that are appropriate for processing the waste stream.

The three-cart collection is deemed the most appropriate solution for the jurisdictions as CalRecycle has made this system the least onerous to comply with the components of SB 1383 as listed below and further discussed in this section.

- Education and Outreach
- Monitoring & Enforcement
- Contamination Minimization Monitoring
- Recordkeeping and Reporting

Organics and recyclables are separated in containers by the generator. This has proven to be the most reliable and customer friendly form of accommodating the compliance requirements for SB 1383. The recyclables and organics have lower levels of contamination, providing for more effective processing costs. Additionally, the separated containers will be monitored for contamination. The three-cart collection system was pioneered by Recology in San Francisco two decades ago and is known as the 'Fantastic Three'.

Three Stream Collection Program for Residents and Businesses



Edgar has worked with multiple haulers and several cities to create regional plans. Each city and franchise agreement are unique, but with a regional compost facility, there needs to be a common message on feedstock types and expected contamination limits, especially with the emerging trends on state-mandated compostability requirements. On behalf of the compost industry, the California Compost Coalition sponsored AB 1201 (Ting) regarding compostability standards for packaging and weighed in heavily on the SB 1335 regulatory process for public food service facilities.

Edgar visited Humboldt's Hawthorne Street Transfer Station and the Eel River Transfer Station, with the goal of using our experience of co-locating and permitting organic waste transfer facilities to understand fully the opportunities at these facilities, and review operations plans, and procedures as presented earlier in Task 2. Additionally, Edgar has met with Recology on numerous occasions and Humboldt Sanitation separately to survey their current operations, future plans and expectations and understand the best approach to common messaging for organics collection. The meetings encourage open dialog, where it is our experience that there are many common challenges faced by cities and haulers throughout the State, and where Edgar has encouraged collaboration, transparency and working together in good faith. Edgar has worked with each party to ensure there is clear understanding of the goals and objectives of these meetings and next steps.

Over the years, Edgar has resolved and integrated collection services with transfer operations to dovetail into the operations plan of regional compost facilities and/or anaerobic digestion facilities that have specific feedstock requirements for certain technology types. While Edgar is facility and technology driven, Edgar has represented local haulers and their communities, while understanding the cost concerns of implementation and the need to address the concerns of any potentially impacted disadvantaged community. During the near-term, Edgar will work with the participating jurisdictions to deliver on this draft Compliance Plan Road Map.

Near-Term Collection and Processing

For cities of Eureka, Fortuna, and Arcata, and the portions of the unincorporated County with applicable high population density, the following is anticipated in 2022:

- Provided the opt-in universal Mandatory Collection Program following the Model Ordinance
- Develop generic Education and Outreach program utilizing the work of the franchise haulers.
- Assist with the development of necessary recordkeeping and reporting documents relating to monthly, quarterly, and/or annual legislative reporting requirements as provided later in this section.
- Modify the Solid Waste Facility Permit for the Humboldt Hawthorne Street Transfer Station with a Transfer/Processing Report Amendment to transfer out co-collected residential organic wastes and source-separated commercial organic wastes to dovetail into the proposed collection programs.
- Prepare an RFP for out-of-county compost facilities to receive and process organic waste from Humboldt County for up to 5-year period (from 2023 to 2028).

- Analyze the response to the RFP and make recommendations on the use of the compost facility based on organic waste types accepted, pricing, compliance record, logistics, available compost and mulches on a back-haul program for procurement as proposed in the next section.
- Based on an analysis and result of the RFP to export food wastes, develop discuss a funding plan to implement collection services which will likely result in a rate increase. Based on Edgar’s internal studies of SB 1383 rate impacts, we have observed the average statewide rate increase is approximately \$9 per household, per month, phased in until 2025.

Start organic waste collection in 2023, transferred from Hawthorne Transfer Station, and processed at the selected food waste compost facility

Medium-Term Collection and Processing

Medium-Term collection and processing should start in 2023 for the high-density populations areas of Humboldt County should the Hawthorne Transfer Station have its Solid Waste Facility Permit amended to transfer and/or process food waste.

- Review the opt-in universal Mandatory Collection Program results after one year of implementation and suggest changes for the high-density and for the low-density areas under the 5-year waiver.
- Anticipate a range of cost increases for in-County facilities compare to export costs and suggest any possible rate increases
- Start all the SB 13 requirements associated with collection and processing organics
- Permit in—County food waste processing facilities
- Plan for new contracts for the newly permitting food waste processing facilities
- Plan for new contracts when the current green waste and landfill disposal contracts end in 2027

Long-Term Collection and Processing

Long-Term collection and processing should start in 2027 for the low-density populations’ areas of Humboldt County 2027 when the short-term food waste transfer contract expires, and the new in-County facilities are permitted and operational. Ensure that there is 15-years of organic waste processing capacity in-County.



Education and Outreach

SB 1383 prescribes that annual education and outreach is provided through print and/or electronic media to generators within a jurisdiction, with the option to conduct additional outreach through direct contact with generators via workshops, meetings, or on-site visits. Additionally, there is another subset of specific information that must be provided to Tier 1 and Tier 2 Commercial Edible Food Generators that is presented in the next section.

All education and outreach must be translated into non-English languages spoken by a substantial number of the public provided the organic waste collection services. “This provides jurisdictions the flexibility to make the determination of when education and outreach materials need to be translated. If there’s a lot of contamination in certain communities with linguistic isolation, the Jurisdiction will know if they need to be translating to bridge the gap. In addition to its own website, participating jurisdictions should coordinate with its haulers to post consistent messaging regarding SB 1383. The member agencies will also conduct SB 1383 outreach through its social media accounts as well as print, in person, and event outreach. Outreach materials will be produced in both English and Spanish to reach as many members of our community as possible. The haulers should also have a website which it will use to post SB 1383 information to the public. The member agencies will need to meet the Section 18985.1 requirements in its outreach materials, including provision of the following typical information:

Information to generators on how to properly sort materials into the appropriate blue, green, or grey bins.

- Information emphasizing the importance of reducing waste from a climate change perspective, and how organic waste contributes to methane pollution.
- Information on how to donate edible food.
- Education and Outreach Action Items
- The member agencies with the hauler will conduct the required outreach and education to all generators in their jurisdiction which will meet the language, and other, requirements of SB 1383.
- The member agencies should provide letter notices minimal of annually to non-compliant generators.
- Sample public outreach and education material from Recology is provided in Appendix F.



Monitoring & Enforcement

SB 1383 states that “a jurisdiction remains ultimately responsible for compliance with the requirements of this chapter.” Responsibility includes the compliance of residents and businesses within the member agencies communities. As such, SB 1383 requires the member agencies to implement robust monitoring and enforcement programs for all aspects of the regulations. The prescribed enforcement programs include, but are not limited to:

- Contamination monitoring for prohibited container contaminants via route reviews or waste evaluations.
- Investigate complaints received regarding non-compliant entities.
- Inspection of Tier 1 and Tier 2 Commercial Edible Food Generators to ensure that they contract with a Food Recovery Organization or Food Recovery Service. Tier 1 inspections commence January 1, 2022; Tier 2 inspections commence January 1, 2024.

- Beginning January 1, 2022, until December 31, 2023, a jurisdiction shall provide education materials describing the applicable requirements of SB 1383 in response to violations; and
- Beginning January 1, 2024, a jurisdiction shall enforce any violations of SB 1383 (excluding prohibited container contaminants), by issuing Notices of Violations (NOVs), and issuing penalties if violations are not corrected. Penalties range from fifty dollars (\$50) to five hundred dollars (\$500) per violation.

The member agencies will need to designate staff to be responsible for the imposition of fines and approval of waivers. This enforcement staff will also require the haulers' staff counterparts in monitoring and other aspects of SB 1383 implementation. These other aspects will include the annual desk review of all generators, as well as overseeing the waste evaluations and route reviews.

Staff will need to be hired to implement SB 1383 which includes the inspections and lid flipping. Staff will flip lids, conduct inspection, record findings and ultimately report those findings.

Table 8 below identifies the requirement for a successful SB 1383 programs with the edible food recovery program mentioned in the next section:

Generator Review – By January 1, 2023

Jurisdictions will be required to annually perform a complete assessment of all its generators to ensure adequate subscription service or an acceptable waiver for each account. This “Desk Review” will require a substantial amount of staff time and access to the complete list of accounts for trash service within member agencies service area. This may require that jurisdictions delegate this task to the haulers.

Staff will need to do the “Desk Review” for their recycling and organics accounts. With either option of member agencies or the hauler administrating this review, the person(s) conducting the desk review must record the following information for each generator that has at least two cubic yards of MSW service a week:

- Generator Name and Address,
- The route(s) servicing the generator (e.g., Wednesday – West, Route #4672, MF-ORG #1),
- The means of organics compliance (Subscription, Waiver, Self-haul),
- Whether the Generator is required to donate edible food (Tier 1, Tier 2),
- Has the generator received outreach materials, and?
- Waiver date, edible food service used, and Self-haul facility used (if applicable).

To facilitate this desk review, a blank Desk Review Checklist in Excel is attached as **Appendix G** and is included with this report. Regardless of who completes the desk review, the member agencies must provide the final approval of any recommended waivers, as outlined by the member agencies SB 1383 Ordinance.

The Monitoring and Enforcement Schedule to meet SB 1383 requirements is listed on Table 8 below.

Table 8 - Monitoring and Enforcement Schedule				
Action	Date	Conducted by	Incentive	Note
1st Compliance Review	During 2022	Compliance Officer	Courtesy Notice	Compliance officer compares Member agencies' Records with haulers account list and notices non-compliant entities.
Inspect Tier 1 Generators	December 28 2023	Compliance Officer	Courtesy Notice	A list of Tier 1 Generators in Member agencies will be determined.
Practice Route Review	During 2022	Compliance Officer, jurisdictions, and hauler	None	Allows haulers and Member agencies drivers to be trained prior to the regulations start date of April 1
1st Route Review	During 2022	Jurisdictions and hauler	Cart Tags and Flyers	Latest date of this review, a Friday. Date should be set earlier if pickup occurs on other weekdays.
(Alternative) 1st Waste Evaluation	During 2022	Jurisdictions and hauler	Notices to Generators on Route	Latest date of this review, a Friday. Date should be set earlier if pickup occurs on other weekdays.
(Alternative) 2nd Evaluation	During 2022	Jurisdictions and hauler	Notices to Generators on Route	Second waste evaluation must be in a distinct season. Does not apply if route review is conducted instead.
2nd Compliance Review	December 28 2022	Compliance Officer	1 Year Warning	Compliance officer compares Member agencies' Records with haulers account list and notices non-compliant entities. Advises generators of N.O.V dates.
2nd Route Review	March 23 2023	Jurisdictions and hauler	Notices to Generators	All routes must be reviewed with at least 25 samples per route.
(Alternative) 3rd Waste Evaluation	March 23 2023	Jurisdictions and hauler	Notices to Generators on Route	Routes with high levels of contamination would receive notices.
(Alternative) 4th Waste Evaluation	October 30 2023	Jurisdictions and hauler	Notices to Generators on Route	Routes with high levels of contamination would receive notices.
Enforced Compliance Review	Dec 18 2023	Compliance Officer	60 Day Notice of Violation	Before January 1st requirement, avoids holidays and weekends

Table 8 - Monitoring and Enforcement Schedule				
Inspect Tier 2 - Generators	Dec 18 2023	Compliance Officer	60 Day Notice NOV	Education and Outreach should advise Tier 2 Generators in advance of inspection.
1st Series of Fines Issued	Feb 16 2024	Compliance Officer	\$50-\$100 Fine	Sixty Days from the Dec 18th N.O.V.
2nd Series of Fines Issued	April 16 2024	Compliance Officer	\$100-\$200 Fine	Sixty days from the first fine.
3rd Series of Fines Issued	June 17th 2024	Compliance Officer	\$250-\$500 Fine	First weekday sixty days from the second fine. Subsequent fines continue at this amount.

Monitoring and Enforcement Action Items:

1. Member agency and hauler will complete the desk review for all commercial, residential and MFD customers being phased in during 2022 with full implementation starting January 1, 2023.
2. Member agency and hauler to hire appropriate to implement SB 1383 which includes the items in this section and will include the staff into the next rate review to implement SB 1383.
3. Waivers will be issued by the member agency to any applicable accounts. These will be recorded as part of the jurisdiction’s recordkeeping requirements.
4. Member agencies will add the responsibility amended contracts
5. Dedicated enforcement staff is recommended for the member agencies, and the risk that SB 1383 enforcement would not be sufficiently prioritized.
6. Existing code enforcement staff may be preoccupied with other tasks which may put ember agencies at risk of CalRecycle penalties if SB 1383 compliance is not enforced.
7. Edible food rescue program enforcement may be added the responsibility of existing code enforcement personal.

Contamination Minimization Monitoring



Route Review/Lid Flip Program

Contamination monitoring is required under the SB 1383 regulations to ensure materials are being sorted appropriately to reduce contamination of recycling and organics collection. This involves annual route review, including all blue, green, and grey container streams. These contamination inspections occur in field, however there is an option to conduct waste evaluations at the recipient facilities if on-route reviews are difficult or infeasible.

