

Deborah Cox, **WMA President**

City of San Leandro, WMA, EC

Shelia Young, **WMA 1<sup>st</sup> Vice President**

Oro Loma Sanitary District, WMA

Dianne Martinez, **WMA 2<sup>nd</sup> Vice President**

City of Emeryville, WMA, EC

Melissa Hernandez, **EC President**

City of Dublin, WMA, EC

Dan Kalb, **EC 1<sup>st</sup> Vice President**

City of Oakland, WMA, EC

Jenny Kassar, **EC 2<sup>nd</sup> Vice President**

City of Fremont, WMA, EC

David Haubert, County of Alameda, WMA, EC

Trish Herrera Spencer, City of Alameda, WMA, EC

Preston Jordan, City of Albany, WMA, EC

Susan Wengraf, City of Berkeley, WMA, EC

Dave Sadoff, Castro Valley Sanitary District, WMA

Francisco Zermeno, City of Hayward, WMA, EC

Bob Carling, City of Livermore, WMA, EC

Michael Hannon, City of Newark, WMA, EC

Jennifer Cavanaugh, City of Piedmont, WMA, EC

Jack Balch, City of Pleasanton, WMA, EC

Jaime Patiño, City of Union City, WMA, EC

Wendy Sommer, Executive Director

**MEETING OF THE  
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY  
(WMA) BOARD  
AND  
THE ENERGY COUNCIL (EC)**

**Wednesday, February 24, 2021**

**3:00 P.M.**

**TELECONFERENCE MEETING**

**Teleconference/Public Participation Information to Mitigate the Spread of COVID-19**

This meeting will be held entirely by teleconference. All Board members, staff, and the public will only participate via the Zoom platform using the process described below. The meeting is being conducted in compliance with the Governor's Executive Order N-29-20 suspending certain teleconference rules required by the Ralph M. Brown Act. The purpose of this order was to provide the safest environment for the public, elected officials, and staff while allowing for continued operation of the government and public participation during the COVID-19 pandemic.

Board members will receive a separate unique email invite. Staff and members of the public may attend and participate in the meeting by:

1. Calling US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 webinar 842 3439 3822
2. Using the [Zoom](#) website or App and entering meeting code 842 3439 3822

During the meeting the chair will explain the process for members of the public to be recognized to offer public comment. The process will be described on the StopWaste website at <http://www.stopwaste.org/virtual-meetings> no later than noon Wednesday, February 24, 2021. The public may also comment during the meeting by sending an e-mail to [publiccomment@stopwaste.org](mailto:publiccomment@stopwaste.org) prior to the close of public comment on the item being addressed. Each e-mail will be read into the record for up to three minutes.

In accordance with the Americans with Disabilities Act and the Governor's Executive Order, if you need assistance to participate in this meeting due to a disability, please contact the Clerk of the Board at (510) 891-6517. Notification 24 hours prior to the meeting will enable the agency to make reasonable arrangements to ensure accessibility to this meeting.

## **AGENDA**

### **I. CALL TO ORDER**

### **II. ROLL CALL OF ATTENDANCE**

### **III. ANNOUNCEMENTS BY PRESIDENTS -** *(Members are asked to please advise the board or the council if you might need to leave before action items are completed)*

### **IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR**

An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the board or council, but not listed on the agenda. Total time limit of 30 minutes with each speaker limited to three minutes unless a shorter period of time is set by the President.

### **Page V. CONSENT CALENDAR**

- 1 1. Approval of the Draft WMA & EC Minutes of January 27, 2021 (Wendy Sommer)**

### **VI. REGULAR CALENDAR**

- 7 1. SB 1383 implementation – Proposed roles for StopWaste and member agencies (Timothy Burroughs)**  
Provide direction to staff on proposed roles for SB 1383 implementation.
- 2. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Arliss Dunn)**  
(Planning Committee and Recycling Board meeting, March 11, 2021, 4:00 p.m. Meeting will be held via teleconference).

### **VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR**

### **VIII. CLOSED SESSION (WMA only)**

- 1. PUBLIC EMPLOYMENT**  
**(Pursuant to Government Code Section 54957)**  
**Title: Executive Director**
- 2. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**  
**Initiation of litigation pursuant to Section 54956.9(d)(4): (1 potential case)**

### **IX. ADJOURNMENT**

**DRAFT**

**MINUTES OF THE MEETING OF THE  
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD  
AND  
ENERGY COUNCIL (EC)**

**Wednesday, January 27, 2021**

**3:00 P.M.**

**TELECONFERENCE MEETING**

**I. CALL TO ORDER**

President Cox called the meeting to order at 3:00 p.m. Wendy Sommer explained the process that would be utilized during the meeting. A link to the process is available here: [Virtual-Meetings-Instructions](#)

