

**Planning Committee/  
Recycling Board Members**

Deborah Cox, **President**  
ACWMA

Darby Hoover, **1<sup>st</sup> Vice President**  
Environmental Organization

Francisco Zermeno, **2<sup>nd</sup> Vice President**  
ACWMA

Bob Carling, ACWMA

Lillian Carrell, Recycling Materials Processing Industry

Eric Havel, Environmental Educator

Dan Kalb, ACWMA

Laura McKaughan, Source Reduction Specialist

Tianna Nourot, Solid Waste Industry Representative

Dave Sadoff, ACWMA

Recycling Programs, Vacant

Wendy Sommer, Executive Director

**AGENDA**

**MEETING OF THE  
PLANNING COMMITTEE  
AND**

**ALAMEDA COUNTY RECYCLING BOARD**

**Thursday, December 10, 2020**

**7:00 P.M.**

**TELECONFERENCE MEETING**

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

This meeting will be 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 is 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.

Members of the public and staff who are not presenting an item 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 and using the webinar id 819 0090 2799
2. Using the [Zoom](#) website or App and entering meeting code 819 0090 2799

Board members and any other individuals scheduled to speak at the meeting will be sent a unique link via email to access the meeting as a panelist. All Board members **MUST** use their unique link to attend the meeting. 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, Thursday, December 10, 2020. 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 PRESIDENT

### IV. OPEN PUBLIC COMMENT

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

### Page V. CONSENT CALENDAR

1 1. Approval of the Draft Joint Minutes of November 18, 2020 (Jeff Becerra)

5 2. Board Attendance Record (Jeff Becerra)

7 3. Written Report of Ex Parte Communications (Jeff Becerra)

### VI. REGULAR CALENDAR

9 1. 2021 Meeting Schedule (Arliss Dunn)

It is recommended that the Planning Committee/Recycling Board adopt the regular meeting schedule for 2021.

11 2. Election of Officers for 2021 (Arliss Dunn)

Elect Officers for 2021.

13 3. Recycling Plan Recommendation for Approval (Meghan Starkey)

Staff recommends that the Recycling Board adopt the attached Plan, "Beyond Recycling: A Vision for Landfill Obsolescence."

43 4. 2021 Legislative Priorities (Jeff Becerra)

Discuss legislative priorities for calendar year 2021 and provide a recommendation to the Waste Management Authority for adoption at its December 16 meeting. The staff recommendation is to join efforts with partners to introduce and support legislation seeking to modify SB 1383 implementation timelines.

47 5. Landfill Tonnage and Associated Revenue (Pat Cabrera & Nisha Patel)

This item is for information only.

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

### VIII. ADJOURNMENT

**DRAFT**

**MINUTES OF THE JOINT MEETING OF THE  
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD,  
ENERGY COUNCIL (EC),  
SOURCE REDUCTION AND RECYCLING BOARD**

**Wednesday, November 18, 2020**

**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	Scott Haggerty, WMA, EC (alternate)
City of Alameda	Jim Oddie, WMA, EC
City of Albany	Nick Pilch, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA, RB
City of Dublin	Melissa Hernandez, WMA, EC (President)
City of Emeryville	Dianne Martinez, WMA, EC
City of Fremont	Jenny Kassan, WMA, EC
City of Hayward	Francisco Zermeño, WMA, EC, RB
City of Livermore	Bob Carling, WMA, EC, RB
City of Oakland	Dan Kalb, WMA, EC, RB
Oro Loma Sanitary District	Shelia Young, WMA
City of Piedmont	Tim Rood, WMA, EC
City of San Leandro	Deborah Cox, WMA (President), EC, RB
City of Union City	Emily Duncan, WMA, EC

**RB**

Environmental Educator	Eric Havel, RB
Environmental Organization	Darby Hoover, RB
Recycling Materials Processing Industry	Lillian Carrell, RB
Source Reduction Specialist	Laura McKaughan, RB
Recycling Programs	Vacant, RB

**ABSENT:**

City of Newark	Mike Hannon, WMA, EC
City of Pleasanton	Jerry Pentin, WMA, EC
Solid Waste Industry Representative	Tianna Nourrot, RB

**Staff Participating:**

Wendy Sommer, Executive Director  
Timothy Burroughs, Deputy Director  
Jeff Becerra, Communications Manager  
Justin Lehrer, Operations Manager

## **DRAFT**

Kelly Schoonmaker, Program Manager  
Arliss Dunn, Clerk of the Board  
Richard Taylor, WMA Legal Counsel  
Farand Kan, Deputy County Counsel

### **Others Participating:**

Peter Slote, Solid Waste & Recycling Program Supervisor, City of Oakland

### **III. ANNOUNCEMENTS BY PRESIDENTS**

President Cox extended best wishes on behalf of the Board to Board members Oddie, Pentin (absent) and Pilch, as they will be leaving the Board in December. President Cox thanked them for their service over the years. President Cox also acknowledged the members that will continue to serve.

### **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 October 28, 2020 (Wendy Sommer) (WM/EC only)**
- 2. Approval of the Draft PC/RB minutes of October 8, 2020 (Jeff Becerra) (RB only)**
- 3. Recycling Board Attendance Record (Jeff Becerra) (RB only)**
- 4. Written Report of Ex Parte Communications (Jeff Becerra) (RB only)**

There were no public comments for the Consent Calendar. Board member Oddie made the motion to approve the Consent Calendar for the WMA Board and the Energy Council. Board member Zermeño seconded and the motion carried 18-0. The Clerk called the roll:

(Ayes: Carling, Cox, Duncan, Haggerty, Hernandez, Kalb, Kassan, Martinez, Oddie, Pilch, Rood, Sadoff, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Hannon, Pentin)

Board member Cox made the motion to approve the Consent Calendar for the Recycling Board. Board member McKaughan seconded and the motion carried 9-0.

(Ayes: Carling, Carrell, Cox, Havel, Hoover, Kalb, McKaughan, Sadoff, Zermeño. Nays: None. Abstained: None. Absent: Nourot)

### **VI. REGULAR CALENDAR**

- 1. Status Update – SB 1383 (Timothy Burroughs and Kelly Schoonmaker)**

This item is for information only.