The Route Reviews should begin during 2022 and will be conducted by staff. Lid flip responsibilities could be placed upon the haulers by the route driver and one office staff. A lid

flip protocol should be developed in conjunction with all parties but may be based on follow the following steps:

1. Staff responsible for the lid flips will undergo specific trainings to ensure understanding of SB 1383 requirements, and recordkeeping.
2. Member agencies may phase in the initial route review during 2022 with full implementation starting January 1, 2023.
3. An agreed upon form of recordkeeping should be implemented which could include blank notification papers, cart tags, and either a tablet or a clipboard to track their route review. The results of the route review must be delivered to the member agencies in a timely manner.
4. Every route shall randomly select *at least* 25 samples. During each stop the containers will be audited for:
 - a. Recyclables, food, or green waste in the grey bin.
 - b. Food or trash in the blue recyclables bin.
 - c. Trash or recyclables in the green bin.
5. If found, the container will be tag and a notification paper informing the generator on what mistakes they had made and information on how to properly sort their waste. The container may additionally be issued a 'non-collection notice' until the contamination has been corrected. Alternatively, the container could be collected as garbage. All notes, photographic evidence, etc. will be placed on the tracking sheet or entered into the service software.
6. A protocol shall be developed for non-collection of contaminated containers and fines.
7. All information shall be aggregated by staff for recordkeeping.
8. This process must be repeated a minimum of annually, or at higher intervals if there is a prevalence of contamination in the collection streams.

Waste Evaluation

Jurisdictions may wish to opt for a Waste Evaluation in lieu of a Route Review for any route. A Waste Evaluation requires auditing 200lbs samples of material from a collection vehicle at an appropriate location (transfer station, landfill, compost facility, material recovery facility.) SB 1383 defines the calculation methodology that must be implemented to determine the contamination of the stream. This option has some inherent difficulties (arranging a local to complete the waste audit and requiring the notification of every customer on the route should the material be over the contamination limits), is more expensive (increased staff time to complete the audits), and is time-consuming, it may be necessary for some routes or perhaps part of some facility's standard operational programs. Participating jurisdictions should determine if any of the current/potential routes would be better served using a Waste Evaluation.

Contamination Monitoring Action Items:

1. Member agencies should phase in monitoring containers for contamination during 2022, with full implementation starting January 1, 2023.

2. Waste Evaluations should be reserved for routes that for whatever reason are unable to be assessed in field.
3. Considerations like data transmittal between the member agencies and the hauler and operational logistics need to be discussed and the program should be memorialized in the contract amendment.



Recordkeeping and Reporting

SB 1383 contains three primary reporting requirements for jurisdictions: an initial jurisdiction compliance report, annual report, and on-going maintenance of a centralized implementation record. Initial jurisdiction compliance reports are due April 1, 2022, and require at a minimum, inclusion of:

Jurisdiction Annual Reports are due October 1, 2022, for the period covering January 1, 2022, through June 30, 2022. In subsequent years (beginning in CY 2023), the report will be due on August 1st for the preceding Calendar Year's activity. The records required by the Annual Report are a vast expansion on previous reporting requirements under AB 939.

The third and final reporting requirement is the on-going maintenance of an Implementation Record. SB 1383 requires that jurisdictions maintain all records required by SB 1383 in a central location (electronic or physical) that can be readily accessed by CalRecycle within ten business days. *"All records and information must be included in the Implementation Record within 60 days of the creation of the record or information [and] shall be retained by the Jurisdiction for five (5) years."*⁵ The required record is vast, and maintenance of the Implementation Record is likely to be one of the most burdensome tasks for the member agencies and the haulers.

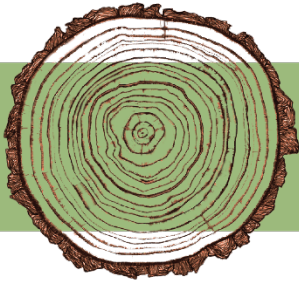
Member agencies should utilize the regulatory language of SB 1383 and CalRecycle guidance documents to organize its records as required under the law. Some documents, such as the SB 1383 Ordinance, are strictly the domain of the jurisdiction. Other documents may need to be sourced from the haulers. The Table 9 on the next page identifies the recordkeeping requirements of section 18995.2 of SB 1383.

Table 9 – Implementation Record

#	Requirement	Section	Type	Owner
1)	Copy of Ordinances and Other Enforceable Mechanisms	981.2	City Documents	Member agencies
2.1)	All solid waste accounts with more 2CY/week generation	995.1	Generator Review	Hauler
2.2)	Route Review/Evaluation	995.4	Route Review	Hauler
3)	Collection Service Records	984.4	Route Review	Hauler
4)	Contamination Minimization Records	984.6	Route Review	Hauler
5)	Waiver and exemption Records	984.14	Generator Review	Member agencies
6)	Education and Outreach	985.3	Documents	Member agencies and Hauler
7)	Hauler Program Records	988.4	Documents	Hauler
8)	Edible Food Recovery Programs	991.2	City Documents	Member agencies
9)	All Recovered Organic Waste Procurement Targets Records	993.2	Procurement	Member agencies
10)	Recycled Paper Procurement Records	993.4	Procurement	Member agencies
11)	All inspection, route review, and compliance review	995.1d	Route Review	Hauler
12)	Enforcement Action Records	-	City Documents	Member agencies
13)	Records of Complaints	995.3	Documents	Hauler
14)	Performance Based Documentation (if applicable)	998.4	N/A	N/A

Recordkeeping and Reporting Action Items

- The hauler will provide all records to the member agencies for the aspects of SB 1383 that they are primarily responsible, as designated in Table 9.
- The City will maintain records for aspects of SB 1383 that they are primarily responsible, as designated in Table 9.
- Records will be delivered to CalRecycle per the SB 1383 requirements.



Task 3: Edible Food Recovery Program



Our team of experienced professionals works towards a shared purpose and vision of capturing edible food and are currently working to understand and evaluate the current edible food recovery capacity within the County. Using our existing experience developing edible food recovery programs we will provide the Jurisdictions a pathway to meet the SB 1383 compliance requirements that result in feeding hungry people, safely and with dignity. Our recommendations will look to create new jobs and training opportunities, build relationships across food donors and food recovery organizations and foster trust and brand protection between parties. We will include suggestions that include our pioneering sustainable funding models and developing innovative programs that significantly enhance community resiliency.

To fully comply with the Edible Food Recovery program requirements of SB 1383, the Jurisdictions must inspect Tier One and Tier Two Commercial Edible Food Generators. This may be delegated this to Environmental Health, a third party or to Code enforcement, who can conduct random inspections to determine if the Tier One or Two generators are in compliance with the regulation. Additionally, each Jurisdiction will be required to post information regarding food recovery organizations and services on their individual websites. The final report will ensure that these listed organizations can manage an influx of edible food.

SB 1383 requires that jurisdictions implement an edible food recovery program, subject to minimum programmatic requirements. At a minimum this includes:

- Implementation of an edible food recovery program that includes education of Tier One and Tier Two Commercial Edible Food Generators annually.
- Increase access to Food Recovery Organizations and Food Recovery Services, through collaboration with incorporated cities within the County; and
- Develop a list of Food Recovery Organizations and Services operating within the service area and update the list annually.

Member agencies will implement a food rescue program consistent with the requirements of SB 1383. The food rescue programs is divided into two phases of compliance. Tier One is defined in the regulations as being all Supermarkets, wholesale food distributors, and grocery stores above 10,000 square feet. This Tier is required to begin edible food donation by January 1, 2023, with the filing of the SB 619 Notice of Intent to Comply. Tier Two businesses include very large restaurants with more than 250 seats, hotels with more than 200 rooms, health facilities with

more than 100 beds, large venues and events, and state and educational facilities with large cafeterias. Tier Two is required to begin rescuing food by January 1, 2024.

Member agencies could consider outreaching to businesses which are close to meeting these requirements, and encouraged them to adopt food rescue programs, which provides immeasurable benefits for those individuals who rely on food distribution to ensure their food security. Although not required to do so by regulations, other large food generators can assist SB 1383 progress and alleviate hunger in the region by voluntarily participating in food rescue programs as well as help increase the cost effectiveness of any investments in food recovery programs.

A list of businesses by member agencies that appear to meet the requirements of either a Tier 1 or a Tier 2 business has been assembled and are currently being audited through direct survey to determine their required compliance level. These businesses were identified based on their North American Industrial Classification (NAICS) codes, which are available through the Department of Employment. Those businesses which match the categorical requirements (e.g., Supermarkets) or size and category requirements (Restaurant + over 250 seats) are included on the list. As size is difficult to ascertain in some instances, a judgement call based on number of employees, experience, or satellite imagery is used to evaluate a business's eligibility. As a business can opt out of mandatory programs if it can demonstrate it does not meet the criteria, the list errors on the side of more food rescue. This initial opt out will be done through the survey and interview of business operations. A finalized list will be sent to each Jurisdiction once complete.

Develop an Edible Food Recovery Program

Our team will provide a report that summarizes the next steps and recommended programs for the development of an edible food recovery program for the region. This report will summarize the following tasks and provide a clear pathway, with recommendations regarding best practice protocols for compliance and funding guidance.

Tier 1 and Tier 2 Edible Food Waste Generators Compliance Assessment

The team is currently verifying the Tier 1 and 2 generators and is assessing which generators have a current relationship with a food recovery agency and if that relationship has a contract or written agreement for food recovery in place. The team is also identifying if generators may be able to expand their current food donations and by how much. Specific notes regarding collection requirements, types of food and other important characteristics will be noted during the assessment.

The team will provide a detailed report identifying participating cities' Tier 1 and Tier 2 edible food waste generators, their statuses on participation in edible food donation programs, and their SB 1383 food recovery compliance statuses of such edible food donation programs. The report will be compiled in the form of one regional document, with the information on each participating city formatted by sections.

Food Recovery Agencies and Organizations Capacity Assessment

The team is identifying food recovery agencies and organizations in the participating cities and surveying their operations. These calls will engage with those organizations, discuss SB 1383, existing capacity and infrastructure in a way to support collaborative and foster. The team is currently completing these calls and will summarize the results to understand and fully evaluate capacity and infrastructure requirements, in addition to further understanding the current landscape of the organizations.

These results will be compared to the results of the Tier 1 and Tier 2 food generators to first answer the question of the compliance gap with SB 1383. The results will be detailed in the Final Report which will provide clear recommendations and next steps towards building a regional food recovery program. The detailed report will include a list of the edible food recovery organizations in and around the participating cities' limits. We will also provide participating cities with a list of edible food waste generators that comply with SB 1383 and requirements associated with expanded recovery for those generators not compliant with SB 1383. Additionally, the report will include information on the recovery capacity of the food recovery organizations in and around the participating cities' city limits. We will detail whether these organizations have existing contracts or written agreements with the participating cities' Tier 1 and Tier 2 food waste generators. The report will also include details on whether additional capacity is needed for participating cities to accommodate the increase in edible food, the infrastructure needed to operate a successful edible food recovery program in Humboldt County and opportunities for participating cities to fund such infrastructure. The report will be compiled in the form of one regional document, with the information on each participating city formatted by sections.

Develop and Advise on Policies, Funding, Contracts, Ordinances

Funding strategies for edible food recovery are a new concept being discussed throughout the State which must be considered with local dynamics, waste system structures, contracts and community support. Our team will include recommendations for building funding structures in the Final Report, including a budget for program development for the region. Of primary concern is transparency, equity and maximizing efficiency of funding, which will be guided by the information gathered through Compliance and Capacity Assessments. Additionally, using best practices across the edible food recovery sector a user-friendly contract would be developed that could be utilized across the region between generators and food recovery agencies. This will include a discussion of potential penalties that could be assessed by jurisdictions against non-compliance generators to ensure full compliance with SB 1383.

Monitoring and enforcement of the edible food recovery requirements are an important aspect of SB 1383 compliance where the jurisdictions have several operations. These include assessing options within existing programs such as County Public Health, waste hauling services, or other scoping services for a third-party contractor and aiding with soliciting bids for this compliance activity locally.

Develop Monitoring, Reporting, Recordkeeping and Compliance Programs

The team will provide a model, utilizing existing local infrastructure and advising on the most efficient way to close any identified gaps, that will effectively monitor, aggregate reporting infrastructure, contracts between generators and non-profits, donation programs and track all required outreach to ensure full compliance with SB 1383. This could include utilizing technology software, partnering with local entities (Waste Haulers, County Public Health, or other), that will result in a long-standing program that transparently provides information to the jurisdictions. This program will also outline additional requirements which could be considered, for example program effectiveness metrics, food safety tracking and other informational items which could be used to measure program results from funding, should the County move forward with a funding program. These recommendations will depend on the results of the survey and regional specifications.

Develop Outreach and Education Plan

Outreach programs will be suggested, building off the passion and years of experience from the sub-consultant, Abound Food Care. The focus will be effectiveness of outreach programs, partnerships with existing stakeholders, and clear and consistent communication of program intent and food safety. The current surveys of Tier 1 and 2 generators is an initial outreach contact, where this friendly and informative process will be built upon to develop a coordinated approach to education programs. The team will develop an annual outreach program, which will include multilingual outreach and education materials and a detailed plan to provide comprehensive outreach and education efforts for participating cities' Tier 1 and Tier 2 edible food waste generators and stakeholder groups using tools available through CalRecycle, the County and those developed through our previous outreach campaigns. Strategies and suggestions of software and/or other reporting mechanisms will be recommended in the final report.

Strategic Plan for Edible Food Recovery

The results of the Capacity Assessments and Program Recommendations will be summarized in a Strategic Plan for Humboldt County. We will provide a detail analysis highlighting outreach efforts that were conducted, the surveys and assessments that were performed, the food recovery needs and operations of participating cities' Tier 1 and Tier 2 waste generators, the food recovery needs and operations of food recovery organizations in and around Humboldt County. Based on our experience and expertise, the team will provide analysis and a strategic plan complete with best use of funds needed to cover capacity gaps, methods to encourage collaborative participation and recommendations on the necessary steps that participating cities should consider ensuring SB 1383 compliance. This will further discuss funding requirements and opportunities. Our work in other regions of the State is being lauded by CalRecycle as the suggested model framework for jurisdictions to meet the intentions of edible food recovery regulations under SB 1383.



Task 4: Procurement



SB 1383 mandates jurisdictions procure minimum amounts of products derived from recovered organic waste to ensure markets for the newly diverted material exist. These procurement targets are determined based on a jurisdiction's population, where 0.08 tons of organic waste derived procurement must be achieved annually per person. Procurement may be achieved through any combination of bioenergy, compost, mulch, and organically derived renewable natural gas.