**II. ROLL CALL OF ATTENDANCE**

**WMA & EC**

County of Alameda	David Haubert, WMA, EC
City of Alameda	Trish Herrera Spencer, WMA, EC
City of Albany	Preston Jordan, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Dublin	Melissa Hernandez, WMA, EC (President)
City of Fremont	Jenny Kassan, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Hayward	Francisco Zermeño, WMA, EC
City of Livermore	Bob Carling, WMA, EC
City of Newark	Mike Hannon, WMA, EC
City of Oakland	Dan Kalb, WMA, EC
Oro Loma Sanitary District	Shelia Young, WMA
City of Pleasanton	Jack Balch, WMA, EC
City of Piedmont	Jen Cavanaugh, WMA, EC
City of San Leandro	Deborah Cox, WMA (President), EC
City of Union City	Jaime Patiño, WMA, EC

**Staff Participating:**

Wendy Sommer, Executive Director  
Timothy Burroughs, Deputy Director  
Pat Cabrera, Administrative Services Director  
Jeff Becerra, Communications Manager  
Justin Lehrer, Operations Manager  
Karen Kho, Principal Program Manager  
Jennifer Luong, Financial Services Manager  
Kelly Schoonmaker, Program Manager  
Arliss Dunn, Clerk of the Board  
Richard Taylor, WMA Legal Counsel

**Others Participating:**

Jennifer Berg, BayREN

### III. ANNOUNCEMENTS BY PRESIDENTS

President Cox welcomed the new board members: Jack Balch, Pleasanton; Jen Cavanaugh, Piedmont; David Haubert, County of Alameda; Preston Jordan, Albany; Jaime Patiño, Union City; Trish Herrera Spencer, Alameda.

### IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

There were no public comments on the remote call and no public comments were received via the public comments email portal.

### V. CONSENT CALENDAR

#### 1. Approval of the Draft WMA & EC Minutes of December 16, 2020 (Wendy Sommer)

#### 2. Annual Audit for Fiscal Year 2019-20 (Pat Cabrera & Jennifer Luong)

That the WMA Board and Energy Council review, accept and file the Fiscal Year 2019-20 Annual Audit.

There were no public comments for the Consent Calendar. Board member Sadoff made the motion to approve the Consent Calendar. Board member Wengraf seconded and the motion carried as follows:

The Clerk called the roll:

Minutes 13-0-7.

(Ayes: Carling, Cox, Hannon, Hernandez, Kalb, Kassan, Martinez, Sadoff, Wengraf, Young, Zermeño.

Nays: None. Abstained: Balch, Cavanaugh, Haubert, Jordan, Patiño, Spencer. Absent: None.)

Annual Audit 20-0.

(Ayes: Balch, Carling, Cavanaugh, Cox, Hannon, Haubert, Hernandez, Jordan, Kalb, Kassan, Martinez, Patiño, Sadoff, Spencer, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: None.)

### VI. REGULAR CALENDAR

#### 1. Support for Assembly Joint Resolution No. 4 (Jeff Becerra)

That the Waste Management Authority Board adopt a 'support' position for Assembly Joint Resolution No. 4 that would urge the Biden Administration to ratify the Basel Convention resolution.

Jeff Becerra provided an overview of the staff report. A link to the report is available here: [Support-Assembly-Resolution-No.4.pdf](#)

Board member Zermeño inquired about the timeline for consideration by the California Assembly. Mr. Becerra stated that we do not have a set date but within the coming months and if we wait until March to bring the item before the Board it could be too late. Board member Hannon noted that the resolution was created in 1989 and inquired as to why it has never been adopted. Mr. Becerra stated that there is no compelling reason as to why it has not been adopted and added this is a new era with more focus on how materials are disposed once they leave the U.S. Board member Hannon stated that California is a significant violator of sending plastics to countries for improper disposal and inquired about any efforts at the state level to minimize the shipment and improper disposal of plastics, and recommended that we encourage the state assembly to ensure that any entity that is shipping materials to other countries is employing proper methods of disposal. Mr. Becerra stated that he is unaware of any legislative efforts at the state level on this issue but the focus on the issue should increase with recommendations from the Statewide Recycling Commission.

There were no public comments for this item. Board member Wengraf made the motion to approve the staff recommendation. Board member Zermeño seconded and the motion carried 20-0. The Clerk

called the roll:

(Ayes: Balch, Carling, Cavanaugh, Cox, Hannon, Haubert, Hernandez, Jordan, Kalb, Kassan, Martinez, Patiño, Sadoff, Spencer, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: None.)

## **2. SB 1383 Procurement Requirements (Kelly Schoonmaker)**

This item is for information only.