Kelly Schoonmaker and Timothy Burroughs 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-Status-Update.pdf](#)

## DRAFT

Board member Carling inquired about the baseline for the 75% diversion goal. Ms. Schoonmaker stated that the 75% diversion rate will be compared to the state waste characterization study numbers from 2014. Board member Zermeño inquired about the status of delaying the implementation and asked if we are the only organization that is requesting a delay. Mr. Becerra stated that we have had a couple of meetings with CalRecycle and other partners and CalRecycle stated that they cannot delay the implementation but may have some flexibility with regard to enforcement. Mr. Becerra added, StopWaste, along with the League of Cities, California Association of Counties (CSAC), Rural Cities and Counties, and Los Angeles County, will be exploring introducing legislation in the 2021 legislative session that could potentially push back the implementation of SB 1383. Mr. Becerra stated that staff will be providing a legislative update to the Board in December which will include more information on the proposed legislative approach. Board member Zermeño stated that the City of Hayward supports any efforts towards delaying the implementation and added they have included the SB 1383 elements into their franchise agreement with Waste Management, and will be installing cameras in the trucks. Board member Wengraf inquired about the effects of COVID-19 on the food recovery efforts in SB 1383. Mr. Burroughs stated that staff is sensitive to the effects that COVID-19 is imposing on food recovery organizations. Cities will need to design their enforcement programs for an implementation date of 2022, but actual enforcement of generators is not required until 2024. Staff plans to utilize this two-year period to focus on sustained education and outreach. Board member Pilch stated that City of Albany supports a countywide ordinance and added that the larger cities may prefer a model ordinance. Board member Pilch inquired if there is legislative action that might mandate the economy of scale and provide some relief to the cities. Mr. Becerra stated that staff is not aware of any such legislation. Board member Young asked for clarification regarding the assistance that StopWaste could provide with the procurement of recycled organics products. Ms. Schoonmaker stated that SB 1383 requires that cities procure a minimum amount of compost, mulch, energy from renewable natural gas or electricity from biomass. Ms. Schoonmaker noted that the Oro Loma Sanitary District and Castro Valley Sanitary District were exempt from these requirements. Board member Sadoff inquired about possible uses of pooled funding to assist with SB 1383 implementation. Mr. Burroughs stated that the use of such funds, if such an option were to be pursued, is not currently defined, as staff would have additional discussion with the Board and the member agencies. However, potential uses could be directed towards the infrastructure of the edible food recovery work. Staff will take the lead in doing a capacity study to determine how much food is being wasted, how much can be recovered, and evaluate any existing infrastructure. Board member Sadoff inquired if Measure D funds would be eligible for use in this area. Ms. Sommer stated yes.

Peter Slote, City of Oakland, provided public comments. Mr. Slote summarized a statement from the City Administrator for the City of Oakland which urged staff to conduct a comprehensive assessment of StopWaste assuming countywide responsibility for the inspection and enforcement requirements for SB 1383. Board member Pilch expressed appreciation for the comments from the City of Oakland and for the legislation to keep organics out of the landfill. President Cox stated that the City of San Leandro is currently discussing proposed legislation for next year and encouraged staff to start having conversations with member agencies as COVID will continue to have an effect on the legislative process. Board member Kalb suggested that staff survey other city managers to see if there is shared interest in having StopWaste assume countywide responsibility for inspections and enforcement for SB 1383, and if so, staff could provide information on the financial needs and options for the Board to review and discuss. President Cox thanked staff for their presentation.

## **2. FY 2021-2023 Priority Setting Discussion (Wendy Sommer, Timothy Burroughs and Justin Lehrer)**

This item is for discussion and providing direction to staff.

## DRAFT

Prior to the presentation, Ms. Sommer responded to the comments from the City of Oakland staff. Ms. Sommer stated that the request from the City of Oakland to have StopWaste assume countywide responsibility for inspections and enforcement for SB 1383 will completely shift the nature of our agency and would require the agency to add an inspection division. Ms. Sommer added we are currently inspecting only commercial and multi-family and to assume 1383 would require that we inspect single-family residential properties, which may pose legal issues. Ms. Sommer encouraged the Board to consider these issues as we review the proposed agency priorities. Ms. Sommer stated that externally the priorities were developed in collaboration with our various stakeholders and their input and feedback is reflected in the guiding principles. Internally it was a staff driven process using a bottom-up approach.

Timothy Burroughs and Justin Lehrer provided an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [FY2021-2023-Priority-Setting.pdf](#). Additionally, staff conducted a multiple choice poll of the Board members to see how the proposed guiding principles resonated with the Board. There was some additional discussion of guiding principle #1 -*Assist member agencies to strategically and cost-effectively address regional and state-level regulations and policies, such as SB 1383 and AB 32*. Board member Kalb commented that it was possible that there is some consideration for a more centralized inspection and enforcement process for SB 1383. Board member Carrell commented that the issue of cost effectiveness and the financial impacts is a concern. President Cox asked if the poll was also conducted with the TAC (Technical Advisory Committee) and the TAG (Technical Advisory Group). Mr. Lehrer stated no, but the staff presented the guiding principles to the TAC and TAG in joint meetings and received verbal feedback from them. Board member Zermeno asked if Guiding Principle #6 could be prioritized at a higher level. Mr. Lehrer stated that the numbering does not reflect the prioritization of the principles. Board member Havel commented that he appreciates the synergy within the guiding principles and encouraged the Board to consider the impacts of food insecurity and climate change in disenfranchised and underserved communities. Board member Havel added he would like to see a specific project that applies most of the guiding principles. President Cox stated that she appreciates the nomenclature that was developed and commended staff on their hard work and efforts. There were no public comments on this item. President Cox thanked staff for an informative presentation.

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

(Planning Committee and Recycling Board meeting, December 10, 2020, 7:00 p.m. Meeting will be held via teleconference).

There were no requests for an interim appointment.

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

Ms. Sommer expressed congratulations to the Board members that won reelection and will be continuing to serve on the Board if reappointed by their respective councils and recognized Board members Haggerty, Oddie and Pilch for their dedication and service to the Board as they will be leaving the Board. Board members Oddie and Pilch expressed their appreciation for serving on the Board and thanked staff for their hard work and dedication. President Cox thanked Supervisor Haggerty for his many years of service on the Board as an alternate and for his service on the Alameda County Board of Supervisors.

## **VIII. ADJOURNMENT**

The meeting was adjourned at 4:40 p.m.

## 2020 - ALAMEDA COUNTY RECYCLING BOARD ATTENDANCE

	J	F	M	A	M	J	J	A	S	O	N	D
REGULAR MEMBERS												
J. Buckholz	X	X	X	X	X	X	X	X	X			
B. Camara	X	X	X	X	X	X						
B. Carling	X	X	X	X	X	X	X	X	X	X	X	
L. Carrell							X	X	X	X	X	
D. Cox	X	X	X	X	X	X	X	X	X	X	X	
E. Havel						X	X	X	X	X	X	
D. Hoover	X	X	X	X	X	X	X	X	X	X	X	
D. Kalb							X	X	X	X	X	
L. McKaughan			X	X	X	A	X	X	X	X	X	
T. Nourot	A	X	X	X	X	X	A	X	X	X	A	
J. Oddie	X	X	X	X	X	X						
D. Sadoff	X	X	X	X	X	X	X	X	X	X	X	
F. Zermeño	X	X	X	X	X	X	X	X	X	X	X	
INTERIM APPOINTEES												

Measure D: Subsection 64.130, F: Recycling Board members shall attend at least three fourths (3/4) of the regular meetings within a given calendar year. At such time, as a member has been absent from more than one fourth (1/4) of the regular meetings in a calendar year, or from two (2) consecutive such meetings, her or his seat on the Recycling Board shall be considered vacant.