SB 1383 regulations contain two primary requirements for jurisdictions surrounding product procurement:

1. Beginning January 1, 2022, jurisdictions shall annually procure a quantity of recovered organic waste products (generated in California) that meet or exceed their current annual recovered organic waste product procurement target. The procurement target will vary based on the recovered organic waste commodity chosen (or combination of commodities).
2. Jurisdictions will also be required to procure paper products, and printing and writing paper if they cost the same or less than comparable virgin materials. It is important to note that paper products include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissue, and toweling.

Edgar will review each jurisdiction's current use of recovered organic waste products (compost, renewable natural gas, mulch, etc.), compared to the amount required to be used annually, as well as the required use of recycled paper products and postconsumer fiber, and provide an analysis and recommendation on what each jurisdiction will address to achieve SB 1383 compliance. The analysis includes an estimate of potential compost/mulch quantities that could be applied to parks, open space, rights-of-way, and other jurisdiction-owned properties as well as provide potential multi-jurisdictional partnership alternatives that will meet the SB 1383 requirements.

- Expanding organics ordinances and modelling their impacts, where compost and mulch may be backhauled from the export facilities to fulfill procurement requirements.
- Establishing a procurement plan for each city for organic waste products made from local organics collection, measuring procurement requirements for Humboldt and the positive environmental impacts of the use.

Edgar will recommend policy updates to each jurisdiction, including updates to existing Environmental Preferred Purchasing Policies to ensure SB 1383 compliance, and will assist with

the development of recordkeeping and reporting process, including annual checklist and guidance document.

Edgar & Associates was deeply involved with the development of SB 1383 procurement requirements to provide the jurisdictions with a flexible portfolio of options that include compost mulch, bioenergy, and renewable natural gas. The organic products procurement target amounts are based upon population of the jurisdiction and is summarized below in Table 10.

Table 10 – Organic Waste Product Procurement Targeted Amounts

Member Agency	Compost Use (tons) (Up to)	Mulch Use (tons) (Up to)	Bioenergy (MW) (Up to)	Renewable Natural Gas (DGE) (Up to)
Arcata	839	1,446	0.107	30,371
Eureka	1,252	2,158	0.160	45,321
Fortuna	561	967	0.072	20,301
Unincorporated Humboldt County	3,338	5,754	0.427	120,842
Total	5,990	10,325	0.766	216,835

The low-density population member agencies may phase in procurement over time but still need to comply with procurement requirements starting January 1, 2023. The amount of additional procurement is incremental where the program can be expanded to accommodate these new tons of up to 291 compost tons and/or up to 501 tons of wood mulch as shown in Table 11 below.

Table 11 – Organic Waste Product Procurement Targeted Amounts

Low Density Member Agency	Compost Use (tons) (Up to)	Mulch Use (tons) (Up to)	Bioenergy (MW) (Up to)	Renewable Natural Gas (DGE) (Up to)
Blue Lake	58	99	0.007	2,088
Ferndale	62	107	0.008	2,243
Trinidad	17	29	0.002	605
Rio Dell	154	266	0.02	5,588
Total	291	501	0.037	10,524

Also starting in 2027, a local compost facility should be permitted and operational. The procurement tons for compost and mulch could be sourced from that facility. Member agencies could plan to use the bulk of the compost material for local parks, community gardens, school gardens, wastewater treatment plant and for the local golf course. The remaining compost will

be provided to the residents of Member agencies for free as compost giveaways. Mulch will be used for road siding and landscaping along local roads and within parks should extra capacity be needed.



The most likely options for procurement from 2022 to 2027 is to procure as much local compost and mulch from in-county facilities for use on jurisdictional parks, golf course, schools, roadways, and public works projects. As part of the work plan, the acreage of available land will be determined as to where compost and mulch could be applied. The jurisdictions above will need to procure up to 5,990 tons of compost and/or up to 10,325 tons of wood mulch per year to comply with SB 1383 and could use a blended portfolio of both. Bioenergy and RNG are options but are not realistic at this time since the majority of the local refuse fleets are not on the compressed natural gas (CNG) platform to drop in RNG fuel, and there are no biomass energy projects being proposed in the region. To meet the tonnage requirements, compost and mulch may need to be back-hauled from the selected out-of-county compost facility.



Recycled Paper Procurement

Member Agencies must adopt environmentally preferable purchasing practices to meet the paper procurement requirements described in Section 18993.3. These requirements state that the jurisdictions provider of paper products must certify the amount of recycled content present in the paper, and that should an equal or lower cost paper with a higher recycled content exist, that this paper should be the procured paper source¹. This recycled paper procurement policy is being included in the updating of their Ordinance that should be adopted before April 1, 2022, to receive grant funding.

¹ Public Resource Code : Section 22150-22154. <https://law.justia.com/codes/california/2009/pcc/22150-22154.html>



Task 5: Waste Management Structure

During the medium-term, Edgar will provide a comprehensive analysis, including evaluation of compliance obligations, assessment of resource gaps and staffing needs, an analysis and recommendation of rates and fees to HWMA's Waste Management Fee along with anticipated curbside customer rate impacts and recommendations for regional monitoring, enforcement, reporting and record keeping activities.

Project Schedule

	Quarter 1 By March 1, 2022	Quarter 2 By May 16, 2022	Quarter 3 By August 16, 2022	Quarter 4 By December 31, 2022	Years 2-4
Task 1 – Compliance Road Map					
1a – SB 1383 Waivers for Extension	Submit Waiver Requests by December 1, 2022				
1b - Targeted Tonnage Analysis	Determine Targeted Tons				
1c - SB 619 Notice of Intent to File	Submit NOI on March 1, 2022				
1d – Initial Jurisdictional Report		Submit Initial Jurisdictional Report on April 1, 2022,			
1e – Ordinance	Draft Model Ordinance and review Franchise	Cities opt-in and adopt Ordinance	Cities that opt-out and adopt		
	Quarter 1 By March 1, 2022	Quarter 2 By May 16, 2022	Quarter 3 By August 16, 2022	Quarter 4 By November 16, 2022	Years 2-4
Task 2 – Organic Processing and Collection					
Task 2a – Organic Processing and Collection	Review franchises and local facilities and make recommendations.	Prioritize green waste to local compost facilities. Outreach & education for collections to transfer organics out of county	Possible start dates to start SB 1383 collection programs after selection of out-of-County compost facility		Possible start dates to start SB 1383 collection programs after selection of out-of-County compost facility
Task 2b – Short-Term Collection and Processing	Recommend that RFP be issued for 5-year export agreement for SB 1383 organics.	Prepare Issue RFP to permitted out-of-County food waste compost facility. Select export compost facility	Select permitted out-of-County food waste compost facility.		Export for up to 5 years until in-County compost facility can be permitted
Task 2c – In-County Organic Waste Processing	Visit possible locations of regional compost facility	Review past reports and studies on siting a regional compost facility	Prepare Report on possible locations and funding plan Meet with community	Prepare Report on possible locations and funding plan	Permit selected facilities that could take up to 5 years
Task 2d – Long-Term Collection and Processing	File waivers to defer collection to 2027 for the smaller cities				Cease out of County transfer in 2027, and bring on smaller cities

	Quarter 1 By March 1, 2022	Quarter 2 By May 16, 2022	Quarter 3 By August 16, 2022	Quarter 4 By December 31, 2022	Years 2-4
Task 3 – Edible Food Recovery					
Task 3a - Develop and Edible Food Recovery Program	Provide oversight, guidance, and management of Edible Food Recovery Program, including meetings and project check-ins.				
Task 3b - Tier 1 and Tier 2 Generator Compliance	Finalize list, conduct surveys and assessments.				
Task 3c - Food Recovery Agency Capacity Assessment	Conduct surveys and full infrastructure assessments.				
Task 3d - Develop and Advise on Policies, etc.	Complete standard contract for generator and non-profits. Draft Ordinance and Program elements.	Cities opt-in and adopt Ordinance Complete final Program development elements.	Cities that opt-out and adopt own Ordinance	Additional programs, such as tracking and enhancing food safety auditing programs, can be provided in subsequent years.	
Task 3e - Develop Monitoring and Reporting, etc.	Draft monitoring, reporting and compliance program elements.	Determine if third-party contractor will assist with compliance. Finalize monitoring, recordkeeping and compliance program elements.			
Task 3f - Develop Outreach and Education Plan	Develop and Finalize Outreach and Education Plan.				Assistance with implementation of outreach and education can be provided in subsequent years.
Task 3g - Strategic Plan for Edible Food Recovery	All sub-task elements, surveys, infrastructure assessments and suggestion on funding program development will be finalized in a formal Strategic Plan for Edible Food Recovery that will be delivered no later than May 16th.			Additional assistance on implementation of the strategic plan can be provided in subsequent years.	



	Quarter 1 By March 1, 2022	Quarter 2 By May 16, 2022	Quarter 3 By August 16, 2022	Quarter 4 By December 1, 2022	Years 2-4
Task 4 – Procurement					
Task 4 – Procurement	Determine amount of organic waste products to be procured	Adopt opt-in Ordinance with Procurement policies	Work with local compost facilities first to procure compost. With selection of out-of-County compost facility, bundle the RFP to include the back-haul and compost and mulch from the facility to meet procurement requirements		After 2027, procure all compost and mulch locally
Task 5 – Waste Management Structure					
Task 5 – Waste Management Structure		Final Compliance Plan Roadmap	Assess rate impact and make recommendations		Update in 2024 with in-county facility

Appendices

Appendix A

ORDINANCE **XXXX-XX**

ORGANICS REDUCTION AND RECYCLING ORDINANCE (For low population waiver Cities that defer collection)

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ORDINANCE 2021-01: ORGANICS REDUCTION AND RECYCLING ORDINANCE

The City hereby ordains as follows:

SECTION 1. PURPOSE AND FINDINGS

- (a) The purpose of this Ordinance is to reduce the amount of organic and recyclable materials deposited in landfills from commercial and residential generators. This Ordinance repeals seeks to provide a single framework to achieve its purposes and comply with various state laws as set forth below.
- (b) State recycling law, Assembly Bill 939 of 1989, the California Integrated Waste Management Act of 1989 (approved by the Governor of the State of California on September 29, 1989, which among other things, added Division 30 (Section 40000, et seq.) to the Public Resources Code, as amended, supplemented, superseded, and replaced from time to time), requires cities and counties to reduce, reuse, and recycle (including composting) Solid Waste generated in their jurisdictions to the maximum extent feasible before any incineration or landfill disposal of waste, to conserve water, energy, and other natural resources, and to protect the environment.
- (c) State recycling law, Assembly Bill 341 of 2011 (approved by the Governor of the State of California on October 5, 2011, which amended Sections 41730, 41731, 41734, 41735, 41736, 41800, 42926, 44004, and 50001 of, and added Sections 40004, 41734.5, and 41780.01 and Chapter 12.8 (commencing with Section 42649) to Part 3 of Division 30 of, and added and repealed Section 41780.02 of, the Public Resources Code, as amended, supplemented, superseded and replaced from time to time), places requirements on businesses and multi-family property owners that generate a specified threshold amount of Solid Waste to arrange for recycling service and requires jurisdictions to implement a Mandatory Commercial Recycling program.
- (d) State organics recycling law, Assembly Bill 1826 of 2014 (approved by the Governor of the State of California on September 28, 2014, which added Chapter 12.9 (commencing with Section 42649.8) to Part 3 of Division 30 of the Public Resources Code, relating to Solid Waste, as amended, supplemented, superseded, and replaced from time to time), requires businesses and multi-family property owners that generate a specified threshold amount of Solid Waste, recycling, and Organic Waste per week to arrange for recycling service for those materials, requires counties and cities to implement a recycling program to divert Organic Waste from businesses subject to the law, and to implement a Mandatory Commercial Organics Recycling program.
- (e) State organics recycling law, Senate Bill 1383 of 2016, the Short-lived Climate Pollutant Reduction Act of 2016 (approved by the Governor of the State of

California on September 19, 2016, which added Sections 39730.5, 39730.6, and 39730.8 to the Health and Safety Code, and added Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, as amended, supplemented, superseded, and replaced from time to time), took effect on January 1, 2017 and sets Statewide Organic Waste disposal reduction targets of 50 percent by 2020 and 75 percent by 2025, based on the 2014 organics waste disposal baseline, set forth in Section 39730.6 of the Health and Safety Code, and requires CalRecycle to develop regulations to reduce organics in landfills as a source of methane. The SB 1383 Regulations place requirements on multiple entities, including counties, cities, residential households, Commercial Businesses (including Multi-Family Residential Dwellings), Commercial Edible Food Generators, haulers, Self-Haulers, Food Recovery Organizations, and Food Recovery Services to support achievement of statewide Organic Waste disposal reduction targets with compliance required beginning January 1, 2022.

- (f) In furtherance of the food recovery objectives of the laws noted above and to reduce legal risks associated with food recovery, the State food donation law, Assembly Bill 1219 of 2017, the California Good Samaritan Food Donation Act of 2017 (approved by the Governor of the State of California on October 9, 2017, which amended Section 1714.25 of the Civil Code, amended Section 58502 of, and repealed Section 58506 of, the Food and Agricultural Code, and amended Sections 114432, 114433, and 114434 of, and added Section 114435 to, the Health and Safety Code, as amended, supplemented, superseded and replaced from time to time), provides additional protections for entities that donate and distribute food for human consumption.
- (g) By January 1, 2022, the SB 1383 Regulations require jurisdictions to adopt and enforce an ordinance or other enforceable mechanism to implement relevant provisions of the SB 1383 Regulations concerning regulation of organic waste collection services, generators of organic waste, waste haulers, and generators and processors of edible food, together with enforcement mechanisms and administrative civil penalties for violations of local regulations.
- (h) It is in the public interest for participants in the Humboldt County solid waste and recycling systems—including cities, the County, sanitary districts, haulers, processors, facility operators, businesses, institutions, the public, and the HWMA—to work together to advance the goals in the state legislation noted above.