Kelly Schoonmaker provided an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [SB-1383-Procurement-Requirements.pdf](#)

Board member Martinez commented with regard to procurement of renewable gas that their (City of Emeryville) waste hauler, Waste Management, utilizes natural gas from their landfill and inquired if that would contribute to the requirement for their city. Ms. Schoonmaker stated no, because the feedstock has to be diverted from landfill. Board member Jordan inquired if SB 1383 is an unfunded mandate from the state. Ms. Schoonmaker replied, yes it is. Board member Jordan asked if a jurisdiction enters into agreement with a broker and subsidizes compost and agriculture usage is it considered a pro-rated or 100% credit. Ms. Schoonmaker stated that this is unclear. In their FAQ, CalRecycle has said that contracting a direct service provider or broker to sell compost would not meet the intent of the regulations, which would mean that a jurisdiction could take credit for only the amount paid for by that jurisdiction. However, the regulations do not explicitly provide that the direct service provider give away or use compost, nor do they require that only new markets for new compost be eligible, which would mean that a jurisdiction could contract or direct a broker to sell compost at their behest and take credit for the full amount sold regardless of the amount of discount. Board member Carling stated that the City of Livermore has significant acres of vineyards that are outside of the city limits and inquired if they would count towards procurement credit. Ms. Schoonmaker stated that the only requirement to receive the procurement credit is usage in the State of California. Board member Kalb inquired about the level of assistance that StopWaste will provide to cities to help them comply with SB 1383. Ms. Schoonmaker stated that StopWaste will be providing technical assistance to all member agencies and advocating for all member agencies with CalRecycle. StopWaste will not procure compost for the member agencies but will research cost effective solutions and potentially act as an aggregator to pool funding to get economy of scale. Mr. Burroughs stated that although the focus today is on procurement, staff will be bringing a more detailed item to the board in February that will outline how we plan to assist the member agencies in complying with the other regulations and requirements of SB 1383. Board member Hannon suggested that when StopWaste meets with the individual city to please invite the board member from that city. President Cox asked that the city manager and mayor are also invited to attend. Board member Hannon expressed concern about not having enough available compost and mulch countywide when the legislation becomes effective in 2022 and inquired about any plans to address this issue. Ms. Schoonmaker stated that this issue is more of a concern for Southern California; however, we are in discussion with CalRecycle about this potential challenge in meeting procurement requirements. Board member Balch inquired about how the number of residents is calculated. Ms. Schoonmaker stated that she would provide the exact source from the state and they are updated every five years.

There were no public comment for this item. President Cox asked that StopWaste work with all member agencies to collaborate and facilitate the procurement of compost with regard to East Bay Regional Parks. Ms. Schoonmaker stated that StopWaste will lead in that effort if East Bay Regional Parks is the source when procuring the compost. President Cox thanked staff for a very thorough and informative presentation and commended agency staff on their efforts in working with member agencies.

**3. BayREN Partnership Update (Karen Kho)**

This item is for information only.

Karen Kho provided an overview of the staff report and introduced Jennifer Berg, BayREN. Ms. Kho and Ms. Berg presented a PowerPoint presentation. A link to the report and the presentation is available here: [BayREN-Update-01-27-21.pdf](#)

Board member Jordan stated that the voters in the City of Albany recently passed a utility tax increase for climate protection and adaptation to reduce pollution and inquired if there would be interest from BayREN or other jurisdictions to collaborate on a pilot program or other project that could be scaled countywide. Ms. Berg stated that these are the types of programs that the CPUC directs BayREN to pursue and she would be happy to discuss it further. Board member Hannon inquired if BayREN has reached out to the Housing Authorities to partner with them. Ms. Kho replied yes, we have reached out to housing agencies across the county and have provided technical assistance to them through the former green building program. Board member Zermeño inquired if BayREN's funding has been impacted by any financial issues regarding PG&E. Ms. Berg stated that BayREN is funded by utility ratepayer funds through the California Public Utilities Commission and not funded through PG&E. There were no public comments for this item. President Cox thanked Ms. Kho and Ms. Berg for the presentation.

**4. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Arliss Dunn) (WMA only)**

(Planning Committee and Recycling Board meeting, February 11, 2021, 7:00 p.m. Meeting will be held via teleconference).

There were no requests for an interim appointment.

**5. BayREN 2020-22 Contract Amendment #2 (Karen Kho) (EC only)**

Adopt the attached Resolution authorizing the Executive Director to enter into a contract amendment for Bay Area Regional Energy Network (BayREN) and other related actions.

Karen Kho provided an overview of the staff report. A link to the report is available here: [BayREN-2020-22-Contract-Amendment.pdf](#)

Board member Kalb asked that staff continue to coordinate and work with East Bay Community Energy (EBCE) staff in this effort. Board member Jordan inquired about how the funding is allocated per contract year. Ms. Kho stated that in attachment B of the staff report, the column for 2020 is updated to reflect the total amount actually expended during the just completed calendar year, and the column for 2021 indicates the starting amount for January of 2021. Staff will likely come back to the board with a budget amendment later this year. Board member Hannon asked that staff reach out to the City of Alameda, Oakland, and Alameda County housing authorities to offer more quality efficiencies that may exist. Ms. Kho stated staff would reach out to those entities. There were no public comments on this item.

