

Committee Members

Dave Sadoff, **Chairperson**
 Castro Valley Sanitary District
 Dianne Martinez, **Vice Chairperson**
 City of Emeryville
 Keith Carson, County of Alameda
 Jim Oddie, City of Alameda
 Susan Wengraf, City of Berkeley
 Don Biddle, City of Dublin
 Suzanne Lee Chan, City of Fremont
 Laureen Turner, City of Livermore
 Luis Freitas, City of Newark
 Dan Kalb, City of Oakland
 Shelia Young, Oro Loma Sanitary District
 Pauline Cutter, City of San Leandro

AGENDA

**ALAMEDA COUNTY WASTE
 MANAGEMENT AUTHORITY MEETING
 OF THE
 PROGRAMS AND ADMINISTRATION COMMITTEE**

**Thursday, June 11, 2015
 9:00 A.M.**

**StopWaste Offices
 1537 Webster Street
 Oakland Ca 94612
 510-891-6500**

1. Convene Meeting

2. Public Comments

An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the Programs & Administration Committee, but not listed on the agenda. Each speaker is limited to three minutes.

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1 3. Approval of the Draft Minutes of May 14, 2015 (Wendy Sommer) Action

5 4. Property Update - Renewal of Leases on WMA Property (Gary Wolff, Brian Mathews & Heather Larson) Action

Staff recommends that the P&A Committee recommend to the WMA Board that it authorize the Executive Director to enter into renewals of leases with Paulo Farms, Sprint, and T-Mobile, per the terms described in the staff report, subject to approval as to form by legal counsel.

5. CLOSED SESSION:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
 (pursuant to Government Code Section 54956.8)

Property:

APN #: 99A-1780-1-4 & 99A-1790-3, 99A-1770-2-2, 99A-1770-2-1,
 99A-1770-4, 99A-1810-1 & 99A-1770-2-3, 99A-1820-2

Agency Negotiator: Gary Wolff, Agency Staff,
 Richard Taylor, Authority Counsel

Negotiating Parties: NextEra Energy Resources

Under Negotiation: Price and terms of payment

9 6. Legislation 2015 Update (Wendy Sommer, Debra Kaufman & Wes Sullens) Information

This item is for information only. Staff recommends that the Boards receive this status update on Agency legislative positions for the 2015 session of the California Legislature.

7. Member Comments

8. Adjournment

The Programs & Administration Committee is a Committee that contains more than a quorum of the Board. However, all items considered by the Committee requiring approval of the Board will be forwarded to the Board for consideration at a regularly noticed board meeting.

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**MINUTES OF THE ALAMEDA COUNTY WASTE
MANAGEMENT AUTHORITY MEETING
OF THE
PROGRAMS AND ADMINISTRATION COMMITTEE**

Thursday, May 14, 2015

9:00 A.M.

**StopWaste Offices
1537 Webster Street
Oakland CA 94612
510-891-6500**

Members Present:

Dave Sadoff, Chair, Castro Valley Sanitary District
Dianne Martinez, Vice Chair, City of Emeryville
Jim Oddie, City of Alameda
Susan Wengraf, City of Berkeley
Don Biddle, City of Dublin
Luis Freitas, City of Newark (left 9:50 a.m.)
Dan Kalb, City of Oakland
Shelia Young, Oro Loma Sanitary District
Pauline Cutter, City of San Leandro

Absent:

Keith Carson, County of Alameda
Suzanne Lee Chan, City of Fremont
Laureen Turner, City of Livermore

Staff Present:

Wendy Sommer, Deputy Executive Director
Meri Soll, Senior Program Manager
Arliss Dunn, Clerk of the Board

Other's Participating:

Allison Chan, Save the Bay
Jim Scanlin, Alameda County Clean Water Program
Kathy Cote, City of Fremont

1. Convene Meeting

Dave Sadoff, Chair, called the meeting to order at 9:05 a.m. Chair Sadoff welcomed Board member Oddie as the new representative for the City of Alameda. Wendy Sommer shared a photo including WMA Board member Shelia Young, Recycling Board member Daniel O'Donnell and agency staff. The photo was taken at a sheet mulching lawn conversion event in San Lorenzo. 500 people were in attendance at the landscape expo and 60 people helped with lawn conversion. The event was covered by KGO.

2. Public Comments

There were none.

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3. Approval of the Draft Minutes of April 9, 2015 (Wendy Sommer) Action
Board member Freitas made the motion to approve the draft minutes of April 9, 2015. Board member Martinez seconded and the motion was carried 9-0 (Carson, Chan and Turner absent).

4. Reusable Bag Ordinance 2012-2: Potential Expansion (Discussion) Information
(Wendy Sommer & Meri Soll)
This item is for information only.

Meri Soll presented a PowerPoint presentation and led the discussion regarding the Reusable Bag Ordinance 2012-2: Potential Expansion. A copy of the PowerPoint presentation is available here: <http://www.stopwaste.org/2015/committee/bags/presentation.pdf>

Allison Chan, Save the Bay, stated that self reporting data from cities indicated that plastic bags continue to be dominant litter items. Ms. Chan encouraged the Board to catch-up with other counties and move forward with an expanded ordinance.

Jim Scanlin, Alameda County Clean Water Program stated that he appreciates the Board for adopting the initial bag ban and clarified that the \$180,000 in funding from the Clean Water Program is based on expansion costs given by StopWaste staff. The funding is to support an expansion of the ordinance to all retail stores using a complaint based system similar to what other jurisdictions are doing.

Kathy Cote, City of Fremont staff, spoke in the absence of Board member Chan in support of expanding the ordinance but expressed concern about a patchwork approach if there isn't unanimous support and recommends a countywide expansion.