SECTION 2. TITLE OF ORDINANCE

This Ordinance is titled “Organics Reduction and Recycling Ordinance”.

SECTION 3. DEFINITIONS

The following definitions govern the use of terms in this Ordinance:

- (a) “Humboldt County” means all of the geographical areas located within the unincorporated areas of Humboldt County, as well as those incorporated areas of Humboldt County that have opted-in to this ordinance.
- (b) “Back-Haul” means generating and transporting Organic Waste to a destination owned and operated by a generator using the generator’s own employees and equipment, or as otherwise defined in 14 CCR Section 18982(a)(66)(A).
- (c) “C&D” means construction and demolition debris.
- (d) “CalRecycle” means California's Department of Resources Recycling and Recovery, which is the state agency designated with responsibility for developing, implementing, and enforcing the SB 1383 Regulations.
- (e) “California Code of Regulations” or “CCR” means the State of California Code of Regulations. CCR references in this Ordinance are preceded with a number that refers to the relevant Title of the CCR (e.g., “14 CCR” refers to Title 14 of CCR).
- (f) “Certification of Recycling Service Form” means documentation certifying that a Commercial Business does not subscribe to collection services for Compost Containers and/or Recycling Containers because the Commercial Business has arranged for collection of its Source Separated Compost Container Organic Waste and/or Source Separated Recyclable Materials by self-hauling, Back-Haul,

contracting with a third-party hauler, or shares service with another Commercial Business.

- (g) “Commercial Business” or “Commercial” means a firm, partnership, proprietorship, joint-stock company, corporation, institution or association (whether incorporated or unincorporated or for-profit or nonprofit), strip mall, industrial facility, or a Multi-Family Residential Dwelling, or as otherwise defined in 14 CCR Section 18982(a)(6).
- (h) “Commercial Edible Food Generator” includes a Tier One, or a Tier Two Commercial Edible Food Generator as defined herein or as otherwise defined in 14 CCR Section 18982(a)(73) and (a)(74). For the purposes of this definition, Food Recovery Organizations and Food Recovery Services are not Commercial Edible Food Generators pursuant to 14 CCR Section 18982(a)(7).
- (i) “Community Composting” means any activity that composts green material, agricultural material, food material, and vegetative food material, alone or in combination, and the total amount of feedstock and Compost on-site at any one time does not exceed 100 cubic yards and 750 square feet, as specified in 14 CCR Section 17855(a)(4); or, as otherwise defined by 14 CCR Section 18982(a)(8).
- (j) “Compliance Review” means a review of records by the Enforcement Agency to evaluate compliance with this Ordinance.
- (k) “Compost” has the same meaning as in 14 CCR Section 17896.2(a)(4), which stated, as of the effective date of this Ordinance, that “Compost” means the product resulting from the controlled biological decomposition of organic Solid Waste that is Source Separated from the municipal Solid Waste stream, or which is separated at a centralized facility.
- (l) “Compost Container” has the same meaning as “Green Container” in 14 CCR Section 18982(a)(29) and shall be used for the purpose of storage and collection of Source Separated Compost Container Organic Waste.
- (m) “Compostable Plastics” or “Compostable Plastic” means plastic materials that meet the ASTM D6400 and D6868 standards for compostability and are certified by the Biodegradable Products Institute (BPI) or similar third-party approved by the WMA and are approved by the Member Agency for placement in the Compost Container.
- (n) “Container Contamination” or “Contaminated Container” means a container, regardless of type, which contains Prohibited Container Contaminants, or as otherwise defined in 14 CCR Section 18982(a)(55).
- (o) “Designee” means an entity that the HWMA or a Member Agency contracts with or otherwise arranges to carry out or assist with any of the HWMA’s or Member Agency’s responsibilities for compliance with the SB 1383 Regulations or

administration or enforcement of this Ordinance. A Designee may be a government entity, a private entity, or a combination of those entities.

- (p) “Edible Food” means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this Ordinance or as otherwise defined in 14 CCR Section 18982(a)(18), “Edible Food” is not Solid Waste if it is recovered and not discarded. Nothing in this Ordinance or in 14 CCR, Division 7, Chapter 12 requires or authorizes the Recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code, as codified in the Health and Safety Code Section 113700, et seq.
- (q) “Enforcement Action” means an action of the relevant Enforcement Agency to address non-compliance with this Ordinance including, but not limited to, issuing administrative citations, fines, penalties, or using other remedies.
- (r) “Enforcement Agency” means an entity with the authority to enforce part, or all of this Ordinance as specified herein. Employees and agents of an Enforcement Agency may carry out inspections and enforcement activities pursuant to this Ordinance. Nothing in this Ordinance authorizing an entity to enforce its terms shall require that entity to undertake such enforcement except as agreed to by that entity.
- (s) “Excluded Waste” means hazardous substances, hazardous waste, infectious waste, designated waste, volatile, corrosive, medical waste, infectious, regulated radioactive waste, and toxic substances or material that facility operator(s), which receive materials from a Member Agency and its generators, reasonably believe(s) would, as a result of or upon acceptance, transfer, processing, or disposal, be a violation of local, State, or Federal law, regulation, or ordinance, including: land use restrictions or conditions, waste that cannot be disposed of in Class III landfills or accepted at the facility by permit conditions, waste that in the reasonable opinion of the Member Agency or a Regulated Hauler operating in that Member Agency’s jurisdiction would present a significant risk to human health or the environment, cause a nuisance or otherwise create or expose the Member Agency or a Regulated Hauler to potential liability; but not including de minimis volumes or concentrations of waste of a type and amount normally found in Single-Family or Multi-Family Solid Waste after implementation of programs for the safe collection, processing, recycling, treatment, and disposal of batteries and paint in compliance with Sections 41500 and 41802 of the Public Resources Code. Excluded Waste does not include used motor oil and filters, household batteries, universal wastes, and/or latex paint when such materials are defined as allowable materials for collection through the Member Agency’s collection programs and the generator or customer has properly placed the materials for collection pursuant to instructions provided by the Member Agency or the Regulated Hauler providing service to the generator.

- (t) “Food Distributor” means a company that distributes food to entities including, but not limited to, Supermarkets and Grocery Stores, or as otherwise defined in 14 CCR Section 18982(a)(22).
- (u) “Food Facility” has the same meaning as in Section 113789 of the Health and Safety Code.
- (v) “Food Recovery” means actions to collect and distribute food for human consumption that otherwise would be disposed, or as otherwise defined in 14 CCR Section 18982(a)(24).
- (w) “Food Recovery Organization” means an entity that engages in the collection or receipt of Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the public for Food Recovery either directly or through other entities or as otherwise defined in 14 CCR Section 18982(a)(25), including, but not limited to:
 - (1) A food bank as defined in Section 113783 of the Health and Safety Code;
 - (2) A nonprofit charitable organization as defined in Section 113841 of the Health and Safety code; and,
 - (3) A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

A Food Recovery Organization is not a Commercial Edible Food Generator for the purposes of this Ordinance and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7). If the definition in 14 CCR Section 18982(a)(25) for Food Recovery Organization differs from this definition, the definition in 14 CCR Section 18982(a)(25) shall apply to this Ordinance.

- (x) “Food Recovery Service” means a person or entity that collects and transports Edible Food from a Commercial Edible Food Generator to a Food Recovery Organization or other entities for Food Recovery, or as otherwise defined in 14 CCR Section 18982(a)(26). A Food Recovery Service is not a Commercial Edible Food Generator for the purposes of this Ordinance and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).
- (y) “Food Scraps” means all edible or inedible food such as, but not limited to, fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bread, cheese, coffee grounds, and eggshells. Food Scraps excludes fats, oils, and grease when such materials are Source Separated from other Food Scraps.
- (z) “Food Service Provider” means an entity primarily engaged in providing food services to institutional, governmental, Commercial, or industrial locations of others based on contractual arrangements with these types of organizations, or as otherwise defined in 14 CCR Section 18982(a)(27).

- (aa) “Food-Soiled Paper” is compostable paper material that has come in contact with food or liquid, such as, but not limited to, compostable paper plates, napkins, and pizza boxes, and is approved by the applicable the Member Agency for placement in the Compost Container.
- (bb) “Food Waste” means Food Scraps, Food-Soiled Paper, and Compostable Plastics in combination or separately.
- (cc) “Grocery Store” means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments, or as otherwise defined in 14 CCR Section 18982(a)(30).
- (dd) “Hauler Route” means the designated itinerary or sequence of stops for each segment of a Member Agency’s collection service area, or as otherwise defined in 14 CCR Section 18982(a) (31.5).
- (ee) “Health Facility” has the same meaning as in Section 1250 of the Health and Safety Code.
- (ff) “High Diversion Organic Waste Processing Facility” means a facility that is in compliance with the reporting requirements of 14 CCR Section 18815.5(d) and meets or exceeds an annual average mixed waste organic content Recovery rate of 50 percent between January 1, 2022 and December 31, 2024, and 75 percent after January 1, 2025, as calculated pursuant to 14 CCR Section 18815.5(e) for Organic Waste received from the “Mixed waste organic collection stream” as defined in 14 CCR Section 17402(a)(11.5); or, as otherwise defined in 14 CCR Section 18982(a)(33).
- (gg) “Hotel” has the same meaning as in Section 17210 of the Business and Professions Code.
- (hh) “Inspection” means an Enforcement Agency’s electronic or on-site review of records, containers, and an entity’s collection, handling, recycling, or landfill disposal of Organic Waste or Edible Food handling to determine if the entity is complying with requirements set forth in this Ordinance, or as otherwise defined in 14 CCR Section 18982(a)(35).
- (ii) “Landfill Container” has the same meaning as “Gray Container” in 14 CCR Section 18982(a)(28) and shall be used for the purpose of storage and collection of Landfill Container Waste.
- (jj) “Landfill Container Waste” means Solid Waste that is collected in a Landfill Container that is part of a three-container or three-plus container collection service that prohibits the placement of Organic Waste in the Landfill Container as specified in 14 CCR Sections 18984.1(a) and (b), or as otherwise defined in 14 CCR Section

17402(a) (6.5). (Three container collection service refers to service collecting materials in Landfill Containers, Organics Containers, and Recycling Containers.)

- (kk) "Large Event" means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event. If the definition in 14 CCR Section 18982(a)(38) differs from this definition, the definition in 14 CCR Section 18982(a)(38) shall apply to this Ordinance. For the purposes of this definition of Large Event, "local agency" means all public agencies except those that are not subject to the regulatory authority of the Member Agency.
- (ll) "Large Venue" means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation. For purposes of this Ordinance and implementation of 14 CCR, Division 7, Chapter 12, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of this Ordinance and implementation of 14 CCR, Division 7, Chapter 12, a site under common ownership or control that includes more than one Large Venue that is contiguous with other Large Venues in the site, is a single Large Venue. If the definition in 14 CCR Section 18982(a)(39) differs from this definition, the definition in 14 CCR Section 18982(a)(39) shall apply to this Ordinance.
- (mm) "Member Agency" means a party to the JPA. Current member agencies are the Unincorporated County of Humboldt, the Cities of Arcata, Eureka, Rio Dell, Ferndale, Blue Lake, Trinidad and Fortuna. A reference to a Member Agency means the Member Agency within whose boundaries the regulated Organic Waste Generator, Self-Hauler, Regulated Hauler, Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity resides or operates. These jurisdictions are considered member agencies under this ordinance upon adoption, or "opting-in" to this ordinance.

- (nn) "Mixed Waste Organic Collection Stream" or "Mixed Waste" means Organic Waste collected in a container that is required by 14 CCR Sections 18984.1, 18984.2 or 18984.3 to be taken to a High Diversion Organic Waste Processing Facility or as otherwise defined in 14 CCR Section 17402(a) (11.5).
- (oo) "Multi-Family Residential Dwelling" or "Multi-Family" means of, from, or pertaining to residential premises with five or more dwelling units. Multi-Family premises are considered a distinct type of Commercial Business for the purposes of implementing this Ordinance. Consistent with the SB 1383 Regulations, residential premises that consist of fewer than five units are not "Multi-Family" and instead are "Single-Family" for the purposes of implementing this Ordinance. Multi-Family premises do not include hotels, motels, or other transient occupancy facilities, which are considered other types of Commercial Businesses.
- (pp) "Non-Compostable Paper" includes, but is not limited to, paper that is coated, lined or treated with a non-compostable material, or otherwise unacceptable to the compostable materials handling facility processing the material.
- (qq) "Non-Organic Recyclables" means non-putrescible and non-hazardous recyclable materials including but not limited to recyclable food and beverage glass containers, metal (aluminum and steel) food and beverage cans, HDPE (high density polyethylene) bottles and PET (polyethylene terephthalate) bottles, and other materials specified in 14 CCR Section 18982(a)(43).
- (rr) "Notice of Violation" means a notice that a violation has occurred that includes a compliance date to avoid an action to seek penalties, or as otherwise defined in 14 CCR Section 18982(a)(45) or further explained in 14 CCR Section 18995.4.
- (ss) "Organic Waste" means Solid Waste containing material originated from living organisms and their metabolic waste products, including but not limited to food, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, Paper Products, Printing and Writing Paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Biosolids and digestate are as defined by 14 CCR Section 18982(a).
- (tt) "Organic Waste Generator" means a Person or entity that is responsible for the initial creation of Organic Waste, or as otherwise defined in 14 CCR Section 18982(a)(48).
- (uu) "Paper Products" include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissue, and toweling, or as otherwise defined in 14 CCR Section 18982(a)(51).
- (vv) "Person" includes an individual, firm, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever, or as otherwise defined in Public Resources Code Section 40170.