Board member Kalb made the motion to approve the staff recommendation. Board member Zermeño seconded and the motion carried 20-0. The clerk called the roll:

(Ayes: Balch, Carling, Cavanaugh, Cox, Hannon, Haubert, Hernandez, Jordan, Kalb, Kassan, Martinez, Patiño, Spencer, Wengraf, Zermeño. Nays: None. Abstained: None. Absent: None.)

**VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR**

There were none.

The Board adjourned to closed session at 4:28 p.m.

**VIII. CLOSED SESSION (WMA only)**  
**PUBLIC EMPLOYMENT**  
**(Pursuant to Government Code Section 54957)**  
**Title: Executive Director**

There were no reportable actions from the closed session.

**IX. ADJOURNMENT**

The meeting was adjourned at 5:20 p.m.

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**DATE:** February 24, 2021

**TO:** Waste Management Authority Board

**FROM:** Timothy Burroughs, Deputy Director

**SUBJECT:** SB 1383 implementation – Proposed roles for StopWaste and member agencies

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## SUMMARY

SB 1383, the Short-Lived Climate Pollutant Strategy, directs CalRecycle to divert 75% of organics from landfill and recover 20% of edible food for human consumption by 2025. Regulations become effective on January 1, 2022. Through close and ongoing consultation with member agency staff, StopWaste has identified activities that we propose to undertake to assist member agencies with SB 1383 implementation. At the February 24 WMA Board meeting, staff will provide an overview of these activities as well as roles that member agencies and other partners will play.

## DISCUSSION

SB 1383 directs CalRecycle to divert 75% of organics from landfill and recover 20% of edible food for human consumption by 2025. The law also establishes procurement requirements for recovered organic waste products and recycled content paper products. Jurisdictions – including solid waste, procurement, environmental health, parks department, and other staff – are the primary entities responsible for implementation and enforcement of SB 1383 requirements, which affect all organic waste generators in the residential and commercial sectors. Waste haulers, food recovery organizations, and procurement partners also have significant roles to play to advance compliance.

From the beginning, when CalRecycle developed initial concepts and then throughout the rulemaking process, StopWaste has worked closely with member agencies to advocate for improvements to the regulations to make them more effective and implementable, as well as gathered member agency input on how StopWaste can assist in ways that make compliance easier, more efficient, and cost effective. Below is a summary of major SB 1383 requirements, along with proposed roles for StopWaste and member agencies.

- **SB 1383 ordinance** – The law requires jurisdictions to adopt an ordinance that incorporates SB 1383 requirements by January 1, 2022. To assist member agencies and to create consistent requirements throughout the county, StopWaste proposes to develop and adopt a countywide ordinance that serves as the enforcement mechanism for Alameda County jurisdictions. The SB 1383 ordinance will supersede the existing Mandatory Recycling Ordinance (MRO). Member agencies would adopt an “opt-in” ordinance.

- **Edible Food Recovery (EFR)** – Jurisdictions must establish an enforcement program for commercial edible food generators (e.g., grocery stores, wholesale food distributors, restaurants, and others) and food recovery organizations (e.g., food banks) to ensure that generators are recovering the maximum amount of edible food that would otherwise be disposed, and have agreements in place with food recovery organizations to recover the edible food. The Alameda County Department of Environmental Health and City of Berkeley Environmental Health Division will integrate EFR enforcement into their inspections of regulated entities. StopWaste will develop MOUs with both agencies to articulate enforcement responsibilities. StopWaste will also take the lead on identifying a countywide list of edible food generators and food recovery organizations, and will implement the required edible food recovery capacity study to assess the capacity/infrastructure within Alameda County to recover edible food.
- **Enforcement of provision of organics service requirement** – Jurisdictions must ensure that all households and businesses have organics and recycling collection service. This activity does not require in-person inspections. Leveraging the experience and systems that StopWaste has developed for MRO enforcement, StopWaste will play the lead role in enforcing the provision of service requirement for commercial and multifamily buildings. Member agencies, in collaboration with their haulers, will be responsible for enforcing this requirement for single family homes beginning in 2024.
- **Contamination monitoring** – Jurisdictions must, on at least an annual basis, monitor for proper sorting to minimize contamination in the garbage, recycling, and organics bins. If container contamination is identified along a given route or through waste evaluation analyses, then jurisdictions are required to conduct additional outreach and education. Given that haulers are responsible for waste collection services, SB 1383 positions them as playing the lead role in monitoring for contamination. Member agencies must work with their haulers to integrate this effort into their operations.
- **Education and outreach** – The regulations require that jurisdictions provide information to all generators about the organics collection requirements, including proper sorting, waste prevention, home and community composting, approved haulers, programs for donation of edible food, self-hauling requirements, and the climate, environmental, and public health benefits of reducing disposal of organic waste. Jurisdictions must translate materials into any non-English language spoken by a substantial number of the public and keep records of and information about the distribution of all materials. StopWaste will assist member agencies by developing outreach templates and other print and electronic resources. Member agencies, in collaboration with their haulers, are the leads for disseminating materials through bill inserts, newsletters, and/or other channels.
- **Organics Processing Capacity Planning** – Beginning August 1, 2022, counties will be required to provide an estimate of the food, green waste, wood, paper products, digestate and biosolids disposed along with an estimate of available organics processing capacity. Counties with insufficient organics processing capacity will be required to submit an implementation schedule to increase capacity. StopWaste will take the lead on determining available capacity and provide the information to the county for reporting.