Board member Martinez asked for background from the Committee members on how the process was approved and stated that she supports expansion but feels the decision should be made by the Board and not left to City Managers/staff. Board member Cutter stated that at the time the Board developed the process, they had just completed multiple initiatives including the HHW Fee, Mandatory Recycling Ordinance and the Benchmark Service Fee and the Board wanted to strive for consensus. The final decision remains with the Board, not City staff. Board member Kalb stated that he recalls the bulk of the presentation focused on the options for expansion and he's not comfortable with a process of giving one CEO veto authority to block the decision. He felt that it is not necessary to have consensus from all jurisdictions for an expansion and supported continuing the discussion on ways to move forward.

Board member Wengraf also expressed support for continuing the discussion for expanding the ordinance and recommended that the agency think regionally as customers aren't aware of city boundaries. She recommended not focus on just hot spot trash information but on efforts educating the public regarding the damage to the environment from plastic bags. Ms. Sommer added that although the reusable bag ordinance is beneficial with respect to storm water issues, the agency's mission is to address waste reduction. There are approximately 1,800 tons of additional plastic bags that an ordinance expansion could potentially address, as compared to the 350,000 potential tons that could be diverted through the Mandatory Recycling Ordinance. The large difference in tonnages made MRO a higher priority project at this time.

Ms. Sommer added clarification with respect to the expansion process that was approved by the Board. At the September 2014 meeting, staff reported the effectiveness of the ordinance so that the Board could make a finding that the ordinance has achieved its goal to substantially reduce environmental impacts, and

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thus the minimum price per compliant bag will not increase from \$0.10 to \$0.25. At the October meeting staff presented a schedule, budget and scope for potential ordinance expansion. WMA Board unanimously adopted the proposed schedule and process. The Board agreed that participation from all fifteen jurisdictions is important. The decision to move ahead with expansion is up to the WMA Board, not staff.

Board member Oddie commented that he is very familiar and supportive of the State's plastic bag bill. He works for Assembly member Bonta, who was the floor jockey for the bill. Board member Martinez stated she is in support of expansion as well and appreciates the behavior change element of the program. Board member Cutter stated a position of support for herself and Board member Chan in her absence. She added that if we were to include smaller mom and pop stores and restaurants, we would need to provide significant assistance to them. Ms. Soll stated that restaurants are not included in the additional 7,000 stores and not recommended by Clean Water Program members.

Chair Sadoff recommended that staff develop a process to be voted on by the Board later on. Chair Sadoff stated his support for expansion and added that he would like to see restaurants included as an option. Board member Young asked that staff provide information on SB270 and how it would affect the decision. Ms. Soll stated that SB270 was passed by legislature but there was a referendum. The issue will be placed on the 2016 voter ballot. If it were to become law in 2016, it would limit our ability to change our ordinance; we could only change two aspects of our ordinance: the type of stores affected and the amount of the bag price. Our ordinance is currently not affected by SB 270.

Board member Biddle stated that Dublin is not in favor of changing the process that was previously approved. Neighboring counties have not adopted consistent ordinances. It is still being adopted city by city. Board member Biddle added that the agency will be facing future budget constraints and does not support taking on additional work. He also expressed a feeling of ordinance fatigue with the recent adoption of the MRO, HHW, and Benchmark Ordinances.

Ms. Sommer stated that the majority of the committee desires to reopen the process to consider expansion. However, staff will need until at least June to come back to the Board. Board member Cutter inquired about the types of plastic bags being found in the hot spots. Ms. Soll pointed to the link in the staff report ([Municipal Regional Stormwater Reports](#)) and the data is pulled from each Alameda County City. Ms. Soll explained that the data point only identifies the presence of plastic bag(s), not the type and quantity found or if there was an increase or decrease of the number of bags found at each hot spot. Plastic bags identified in the report were only of several types of plastic items identified and categorized as "dominant litter". Board member Cutter asked that the P&A Committee's comments be provided to the Recycling Board at their evening meeting. Ms. Sommer stated that she would do so.

5. Member Comments

There were none.

6. Adjournment

The meeting adjourned at 10:00 a.m.

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June 3, 2015

TO: Programs & Administration Committee
FROM: Gary Wolff, Executive Director
BY: Brian Mathews, Senior Program Manager
Heather Larson, Program Manager II
SUBJECT: Property Update - Renewal of Leases on WMA Property

BACKGROUND

The WMA owns approximately 1,600 acres of real property (Property) in eastern Alameda County (see map in Exhibit A). Primary access is from Interstate 580 via North Flynn Road, South Flynn Road and Patterson Pass Road. The WMA manages seven agreements for use of the property including a wind power easement, a residential tenant lease, two memoranda of agreement with government agencies (Bay Area Air Quality Management District, and the East Bay Regional Communication System Authority), a grazing license, and two leases with telecommunications companies.

WMA Ordinance 2000-01, Alternative Leasing Ordinance, specifies a public notice and selection process which is to be followed for leases and licenses with private entities. Leases and licenses also must meet the following conditions:

- A term of 10 years or less, and;
- The monthly rental income is less than \$5,000, and;
- The lease or license is not automatically renewable (meaning the procurement process outlined by the ordinance must be followed to renew), and;

The following three agreements are with private entities and are approaching the end of their terms.

- **Grazing License (Master) Agreement** (Paulo Farms; expires 10/31/2015)
- **Electrical Trench Lease** (Sprint Spectrum LLC, hereafter “Sprint”; expires 10/16/2016)
- **Communications Site Lease** (T-Mobile; expires 7/31/2015)

To facilitate the renewal of these agreements the requirements of WMA Ordinance 2000-01 were followed. A public notice was posted on April 9, 2015 with submittals due on May 7, 2015. Applicants were requested to submit a monetary bid for rent, a statement that they agree to the current terms of the agreement and can meet the insurance requirements described within. Agency staff hosted an optional property tour on April 29, 2015 from 11am-1pm as part of the public bid process.

DISCUSSION

Grazing License Agreement

The WMA currently has a Master Grazing License with Paulo Farms for cattle grazing on all of its property in the Altamont Hills in northeastern Alameda County. Staff received two bid responses to the

solicitation. The non-responsive bid did not agree to the draft license agreement we provided, as required in the public notice. The responsive bid was from Paulo Farms.