- (ww) "Printing and Writing Paper" include, but are not limited to, copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications, or as otherwise defined in 14 CCR Section 18982(a)(54).
- (xx) "Prohibited Container Contaminants" includes all of the following: (i) materials placed in the Recycling Container that are not identified as acceptable Source Separated Recyclable Materials for the Member Agency's Recycling Container; (ii) materials placed in the Compost Container that are not identified as acceptable Source Separated Compost Container Organic Waste for the Member Agency's Compost Container; (iii) materials placed in the Landfill Container that are acceptable Source Separated Recyclable Materials and/or acceptable Source Separated Compost Container Organic Waste that can be placed in the Member Agency's Compost Container and/or Recycling Container; and, (iv) Excluded Waste placed in any container.
- (yy) "Recovery" means any activity or process described in 14 CCR Section 18983.1(b), or as otherwise defined in 14 CCR Section 18982(a)(49).
- (zz) "Recycling Container" has the same meaning as "Blue Container" in 14 CCR Section 18982(a)(5) and shall be used for the purpose of storage and collection of Source Separated Recyclable Materials and Source Separated Recycling Container Organic Waste.
- (aaa) "Regulated Hauler" means a Person that collects Solid Waste (other than Solid Waste generated by a permitted building project) originating in Humboldt County from Compost Containers, Recycling Containers, and/or Landfill Containers, and does so under a contract, franchise agreement, or permit with the HWMA or a Member Agency. A Member Agency that collects Solid Waste within its boundaries is not a Regulated Hauler with respect to that collection.
- (bbb) "Remote Monitoring" means the use of mechanical or electronic devices to identify the types of materials in Recycling Containers, Compost Containers, and/or Landfill Containers for purposes of identifying the quantity of materials in containers (level of fill) and/or presence of Prohibited Container Contaminants.
- (ccc) "Restaurant" means an establishment primarily engaged in the retail sale of food and drinks for on-premises or immediate consumption, or as otherwise defined in 14 CCR Section 18982(a)(64).
- (ddd) "Route Review" means a visual Inspection of containers along a Hauler Route for the purpose of determining Container Contamination, and may include mechanical or electronic Inspection methods such as the use of cameras, or as otherwise defined in 14 CCR Section 18982(a)(65).

- (eee) "SB 1383" means Senate Bill 1383 of 2016, the Short-lived Climate Pollutant Reduction Act of 2016.
- (fff) "SB 1383 Regulations" means or refers to, for the purposes of this Ordinance, the Short-Lived Climate Pollutants: Organic Waste Reduction regulations developed by CalRecycle and adopted in 2020 that created 14 CCR, Division 7, Chapter 12 and amended portions of regulations of 14 CCR and 27 CCR.
- (ggg) "Self-Hauler" means a Person, who hauls Solid Waste, Organic Waste or recyclable material they have generated to another Person for disposition as allowed by the Member Agency and otherwise in accordance with all applicable laws. Self-Hauler also includes a Person who Back-Hauls such materials, and as otherwise defined in 14 CCR Section 18982(a)(66).
- (hhh) "Single-Family" means, for purposes of this Ordinance, of, from, or pertaining to any residential premises with fewer than five units.
- (iii) "Solid Waste" has the same meaning as defined in Public Resources Code Section 40191, which defines Solid Waste as all putrescible and non-putrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated, or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semi-solid wastes, and other discarded solid and semisolid wastes, with the exception that Solid Waste does not include any of the following wastes:
- (1) Hazardous waste, as defined in the Public Resources Code Section 40141.
 - (2) Radioactive waste regulated pursuant to the State Radiation Control Law (Chapter 8 (commencing with Section 114960) of Part 9 of Division 104 of the Health and Safety Code).
 - (3) Medical waste regulated pursuant to the State Medical Waste Management Act (Part 14 (commencing with Section 117600) of Division 104 of the Health and Safety Code). Untreated medical waste shall not be disposed of in a Solid Waste landfill, as defined in Public Resources Code Section 40195.1. Medical waste that has been treated and deemed to be Solid Waste shall be regulated pursuant to Division 30 of the Public Resources Code.
- (jjj) "Source Separated" means materials, including commingled recyclable materials, that have been separated or kept separate from the Solid Waste stream, at the point of generation, for the purpose of additional sorting or processing those materials for recycling or reuse in order to return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products, which meet the quality standards necessary to be used in the marketplace, or as otherwise defined in 14 CCR Section 17402.5(b)(4). For the purposes of this Ordinance,

Source Separated shall include separation of materials by the generator, property owner, property owner's employee, property manager, or property manager's employee into different containers for the purpose of collection such that Source Separated materials are separated from Landfill Container Waste or other Solid Waste for the purposes of collection and processing.

(kkk) "Source Separated Compost Container Organic Waste" means Source Separated Organic Waste that can be placed in a Compost Container that is specifically intended for the separate collection of Organic Waste by the generator, excluding Source Separated Recycling Container Organic Waste, carpets, Non-Compostable Paper, and textiles.

(lll) "Source Separated Recyclable Materials" means Source Separated Non-Organic Recyclables and Source Separated Recycling Container Organic Waste.

(mmm) "Source Separated Recycling Container Organic Waste" means Source Separated Organic Wastes that can be placed in a Recycling Container that is limited to the collection of those Organic Wastes and Non-Organic Recyclables, as defined herein or as otherwise defined in Sections 18982(a)(43) and 18982(a)(46). Source Separated Recycling Container Organic Waste shall include materials as determined by the Member Agency and includes unsoiled Paper Products and Printing and Writing Paper.

(nnn) "Supermarket" means a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items, or as otherwise defined in 14 CCR Section 18982(a)(71).

(ooo) "Tier One Commercial Edible Food Generator" means a Commercial Edible Food Generator that is one of the following:

- (1) Supermarket.
- (2) Grocery Store with a total facility size equal to or greater than 10,000 square feet.
- (3) Food Service Provider.
- (4) Food Distributor.
- (5) Wholesale Food Vendor.

If the definition in 14 CCR Section 18982(a)(73) of Tier One Commercial Edible Food Generator differs from this definition, the definition in 14 CCR Section 18982(a)(73) shall apply to this Ordinance.

(ppp) "Tier Two Commercial Edible Food Generator" means a Commercial Edible Food Generator that is one of the following:

- (1) Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.
- (2) Hotel with an on-site Food Facility and 200 or more rooms.
- (3) Health facility with an on-site Food Facility and 100 or more beds.
- (4) Large Venue.
- (5) Large Event.

If the definition in 14 CCR Section 18982(a)(74) of Tier Two Commercial Edible Food Generator differs from this definition as to entities subject to the regulatory authority of a Member Agency, the definition in 14 CCR Section 18982(a)(74) shall apply to this Ordinance.

(qqq) “Wholesale Food Vendor” means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination, or as otherwise defined in 14 CCR Section 189852(a)(76).

(rrr) “HWMA” means the Humboldt County Waste Management Authority.

SECTION 4. REQUIREMENTS FOR SINGLE-FAMILY GENERATORS

Except Single-Family Organic Waste Generators that meet the Self-Hauler requirements in Section 10 of this Ordinance and/or that are located in a census tract for which CalRecycle has issued a low population waiver (as described in 14 CCR Section 18984.12) for a period of up to five years, Single-Family generators shall:

- (a) Be subscribed to the collection service(s) approved by the Member Agency for Compost Containers, Recycling Containers, and Landfill Containers. A Member Agency shall have the right to review the number and size of a generator’s containers to evaluate the adequacy of capacity provided for each type of collection service and to review the separation of materials and containment of materials. A Single-Family generator shall adjust its service level for its collection services as requested by the Member Agency in order to meet the standards set forth in this Ordinance. Generators may manage their Organic Waste by preventing or reducing their Organic Waste, managing Organic Waste on site, and/or using a Community Composting site pursuant to 14 CCR Section 18984.9(c) to the extent permitted by other applicable laws.
- (b) Participate in the Organic Waste collection service(s) approved by the Member Agency by placing designated materials in designated containers as described below, and not placing Prohibited Container Contaminants in collection containers. Generator shall place Source Separated Compost Container Organic Waste,

including Food Waste, in the Compost Container; Source Separated Recyclable Materials in the Recycling Container; and Landfill Container Waste in the Landfill Container. Generators shall not place materials designated for the Landfill Container into the Compost Container or the Recycling Container.

- (c) The Enforcement Agency for the provisions of this Section 4 is the Member Agency and any other Designee of the Member Agency.

SECTION 5. REQUIREMENTS FOR COMMERCIAL BUSINESS GENERATORS INCLUDING MULTI-FAMILY RESIDENTIAL DWELLINGS

Commercial Business Organic Waste Generators, including Multi-Family Residential Dwellings, except Commercial Businesses that meet the Self-Hauler requirements in Section 10 of this Ordinance, meet waiver requirements in Section 6 of this Ordinance, or that are located in a census tract for which CalRecycle has issued a low population waiver (as described in 14 CCR Section 18984.12) shall:

- (1) Be subscribed to collection service(s) approved by the Member Agency for Compost Containers, Recycling Containers, and Landfill Containers and comply with requirements of those services as described below. A Member Agency shall have the right to review the number and size of a generator's containers and frequency of collection to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials; and Commercial Businesses shall adjust their service level for their collection services as requested by the Member Agency.
 - (2) Participate in collection services approved by the Member Agency for Organic Waste collection service(s) by placing designated materials in designated containers as described below. Generator shall place Source Separated Compost Container Organic Waste, including Food Waste, in the Compost Container; Source Separated Recyclable Materials in the Recycling Container; and Landfill Container Waste in the Landfill Container. Generator shall not place materials designated for the Landfill Container into the Compost Container or Recycling Container.
- (a) Supply and allow access to adequate number, size and location of collection containers with sufficient labels or colors for employees, contractors, tenants, and customers, consistent with the Recycling Container, Compost Container, and Landfill Container collection service or, if self-hauling, per the Commercial Businesses' instructions to support compliance with its self-haul program, in accordance with Section 10.

- (b) Excluding Multi-Family Residential Dwellings, provide containers for the collection of Source Separated Compost Container Organic Waste and Source Separated Recyclable Materials generated by that business in all areas where the Commercial Business provides disposal containers for employees, contractors, tenants, customers and other users of the premises (“User Disposal Containers”). Such User Disposal Containers do not need to be provided in restrooms. If a Commercial Business does not generate, or has a waiver pertaining to, any of the materials that would be collected in one type of User Disposal Container, then the business does not have to provide that particular type of container in all areas where User Disposal Containers are provided. Pursuant to 14 CCR Section 18984.9(b), the User Disposal Containers provided by the business shall have either:
- (1) A body or lid that conforms with the following container colors, with either lids conforming to these color requirements or bodies conforming to these color requirements, or both lids and bodies conforming to these color requirements: gray or black containers for Landfill Container Waste, blue containers for Source Separated Recyclable Materials, and green containers for Source Separated Compost Container Organic Waste. Notwithstanding the foregoing, a Commercial Business is not required to replace functional containers, including containers purchased prior to January 1, 2022, that do not comply with the color requirements of this Section 5(b)(1) prior to the end of the useful life of those containers, or prior to January 1, 2036, whichever comes first.
 - (2) Container labels that include language or graphic images, or both, indicating the primary materials accepted and the primary materials prohibited in that container, or containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the container. Pursuant 14 CCR Section 18984.8, the container labeling requirements are required on new containers commencing January 1, 2022.
- (c) For Multi-Family Residential Dwellings, provide containers for the collection of Source Separated Compost Container Organic Waste and Source Separated Recyclable Materials in all common areas where those materials are being generated and disposal containers are provided for tenants, and in areas for internal consolidation of materials that are later deposited in Organics Containers, Recycling Containers, and Landfill Containers for collection by Regulated Haulers. Such containers do not need to be provided in restrooms accessible from common areas of the Multi-Family Dwelling. Such containers shall comply with the color and labeling requirements specified in subsections (b)(1) and (b)(2) above.
- (d) To the extent practical through education, training, inspection, and/or other measures, prohibit employees from placing materials in a container not designated for those materials per the Recycling Container, Compost Container, and Landfill Container collection service or, if self-hauling, per the Commercial Businesses’

instructions to support its compliance with its self-haul program, in accordance with Section 10.

- (e) Periodically inspect Recycling Containers, Compost Containers, and Landfill Containers for contamination and inform employees if containers are contaminated and of the requirements to keep contaminants out of those containers pursuant to 14 CCR Section 18984.9(b)(3).
- (f) Annually provide information to employees, contractors, tenants, building residents, and customers about Organic Waste Recovery requirements and about proper sorting of Source Separated Compost Container Organic Waste and ~~Source~~ Separated Recyclable Materials.
- (g) Provide information before or within fourteen days of new occupation of the premises to new tenants and no less than fourteen days before tenants move out of the premises, unless a tenant does not provide fourteen or more days' notice to before moving out, that describes requirements to keep Source Separated Compost Container Organic Waste and Source Separated Recyclable Materials separate from each other and from Landfill Container Waste and the location of containers and the rules governing their use at the property.
- (h) Provide or arrange access for the Enforcement Agency to their properties during all Inspections conducted in connection with this Ordinance and timely provide documents requested by the Enforcement Agency to confirm compliance with the requirements of this Ordinance.
- (i) At Commercial Business' option and subject to approval by the Enforcement Agency, implement its own Remote Monitoring program for self-inspection of the types of materials placed in Recycling Containers, Compost Containers, and Landfill Containers for the purpose of monitoring the contents of containers to determine appropriate levels of service and to identify Prohibited Container Contaminants. Purchase and maintenance of the Remote Monitoring program shall be the responsibility of the Commercial Business.
- (j) Nothing in this Section prohibits a generator from preventing or reducing waste generation, managing Organic Waste on site, or using a Community Composting site pursuant to 14 CCR Section 18984.9(c) to the extent permitted by other applicable laws.
- (k) The Enforcement Agency for the provisions of this Section 5 is the Member Agency and, if authorized by the Member Agency, the HWMA, and any other Designee of the Member Agency.