- **Procurement** – Starting January 1, 2022, cities and counties will be required to procure a minimum amount of products made from recycled organic waste annually. Eligible products are compost, mulch, electricity from biomass conversion, and renewable gas (RNG). Cities, counties, and special districts will also be required to meet requirements for recycled content paper products. As discussed at the January 27 meeting of the WMA, the organics products requirements will be a heavy lift for jurisdictions. While StopWaste cannot use its own funds to purchase the required products for member agencies, staff is working with member agencies to develop strategies for meeting procurement requirements, while also providing education, technical assistance and other resources.
- **Record-keeping, reporting, and penalties** – Maintaining detailed records and annual reporting are required for all aspects of SB 1383. CalRecycle has the ability to assess fines on jurisdictions ranging from \$500-\$10,000 per day for non-compliance, depending on the severity of the violation. StopWaste is researching approaches and tools that would help member agencies efficiently and cost-effectively comply with their reporting requirement.

### **Funding for SB 1383 activities**

StopWaste will implement the proposed roles above with existing resources. StopWaste is also in consultation with member agency staff to identify potential opportunities for pooling agency funds. Initial discussions with member agencies are focused on how to design collaborative efforts that add value, enable economies of scale, and ensure equitable use of funds being contributed by member agencies. Ideas include bulk purchasing of compost, making grants to food recovery organizations that serve multiple jurisdictions, or funding shared data and reporting systems. In addition to reducing the administrative burden for member agency staff, activities supported by shared funding would be designed to lower the total cost of compliance and increase efficiency.

StopWaste staff reviewed these proposed roles with member agency city managers and at the Technical Advisory Committee. There is much work to do together between now and when the regulations go into effect in 2022, but member agency staff response to this proposed approach has been positive. In the meantime, even as we continue to prepare for SB 1383 implementation, consistent with WMA direction, StopWaste is working with other partners to introduce and support legislation seeking to modify SB 1383 implementation timelines as long as relief is not prolonged or excessive in nature.

### **RECOMMENDATION**

Provide direction to staff on proposed roles for SB 1383 implementation.