X=Attended

A=Absent

I=Absent - Interim Appointed

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**DATE:** December 10, 2020

**TO:** Recycling Board

**FROM:** Jeff Becerra, Communications Manager

**SUBJECT:** Written Reports of Ex Parte Communications

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**BACKGROUND**

Section 64.130 (Q)(1)(b) of the Alameda County Charter requires that full written disclosure of ex parte communications be entered in the Recycling Board's official record. At the June 19, 1991 meeting of the Recycling Board, the Board approved the recommendation of Legal Counsel that such reports be placed on the consent calendar as a way of entering them into the Board's official record. The Board at that time also requested that staff develop a standard form for the reporting of such communications. A standard form for the reporting of ex parte communications has since been developed and distributed to Board members.

At the December 9, 1999 meeting of the Recycling Board, the Board adopted the following language:

*Ex parte communication report forms should be submitted only for ex parte communications that are made after the matter has been put on the Recycling Board's agenda, giving as much public notice as possible.*

Per the previously adopted policy, all such reports received will be placed on the consent calendar of the next regularly scheduled Recycling Board meeting.

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### COMMITTEE MEETING SCHEDULE

**To mitigate the spread of COVID-19, until further notice, all meetings will be held via teleconference. Should circumstances change, staff will notify the Board of meeting locations.**

The regular meeting schedule for the Recycling Board/ Planning & Organization Committee is **the second Thursday of each month at 4:00 p.m. or 7:00 p.m.**, except where noted differently (\*).

The 2021 meeting dates for the Recycling Board/Planning & Organization Committee are:

<u>DATE</u>	<u>TIME</u>
January 14	4:00 p.m.
February 11	7:00 p.m.
March 11	4:00 p.m.
April 28 <i><b>*Joint Meeting WMA/EC/RB</b></i>	3:00 p.m.
May 13	7:00 p.m.
June 10	4:00 p.m.
July 8	7:00 p.m.
August 12	4:00 p.m.
September 9	7:00 p.m.
October 14	4:00 p.m.
November 17 <i><b>*Joint Meeting WMA/EC/RB</b></i>	3:00 p.m.
December 9	7:00 p.m.

### **MEETING STIPEND**

Board members are compensated with a stipend of \$150 per meeting and will not exceed three meetings per month.

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**DATE:** December 10, 2020

**TO:** Recycling Board/Planning Committee

**FROM:** Arliss Dunn, Clerk of the Board

**SUBJECT:** Election of Officers for 2021

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#### **SUMMARY**

The Rules of Procedure call for election of officers in December for the next calendar year. Nominations and elections will be held at the December 10, 2020 meeting.

#### **DISCUSSION**

Deborah Cox is the current President, Darby Hoover is First Vice President, and Francisco Zermeño is the Second Vice President. Per past practice, Board member Hoover would become President, the Second Vice President would become First Vice President, and the Board must elect a Second Vice President. We usually alternate officers between WMA and Board of Supervisor appointments. To that end, a Board of Supervisor appointee would be elected as Second Vice President.

#### **RECOMMENDATION**

Elect Officers for 2021.

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**DATE:** December 10, 2020

**TO:** Recycling Board

**FROM:** Meghan Starkey, Senior Management Analyst

**SUBJECT:** Recycling Plan Recommendation for Approval

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## **SUMMARY**

Measure D, the county charter amendment which established the Recycling Board, mandated that the Recycling Board create and periodically update a Recycling Plan to plan, fund, and implement a comprehensive source reduction and recycling program, and to establish waste diversion goals for the Recycling Board. At the August 2020 meeting of the Recycling Board, staff reviewed the requirements of the Recycling Plan, provided additional background, and discussed updating the Recycling Board goal as per Measure D. At the December meeting, the Board will consider the draft “Beyond 75% Diversion: A Plan for Landfill Obsolescence” (Appendix A) for adoption.

## **DISCUSSION**

Measure D requires that the Recycling Board set a date to achieve the 75% diversion goal, and, as necessary to the establishment of sustainable discarded material practices, shall subsequently establish a date (or dates) to reduce, recycle, and compost further quantities of discarded materials. The current date to achieve the 75% goal is 2020. At the August meeting, the Recycling Board explored the proposed “beyond 75%” goal, for 2045:

“Landfills become obsolete as a means of managing materials, replaced by circular material flows that: minimize the use of non-renewable resources that have traditionally been landfilled; eliminate landfill waste through redesign of products and systems; and effective recovery of materials.”

After the presentation to the Recycling Board, staff distributed a draft Plan for public input. Presentations were made to the Technical Advisory Committee, the Alameda County National Sword Taskforce, the Northern California Recycling Association (NCRA), and the Alameda County Board of Supervisors Planning and Transportation Committee. The Alameda County Board of Supervisors accepted the updated Plan at their November 17 meeting.

Staff requested public feedback by mid-November, and received comments from Castro Valley Sanitary District and NCRA. NCRA expressed strong support for the landfill obsolescence goal, as well as indicating their alignment with StopWaste’s draft Guiding Principles, presented to them at the same meeting as the draft Recycling Plan. Both entities made specific requests, notably regarding reusable food ware and support for SB 1383. NCRA also emphasized the importance of continuing to support downstream solutions, while Castro Valley Sanitary District had requests regarding supporting reuse in general. Since these comments were specific programmatic requests,

better addressed through the Agency Annual Budget process, staff does not recommend adjusting the draft Plan language. The comments themselves, and staff responses, appear in Appendix B.

#### **RECOMMENDATION**

Staff recommends that the Recycling Board adopt the attached Plan, “Beyond Recycling: A Vision for Landfill Obsolescence.”