All operations must be consistent with the Range Management Plan (March 2005) (“RMP”) adopted by the WMA which provides that Animal Unit Month (AUM) carrying capacity will be regulated seasonally, and will vary depending on environmental conditions, including the amount of rainfall and forage available for livestock, riparian and wetland conditions, and rangeland plant diversity. The new Master Grazing License will be for a term of five years with an option by the WMA to extend another five years. The new grazing rent will be calculated in the same manner as the current grazing license. The rent during the first November to October grazing cycle will be the actual AUM’s allowed under the Range Management Plan multiplied by \$27.10/ AUM, adjusted by the ratio of the June 2015 Cattle Index to the June 2014 Cattle Index. The payment will be adjusted annually based on the ratio of the two prior year June Cattle Index values, and an adjusted number of AUMs based on site conditions. The maximum AUMs allowable in the RMP under current drought conditions is 1270 per year, but the WMA may restrict AUM to a lower number as necessary to meet the conditions in the Range Management Plan for residual dry matter at the end of the spring grazing season (measured in June). Under the average grazing conditions and current \$/AUM, the rent will not exceed \$5,000/month.

Staff is seeking authorization to finalize a new grazing license with the current lease holder under essentially the same terms as the current license, subject to approval as to form by legal counsel. We will ensure that the new license is consistent with the possibility of future conservation easements.

Electrical Trench Lease

In 2006 the WMA entered into an electrical trench lease which allows the lessor (Sprint) to access power from a source on WMA property. The trench traverses the WMA property (Assessor Parcel Numbers 99A-1810-001, 99A-1780-001-04, and 99A-1790-003) from a PG&E power pole and delivers power to a telecommunication facility on property neighboring the WMA property.

A responsive bid was not received as a result of the bid process for this lease. However, staff was in communication with a representative of the current lease holder during and after the process. After no response was received, staff contacted the representative who expressed some confusion concerning the requirements of the bid process. Their understanding was the solicitation was for other companies to bid on the lease they held and therefore they did not need to respond. There was also some confusion on the financial terms, which once clarified, were acceptable to Sprint.

Staff is seeking authorization to finalize a new lease with the current lease holder under the following financial terms:

- 10 year lease term.
- Annual rent escalation based on CPI.
- The initial rental amount upon renewal will be \$7,914.88/quarter as adjusted upward by the April 2016 Consumer Price Index.
- Contractual terms consistent with the existing lease agreement and approved to form by WMA Counsel.

Communications Site Lease

In July of 2000, by Resolution, the WMA Board entered into a land lease with Pacific Bell Wireless LLC for a cellular communication site. Through a succession of acquisitions and consolidations in the telecommunication industry, the lease was renewed in 2010 for 5 years with T-Mobile.

A completely responsive bid was not received as a result of the bid process for the communication site lease. However, staff was in communication with a representative (Crown Castle who provides property management service to the telecommunication industry) of the current lease holder during and after the process and a good faith effort was made to provide documents meeting the public notice deadline.

Through-out the process Crown Castle indicated T-Mobile's desire to continue the lease. The primary issue that has caused the delay is that T-Mobile lost its source of power to the cell site due to the NextEra repowering project. To supply power to the cellular towers, T-Mobile has installed a temporary solar panel array, which they would like to make permanent, which would require additional leased space.

Staff is seeking authorization to finalize a new lease with the current lease holder under the following terms:

- 10 year lease term.
- Annual rent escalation at 3%.
- The initial rental amount upon renewal will be for approximately 1,128 sq.ft. at a blended \$/sq.ft. rate of \$4.34/sq.ft. for the cell tower installation (area covered in the current lease), and \$2.17/sq.ft for the power supply installation (additional area to be included in the new lease).
- Contractual terms consistent with the existing lease agreement and approved to form by WMA legal counsel.

Other Considerations

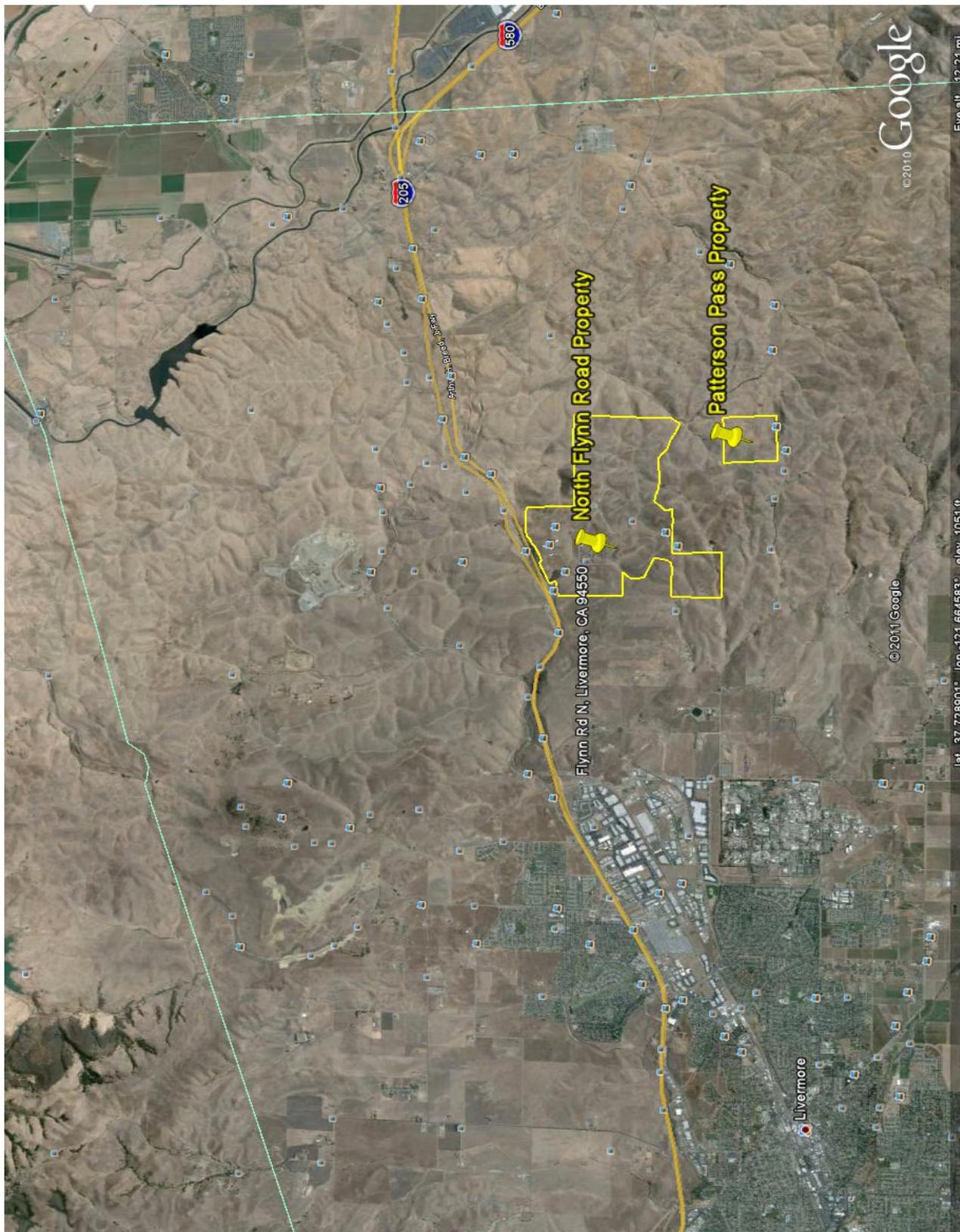
Additional key considerations for the renewal of these agreements are that they:

- Maintain all necessary conditional use permits from the County for their operations as needed. This is especially relevant to the T-Mobile agreement, where a new power supply is involved.
- Not impede any potential future use of the land for "reserve landfill capacity," a composting facility, or conservation easements.
- Indemnification language in each of the agreements will be updated to meet the current indemnification requirements.
- Not interfere with other agreement holders, including the windfarm and residential tenant.

RECOMMENDATION

Staff recommends that the P&A Committee recommend to the WMA Board that it authorize the Executive Director to enter into renewals of leases with Paulo Farms, Sprint, and T-Mobile, per the terms described in the staff report, subject to approval as to form by legal counsel.

Exhibit A: Map of WMA Property





DATE: June 2, 2015

TO: Programs and Administration Committee
Planning and Organization Committee/ Recycling Board

FROM: Wendy Sommer, Deputy Executive Director

BY: Debra Kaufman, Senior Program Manager
Wes Sullens, Program Manager

SUBJECT: Legislation 2015 Update

BACKGROUND

This is the first year of the 2015/2016 legislative session and through our contract lobbyist we are tracking several bills that are in different stages of the legislative process. The report below highlights the status of the thirty one bills the Agency took positions on in April, 2015. Fourteen of those bills remain alive. We will return to the Board in October with an update on the final status of these bills.

DISCUSSION

In November, 2014, the Waste Management Authority Board approved these three legislative priorities for 2015/2016: 1. Improving the state’s disposal reporting system, 2. Extended producer responsibility, and 3. Green buildings and construction via the Cal Green Code update. Below is the status of bills that the Board decided to take a position on in April. We have included a spreadsheet with more detail and links to bill language. Fourteen of the thirty one bills the Board took a position on are still alive. The next deadline is July 17th which is the last day for policy committees to meet and report bills to the floor. September 11th is the last day for each house to pass bills onto the Governor.

Our highest priority has been getting AB 901 amended to address improving the state’s disposal reporting system. The proposed amendments will enable our member agencies to obtain accurate hauler information from disposal facilities. This will help our member agencies obtain the information they need to enforce exclusive franchise agreements and also allow our Agency to collect applicable disposal fees. It will also improve upon the accuracy of jurisdiction of origin disposal information. We have worked closely with CalRecycle and Assembly member Gordon’s office to craft language useful to our member agencies and other local governments, which would also be amenable to CalRecycle and acceptable to the hauling/disposal community. We expect that AB 901 will be amended to address our need for accurate disposal information in upcoming Senate

committee meetings. Once the amendments are made, we will ask member agencies to write letters of support and request assistance from their lobbyists.

CAL GREEN CODE UPDATE

Staff has been working closely with CalRecycle staff, USGBC and other stakeholders to move several agency priorities forward through the Cal Green Code update, including the use of compost and mulch in exterior landscaping, increased C&D recycling requirements, increased recycled content requirements in building materials and space for organics collection. Many of the requirements have changed and continue to change as the code development process proceeds. In addition, much of the state's attention recently has focused on water conservation, so much of the non-water related code updates are taking a back-seat to that statewide priority.

Recently an emergency drought executive order by the Governor helped to resurrect our recommendation that the model water efficient landscape ordinance (WELO) be included as a required part of the building code for newly installed landscapes (new or existing). Due to this, the Building Standards Commission agreed to enact WELO as part of the building code for newly installed landscapes. This was a huge accomplishment and mitigated the argument that this would be too hard for building departments to enforce. Outdoor landscapes are now officially part of the building code. We will share Bay-Friendly rating system tools already developed with city building officials to help them implement this new code.

Staff will provide further update on the status of this effort at the June committee meeting.

Status of Bills:

The following lists other bills that we are recommending positions on. The detail for these bills, including a link to the text of the bill, is contained in the excel spreadsheet.

AB 45 (Mullin) HHW. Oppose.
Status: Dead

AB 190 (Harper) Bags. Oppose.
Status: Dead

AB 191 (Harper) Bags. Oppose.
Status: Dead

AB 199 (Eggman) Alternative energy: recycled feedstock. Support.
Status: Dead

AB 761 (Levine) Compost application. Support.
Status: Passed Assembly.