Attachment: CalRecycle summary presentation of SB 1383 requirements

# SB 1383

## Reducing Short-Lived Climate Pollutants in California

An Overview of SB 1383's  
Organic Waste Reduction  
Requirements



# Jurisdiction Requirements

**Provide Organics  
Collection Services  
to All Generators**



**Conduct  
Education and Outreach**



**Secure Organics  
Processing Capacity**



**Establish Edible Food  
Recovery Program**



**Procure Recovered  
Organic Products**



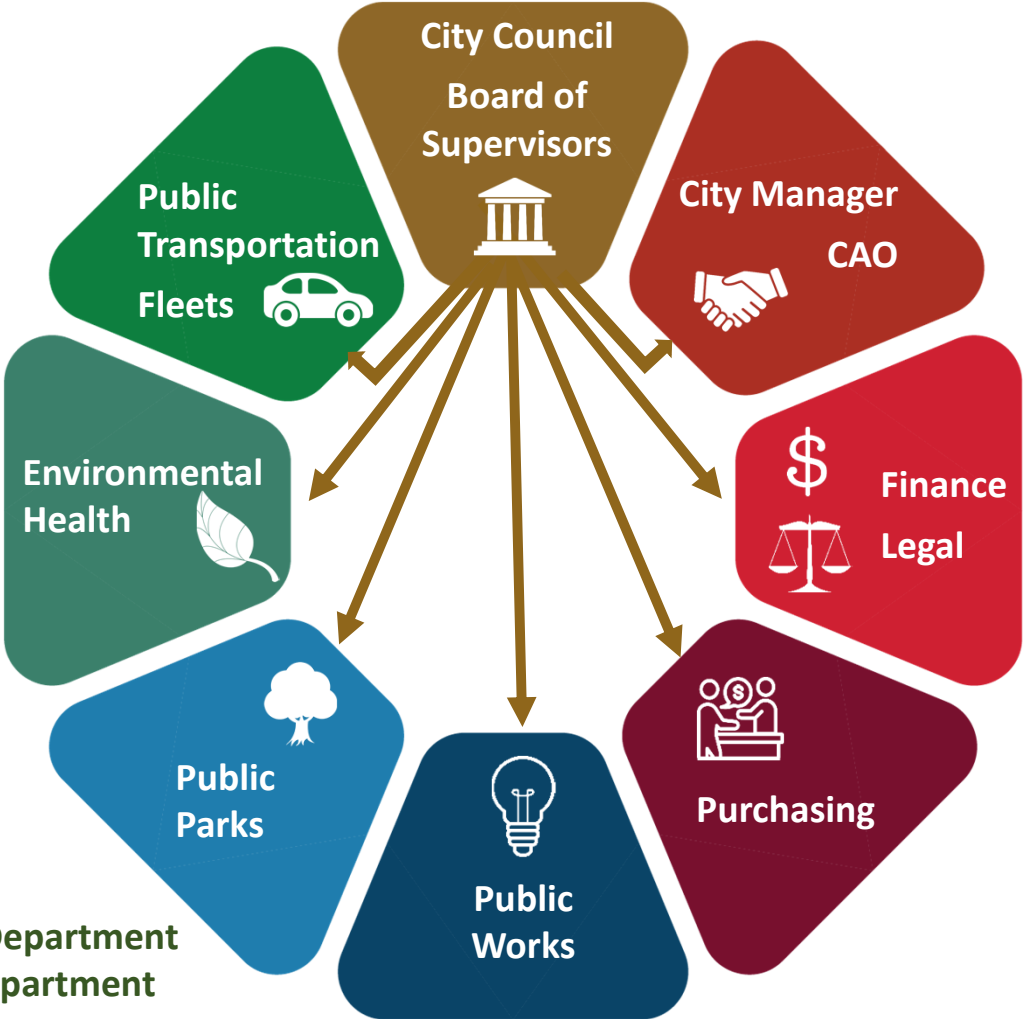
**Monitor Compliance and  
Conduct Enforcement**



# LOCAL GOVERNMENT ROLES AND RESPONSIBILITIES

Affects many city  
departments beyond  
recycling and solid waste

Also:  
Building Department  
Zoning Department





## ORGANIC WASTE COLLECTION SERVICES



**Provide organics collection  
service to all residents and  
businesses**

## Jurisdiction Requirements



### **Three-Container “source separated” Collection Service**

- Provide service to ALL generators
- Organics prohibited from gray container
- All organic waste segregated for collection and recycling
- Collection waivers authorized for certain documented circumstances
- Minimum contamination monitoring and reduction requirements
- Cart color standardization (gray, blue, green)
- Option for additional streams (brown for food, separate paper collection)

## EDIBLE FOOD RECOVERY PROGRAM



**Establish Edible Food  
Recovery Program**

## Jurisdiction Requirements

- Identify existing food recovery capacity and expand if needed (county req)
- Increase commercial edible food generators' access to food recovery orgs and services
- Monitor commercial edible food generators for compliance
- Conduct outreach to generators
- Record keeping and reporting





# ORGANICS PROCESSING CAPACITY PLANNING



**Evaluate and Plan for  
Adequate Organics  
Processing Capacity**

## County Requirements

**Estimate amount of organics in tons that will be disposed**

- Can use state or county\* waste characterization studies

**Identify tons of existing organics processing capacity**

- Consult with LEA, local task force, haulers, facilities about capacity
- Demonstrate verifiable capacity through contract or other document
- Consult with community composters and jurisdictions about how much will be handled in these operations