Appendix A: Draft “Beyond Recycling: A Vision for Landfill Obsolescence”

Appendix B: Responses to Comments

Alameda County Source Reduction and Recycling Board

# **BEYOND 75% DIVERSION:**

**A PLAN FOR LANDFILL OBSOLESCENCE**

**DRAFT**

December, 2020

# BOARD MEMBER ROSTER

## Source Reduction and Recycling Board

Environmental Educator . . . . .	Eric Havel
Environmental Organization . . . . .	Darby Hoover, 1st VP
Recycling Materials Processing Industry . . . . .	Lillian Carrell
Recycling Programs . . . . .	Vacant
Solid Waste Industry Representative . . . . .	Tianna Nourot
Source Reduction Specialist . . . . .	Laura McKaughan
ACWMA . . . . .	Deborah Cox, President
ACWMA . . . . .	Bob Carling
ACWMA . . . . .	Dan Kalb
ACWMA . . . . .	Dave Sadoff
ACWMA . . . . .	Francisco Zermeño, 2nd VP

## ACKNOWLEDGEMENTS

Submitted by: Wendy Sommer, Executive Director

Document prepared by:

Emily Alvarez, Program Manager

Jeff Becerra, Communications Manager

Justin Lehrer, Senior Management Analyst

Meghan Starkey, Project Lead, Senior Management Analyst

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# 1. INTRODUCTION

The Alameda County Waste Reduction and Recycling Initiative (“[Measure D](#)”) was approved by the voters of Alameda County in November 1989. It established the Alameda County Source Reduction and Recycling Board (“[Recycling Board](#)”) and mandated that the Recycling Board create and periodically update a plan for a comprehensive source reduction and recycling program.

Furthermore, Measure D requires that the Recycling Board:

*“[E]stablish, not later than January 1, 1999, a date to reduce, recycle, and compost at least seventy-five percent (75%), by weight, of all discarded materials generated within Alameda County, and, as necessary to the establishment of sustainable discarded materials management practices, shall subsequently establish a date (or dates) to reduce, recycle, and compost further quantities of discarded materials.”*

In 2010, the Recycling Board targeted the end of calendar year 2020 for achievement of the 75% goal. As discussed in [Section 2: 2020 Context](#), progress toward the 75% goal has plateaued over the last 10 years, demonstrating that the approach of relying primarily on collection and processing isn’t enough to meet the 75% target. Therefore, this Plan sets a new goal for landfill obsolescence by the year 2045. While more ambitious than the 75% goal, this goal embodies the potential of fundamental, systemic changes to the production, consumption, and disposal that move Alameda County toward a more circular economy. To reflect this change in focus, this Plan is titled “Beyond 75% Diversion: A Vision for Landfill Obsolescence.”

Measure D requires that this Plan provide for the following essential elements (see [Section 4: Plan Activities](#) for more detail on each element):

1. An Alameda Countywide Source Reduction Program to minimize the generation of refuse;
2. Residential Recycling Programs to provide each Alameda County residence with curbside pick-up of recyclable materials;
3. Commercial Recycling Programs to reduce the refuse disposal costs of businesses and government agencies;
4. An Alameda Countywide Recycled Product Market Development Program to create and strengthen stable markets for recycled materials; and
5. A Recycled Product Purchase Preference Program to further encourage recycled materials markets by maximizing the amount of recycled products purchased by county government agencies.

The Plan incorporates all Alameda County recycling programs, whether funded by Measure D or not.

## **Relationship to the Alameda County Integrated Waste Management Plan**

Measure D states that this Plan shall align with the requirements of the Integrated Waste Management Act of 1989 (AB 939), the state statute that (among other provisions) requires a Countywide Integrated Waste Management Plan (ColWMP). The Alameda County Waste Management Authority (WMA) adopted an updated [Countywide Element to the ColWMP](#) in April 2020.

The Countywide Element is the primary tool to design programs that are countywide in scope, and that complement and support Alameda County jurisdictions' individual programs. In conformance with state requirements, the Recycling Board acted as the Local Task Force during adoption.

While creating and updating this Plan is the legal obligation of the Recycling Board as a distinct entity, it is designed to be complementary to and consistent with the ColWMP. This reflects the administration of the Recycling Board and the WMA as one agency (StopWaste), which jointly implements programs that fulfill the aims and requirements of each Board. Where applicable, this Plan references the Countywide Element directly, both to provide further detail and to avoid duplication between that document and this Plan.

## 2. 2020 CONTEXT

To remain relevant, the work done to fulfill the requirements of Measure D and this Plan must consider the state of waste reduction in Alameda County. This section provides a brief overview of some of the main issues that Alameda County faces in its efforts to reduce solid waste disposal and achieve related benefits, as well as a description of the roles that StopWaste, its member agencies, and private companies play to address these issues.

### **Top Six Countywide Issues**

The ColWMP Countywide Element adopted in 2020 includes a chapter called “Countywide Issues,” that serves as the reference for the solid waste-related issues that Alameda County is currently facing, or are likely to arise, over the course of the planning period. (See [Countywide Element Chapter 2: Countywide Issues](#).)

This Plan addresses those same six issues:

- Recyclables markets
- Organics processing capacity and contamination
- Collaboration and roles in response to state mandates
- Climate and waste reduction
- Alignment of public interests and WMA priorities
- Transition to closed loop systems

### **Recycling Board, Alameda County Waste Management Authority, and Energy Council Roles**

The Recycling Board, the Alameda County Waste Management Authority, and the Energy Council operate together as one public agency known publicly as StopWaste, with staff employed by the WMA. While each entity has discrete functions, they operate together under one roof with one set of staff to allow for collaboration among different project focus areas and cost-efficient administration.

The Recycling Board is responsible for programs that promote source reduction, recycling, recycled product procurement, market development, and grants to nonprofit waste reduction enterprises. Program funding is provided from a per-ton disposal surcharge at the Altamont and Vasco Road landfills, which is set at \$8.23 per ton as of 2020. About 55% of the funds are allocated to participating Alameda County municipalities for waste reduction efforts and about 45% for specified countywide programs and grants to nonprofit organizations, administered by StopWaste. Recycling Board initiatives are described in Measure D. Many of the requirements are prescriptive, such as the formula for distribution of funds to member agencies. The remaining are further refined in this Plan. The Recycling Board oversees the implementation of Measure D, serves as the Local Task Force, and acts as the Planning Committee for the WMA.

StopWaste, in implementing WMA and Recycling Board functions and requirements, focuses on programs that are best implemented on a countywide scale. Within that focus, it prioritizes the upstream activities that target reduce and reuse in the waste reduction hierarchy (reduce, reuse, recycle, rot (compost)). Downstream programs, including collection and processing of recyclables and organics, are primarily addressed by individual jurisdictions. StopWaste runs a discrete set of complementary downstream programs, for either

programmatic or efficiency reasons, with periodic adjustments to the relative roles based on current conditions. StopWaste's programmatic areas, encompassing both upstream and downstream activities, are: Organics, Packaging, Built Environment, and Communications.

The **Organics** program area focus on food waste reduction for residents, institutions, and schools (upstream), as well as enforcement of the Mandatory Recycling Ordinance (MRO), and promotion of compost and mulch use (downstream). Other programs work at the intersection of up- and downstream, in order to close the materials management loop. Examples include the WMA carbon farming project and support to member agencies' implementation of SB 1383, the Short-Lived Climate Pollutant Act.