SECTION 6. WAIVERS FOR COMMERCIAL BUSINESS GENERATORS

- (a) De Minimis Waivers. Except for Multi-Family Residential Dwellings, the Enforcement Agency may waive a Commercial Business' obligation to comply with some or all of the Organic Waste collection service requirements of this Ordinance if the Commercial Business provides documentation demonstrating that the business generates below a certain amount of Organic Waste material, as described in Section 6(a)(2) below. A Commercial Business requesting a de minimis waiver shall:
- (1) Submit an application to the Enforcement Agency specifying the service or requirements for which it is requesting a waiver.
 - (2) Provide documentation with the application that either:
 - (A) The Commercial Business' total Solid Waste collection service is two cubic yards or more per week and Organic Waste subject to collection in a Recycling Container or Compost Container comprises less than 20 gallons per week per applicable container of the business' total waste; or,
 - (B) The Commercial Business' total Solid Waste collection service is less than two cubic yards per week and Organic Waste subject to collection in a Recycling Container or Compost Container comprises less than 10 gallons per week per applicable container of the business' total waste.
 - (C) For the purposes of subsections (A) and (B) above, total Solid Waste shall be the sum of weekly Landfill Container Waste, Source Separated Recyclable Materials, and Source Separated Compost Container Organic Waste measured in cubic yards.
 - (3) If the waiver is granted, notify the Enforcement Agency granting the waiver if circumstances change such that Commercial Business's Organic Waste exceeds threshold required for waiver, in which case the waiver will be rescinded.
 - (4) If the waiver is granted, provide written verification of continued eligibility for de minimis waiver to the Enforcement Agency every 5 years.
- (b) Physical Space Waivers. The Enforcement Agency may waive a Commercial Business' or property owner's (including a Multi-Family Residential Dwelling's) obligation to comply with some or all of the recyclable materials and/or Organic Waste collection service requirements of this Ordinance if the Enforcement Agency has evidence from a Regulated Hauler, licensed architect, licensed engineer, or other Person authorized by the Enforcement Agency demonstrating that the

premises lacks adequate space for the collection containers required for compliance with the Organic Waste collection requirements of Section 5.

A Commercial Business requesting a physical space waiver shall:

- (1) Submit an application to the Enforcement Agency specifying the service or requirements for which it is requesting a waiver.
 - (2) Provide documentation with the application that the premises lacks adequate space for Recycling Containers and/or Compost Containers, which shall include documentation from its Regulated Hauler, licensed architect, licensed engineer, or other Person authorized by the Enforcement Agency.
 - (3) If the waiver is granted, notify the Enforcement Agency granting the waiver if the Commercial Business' physical space configurations or amounts of Solid Waste generation change, in which case the waiver may be rescinded.
 - (4) If the waiver is granted, provide written verification to the Enforcement Agency of continued eligibility for a physical space waiver every five years.
- (c) Collection Frequency Waiver. The Enforcement Agency, at its discretion and in accordance with 14 CCR Section 18984.11(a)(3), may allow the owner or tenant of any residence, premises, business establishment or industry that subscribes to the Member Agency's three- or, if relevant, three-plus container Organic Waste collection service to arrange for the collection of their Recycling Container, Landfill Container, or both once every fourteen days, rather than once per week.
- (d) The Enforcement Agency for the provisions of this Section 6 is the Member Agency and, if authorized by the Member Agency, the WMA, and any other Designee of the Member Agency.
- (e) The Enforcement Agency may waive collection requirements for businesses located in a jurisdiction that is under a low disposal or low-density waiver issued from CalRecycle. These Enforcement Agency waivers are valid as long as the CalRecycle-issued waiver is valid.

SECTION 7. REQUIREMENTS FOR COMMERCIAL EDIBLE FOOD GENERATORS

- (a) Tier One Commercial Edible Food Generators must comply with the requirements of this Section 7 commencing January 1, 2022, and Tier Two Commercial Edible Food Generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3 or such later deadline established by State law or regulations.
- (b) Large Venue or Large Event operators not providing food services, but allowing for food to be provided by others, shall require Food Facilities operating at the Large Venue or Large Event to comply with the requirements of this Section,

commencing January 1, 2024, or such later deadline established by State law or regulations.

- (c) Commercial Edible Food Generators shall comply with the following requirements:
- (1) Arrange to safely recover for human consumption the maximum amount of Edible Food that would otherwise be disposed.
 - (2) Enter into a contract or other written agreement with Food Recovery Organizations or Food Recovery Services for: (i) the collection for Food Recovery of Edible Food that would otherwise be disposed; or (ii) acceptance of Edible Food that would otherwise be disposed that the Commercial Edible Food Generator self-hauls to the Food Recovery Organization for Food Recovery.
 - (3) Use best efforts to abide by all contractual or written agreement requirements specified by the Food Recovery Organization or Food Recovery Service on how Edible Food should be prepared, packaged, labeled, handled, stored, distributed or transported to the Food Recovery Organization or Service.
 - (4) Not intentionally donate food that has not been prepared, packaged, handled, stored and/or transported in accordance with the safety requirements of the California Retail Food Code.
 - (5) Not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.
 - (6) Allow the Enforcement Agency to review records upon request, including by providing electronic copies or allowing access to the premises, pursuant to 14 CCR Section 18991.4.
 - (7) Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:
 - (A) A list of each Food Recovery Service or Food Recovery Organization that collects or receives its Edible Food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).
 - (B) A copy of all contracts and written agreements established under 14 CCR Section 18991.3(b) and/or this Ordinance.
 - (C) A record of the following information for each of those Food Recovery Services or Food Recovery Organizations:
 - (i) The name, address and contact information of the Food Recovery Service or Food Recovery Organization.
 - (ii) The types of food that will be collected by or self-hauled to the Food Recovery Service or Food Recovery Organization.

- (iii) The established frequency that food will be collected or self-hauled.
 - (iv) The quantity of food, measured in pounds recovered per month, collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.
 - (D) If it has not entered into a contract or written agreement with Food Recovery Organizations or Food Recovery Services pursuant to Section 7(c)(2), a record that describes (i) its direct donation of Edible Food to end recipients (including employees) and/or (ii) its food waste prevention practices that result in it generating no surplus Edible Food that it can donate.
- (8) Tier One Commercial Edible Food Generators and Tier Two Commercial Edible Food Generators shall provide, upon request, a Food Recovery report to the Enforcement Agency that includes the information in Section 7(c)(7). Entities shall provide the requested information within 60 days of the request.
- (d) Nothing in this Ordinance shall be construed to limit or conflict with (1) the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017 (approved by the Governor of the State of California on September 25, 2017, which added Article 13 commencing with Section 49580 to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, and to amend Section 114079 of the Health and Safety Code, relating to food safety, as amended, supplemented, superseded and replaced from time to time); or (2) otherwise applicable food safety and handling laws and regulations.
- (e) Nothing in this Ordinance prohibits a Commercial Edible Food Generator from donating Edible Food directly to end recipients for consumption, pursuant to Health and Safety Code Section 114432(a).
- (f) The Enforcement Agency for the provisions of this Section 7 is the Member Agency and, if authorized by the applicable Member Agency, the HWMA, and any other Designee of the Member Agency.

SECTION 8. REQUIREMENTS FOR FOOD RECOVERY ORGANIZATIONS AND SERVICES

- (a) Nothing in this Ordinance prohibits a Food Recovery Service or Food Recovery Organization from refusing to accept edible food from a Commercial Edible Food Generator, in accordance with 14 CCR Section 18990.2(d).
- (b) Food Recovery Services collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following

records, or as otherwise specified by 14 CCR Section 18991.5(a)(1):

- (1) The name, address, and contact information for each Commercial Edible Food Generator from which the service collects Edible Food.
 - (2) The quantity in pounds of Edible Food collected from each Commercial Edible Food Generator per month. This may also include the total quantity in pounds of food collected that was spoiled when received from a Commercial Edible Food Generator or otherwise not able to be used to feed people.
 - (3) The quantity in pounds of Edible Food transported to each Food Recovery Organization per month.
 - (4) The name, address, and contact information for each Food Recovery Organization that the Food Recovery Service transports Edible Food to for Food Recovery.
- (c) Food Recovery Organizations collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(2):
- (1) The name, address, and contact information for each Commercial Edible Food Generator from which the organization receives Edible Food.
 - (2) The quantity in pounds of Edible Food received from each Commercial Edible Food Generator per month. This may also include the total quantity in pounds of food collected that was spoiled when received from a Commercial Edible Food Generator or otherwise not able to be used to feed people.
 - (3) The name, address, and contact information for each Food Recovery Service that the organization receives Edible Food from for Food Recovery.
- (d) Food Recovery Organizations and Food Recovery Services that have their primary address physically located in Humboldt County and contract with or have written agreements with one or more Commercial Edible Food Generators pursuant to 14 CCR Section 18991.3(b) shall report to the HWMA the total pounds of Edible Food recovered from the Tier One and Tier Two Commercial Edible Food Generators they have established a contract or written agreement with pursuant to 14 CCR Section 18991.3(b) according to the following schedule: (i) no later than August 15, 2022, submit an initial report covering the period of January 1, 2022 to June 30, 2022; and (ii) no later than March 31, 2023, and no later than every March 31 thereafter, submit a report covering the period of January 1 to December 31 of the previous calendar year.
- (e) In order to support Edible Food Recovery capacity planning assessments and similar studies, Food Recovery Services and Food Recovery Organizations

operating in Humboldt County shall provide, upon request, information and consultation to the Enforcement Agency regarding existing, or proposed new or expanded, Food Recovery capacity in a form that can be provided to or that can be accessed by the HWMA, Member Agencies, and Commercial Edible Food Generators in Humboldt County. A Food Recovery Service or Food Recovery Organization contacted by the Enforcement Agency shall respond to such request for information within 60 days, unless a shorter timeframe is otherwise specified by the Enforcement Agency.

- (f) The Enforcement Agency for the provisions of this Section 8 is Member Agency and, if authorized by the Member Agency, the HWMA and any other Designee of the Member Agency.

SECTION 9. REQUIREMENTS FOR REGULATED HAULERS AND FACILITY OPERATORS

- (a) Requirements for Regulated Haulers.
 - (1) A Regulated Hauler providing Single-Family, Commercial, or industrial Organic Waste collection service to generators within Humboldt County shall meet the following requirements and standards in connection with collection of Organic Waste:
 - (A) Through written notice to the Member Agency annually on or before March 31, identify the facilities to which they will transport Organic Waste including facilities for Source Separated Recyclable Materials and Source Separated Compost Container Organic Waste.
 - (B) Transport Source Separated Recyclable Materials to a facility that recycles those materials and transport Source Separated Compost Container Organic Waste to a facility, operation, activity, or property that recovers Organic Waste as defined in 14 CCR, Division 7, Chapter 12, Article 2.
 - (C) Obtain approval from the Member Agency to haul Organic Waste, unless it is transporting Source Separated Organic Waste to a Community Composting site or lawfully transporting C&D in a manner that complies with 14 CCR Section 18989.1, Section 13 of this Ordinance, and any HWMA and Member Agency rules.
 - (2) Within the boundaries of any Member Agency in which it has customers, a Regulated Hauler collecting Organic Waste shall:
 - (A) Up to four times per year, provide reports to the HWMA and Member Agency on Commercial Business account information and service levels in a form to be specified by the HWMA.

- (B) Assist in the dissemination of SB 1383 educational materials to Single-Family and Commercial Business accounts.
- (C) At least annually and during new staff on-boarding, train Regulated Hauler's customer service representatives and account managers/recycling coordinators serving Organic Waste Generators in Humboldt County on the generator requirements set forth in Sections 4 and 5 of this Ordinance, SB 1383 Regulations as they may be revised from time to time and on resources available to assist in compliance. Trainings may be in a virtual or in-person format.
- (D) Where a Regulated Hauler provides Landfill Container collection service, notify Single-Family and Commercial Business accounts that (i) they must also be subscribed to Recycling Container collection service and Compost Container collection service to comply with this Ordinance, except if an applicable waiver has been granted for the account, if an applicable waiver application has been submitted and is under review for the account, or if the account has an approved Certification of Recycling Service Form and (ii) that the Regulated Hauler will inform the Member Agency if the account fails to subscribe to a required collection service offered by the Regulated Hauler.
- (E) Provide quarterly reports to the HWMA identifying Single-Family and Commercial accounts that are subscribed to Landfill Container collection service but that are not subscribed to Recycling Container and/or Compost Container collection service. HWMA shall provide this information to the Member Agency. If a Regulated Hauler providing Landfill Container collection service does not offer Recycling Container Collection Service and/or Compost Container collection service to its Landfill Container collection service customers, the requirements of subsection (D) and (E) shall not apply with respect to those customers and the type(s) of service that is not offered.
- (F) Conduct or comply with Container Contamination minimization efforts such as Route Reviews or waste evaluations. Inform generators when Container Contamination is observed by the Regulated Hauler.
- (G) If requested by the Enforcement Agency, assist generators with verification of physical space constraints when generator submits an application for a physical space waiver.
- (H) Provide Commercial Business accounts with interactive assistance such as employee trainings, in a virtual or in-person format, when Recycling Container collection service or Composting Container collection service is added, or upon request.

- (3) The Enforcement Agency for the provisions of this Section 9(a) is the Member Agency and, where authorized by the Member Agency, the HWMA, and any other Designee of the Member Agency.
- (b) Requirements for Facility Operators and Community Composting Operations
 - (1) Owners of facilities, operations, and activities that recover Organic Waste, including, but not limited to, compost facilities, in-vessel digestion facilities, and publicly-owned treatment works shall, upon request from the HWMA, provide within 60 days information regarding available and potential new or expanded capacity at their facilities, operations, and activities, including information about throughput and permitted capacity necessary for planning purposes.
 - (2) Community Composting operators shall, upon request from the HWMA, provide within 60 days information to support Organic Waste capacity planning, including, but not limited to, an estimate of the amount of Organic Waste anticipated to be handled at the Community Composting operation.
 - (3) The Enforcement Agency for the provisions of this Section 9(b) is the HWMA and any Designee of the HWMA.