AB 864 (Williams) Solid waste facility permits. Oppose unless amended.
Status: Passed Assembly

AB 876 (McCarty) Compostable organics. Support.
Status: Assembly Second Reading

AB 901 (Gordon) Solid Waste reporting requirements. Sponsor/Support.
Status: Assembly third reading

AB 997 (Allen) Recycling plastic material. Oppose.
Status: Dead; expected to become a two year bill.

AB 1019 (Garcia) Metal Theft. Support.
Status: Dead

AB 1045 (Irwin) Compost permitting streamlining. Support.
Status: In Senate awaiting Committee assignment

AB 1063 (Williams) Solid Waste disposal fees. Support.
Status: Senate Environmental Quality

AB 1103 (Dodd) Organic waste definitions. Support.
Status: In Senate, awaiting committee assignment

AB 1136 (Steinorth) Bags. Oppose.
Status: Dead. Expected to be two year bill.

AB 1159 (Gordon) Sharps/Battery EPR. Support .
Status: Dead. Expected to be two year bill.

AB 1239 (Gordon) Tire recycling. Support.
Status: Assembly Second Reading

AB 1247 (Irwin) Organic input materials as fertilizer. Support.
Status: Dead

SB 662 (Committee on Environmental Quality) Support.
Status: Assembly Natural Resources

SB 742 (Hertzberg) Solid Waste. Watch.

Status: Dead

AB 1377 (Thurmond) Recycling green material. Watch.
Status: Dead. Expected to become a two year bill

AB 1419 (Eggman) Recycling center abandonment. Support.
Status: In Senate awaiting committee assignment

AB 1447 (Low) Solid waste beverage containers. Support.
Status: Dead.

SB 47 (Hill) Environmental health and synthetic turf. Oppose unless amended.
Status: Dead

SB 162 (Galgiani) Treated wood waste: disposal. Support.
Status: Senate Third Reading.

SB 225 (Weickowski) Recycling used tires. Support.
Status: Assembly second reading

SB 732 (Pan) Beverage container recycling. Support.
Status: Dead. Expected to be a two year bill

SB 350 (De Leon) Clean Energy and Pollution Reduction Act. Support.
Status: Senate third reading.

SB 778 (Allen) Motor oil standards. Support if amended to raise quality standards for motor oil.
Status: Dead

AB 1435 (Alejo) toxics in packaging. Watch.
Status: In Senate awaiting committee assignment

AB 640 (Dahle) household hazardous waste. Watch.
Status: Dead. Expected to become a two year bill.

AB 1256 (Williams) Solid waste administration. Watch.
Status: Dead. Expected to become a two year bill.

RECOMMENDATION

This item is for information only. Staff recommends that the Boards receive this status update on Agency legislative positions for the 2015 session of the California Legislature.

Location	Measure	Author	Topic	Brief Summary	Current Text	Status	Position	Notes 1
5/28/2015-A. APPR. SUSPENSE FILE	AB 761	Levine D	Carbon sequestration: working lands.	The Cannella Environmental Farming Act of 1995, requires the Department of Food and Agriculture to establish and oversee an environmental farming program to provide incentives to farmers whose practices promote the well-being of ecosystems, air quality, and wildlife and their habitat. This bill would declare that \$50,000,000 shall be available, upon appropriation, to the department to establish a grant program to fund voluntary projects that increase carbon sequestration and greenhouse gas emissions reductions on working lands, as defined.	Amended: 4/21/2015	5/28/2015-Passed Assembly; awaiting Senate Committee assignment	Support	
5/28/2015-S. E.Q.	AB 864	Williams D	Solid waste facilities: temporary permits.	Would require, until January 1, 2025, the Department of Resources Recycling and Recovery to adopt regulations to authorize an enforcement agency, upon the department's approval, to issue a temporary solid waste facilities permit to a person carrying out solid waste operations at a facility that is required under the California Integrated Waste Management Act of 1989 to have a solid waste facilities permit, but for which a permit has not been obtained. This bill contains other related provisions and other existing laws.	Amended: 4/30/2015	5/28/2015-Passed Assembly; Referred to Senate Com. on E.Q. 6/17/2015 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, WIECKOWSKI, Chair	Oppose unless amended	Allows for temporary solid waste permits which could be beneficial for facilities that are already operating without a permit, as they will then need to be inspected and have permit conditions, but bypasses County Integrated waste management Plan process and it is not stated how long a temporary permit can be effective; should have a time frame of no more than six or 12 months. Would make it difficult to impose new conditions upon a facility once they are up and running under a temporary permit but does help with those operating illegally without a permit. Request a limit of time for temporary permit and also suggest giving the Department the Authority to shut down facilities operating without a permit as another tool.
5/28/2015-A. SECOND READING	AB 876	McCarty D	Compostable organics.	Would require each countywide siting element to provide an estimate of the total organics processing capacity that will be needed over a 15-year period to safely handle organic wastes generated with the county and to identify areas for the location of organics processing facilities, if needed or desired, thereby imposing a state-mandated local program. The bill would also make legislative findings and declarations. This bill contains other related provisions and other existing laws.	Amended: 4/6/2015	5/28/2015-From committee: Amend, and do pass as amended. (Ayes 12. Noes 5.) (May 28).	Support	
5/28/2015-A. THIRD READING	AB 901	Gordon D	Solid waste: reporting requirements: enforcement.	Would revise specified provisions by, among other things, requiring recycling and composting operations and facilities to submit specified information directly to the Department of Resources Recycling and Recovery, rather than to counties, and would delete the requirement for counties to submit that information to cities, regional agencies, and the department. The bill would delete references to periodic tracking surveys. The bill would make other related changes to the various reporting requirements.	Amended: 4/20/2015	5/28/2015-From committee: Do pass. (Ayes 17. Noes 0.) (May 28). Read second time. Ordered to third reading.	SPONSOR /support	We are working with CalRecycle and the Author's office on amendments to include language that allows local governments to receive hauler id info, waste type, volume and origin from out of county landfills