**Packaging** programs include technical and grant assistance for packaging redesign; grant support for implementation of reusable packaging efforts, such as shipping and transport packaging and food service ware; and enforcement of the Reusable Bag Ordinance (upstream). The MRO increases opportunities for packaging materials to be recycled (downstream).

**Built Environment** programs support innovative approaches to building, including design for deconstruction (upstream), as well as focus on regional support for construction and demolition debris recycling (downstream).

**Communications** programs support all the programs noted above, through general media campaigns, at [www.StopWaste.org](http://www.StopWaste.org) and on social media channels. Schools and community-based outreach and education programs provide direct education to Alameda County school children and residents.

In addition, StopWaste provides other important functions, such as planning, support for its member agencies, legislative advocacy, grants, and innovative pilot programs.

The Energy Council was formed in 2013 as a joint powers agency to seek funding, on behalf of its member agencies, to develop and implement programs and policies that reduce energy demand, increase energy efficiency, advance the use of clean, efficient and renewable resources, and help create climate resilient communities. The Energy Council assists its members in strengthening staff capacity, providing technical expertise, and securing funds to implement local sustainable energy strategies.

Details and specific programmatic activities on all Recycling Board, WMA and Energy Council programs may be found online in the Annual StopWaste Integrated Budget at [www.StopWaste.org](http://www.StopWaste.org).

## **The Role of WMA Member Agencies**

Complementing the role of StopWaste are the roles of the jurisdictions within Alameda County. The WMA is a joint powers agency comprised of the 14 cities within Alameda County, the County itself, and two sanitary districts (Castro Valley and Oro Loma). Each member agency is responsible under the State Integrated Waste Management Act (also known as AB 939) for planning and implementing waste management and related programs at the local level. Pursuant to their land use powers, each member agency also performs environmental review and issues land use permits for solid waste projects.

All member agencies provide solid waste collection and disposal services, as well as recycling and composting services. In Alameda County, all jurisdictions have franchise agreements and/or contracts with private haulers, processors, and landfill operators. (The City of Berkeley provides some hauling services directly.)

Castro Valley and Oro Loma sanitary districts have assumed responsibility for implementing AB 939 waste reduction programs in their jurisdictions. Their service areas are primarily in unincorporated Alameda County. Although the sanitary districts participate fully as WMA members, they do not have local land-use powers.

## **The Role of Private Entities**

Private entities have traditionally performed the majority of solid waste activities in Alameda County, including waste diversion programs and waste collection and disposal. All processing and disposal facilities in Alameda County are owned and operated by private entities, with the exception of the Berkeley Transfer Station, owned and operated by the City of Berkeley.

In addition to the large companies currently providing comprehensive waste management services in Alameda County, there are many large and small firms and nonprofit organizations that provide waste diversion services. These include materials recovery facilities (MRFs), drop-off and buy-back centers, donated goods and resale merchandise stores, industries specializing in processing of secondary materials such as wood wastes, and entities that have become proficient in the use of secondary materials.

### **Additional Resources:**

[Countywide Element Chapter 3: Solid Waste Management System](#) provides a comprehensive description of the various public and private entities responsible for materials and waste management in Alameda County, including jurisdiction waste reduction programs. An interactive map of the flow of materials destined for composting, recycling, and landfilling can be found online at [www.StopWaste.org/materials-map](http://www.StopWaste.org/materials-map).

### 3. GOAL AND DATE

As of 2020, Alameda County has a 67% diversion rate, based on extrapolations from the CalRecycle model<sup>1</sup>. Diversion was estimated to be 15% in 1990, and the most recent estimate at the time of publication of this Plan is lower than the high of 73% in 2015. Per capita calculations indicate 4.4 pounds/person/per day, compared to 8.8 in 1990 and 3.6 in 2015.

**Table 3-1: Progress Toward 75% Diversion Goal**

Year	Tons	Population	Diversion Rate	Lbs./Person/Day
1990	2,058,839	1,276,702	14%	8.8
1995	1,542,516	1,333,031	37%	6.3
2000	1,579,652	1,437,136	54%	6.0
2005	1,501,082	1,462,736	60%	5.6
2010	1,069,896	1,509,240	70%	3.9
2015	1,050,037	1,594,569	73%	3.6
2018	1,322,709	1,656,884	67%	4.4

Despite robust recycling and organics collection programs, extensive infrastructure, mandatory requirements, and sophisticated franchise contract provisions, both diversion rates and per capita disposal have remained relatively flat for nearly 10 years, while gross landfill tonnages have begun to increase after years of steady declines. The requirements of SB 1383, the short-lived climate pollutant legislation designed to reduce landfilled compostables by 75%, will likely, if successful, provide the final push to get Alameda County to the total 75% diversion by weight goal. Regardless of what exact percent of estimated diversion is possible, however, both the data and the experiences of Alameda County jurisdictions and service providers suggest that the county is reaching the limits of an approach that relies on post-consumption collection and processing.

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1 The CalRecycle model for measuring progress towards the statewide 75% goal includes adjustments for economic growth and population. Starting in 2007, CalRecycle began using only per capita estimates instead of “diversion rates” to measure progress towards the 50% and 75% statewide goals. The diversion rates for 2010-2018 are therefore inferred based on assumptions of total waste generation, which cannot be measured.

## **“Beyond 75%” Goal**

This Plan sets the goal that landfills become obsolete as a means of managing materials. Circular material flows will minimize the use of non-renewable resources that have traditionally been landfilled; redesigned products and systems will eliminate landfill waste; and recycling and organics programs and facilities will effectively recover materials.

Landfill obsolescence will require more fundamental systemic change than the recycling-based solutions that have been heavily relied upon thus far, and that were designed to meet goals set three decades ago. At that point, the solid waste stream was made of a high proportion of readily recyclable materials, which have since largely been replaced by materials that are more difficult to recycle. This trend, combined with other developments—including an unprecedented decline in overseas markets, diminishing success of California’s Bottle Bill, contamination in recycling and organics streams, and state mandates, as well as the understanding of climate change and evolving public attitudes—warrants a different approach.

Presciently, Measure D identified source reduction (also known as waste prevention) as a means to reach its goals. As we reach the limits of collection and processing, waste prevention must emerge as the primary strategy in order to both sustain and expand upon the progress to date. Simultaneously, goals and measurements need to evolve to reflect environmental impacts more accurately. Relying on weight-based goals grossly oversimplifies the challenge; assessment of our progress should not be based on how much space is left in local landfills. In fact, Alameda County has more than adequate landfill capacity, estimated to last until 2049. By replacing a weight-based goal with a more comprehensive and ambitious goal, public policy can focus on changes that are simultaneously more impactful on total waste, have fewer negative human and environmental side effects, and contribute to offsetting climate change.