SECTION 10. REQUIREMENTS FOR SELF-HAULERS

- (a) Self-Haulers shall source separate all recyclable materials and Organic Waste (materials that the Member Agency otherwise requires generators to separate for collection in the Member Agency's organics and recycling collection program) generated or handled on-site from Solid Waste in a manner consistent with 14 CCR Sections 18984.1 and 18984.2 or shall haul Organic Waste to a High Diversion Organic Waste Processing Facility as specified in 14 CCR Section 18984.3.
- (b) Self-Haulers shall haul their Source Separated Recyclable Materials to a facility that recovers those materials; and haul their Source Separated Compost Container Organic Waste to a Solid Waste facility, operation, activity, or property that processes or recovers Source Separated Organic Waste. Alternatively, Self-Haulers may haul Organic Waste to a High Diversion Organic Waste Processing Facility. Self-Haulers may Back-haul to a destination owned and operated by the generator using the generator's own employees and equipment and then haul those consolidated materials to facilities meeting the requirements of this subsection (b).
- (c) Self-Haulers that are Commercial Businesses (including Multi-Family Residential Dwellings) shall keep a record of the amount of Organic Waste delivered to each Solid Waste facility, operation, activity, or property that processes or recovers

Organic Waste: this record shall be subject to Inspection by the Enforcement Agency. The records shall include the following information:

- (1) Delivery receipts and weight tickets from the entity accepting the material.
 - (2) The amount of material in cubic yards or tons transported by the generator to each entity.
 - (3) If the material is transported to an entity that does not have scales on-site or employs scales incapable of weighing the Self-Hauler's vehicle in a manner that allows it to determine the weight of materials received, the Self-Hauler is not required to record the weight of material but shall keep a record of the entities that received the Organic Waste.
- (d) Self-Haulers that are Commercial Businesses (including Multi-Family Residential Dwellings) shall submit a Certification of Recycling Service Form to the Enforcement Agency for review for compliance if they do not also subscribe to separate collection service for Compost Containers and/or Recycling Containers by a Regulated Hauler. Applications will be considered for approval to the extent permitted by other applicable laws.
 - (e) Self-Haulers that are Commercial Businesses (including Multi-Family Residential Dwellings) shall submit a new Certification of Recycling Service Form to the Enforcement Agency for compliance review every five years, if they do not also subscribe to separate collection service for Compost Containers and/or Recycling Containers by a Regulated Hauler.
 - (f) Self-Haulers shall notify the Enforcement Agency if they subscribe to separate collection service for Compost Containers and/or Recycling Containers by a Regulated Hauler, such that they are no longer Self-Haulers.
 - (g) Self-Haulers that are Commercial Businesses (including Multi-Family Residential Dwellings) shall provide information, upon request, collected in Section 10(c) to the Enforcement Agency. Entities shall provide the requested information within 60 days.
 - (h) A Single-Family Organic Waste Generator that self-hauls Organic Waste is not required to record or report information in Sections 10(c) through (g).
 - (i) The Enforcement Agency for the provisions of this Section 10 is the Member Agency and, where authorized by the Member Agency, the HWMA, and any other Designee of the Member Agency.

SECTION 11. COMPLIANCE WITH CALGREEN RECYCLING REQUIREMENTS

- (a) Persons applying for a permit from the Jurisdiction for new construction and building additions and alternations shall comply with the requirements of this Section and all required components of the California Green Building Standards Code, 24 CCR, Part 11, known as CALGreen, as amended, if its project is covered by the scope of CALGreen. If the requirements of CALGreen are more stringent then the requirements of this Section, the CALGreen requirements shall apply.

Project applicants shall refer to Jurisdiction’s building and/or planning code for complete CALGreen requirements.

- (b) For projects covered by CALGreen, the applicants must, as a condition of the Jurisdiction’s permit approval, comply with the following:
- (1) Where five (5) or more Multi-Family dwelling units are constructed on a building site, provide readily accessible areas that serve occupants of all buildings on the site and are identified for the storage and collection of Blue Container and Green Container materials, consistent with the three container collection program offered by the Jurisdiction, or comply with provision of adequate space for recycling for Multi-Family and Commercial premises pursuant to Sections 4.408.1, 4.410.2, 5.408.1, and 5.410.1 of the California Green Building Standards Code, 24 CCR, Part 11 as amended provided amended requirements are more stringent than the CALGreen requirements for adequate recycling space effective January 1, 2020.
 - (2) New Commercial construction or additions resulting in more than 30% of the floor area shall provide readily accessible areas identified for the storage and collection of Blue Container and Green Container materials, consistent with the three container program offered by the Jurisdiction, or shall comply with provision of adequate space for recycling for Multi-Family and Commercial premises pursuant to Sections 4.408.1, 4.410.2, 5.408.1, and 5.410.1 of the California Green Building Standards Code, 24 CCR, Part 11 as amended provided amended requirements are more stringent than the CALGreen requirements for adequate recycling space effective January 1, 2020.
 - (3) Comply with CALGreen requirements and applicable law related to management of C&D, including diversion of Organic Waste in C&D from disposal. Comply with Jurisdiction’s C&D ordinance, and all written and published Jurisdiction policies and/or administrative guidelines regarding the collection, recycling, diversion, tracking, and/or reporting of C&D.

SECTION 12. MODEL WATER EFFICIENT LANDSCAPING ORDINANCE REQUIREMENTS

- (a) Property owners or their building or landscape designers, including anyone requiring a building or planning permit, plan check, or landscape design review from the

Jurisdiction, who are constructing a new (Single-Family, Multi-Family, public, institutional, or Commercial) project with a landscape area greater than 500 square feet, or rehabilitating an existing landscape with a total landscape area greater than 2,500 square feet, shall comply with Sections 492.6(a)(3)(B) (C), (D), and (G) of the MWELo, including sections related to use of Compost and mulch as delineated in this Section 14.

- (b) The following Compost and mulch use requirements that are part of the MWELo are now also included as requirements of this ordinance. Other requirements of the MWELo are in effect and can be found in 23 CCR, Division 2, Chapter 2.7
- (c) Property owners or their building or landscape designers that meet the threshold for MWELo compliance outlined in Section 14(a) above shall:
 - (1) Comply with Sections 492.6 (a)(3)(B)(C), (D) and (G) of the MWELo, which requires the submittal of a landscape design plan with a soil preparation, mulch, and amendments section to include the following:
 - (A) For landscape installations, Compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six (6) inches into the soil. Soils with greater than six percent (6%) organic matter in the top six (6) inches of soil are exempt from adding Compost and tilling.
 - (B) For landscape installations, a minimum three- (3-) inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife up to five percent (5%) of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.
 - (C) Organic mulch materials made from recycled or post-consumer materials shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local fuel modification plan guidelines or other applicable local ordinances.
 - (2) The MWELo compliance items listed in this Section are not an inclusive list of MWELo requirements; therefore, property owners or their building or landscape designers that meet the threshold for MWELo compliance outlined in Section 14(a) shall consult the full MWELo for all requirements.
- (d) If, after the adoption of this ordinance, the California Department of Water Resources, or its successor agency, amends 23 CCR, Division 2, Chapter 2.7, Sections 492.6(a)(3)(B) (C), (D), and (G) of the MWELo September 15, 2015 requirements in a manner that requires Jurisdictions to incorporate the requirements of an updated MWELo in a local ordinance, and the amended requirements include

provisions more stringent than those required in this Section, the revised requirements of 23 CCR, Division 2, Chapter 2.7 shall be enforced.

SECTION 13. INSPECTIONS AND INVESTIGATIONS

The Enforcement Agency is authorized to conduct Inspections and investigations, at random or otherwise, of any collection container, collection vehicle loads, or transfer, processing, or disposal facility for materials collected from generators, or Source Separated materials to confirm compliance with the provisions of this Ordinance for which it has enforcement authority by Organic Waste Generators, Commercial Businesses (including Multi-Family Residential Dwellings), Commercial Edible Food Generators, Regulated Haulers, Self-Haulers, Food Recovery Services, and Food Recovery Organizations, subject to applicable laws. This Section does not allow entry in a private residential dwelling unit for Inspection.

- (a) A Person subject to the requirements of this Ordinance shall provide or arrange for access during all Inspections (with the exception of a private residential dwelling unit) and shall cooperate with the Enforcement Agency during such Inspections and investigations. Such Inspections and investigations may include confirmation of proper placement of materials in containers, inspection of Edible Food Recovery activities, review of required records, or other verification or Inspection to confirm compliance with any other requirement of this Ordinance. Failure to provide or arrange for: (i) access to the premises; or (ii) access to records for any Inspection or investigation is a violation of this Ordinance and may result in penalties described in Section 14.
- (b) Any records obtained by the Enforcement Agency during Inspections and other reviews shall be subject to the requirements and applicable disclosure exemptions of the California Public Records Act as set forth in Government Code Section 6250 et seq.
- (c) The Enforcement Agency is authorized to conduct any Inspections or other investigations as reasonably necessary to further the goals of this Ordinance, subject to applicable laws.
- (d) The Enforcement Agency shall accept written complaints from persons regarding an entity that may be potentially non-compliant with this Ordinance.
- (e) The Enforcement Agency is the Member Agency and any Designee authorized by the Member Agency to enforce one or more sections of this Ordinance.

SECTION 14. ENFORCEMENT

Violation of any provision of this Ordinance shall constitute grounds for issuance of a Notice of Violation and assessment of a fine by the Enforcement Agency. Enforcement Actions under this Ordinance are issuance of an administrative

citation and assessment of a fine. The Enforcement Agency's procedures on imposition of administrative citations and fines as contained shall govern the imposition, enforcement, collection, and review of administrative citations and fines issued to enforce this Ordinance and any rule or regulation adopted pursuant to this Ordinance, except as otherwise indicated in this Ordinance.

(a) Other remedies allowed by law may be used, including civil action or prosecution as a misdemeanor or infraction. The Enforcement Agency may pursue civil actions in the California courts to seek recovery of unpaid administrative citations, and fines. The Enforcement Agency may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of Enforcement Agency staff and resources.

(b) Process for Enforcement

(1) The following provisions of this Ordinance may be enforced beginning on January 1, 2022: Section 5 concerning Requirements for Commercial Business Generators, Section 6 concerning Waivers for Commercial Business Generators, Section 9 concerning Requirements for Haulers and Facility Operators, Section 10 concerning Requirements for Self-Haulers, and Inspections related to compliance with those sections.

(2) The following provisions of this Ordinance may be enforced beginning on January 1, 2024: Section 4 concerning Requirements for Single Family Generators, Section 7 concerning Requirements for Commercial Edible Food Generators, and Section 8 concerning Requirements for Food Recovery Organizations and Services, and Inspections related to compliance with those sections.

(3) The Enforcement Agency will monitor compliance with this Ordinance through Compliance Reviews, Route Reviews, investigation of complaints, and an Inspection program.

(4) The Enforcement Agency may issue a Notice of Violation requiring compliance within 60 days of issuance of the notice.

(5) Absent compliance by the respondent within the deadline set forth in the Notice of Violation, the Enforcement Agency shall commence an action to impose penalties, via an administrative citation and fine, pursuant to the Enforcement Agency's standard procedures.

(c) Penalty Amounts for Violations

The penalty levels are as follows:

- (1) For a first violation, the amount of the penalty shall be \$50 to \$100 per violation, or such higher amount as may be established by the Enforcement Agency.
- (2) For a second violation, the amount of the penalty shall be \$100 to \$200 per violation, or such higher amount as may be established by the Enforcement Agency.
- (3) For a third or subsequent violation, the amount of the penalty shall be \$250 to \$500 per violation, or such higher amount as may be established by the Enforcement Agency.

(d) Compliance Deadline Extension Considerations

The Enforcement Agency may extend the compliance deadlines set forth in a Notice of Violation issued in accordance with this Section 12 if it finds that there are extenuating circumstances beyond the control of the respondent that make compliance within the deadlines impracticable, including the following:

- (1) Acts of nature such as earthquakes, wildfires, flooding, and other emergencies or natural disasters.
- (2) Delays not within the control of respondent or their agents in obtaining discretionary permits or other government agency approvals; or,
- (3) Deficiencies in Organic Waste recycling infrastructure or Edible Food Recovery capacity and the Member Agency is under a corrective action plan with CalRecycle pursuant to 14 CCR Section 18996.2 due to those deficiencies.

(e) Appeals Process

Persons receiving an administrative citation containing a penalty for an uncorrected violation may request a hearing to appeal the citation. A hearing will be held only if it is requested within the time prescribed in the administrative citation and consistent with the Enforcement Agency's appeal procedures.

(f) Education Period for Non-Compliance

With respect to provisions of this Ordinance subject to enforcement starting January 1, 2024, the Enforcement Agency will, prior to that date, conduct Inspections, Route Reviews or waste evaluations, and Compliance Reviews, depending upon the type of regulated entity, to determine compliance, and if the Enforcement Agency determines that Organic Waste Generator, Self-Hauler, Regulated Hauler, Tier One Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity is not in compliance, it shall provide educational materials to the entity describing its obligations under this Ordinance and a notice

that compliance is required and that violations may be subject to administrative citations, penalties, or other remedies starting on January 1, 2024.

(g) Civil Penalties for Non-Compliance

If the Enforcement Agency determines that an Organic Waste Generator, Self-Hauler, Regulated Hauler, Tier One or Tier Two Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity is not in compliance with this Ordinance, it may document the noncompliance or violation, issue a Notice of Violation, and/or take Enforcement Action pursuant to this Section 14, as needed and consistent with the enforcement commencement dates set forth in subsection (c)(1), above.