5/28/2015-S. RLS.	AB 1045	Irwin D	Organic waste: composting.	Would require the California Environmental Protection Agency, in coordination with the Department of Resources Recycling and Recovery, to develop and implement policies to aid in diverting organic waste from landfills by promoting the composting of specified organic waste and by promoting the appropriate use of that compost throughout the state. The bill would require the agency to promote a goal of reducing at least 5 million metric tons of greenhouse gas emissions per year through the development and application of compost on working lands, and would require the agency to work with the Department of Food and Agriculture to achieve this goal.	Amended: 4/20/2015	5/28/2015-Passed Assembly. In Senate. Read first time. To Com. on RLS. for assignment.	Support	
5/21/2015-S. E.Q.	AB 1063	Williams D	Solid waste: disposal facility: fees.	Would require, on or before July 1, 2016, the Department of Resources Recycling and Recovery, to hold a public hearing and workshop to develop a proposal for the Legislature regarding a new solid waste management fee which would provide the department with the revenue necessary to carry out certain actions. The bill would require the department, within 6 months of the public hearing and workshop, to propose a new solid waste management fee to the Legislature.	Amended: 4/20/2015	5/21/2015-Passed Assembly; Referred to Com. on E.Q. 6/17/2015 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, WIECKO WSKI, Chair	Support	CAW and CalRecycle sponsored bill.
5/26/2015-S. RLS.	AB 1103	Dodd D	Solid waste: organic waste.	This bill would also define the terms "food-soiled paper" and "food waste" for purposes of specified provisions relating to a business that generates a certain amount of organic waste to arrange for recycling services specifically for organic waste.	Amended: 5/19/2015	5/26/2015-Passed Assembly; In Senate. Read first time. To Com. on RLS. for assignment.	Support	
5/27/2015-A. SECOND READING	AB 1239	Gordon D	Tire recycling: California tire regulatory fee and waste tire program.	Would require a waste tire generator, as defined, that is a retail seller of new tires to end user purchasers to pay a California tire regulatory fee. The bill would authorize the Department of Resources Recycling and Recovery to establish the California tire regulatory fee in an amount that is sufficient to generate revenues equivalent to the reasonable regulatory costs incurred by the department incident to audits, inspections, administrative costs, adjudications, manifesting, registration, and other regulatory activities regarding these retail sellers as generators of waste tires, but not to exceed \$1.25 per new tire sold, as provided.	Amended: 5/5/2015	5/28/2015-Assembly Second Reading.	Support	Continues fees on tires to be used for recycling and allows CalRecycle to establish fees that will not exceed cost of implementing program for the tires, on both tire sellers and generators. CAW and CalRecycle sponsored bill.
5/22/2015-A. NAT. RES.	SB 662	Committee on Environmental Quality	Recycling.	This bill would authorize the Department of Resources Recycling and Recovery to expend money in the Recycling Market Development Revolving Loan Subaccount to make payments to local governing bodies within recycling market development zones for services related to the promotion of the zone.	Introduced: 2/27/2015	5/22/2015-Passed Senate; Referred to Assembly Com. on NAT. RES.	Support	
5/22/2015-S. RLS.	AB 1419	Eggman D	Recycling centers.	Would authorize the Department of Resources Recycling and Recovery to revoke a certification of a certified recycling center found to be abandoned, as specified. The bill would provide an opportunity for a hearing on that revocation to be conducted in the same manner as a hearing for an applicant whose original application for certification is denied.	Amended: 5/5/2015	5/22/2015-In Senate. Read first time. To Com. on RLS. for assignment.	Support	

5/28/2015-S. THIRD READING	SB 162	Galgiani D	Treated wood waste: disposal.	Current law requires treated wood waste, as defined, to be disposed of in either a class I hazardous waste landfill, or in a composite-lined portion of a solid waste landfill unit that meets certain requirements. Current law makes these, and other requirements regarding treated wood waste, inoperative on June 1, 2017. This bill would remove those limitations for treated wood waste regulations adopted by the department, would extend the operation of these provisions regarding treated wood waste to June 1, 2020, and would repeal the language continuing in force and effect treated waste wood regulations adopted on or before June 1, 2012. By extending the operation of a crime, the bill would impose a state-mandated local program.	Amended: 5/5/2015	5/28/2015-From committee: Do pass. (Ayes 7. Noes 0.) (May 28). Read second time. Ordered to third reading.	Support	
5/5/2015-A. DESK	SB 225	Wieckowski D	Recycling: used tires.	Current law requires the Department of Resources Recycling and Recovery to adopt a 5-year plan, which is to be updated biennially, to establish goals and priorities for waste tire programs. This bill would require the department, when adopting the 5-year plan and expending those appropriated funds, to ensure that the expenditure of funds pursuant to the California Tire Recycling Act, reflects the California Integrated Waste Management Act's priorities for waste reduction and recycling.	Introduced: 2/13/2015	5/5/2015-In Assembly. Read first time. Held at Desk.	Support	
5/28/2015-S. THIRD READING	SB 350	De León D	Clean Energy and Pollution Reduction Act of 2015.	Would express the intent of the Legislature for the purposes of the RPS program that the amount of electricity generated per year from eligible renewable energy resources be increased to an amount equal to at least 50% by December 31, 2030, and would require the PUC, by January 1, 2017, to establish the quantity of electricity products from eligible renewable energy resources be procured by each retail seller for specified compliance periods sufficient to ensure that the procurement of electricity products from eligible renewable energy resources achieves 50% of retail sales by December 31, 2030.	Introduced: 2/24/2015	5/28/2015-From committee: Do pass. (Ayes 5. Noes 2.) (May 28). Read second time. Ordered to third reading.	Support	Landfill gas from MSW is currently considered an eligible renewable energy generation sources. However, this bill would exclude all facilities engaged in the combustion of municipal solid waste from being eligible renewable energy resources.
5/26/2015-S. RLS.	AB 1435	Alejo D	Hazardous waste: toxics: packaging.	The Toxics in Packaging Prevention Act defines the term "package" as meaning any container that provides a means of marketing, protecting, or handling a product and specifies that a package does not include a reusable bag. This bill would also exclude a "glass beverage container" and a "glass food or drink container" from the definition of "package."	Introduced: 2/27/2015	5/26/2015-In Senate. Read first time. To Com. on RLS. for assignment.	Watch	
5/15/2015-A. 2 YEAR	AB 640	Dahle R	Household hazardous waste.	Current law authorizes public agencies to operate household hazardous waste collection facilities, as defined, and specifies conditions for the transportation of household hazardous waste. This bill would make nonsubstantive changes to the definitions pertaining to those provisions.	Introduced: 2/24/2015	5/15/2015-Dead; 2 year bill	watch	
5/15/2015-A. 2 YEAR	AB 1256	Williams D	Solid waste: administration.	The California Integrated Waste Management Act of 1989 is administered by the Department of Resources Recycling and Recovery in the California Environmental Protection Agency. This would make nonsubstantive changes to the provision establishing the department.	Introduced: 2/27/2015	5/15/2015-Dead; 2 year bill	Watch	Spot bill.