The 2045 date for achieving landfill obsolescence was chosen because it aligns with the State’s climate neutrality goal. The two goals are symbiotic, as a massive rethinking of how to eliminate waste, and a redesign of economic and human systems, is inherent in each of them.

## 4. PLAN ACTIVITIES

To reach the goal of landfill obsolescence, the whole system of materials and waste management must be reimagined. While post-consumer waste diversion will continue to play a role, StopWaste will focus on fostering innovative activities that work toward a circular economy that considers “waste” as “feedstocks,” such as carbon farming through compost application or influencing packaging redesign. This section briefly discusses the implementation activities that fall under the responsibility of this Plan, within the context of the state of waste reduction, different roles, and aligning with the guidance of Measure D.

### SOURCE REDUCTION PROGRAM

Source reduction, refers to activities designed to reduce the volume, mass, or toxicity of products throughout the life cycle. It includes the design and manufacture, use, and disposal of products with minimum toxic content, minimum volume of material, and/or a longer useful life. An example of source reduction is use of a reusable shopping bag at the grocery store. Although it uses more material than a single-use disposable bag, the bag can be reused hundreds of times, eliminating the GHG emissions associated with and materials used in production of the single-use bag, as well as the impacts of its disposal.

Each jurisdiction within Alameda County has an adopted Source Reduction and Recycling Element (SRRE) under the ColWMP. These SRREs, which are required by State law and maintained by jurisdictions, outline jurisdiction-specific waste diversion activities to help meet State and local diversion goals. One component of the SRREs is source reduction, which includes citizen education, procurement, school and government source reduction, and material exchange such as thrift shops. More information about SRREs in Alameda County can be found in [Countywide Element Chapter 7: Implementation](#).

In addition to the jurisdiction-specific information contained in the SRREs, the Recycling Board has also prioritized source reduction and focuses on upstream activities that promote reduce and reuse in the waste reduction hierarchy. The requirements contained within Measure D provide for the development of an Alameda Countywide Source Reduction Program. Provisions include, but are not limited to the following:

- Reducing the amount of county purchases, with specific goals and an emphasis on the conservation of paper products and employee education.
- A program that recognizes businesses demonstrating a significant reduction in the use of packaging materials or other materials used in manufacturing processes.
- Research and development of source reduction opportunities and incentives.
- An intensive public education campaign to promote best practices in reducing waste for consumers and for businesses and institutions.
- Research and study on disposal costs and waste audit services to demonstrate the efficacy of recycling programs to businesses and institutions.

Measure D source reduction funding has been allocated to StopWaste projects that address the above criteria. Activities have included research, direct technical assistance, grant funding, and significant outreach campaigns tailored to consumer and business audiences. Specific allocations of Measure D source reduction funds have varied over time, and reflect StopWaste priorities as adopted by the Recycling Board. Below are

brief descriptions of current programs funded by the Source Reduction Program. More detail can be found in the StopWaste annual budget, which lists deliverables and budgets for each program.

- Food Waste Reduction aims to reduce wasted food generated in food service, households, and schools by providing training and technical assistance, media and outreach, food-saving tools, and food waste reduction grants through the Smart Kitchen Initiative, Stop Food Waste Campaign, and Smart Cafeteria Initiative.
- Packaging focuses on waste prevention, reuse, and improved recyclability of packaging materials that are manufactured, sold, and discarded in Alameda County, with an emphasis on packaging that supports food waste reduction goals. The program provides education, technical assistance, and financial support to businesses and institutions, as well as engagement with industry and other stakeholders to support the implementation of sustainable packaging.
- Built Environment advances upstream building material strategies to reduce the amount of material eventually exiting the built environment as waste. The program works with member agencies and partners to shift industry trends toward greater material efficiency, designing for circularity, and lowered embodied carbon.
- Reusable Food Ware develops policy, infrastructure, and capacity for greater adoption of reusable food ware in Alameda County, aiming to reduce single-use to-go containers.
- Reusable Bag Ordinance implements the expanded reusable bag ordinance adopted by the WMA Board in 2016. The program provides outreach and technical assistance to the 14,000 affected stores and eating establishments and enforcement with inspections conducted on non-compliant entities, based on complaints made from the general public and in-field observations.
- Resources for [Upstream Projects Grants Program](#) funds to non-profit and other organizations in the categories of: reuse and repair; food waste prevention; waste prevention equipment; and community outreach grants.

## RECYCLING AND ORGANICS DIVERSION PROGRAMS

Discarded materials require adequate diversion programs that increase recycling and organics processing, thereby keeping these materials out of landfill. StopWaste policy is to support adequate infrastructure that maximizes environmental benefits by balancing high volume of recovery with related considerations such as quality of commodities, operating impacts of facilities, and other environmental impacts of programs. Even in a fully circular economy, these types of facilities and programs are necessary to turn “waste” material into “feedstocks” for another generation of products.

Member agencies are responsible for on-the-ground collection services, through their contracts with waste haulers (or, in the case of City of Berkeley, delivering some services directly). Member agencies set and monitor all aspects of these programs, including accepted materials, frequency of service, processing and disposal destinations, and rates. Both directly and indirectly, member agencies’ needs and requirements drive investment and operations at processing facilities.

StopWaste provides a more general role in supporting the flow of materials throughout the County, by assisting with ordinances, supporting compliance with legislation, and providing countywide education and communications in a complementary manner to member agencies’ direct communications with their residents and businesses. Activities by category are below.

## **Infrastructure**

StopWaste supports member agencies' access to efficient, adequate, and environmentally-sound infrastructure for managing reuse activities and recyclables, organics, and other discards. This is achieved through monitoring material flows throughout the county and beyond, such as conducting studies and compiling data from the member agencies, reviewing new or modified solid waste facilities throughout the County under the auspices of the Countywide Element's Siting Criteria and ColWMP amendment processes, fee collection, and enforcement.

## **Education and Communications**

StopWaste provides public education and information on how to reduce, reuse, repair, recycle, and when needed, dispose of an item correctly. Engagement with schools, institutions, residents, and businesses helps achieve these goals.

The [RE:Source guide \(https://resource.stopwaste.org\)](https://resource.stopwaste.org) provides a user-friendly database of where residents and businesses can take materials for diversion or disposal, and is an example of an education and communication tool that aims to reduce contamination and increase diversion.