**Reporting starts 2022**

## PROCUREMENT



**Procure Recovered  
Organic Products**

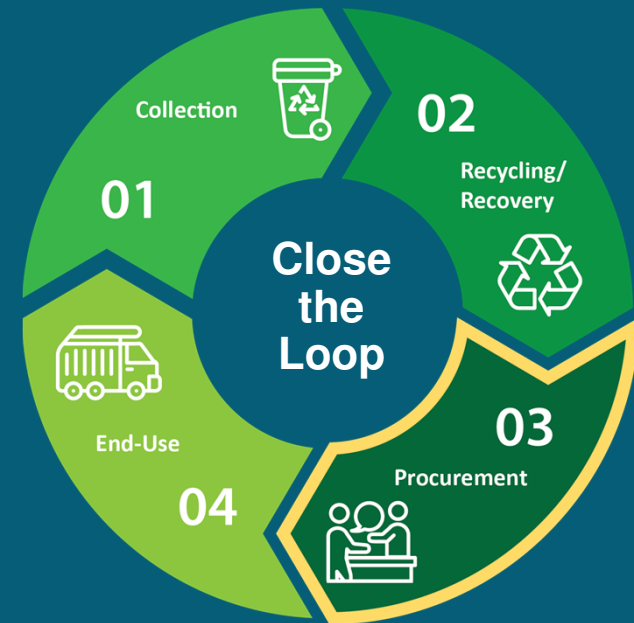
## Jurisdiction Requirements

### COMPOST, MULCH, RNG & ELECTRICITY

- Minimum procurement amounts
- Targets based on population size and statewide average organics disposal (tons per capita)
- Can use combination of products

### PAPER PROCUREMENT REQUIREMENTS

- 30% Post-consumer Recycled Content
- Recyclability
- When it is same price or less



**Can comply  
through direct  
service provider**

## EDUCATION AND OUTREACH



Conduct Education and  
Outreach to Community

## Jurisdiction Requirements

Annually educate all organic waste generators, commercial edible food generators, and self-haulers about relevant requirements

Jurisdictions must provide print  
or electronic communication.



Jurisdictions May Supplement  
with Direct Communication.



**Jurisdictions shall translate educational materials into any non-English language spoken by a substantial\* number of the public provided organic waste collection services by the jurisdiction.**

## INSPECTION AND ENFORCEMENT



**Monitor Compliance and  
Conduct Enforcement**

## Jurisdiction Requirements

### Ordinance 2022



Adopt an ordinance  
(enforceable  
mechanism)  
Including  
enforcement

### Compliance Monitoring & Education 2022-2024



Annual  
compliance  
reviews,  
inspections, and  
Route reviews  
Educate violators

### Compliance Monitoring & Enforcement 2024



Annual compliance  
reviews  
Route reviews,  
inspections,  
Notice of violations,  
Penalties for  
violators

## ORGANICS COLLECTION ENFORCEMENT



## Jurisdiction Requirements

### Must Have Enforcement and Inspection Program that Includes:

- Annual Compliance Review
  - Commercial Businesses that Generate  $\geq 2$  Cubic Yards/week
  - Verify Businesses are:
    - Subscribed to Service or Self-hauling
- Annual Route Reviews of Commercial/Residential Areas to Verify Service and Inspect for Contamination

Requirements Harmonize with AB 1826 and Don't Establish a Minimum Quantity of Physical Inspections

## FOOD RECOVERY PROGRAM ENFORCEMENT



## Jurisdiction Requirements

### Must Have Enforcement and Inspection Program that Includes:

- Inspections to verify:
  - Edible food Recovery arrangements
- Tier 1 Commercial Edible Food Generators by 2022
- Tier 2 Commercial Edible Food Generators by 2024

Commercial Edible Food Generator Inspections Can Be Combined with Existing Mandatory Inspections

**RECORD KEEPING  
AND REPORTING**



**Maintain Records and  
Report to CalRecycle**

**Jurisdiction Requirements**



Organic  
Collection  
Services



Hauler  
Program



Contamination  
Minimization



Waivers



Education &  
Outreach



Edible Food  
Recovery  
Program



Recycled  
Organic Waste  
Procurement



Recycled  
Paper  
Procurement



Commercial  
Edible Food  
Generators



Jurisdiction  
Inspection &  
Enforcement



## STATE ENFORCEMENT



### CALRECYCLE OVERSIGHT (BEGINS IN 2022)



#### Authorize Waivers

- Low Population
- Rural Areas
- Emergency Circumstances

#### Oversee and Monitor

- State Agencies and Facilities
- Local Education Agencies



#### Oversee and Monitor for Compliance

##### Jurisdiction Review

- Conduct joint inspections with jurisdictions
- Review Implementation Record



#### If Violations

- Issue Notices of Violation
- May Authorize Corrective Action Plan
- Allows up to 24 months to address barriers outside of a jurisdiction's control



## March 2021 Meetings Schedule

### Alameda County Waste Management Authority, the Energy Council, & Source Reduction and Recycling Board

(Meetings will be held **via teleconference** unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	<b>11</b>  <b>9:00 AM</b> <b>Programs</b> <b>&amp;</b> <b>Administration Committee</b> <b>Key Items:</b> 1. Fiscal Forecast <hr/> <b>4:00 PM</b> <b>Planning Committee</b> <b>&amp;</b> <b>Recycling Board</b> <b>Key Items:</b> 1. Fiscal Forecast 2. SB 1383	12	13
14	15	16	17	18	19	20
21	22	23	<b>24</b>  <b>3:00 PM</b>  <b>Waste Management</b> <b>Authority</b> <b>&amp;</b> <b>Energy Council</b> <b>Key Items:</b> 1. Legislative– Bill Positions 2. EC – BAAQMD funds for EV 3. Closed Session: ED	25	26	27
28	29	30	31			