(h) The Enforcement Agency for the provisions of this Section 14 is the Member Agency and any Designee authorized by the Member Agency to enforce one or more sections of this Ordinance.

SECTION 15. LOCAL REGULATION AND OPT-IN PROVISIONS

- (a) Nothing in this Ordinance shall be construed to prohibit any Member Agency from enacting and enforcing ordinances and regulations regarding the collection, transport, storage, processing, and deposit in landfill(s) of Solid Waste within its jurisdiction, including more stringent requirements than those in this Ordinance.
- (b) This Ordinance shall apply only within the boundaries of Member Agencies that have adopted an ordinance declaring that the Member Agency is opting into this Ordinance and that it shall apply within their jurisdiction. For any Member Agency that opts in, this Ordinance shall apply as to that Member Agency from the date specified in the ordinance adopted by the Member Agency. A Member Agency that has adopted such an ordinance may declare that this Ordinance no longer applies within its boundaries by adopting a subsequent ordinance setting forth the date upon which this Ordinance shall no longer apply.
- (c) Some Member Agencies under this ordinance may be under CalRecycle-issued low population, low disposal, or low-density waivers. Jurisdictions under these waivers need not enforce the collection requirements of Section 5 for the duration of the CalRecycle waiver. However, these requirements are effective upon the expiry of the CalRecycle waiver.

SECTION 16. SEVERABILITY

If any provision of this Ordinance or the application thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such invalidity shall not affect the remaining provisions or application of the remaining provisions of this Ordinance, which can be given effect without the invalid provisions or application.

SECTION 17. EFFECTIVE DATE AND REPEAL OF ORDINANCE XXXX-XX

a) This Ordinance shall be posted at City Office after its adoption and shall take effect commencing on **January 1, 2022**.

Following introduction on _____2022, passed and adopted _____2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of Ordinance No. **XXXX-XX**.

XXXX XXXX

CLERK OF THE BOARD

Appendix B

SB 1383 Tonnages - Humboldt Countywide

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Population	134,664	135,050	135,784	135,798	135,765	134,909	136,463	139,200	139,961	140,766	141,542	142,273	142,977	143,659	144,311	144,971	145,623	146,230	146,821	147,392	147,920	148,394
Disposal	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Commercial	22,362	26,378	29,381	33,287	32,486	33,168	34,323	35,012	35,203	35,406	35,601	35,785	35,962	36,133	36,297	36,463	36,627	36,780	36,928	37,072	37,205	37,324
Residential	20,454	22,812	24,016	25,708	23,693	22,831	25,564	26,077	26,220	26,371	26,516	26,653	26,785	26,913	27,035	27,158	27,280	27,394	27,505	27,612	27,711	27,800
Multifamily	3,931	4,385	4,616	4,941	4,554	4,388	4,914	5,012	5,040	5,069	5,097	5,123	5,148	5,173	5,196	5,220	5,243	5,265	5,287	5,307	5,326	5,343
Self-Haul	33,587	38,783	42,313	46,985	44,968	45,048	45,371	46,281	46,534	46,802	47,060	47,303	47,537	47,764	47,981	48,200	48,417	48,619	48,815	49,005	49,181	49,338
Disposal Tons	80,335	92,358	100,326	110,922	105,701	105,435	106,650	108,789	109,384	110,013	110,619	111,191	111,741	112,274	112,783	113,299	113,809	114,283	114,745	115,191	115,604	115,974
Green Waste ADC																						

Organic Disposed Tons	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Commercial	10,482	12,096	13,174	14,587	13,905	14,197	14,692	14,986	15,068	15,155	15,238	15,317	15,393	15,466	15,537	15,608	15,678	15,743	15,807	15,868	15,925	15,976
Residential	9,661	10,864	11,531	12,444	11,561	11,140	12,474	12,724	12,794	12,867	12,938	13,005	13,070	13,132	13,191	13,252	13,311	13,367	13,421	13,473	13,521	13,565
Multifamily	1,590	1,840	2,007	2,224	2,119	2,042	2,286	2,332	2,345	2,358	2,371	2,384	2,395	2,407	2,418	2,429	2,440	2,450	2,460	2,469	2,478	2,486
Self-Haul	13,260	14,635	15,229	16,091	14,615	14,641	14,746	15,042	15,124	15,211	15,295	15,374	15,450	15,524	15,594	15,666	15,736	15,802	15,865	15,927	15,984	16,035
Organic Disposal Tons	34,993	39,435	41,941	45,345	42,200	42,020	44,198	45,085	45,331	45,592	45,843	46,080	46,308	46,529	46,740	46,954	47,165	47,361	47,553	47,738	47,909	48,062

New Tons							26,702	28,828	30,954	33,080	35,206	37,332	37,560	37,781	37,992	38,205	38,417	38,613	38,805	38,990	39,161	39,314
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SB 1383 Target	8,748
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		New Tons																					
Commercial	Food	4,194	4,528	4,862	5,196	5,530	5,864	5,900	5,934	5,967	6,001	6,034	6,065	6,095	6,124	6,151	6,175						
	Green	955	1,031	1,107	1,183	1,259	1,335	1,343	1,351	1,359	1,366	1,374	1,381	1,388	1,394	1,401	1,406						
	Wood	1,737	1,875	2,013	2,152	2,290	2,428	2,443	2,457	2,471	2,485	2,499	2,511	2,524	2,536	2,547	2,557						
	Paper	1,498	1,617	1,737	1,856	1,975	2,094	2,107	2,120	2,131	2,143	2,155	2,166	2,177	2,187	2,197	2,206						
	Manure	210	226	243	260	276	293	295	297	298	300	302	303	305	306	307	309						
	Total	8,593	9,278	9,962	10,646	11,330	12,014	12,088	12,159	12,227	12,296	12,364	12,427	12,489	12,548	12,603	12,653						
Residential	Food	3,365	3,633	3,900	4,168	4,436	4,704	4,733	4,761	4,787	4,814	4,841	4,866	4,890	4,913	4,935	4,954						
	Green	1,057	1,141	1,225	1,309	1,393	1,478	1,487	1,495	1,504	1,512	1,521	1,528	1,536	1,543	1,550	1,556						
	Wood	468	506	543	580	618	655	659	663	666	670	674	677	681	684	687	690						
	Paper	1,351	1,458	1,566	1,673	1,781	1,888	1,900	1,911	1,922	1,933	1,943	1,953	1,963	1,972	1,981	1,989						
	Manure	160	173	185	198	211	224	225	226	228	229	230	231	232	234	235	235						
	Total	6,401	6,910	7,420	7,929	8,439	8,949	9,003	9,056	9,107	9,158	9,209	9,256	9,302	9,346	9,387	9,424						
Multifamily	Food	869	938	1,007	1,077	1,146	1,215	1,222	1,230	1,237	1,244	1,250	1,257	1,263	1,269	1,275	1,280						
	Green	142	154	165	176	188	199	200	201	203	204	205	206	207	208	209	210						
	Wood	8	9	10	10	11	11	12	12	12	12	12	12	12	12	12	12						
	Paper	211	227	244	261	278	294	296	298	300	301	303	304	306	307	309	310						
	Manure	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0						
	Total	1,230	1,328	1,426	1,524	1,622	1,720	1,730	1,741	1,750	1,760	1,770	1,779	1,788	1,796	1,804	1,811						
Self-Haul	Food	4,950	5,344	5,738	6,132	6,526	6,920	6,963	7,004	7,043	7,082	7,122	7,158	7,194	7,228	7,260	7,288						
	Green	1,797	1,941	2,084	2,227	2,370	2,513	2,528	2,543	2,558	2,572	2,586	2,599	2,612	2,625	2,636	2,647						
	Wood	2,668	2,881	3,093	3,306	3,518	3,731	3,754	3,776	3,797	3,818	3,839	3,859	3,878	3,896	3,914	3,929						
	Paper	1,729	1,867	2,004	2,142	2,280	2,417	2,432	2,446	2,460	2,474	2,488	2,500	2,513	2,525	2,536	2,546						
	Manure	215	232	249	266	283	300	302	304	305	307	309	310	312	313	315	316						
	Total	11,360	12,264	13,168	14,073	14,977	15,882	15,979	16,073	16,163	16,253	16,343	16,427	16,508	16,587	16,660	16,725						
Total	Food	13,378	14,443	15,508	16,573	17,638	18,703	18,818	18,928	19,034	19,141	19,247	19,346	19,441	19,534	19,620	19,697						
	Green	3,952	4,266	4,581	4,896	5,210	5,525	5,559	5,591	5,623	5,654	5,685	5,715	5,743	5,770	5,796	5,818						
	Wood	4,882	5,270	5,659	6,048	6,437	6,825	6,867	6,907	6,946	6,985	7,024	7,060	7,095	7,128	7,160	7,188						
	Paper	4,788	5,169	5,551	5,932	6,313	6,694	6,735	6,775	6,813	6,851	6,889	6,924	6,959	6,992	7,022	7,050						
	Manure	584	631	677	724	770	817	822	827	831	836	841	845	849	853	857	860						
	Total	26,702	28,828	30,954	33,080	35,206	37,332	37,560	37,781	37,992	38,205	38,417	38,613	38,805	38,990	39,161	39,314						

Greenhouse Gas Impacts

MTCO₂e

		2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Commercial	Food	2,894	3,124	3,355	3,585	3,816	4,046	4,071	4,095	4,118	4,141	4,164	4,185	4,206	4,226	4,244	4,261
	Green	487	526	565	603	642	681	685	689	693	697	701	704	708	711	714	717
	Wood	365	394	423	452	481	510	513	516	519	522	525	527	530	533	535	537
	Paper	764	825	886	946	1,007	1,068	1,075	1,081	1,087	1,093	1,099	1,105	1,110	1,116	1,120	1,125
	Manure	107	115	124	132	141	149	150	151	152	153	154	155	155	156	157	157
Total		4,617	4,984	5,352	5,719	6,087	6,454	6,494	6,532	6,569	6,606	6,642	6,676	6,709	6,741	6,771	6,797

Residential	Food	2,322	2,506	2,691	2,876	3,061	3,246	3,266	3,285	3,303	3,322	3,340	3,357	3,374	3,390	3,405	3,418
	Green	539	582	625	668	711	754	758	763	767	771	775	779	783	787	791	794
	Wood	98	106	114	122	130	138	138	139	140	141	142	142	143	144	144	145
	Paper	689	744	799	853	908	963	969	975	980	986	991	996	1,001	1,006	1,010	1,014
	Manure	82	88	95	101	108	114	115	115	116	117	117	118	119	119	120	120
Total		3,729	4,026	4,323	4,620	4,917	5,214	5,246	5,277	5,306	5,336	5,366	5,393	5,420	5,446	5,469	5,491

Multifamily	Food	600	647	695	743	791	838	844	848	853	858	863	867	871	876	879	883
	Green	73	78	84	90	96	102	102	103	103	104	104	105	106	106	107	107
	Wood	2	2	2	2	2	2	2	2	2	2	2	2	3	3	3	3
	Paper	107	116	124	133	142	150	151	152	153	154	154	155	156	157	157	158
	Manure	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total		781	844	906	968	1,030	1,092	1,099	1,106	1,112	1,118	1,124	1,130	1,136	1,141	1,146	1,150

Self-Haul	Food	3,415	3,687	3,959	4,231	4,503	4,775	4,804	4,833	4,860	4,887	4,914	4,939	4,964	4,987	5,009	5,029
	Green	917	990	1,063	1,136	1,209	1,282	1,289	1,297	1,304	1,312	1,319	1,326	1,332	1,339	1,344	1,350
	Wood	560	605	650	694	739	783	788	793	797	802	806	810	814	818	822	825
	Paper	882	952	1,022	1,092	1,163	1,233	1,240	1,248	1,255	1,262	1,269	1,275	1,281	1,288	1,293	1,298
	Manure	109	118	127	136	144	153	154	155	156	157	157	158	159	160	161	161
Total		5,884	6,352	6,821	7,289	7,758	8,226	8,276	8,325	8,372	8,419	8,465	8,509	8,551	8,591	8,629	8,663

Total	Food	9,231	9,966	10,701	11,435	12,170	12,905	12,984	13,061	13,134	13,207	13,280	13,348	13,415	13,478	13,538	13,591
	Green	2,015	2,176	2,336	2,497	2,657	2,818	2,835	2,852	2,868	2,884	2,900	2,914	2,929	2,943	2,956	2,967
	Wood	1,025	1,107	1,188	1,270	1,352	1,433	1,442	1,451	1,459	1,467	1,475	1,483	1,490	1,497	1,504	1,509
	Paper	2,442	2,636	2,831	3,025	3,220	3,414	3,435	3,455	3,475	3,494	3,513	3,531	3,549	3,566	3,581	3,595
	Manure	298	322	345	369	393	417	419	422	424	426	429	431	433	435	437	439
Total		15,011	16,206	17,401	18,597	19,792	20,987	21,115	21,239	21,358	21,478	21,597	21,708	21,815	21,919	22,015	22,102

Factors (MTCO₂e/ton)

Food	0.69	CARB - Food Composting - Including Avoided Landfill
Green	0.51	CARB - Green Composting
Wood	0.21	WARM - Combustion - Including Avoided Landfill
Paper	0.51	CARB - Green Composting - Including Avoided Landfill
Manure	0.51	CARB - Green Composting - Including Avoided Landfill

Appendix C

Appendix D

Section 18984.7 - Bin Color Requirements:
New Bins By 2032, or Useful Life

Section 18984.8 - Labeling Requirements:
New Bins by 2022, Existing Bins by 2025

SB 1383 - Section 18984.1: Three-Bin System: Humboldt County

Three-Bin Organic Waste Collection Services

November 2020: Short-lived Climate Pollutants Regulations