5/20/2015-A. APPR. SUSPENSE FILE	AB 45	Mullin D	Household hazardous waste.	Would require each jurisdiction that provides for the residential collection and disposal of solid waste to increase the collection and diversion of household hazardous waste in its service area, on or before July 1, 2020, by 15% over a baseline amount, to be determined in accordance with Department of Resources Recycling and Recovery regulations. The bill would authorize the department to adopt a model ordinance for a comprehensive program for the collection of household hazardous waste to facilitate compliance with those provisions, and would require each jurisdiction to annually report to the department on progress achieved in complying with those provisions.	Amended: 4/30/2015	5/28/2015-Dead, may become 2 year bill	Oppose. CPSC will also oppose as will many local governments.	AB 939 already requires local governments to have a plan for recycling HHW. These programs need funding and shared producer responsibility. Local governments should have the authority to determine whether drop off or door-to-door is the most efficient program. This would be an unfunded local government mandates and takes attention away from the real need which is shared manufacturer responsibility for the disposal costs of HHW.
4/14/2015-A. NAT. RES.	AB 190	Harper R	Solid waste: single-use carryout bags.	Current law, inoperative due to a pending referendum election, would otherwise, as of July 1, 2015, prohibit stores that have a specified amount of sales in dollars or retail floor space from providing a single-use carryout bag to a customer, with specified exceptions. This bill would repeal the above provisions and related provisions. This bill contains other related provisions and other existing laws.	Amended: 3/11/2015	4/13/2015 dead for this year.	Oppose	This would repeal the bag ban adopted last legislative year.
5/1/2015-A. 2 YEAR	AB 191	Harper R	Solid waste: single-use carryout bags.	Current law, inoperative due to a pending referendum election, would, as of July 1, 2015, prohibit stores that have a specified amount of sales in dollars or retail floor space from providing a single-use carryout bag to a customer and prohibit those stores from selling or distributing a recycled paper bag at the point of sale unless the store makes that bag available for purchase for not less than \$0.10. This bill would repeal the requirement that a store that distributes recycled paper bags make those bags available for purchase for not less than \$0.10. This bill contains other related provisions.	Amended: 3/11/2015	5/1/2015-dead for this year; two year bill	Oppose	Oppose: This bill would directly contradict a mitigation to reduce the potential increase in paper bags that a ban on plastic bags could cause by establishing a fee on them as well. The fee on paper and plastic bags has been proven to reduce use of both types of bags and increase the use of reusable bags which are the best solid waste and environmental choice.
5/11/2015-A. REV. & TAX SUSPENSE FILE	AB 199	Eggman D	Alternative energy: recycled feedstock.	Current law establishes the California Alternative Energy and Advanced Transportation Financing Authority to provide financial assistance for projects that promote the use of alternative energies and authorizes the authority to approve a project for financial assistance in the form of a sales and use tax exclusion. This bill would expand projects eligible for the sales and use tax exclusion to include projects that process or utilize recycled feedstock, but would not include a project that processes or utilizes recycled feedstock in a manner that constitutes disposal.	Introduced: 1/29/2015	5/11/2015-Dead	Support	This promotes the use of recycled feedstocks.
5/1/2015-A. 2 YEAR	AB 997	Allen, Travis R	Recycling: plastic material.	Current law requires the Department of Resources Recycling and Recovery to administer state programs to recycle solid waste, plastic trash bags, plastic packaging containers, waste tires, newsprint, and other specified materials. This bill would restate the policy goal of the state to provide that the goal is for not less than 75% of solid waste generated to be source reduced, recycled, used for power generation in dedicated anaerobic digesters as well as in modern landfills capturing methane gas, or composted by the year 2020, and annually thereafter.	Introduced: 2/26/2015	5/1/2015-dead for this year; two year bill	Oppose	This bill would allow solid waste sent to landfills capturing methane gas to be counted as recycling. No landfill captures 100% of the methane and burying waste that could be recycled or reused is the lowest possible use of that material.