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**Energy Council**  
**TECHNICAL ADVISORY GROUP (TAG)**

Tuesday, January 26, 2021 – 1:00pm to 2:30pm (Conference Call)

**Attendance (all via phone):**

Alameda County: Emily Sadigh, Sophie McGuinness, Ali Abbors

City of Alameda: Danielle Mieler

City of Albany: Michelle Plouse, Lizzie Carrade

City of Berkeley: Katie Van Dyke

City of Dublin: Chloe Trifilio (Fellow)

City of Emeryville: Nancy Humphrey

City of Fremont: Rachel DiFranco, Robbie Barton

City of Hayward: Erik Pearson, Nicole Grucky, Taylor Richard (Fellow)

City of Oakland: Shayna Hirshfield-Gold, Adrienne Harris (Fellow), Chiara Arellano (Fellow)

City of Piedmont: Alyssa Dykman, Nate Redinbo (Fellow)

City of San Leandro: Hoi-Fei Mok

Guests: Alex DiGiorgio, EBCE; Heather Heinbaugh, Alameda Municipal Power

StopWaste: Jennifer West, Emily Alvarez, Chris Hunter, Miya Kitahara, Ben Cooper, Meghan Starkey, Sy Baker (Fellow)

**Meeting Summary:**

**Introduction & Announcements**

- Welcome Danielle Mieler, new TAG member from the City of Alameda, and welcome to Heather Heinbaugh, joining from AMP

**Jurisdiction Sharing**

- *County of Alameda & City of San Leandro:* Participating in NorCal Resilience Network and Training
  - Investigate shifting resources and power directly to community
  - How to create “Resilience Hubs” that provide resources before, during, and after crises, as well as ongoing support? (i.e. renewable power with battery storage, emergency first aid, community gardens)
  - Root resilience in equity and culturally relevant programs
- *City of Emeryville:* Development and adoption of reach codes
  - Considering new construction energy-related reach codes and low-embodied carbon concrete standard based on Marin County and StopWaste work
  - Looking for resources on fees or ways to pay for implementation of reach codes
- *City of San Leandro:* Climate Action Plan development and public outreach
  - Looking to adopt CAP in April, working to quantify GHG impacts of measures
  - Exploring reach codes for new construction, want to address grid readiness for extra electric load
  - City has developed an equity team who will work with a community advisory group and consultant on an Equity Plan
- *City of Albany:* Recently adopted suite of reach codes

- Council passed reach codes in January driven by CAP2.0, highlights include: increased energy efficiency requirements for new construction (electric-preferred reach code); non-residential solar requirements; select green building measures from CalGreen (EV charging, low-flow water fixtures, permeable paving, low-embodied carbon concrete, outdoor light, low-VOC flooring)
- Working on home electrification guide webpage
- *County of Alameda*: Updating Environmental Justice Element of General Plan
  - Using existing Health and Wellness Element as a base for new Environmental Justice Element that is SB 1000-compliant
  - Interested in tree ordinance (including private property) and other urban greening efforts, currently implementing Cooling Our Communities - planting 300 trees
- *City of Fremont*: CAP outreach and measure development
  - Held CAP workshop in fall to get public input
  - Developing actions and will host series of lunchtime talks on different topics
  - Report for BAAQMD grant on municipal deep decarbonization and EVs has been completed, shows opportunity for cost and GHG savings within fleet, results will included in Capital Improvement Plan
- *City of Oakland*: Identifying priorities from ECAP
  - Passed electrification reach code in December 2020
  - Creating ZEV action plan
  - Developing framework for resilience hub
  - Deep engagement with grassroots organization and community, workforce development
  - Working on 50-year Urban Forest Master Plan, including tree inventory
  - Partnering with OUSD to reshape climate/environmental curriculum based on ECAP

### **Meeting Format Changes**

- Support for separating EBCE meeting and to return to 2-hour meeting
- Interest on space for diving deeper or workshopping specific topics (such as reach codes), but would prefer they were held during existing TAG meetings
- Continue sharing updates from jurisdictions – it was well received.

### **Updates and Announcements**

- CivicSpark applications are open, due 2/28/21 for priority consideration
- Interest on a collaborative virtual Earth Day event? Form a sub-committee to meet and organize
- Building Decarb Coalition issued legal options memo for existing building decarbonization
- Switch is On campaign will start running ads, partnership with BayREN
- BayREN Existing Building white paper to be shared with TAG, provide feedback and there will be a follow-up paper in 2021

### **2:30 – 3:30 pm East Bay Community Energy meeting**

- Notes by EBCE