## **Regional Collaboration**

StopWaste convenes its member agencies on a regular basis for collaboration and coordination of countywide efforts to reduce waste and divert materials from landfill. The Technical Advisory Committee (TAC) meets monthly and is made up of representatives from each member agency. Jurisdiction and StopWaste staff share technical and other information related to the coordination of StopWaste and member agency programs. StopWaste also facilitates working groups and stakeholder meetings for other coordination actions related to waste reduction and diversion, including the Alameda County Service Providers Task Force. This Task Force was originally convened to address the issue of China's changed import policies and recyclables market challenges, and has since become a regular forum to promote collaboration on a number of topics such as education and outreach, contamination issues, and organics collections and diversion issues. It consists of member agency staff as well as industry representatives.

## **Technical Assistance**

In order to meet state mandated and local diversion goals, the WMA has passed several ordinances, such as the Mandatory Recycling Ordinance (MRO) and Reusable Bag Ordinance (RBO). These countywide programs are continually monitored and evaluated to ensure they are meeting the intended goals. StopWaste also promotes the regional interests of its member agencies at a state and national scale, including monitoring legislation and regulations and assisting member agencies in complying with such policies.

StopWaste provides technical assistance on how to comply with local, state, and federal legislation. Often these take the form of pilot programs with emphasis on scalability and model ordinances. For example, the MRO was adopted in 2012 and requires businesses, institutions, and multifamily properties with five or more units to sort their recyclables separate from waste. StopWaste provides technical assistance to support compliance with the ordinance as well as enforcement, as needed. The type of assistance provided

for compliance with the MRO may evolve over time given current needs, from enforcement to education and partnering with properties to come up with innovative approaches to meeting the intent of the ordinance. Similarly, SB 1383, The Short-Lived Climate Pollutants Reduction Act adopted in 2016, will require diversion of organics from landfill and minimum procurement of recycled-content organic materials by cities. Member agencies look to StopWaste for assistance in meeting procurement requirements, as well as maintaining viable organics markets (i.e., addressing adequate processing capacity and quality). While certain activities will naturally be undertaken on a countywide level—for example, gathering information regarding food donation options—others may be more appropriate at the local level. Given expense, expertise, roles, funding sources, and similar or competing responsibilities, efforts will be further divided between StopWaste and the member agencies as regulations are finalized and implementation begins.

## **MEMBER AGENCY ROLES**

### **Residential Programs**

All member agencies have curbside recycling and organics collection programs that serve their jurisdiction's residents. These franchise agreements with various waste haulers are negotiated by the jurisdictions and vary in terms of provider, frequency, and method of collection. (The City of Berkeley provides collection services directly to its residents, as well as contracting with some private entities.) Specifics of accepted materials and other details, including rates, can be found on the StopWaste website, including the [RE:Source guide](#). These agreements also describe the flow of materials throughout the waste management system, including which transfer and processing facilities and landfills are used. Most of the member agencies send their materials to in-county facilities, while some send materials out-of-county for processing or disposal. More detailed information on the residential collection programs for member agencies is provided in [Table 3-8](#) and [Table 3-9](#) in the Countywide Element. The flow of materials may be seen at [www.StopWaste.org/materials-map](http://www.StopWaste.org/materials-map).

### **Commercial Programs**

In most jurisdictions, the franchised hauler also provides commercial recycling service. Services provided vary among jurisdictions, as some franchised haulers retain the exclusive right to collect commercial recyclables from larger businesses while some commercial and industrial businesses in the County have their recyclables collected by private companies, or ship their recyclables to private recycling companies or processing facilities (e.g., paper companies or wood waste facilities). Several cities contract with private collection companies to pick up their recyclables from municipal facilities. In addition, a robust infrastructure of hundreds of recycling and reuse businesses exists in Alameda County, from reuse facilities to thrift stores to construction and demolition processing facilities.

A summary of the commercial recycling arrangements for each jurisdiction can be found in [Table 3-10](#) of the Countywide Element.

# RECYCLED PRODUCT MARKET DEVELOPMENT PROGRAM

A robust infrastructure for recycling and diversion with sufficient capacity for Alameda County is essential to reach the goal of landfill obsolescence. However, the increasing complexity of products, need for reliable markets to buy recycled materials, and contamination of waste streams means that materials that cycle through the County's infrastructure may still ultimately wind up in landfills. To close this gap, efforts are needed on multiple fronts: decreasing contamination in the feedstock, ensuring adequate processing, and influencing markets and product development so that there is a stable and sustainable demand for the outputs of processed recyclables. Markets are essential to both the economics of sustaining recycling as well as realizing the environmental benefits from it.

## **RMDZ**

The Recycling Market Development Zone (RMDZ) program, administered by CalRecycle, provides low interest loans and technical assistance to firms that use recycled materials to make new products or that prevent or reduce waste as part of the manufacturing process. To qualify for assistance, the facilities must be located within a CalRecycle-designated RMDZ and use postconsumer or secondary recovered waste feedstock generated in California.

The Oakland/Berkeley RMDZ encompasses West Berkeley between Interstate 80, San Pablo Avenue, the Oakland-Emeryville border, and the Albany border. In Oakland, the zone includes the central business district, major industrial areas in West Oakland and the Coliseum area, the Port of Oakland's facilities, and the Oakland International Airport.

The acute shortage of recycling infrastructure, new mandates from the State directing new diversion goals, and research that connects recycling with reducing greenhouse gas emissions, point to the critical need to build a more robust recycling infrastructure in California. Given the significance of developing this infrastructure, the WMA and Recycling Board directed staff to start a process to expand the Berkeley and Oakland RMDZ to a countywide RMDZ, with StopWaste becoming the Zone Administrator.

Additionally, the WMA adopted facility related goals, objectives, and policies through the Countywide Element, specifically Goal 2—Responsible Infrastructure—which aims to maximize environmental benefits by balancing high volume of recovery with related considerations, such as quality of commodities, operating impacts of facilities, and other environmental impacts of programs.

## **StopWaste Projects Funded by Market Development**

While traditional recycling commodities (fiber, metals, and glass) are handled in the context of international markets and are incorporated into a multitude of products, organics materials are collected, processed, sold, and used within a very small geographic area through only a handful of products. Therefore, both the benefits and challenges of composting remain very much local issues, and a prime candidate for market development.

StopWaste market development efforts over the years have promoted compost and mulch in several ways. These efforts have included direct consumer education and incentives; grants and design assistance for public projects; training member agency staff to incorporate compost into their specs and requirements; working with urban farms to both use compost and provide workshops for residents on the use of compost;

and educating landscape professionals on compost use. Applying compost – one method of a practice known as “carbon farming” – on landscapes, gardens, as well as range and park lands, enhances the ability of plants to capture carbon from the air and store it in the soil, thereby providing quantifiable greenhouse gas benefits. StopWaste is currently modeling this cutting-edge practice on WMA property in the Altamont hills, while also educating landowners and ranchers about carbon farming benefits. This both supports a market for compost and meets the urgent need for carbon sequestration methods.