5/28/2015-A. APPR.	AB 1019	Garcia, Eduardo D	Metal theft and related recycling crimes.	Would, until January 1, 2020, require the Department of Justice to establish a Metal Theft Task Force Program designed to enhance the capacity of the department to serve as the lead law enforcement agency in the investigation and prosecution of illegal recycling operations, and metal theft and related recycling crimes, and would authorize the department to enter into partnerships, as defined, with local law enforcement agencies, regional task forces, and district attorneys for the purpose of achieving the goals of the program.	Introduced: 2/26/2015	5/28/2015-Dead	Support	
5/15/2015-A. 2 YEAR	AB 1136	Steinorth R	Reusable grocery bag and recycled paper bag: fee: exemptions.	Current law, inoperative due to a pending referendum petition, would, as of July 1, 2015, prohibit stores that have a specified amount of sales in dollars or retail floor space from providing a single-use carryout bag to a customer and would prohibit those stores from selling or distributing a reusable grocery bag or a recycled paper bag at the point of sale unless the store makes that bag available for purchase for not less than \$0.10. Subject to the referendum petition, this bill would expand the group of customers who would be provided a reusable grocery bag or a recycled paper bag at no cost at the point of sale to include a customer who is 65 years of age or older and a customer who provides proof of current attendance at a California college or university.	Introduced: 2/27/2015	5/15/2015-Dead; 2 year bill	Oppose	This bill allows convenience stores and food marts to provide free paper bags and reusable plastic bags. This would increase the cost of compliance for affected stores.
5/20/2015-A. APPR. SUSPENSE FILE	AB 1159	Gordon D	Product stewardship: pilot program: household batteries and home-generated sharps waste.	Would establish the Product Stewardship Pilot Program and, until January 1, 2024, would require producers and product stewardship organizations of covered products, defined to mean a consumer product that is used or discarded in this state and is either home-generated sharps waste or household batteries, to develop and implement a product stewardship plan, as specified. This bill contains other related provisions and other existing laws.	Amended: 4/21/2015	5/28/2015-Dead; becomes two year bill	Support	CPSC is working with the author to amend this bill to include manufacturer responsibility for batteries and sharps
5/11/2015-A. REV. & TAX SUSPENSE FILE	AB 1247	Irwin D	Sales and use taxes: exemption: organic input material.	The sales and use tax law provides various exemptions from those taxes, including an exemption for fertilizer to be applied to land, the products of which are to be used as food for human consumption or are to be sold in the regular course of business. This bill would additionally exempt from those taxes the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, organic input material, as defined, to be applied to land, the products of which are to be used as food for human consumption or are to be sold in the regular course of business. This bill contains other related provisions and other existing laws.	Amended: 3/24/2015	5/11/2015-Dead	Support	Would allow compost to enjoy the same tax exempt status as other fertilizing materials currently do. Would help support increased compost use. Group Support letter to Assemblymember Irwin on 4/7/2015.
5/28/2015-S. APPR.	SB 742	Hertzberg D	Solid waste: diversion.	Would require each state agency and each large state facility, on and after January 1, 2018, to divert at least 60% of all solid waste from landfill disposal or transformation facilities through source reduction, recycling, and composting activities. The bill would also delete an obsolete provision.	Amended: 4/6/2015	5/28/2015-Dead	Watch	Currently a spot bill

5/15/2015- A. 2 YEAR	<u>AB 1377</u>	<u>Thurmond D</u>	Solid waste: recycling: diversion: green material.	The California Integrated Waste Management Act of 1989 requires the source reduction and recycling element to divert from disposal 50% of all solid waste subject to the element through source reduction, recycling, and composting activities, with specified exceptions. Current law governs the use of solid waste as alternative daily cover in the construction and operation of a solid waste landfill, including the determination of what constitutes diversion through recycling rather than disposal. Current law provides for the Department of Resources Recycling and Recovery to adopt regulations in this regard. This bill would delete obsolete provisions relating to the adoption of regulations.	Introduced: 2/27/2015	5/15/2015-Dead; 2 year bill	Watch	Currently a spot bill.
5/28/2015- S. APPR.	<u>SB 47</u>	<u>Hill D</u>	Environmental health: synthetic turf.	Would require the Office of Environmental Health Hazard Assessment, by July 1, 2017, in consultation with the Department of Resources Recycling and Recovery, the State Department of Public Health, and the Department of Toxic Substances Control, to prepare and provide to the Legislature and post on the office's Internet Web site a study analyzing synthetic turf, as defined, for potential adverse health impacts. The bill would require the study to include certain information, including a hazard analysis of exposure to the chemicals that may be found in synthetic turf, as provided.	Amended: 3/25/2015	5/28/2015-Dead	Oppose unless amended	Recommend asking Author's office to clarify the study and its contents to be sure that it asks and answers the right questions and is a comprehensive study. Given the fact that there are many studies on this topic, there is a need for the study to be defined to make it useful in evaluating whether, and at what exposure level, there may be health concerns of which component, in various tire related products; study should evaluate pour-in-place product as well as crumb rubber for a wide range of potential health impacts and a wide range of chemicals, with an adequate set of field data to draw conclusions. One goal should be standards for use of the product in a variety of settings including playing fields and playgrounds. A moratorium for two years without an adequate study will not solve the issue. Additionally, tire disposal remains an important solid waste challenge for which safe recycling alternatives are needed.
5/28/2015- A. APPR.	<u>AB 1447</u>	<u>Alejo D</u>	Solid waste: food and beverage packaging.	Would require, commencing July 1, 2016, PET plastic packaging manufactured in the state to be manufactured with, and empty PET plastic packaging imported into the state to be filled with food or drink in the state for sale in the state to contain, a minimum of 10% of postfilled PET plastic, as measured by weight. The bill would require, commencing January 1, 2017, and annually thereafter, every such manufacturer or importer of PET plastic packaging to demonstrate compliance with that requirement by certifying to the Department of Resources Recycling and Recovery certain information.	Amended: 5/5/2015	5/28/2015-Dead	Support	
5/1/2015- S. 2 YEAR	<u>SB 732</u>	<u>Pan D</u>	Beverage container recycling.	Would, on and after January 1, 2017, require every manufacturer of a beverage sold in a plastic beverage container to demonstrate to the Department of Resources Recycling and Recovery that each type of plastic beverage container sold in this state contains, on average, not less than 10 percent postfilled material. This bill contains other related provisions and other existing laws.	Amended: 4/6/2015	5/1/2015-dead for this year; two year bill	Support	deposit bill support. CAW sponsored bill.

5/28/2015-S. APPR.	SB 778	Allen D	Automotive oil source reduction.	Would, on and after January 1, 2018, require all automotive oil sold in this state to be certified by the oil manufacturer to achieve a minimum useful life of 10,000 miles when used in accordance with the automobile manufacturer's recommendations, and to meet current automotive industry standards. A violation of these provisions would be a crime, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.	Amended: 4/20/2015	5/28/2015-Dead	Support if amended to raise quality standards for motor oil so that it lasts longer	
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