Another priority area for StopWaste is packaging. Packaging presents both a source of contamination in recycling streams (thereby creating market challenges) and an opportunity to use recyclable commodities. In this arena, StopWaste has focused on driving increased adoption of reusable transport packaging (through technical assistance and grants) as well as promoting uniform recyclability labelling efforts. To support the efforts to reduce single-use food ware, StopWaste will pilot various approaches to support local reusable infrastructure, including grants and technical assistance for business conversion to reusable food ware.

Other market development efforts have focused on the built environment, mainly in developing policy approaches to incorporate innovative materials and techniques.

### **Recycled Product Purchase Preference Program**

Although the Recycled Product Purchase Preference program began by focusing simply on reducing overall paper use and increasing recycled content of paper and other products, it has since expanded over time to cover a wide range of green purchasing programs. The Alameda County General Services Agency (GSA) implements these Measure D-required programs through a Memorandum of Understanding (MOU) with StopWaste. The GSA directly assists member agencies, including allowing jurisdictions to “piggyback” on county contracts for affordable access to recycled content or green products, developing and sharing approaches to reduce the use of materials (such as electronic processes that eliminate paper use), providing assistance to pass and implement local green purchasing policies, and convening local purchasing officers at periodic educational roundtables on specific types of materials, such as carpeting, office equipment, and furniture. The GSA leverages and shares its expertise freely to advance green policies throughout the County, while providing national leadership for innovation in this area.

## 5. IMPLEMENTATION

This Plan articulates a vision for systemic change, in which materials and waste management systems are reimagined. This Plan identifies the activities that StopWaste will undertake in support of this sweeping goal, including education, technical assistance, financial assistance, model and countywide ordinances, support for responsible local infrastructure, innovative pilot projects, and regional collaboration.

While this Plan articulates the general activities to achieve goals over a longer time span, StopWaste will use joint planning and budgeting processes between the WMA, Energy Council, and Recycling Boards to define specific priorities and deliverables. This section explains the processes by which the general concepts in this Plan will be translated into action.

StopWaste uses an adaptive approach to strategic planning, focusing its efforts to achieve the greatest results in support of its goals and mission. Every two years, StopWaste initiates a priority-setting process among staff and with key stakeholders, designed to assess progress toward overarching goals, review results of program evaluation or other studies, and analyze current issues. StopWaste's two-year priority setting process is an opportunity to ensure that our collective efforts are responsive to new challenges and opportunities in the communities we serve. Together, the Boards set guiding principles for budget development.

Each fiscal year, the Recycling Board will adopt a budget to implement this Plan. The budget document, called the StopWaste Annual Integrated Budget and found online at [www.StopWaste.org](http://www.StopWaste.org), also contains the budgets for the WMA and the Energy Council.

Recycling Board programs are funded by fees collected through Measure D. Given their shared priorities and integrated governance, many projects are jointly funded by the WMA and the RB. At the same time, projects are joint funded only to the extent that they meet the detailed requirements for eligible activities in Measure D. The Energy Council programs are solely externally funded.



November 23, 2020

Meghan Starkey, Senior Management Analyst  
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StopWaste  
1537 Webster St.  
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**Re: Comments on StopWaste Guiding Principles and Recycling Plan**

Dear Meghan and Justin,

Thank you and StopWaste for the opportunity to provide input as you update your Guiding Principles and Recycling Plan. In general, your draft Principles and Plan align with NCRA's mission to End Waste, our vision of a sustainable circular economy, and our goal to stop landfilling and incineration. <https://ncrarecycles.org/about/mission-and-vision/> NCRA appreciates the work that StopWaste has done in the past, and our primary comment for StopWaste is to “stay the course” and continue to implement and build upon your existing successful programs. Bringing about systemic change and transforming social norms is a slow, long-term process that requires consistent and repeated messaging and action.

**Guiding Principles**

NCRA is in alignment with StopWaste's current (2018) guiding principles and the considerations for updating them that StopWaste presented at the October 15, 2020 NCRA Board Meeting: Systemic Change, Social and Racial Equity, Collaborative Partnerships, Regenerative Economy, Social Norms, Health Indicators. We strongly support your inclusion of Social and Racial Equity as a consideration. We encourage StopWaste to adopt guiding principles that look beyond a narrow “landfill diversion at any cost” framework and take into account the broader impacts of diversion efforts on communities, workers, health, climate change, and the protection of soil, water, and air quality.

**Landfill Obsolescence**

NCRA strongly supports StopWaste adopting a goal of landfill obsolescence by 2045. This is in complete alignment with NCRA's mission and vision. It is a very clear and understandable goal. As noted above, this goal must be achieved in accordance with guiding principles that ensure that

our efforts to achieve landfill obsolescence do not inadvertently negatively affect our communities, workers, climate, air, water, or soil.

We also recognize that this is a very audacious goal given that the previous goal of 75% diversion was not achieved. StopWaste needs to be prepared to answer questions from the public about how landfill obsolescence is achievable when 75% diversion was not. Other questions that StopWaste needs to address are: How much will it cost to achieve this goal, and how will StopWaste monitor progress towards this goal? NCRA would add that obsolete landfills can be “recycled” into locations for buy-back centers, re-use stores, resource recovery parks, composting facilities, recycling facilities, recycled content manufacturers, etc.

### **Stay the Course: Continue to Support Collection, Processing, and Public Education**

NCRA is concerned that StopWaste may be planning to shift limited resources to new, desirable programs while prematurely discontinuing necessary existing programs that have not yet achieved their goals or full potential. One example is that StopWaste discontinued the program which provided no-cost indoor containers to businesses. That program was effective at encouraging businesses to source separate and will be even more needed as SB 1383 is implemented.

StopWaste’s draft Recycling Plan states, “both the data and the experiences of Alameda County jurisdictions and service providers suggest that the county is reaching the limits of an approach that relies on post-consumption collection and processing.” NCRA respectfully disagrees. While we wholeheartedly support waste prevention and “upstream solutions” and agree that they are preferable to “downstream” solutions, there is still much work to be done to optimize collection and processing. Contamination of collected recyclables is still at 25% - 35%. An estimated 50% of Alameda County residents don’t recycle their food scraps. Source separation is neither universally available nor understood. The public still doesn’t know how to sort properly. Significant public education, technical assistance, and enforcement efforts are still needed to ensure correct source separation and to bring about the needed change in social norms. StopWaste has successfully led these efforts in the past, and should continue to do so. Both “upstream” and “downstream” programs will be required to achieve landfill obsolescence, and StopWaste should not abandon the existing “downstream” solutions as it works to implement new “upstream” ones.

### **Promoting Reusables / Banning Disposables**

One “upstream” solution that NCRA recommends StopWaste include in their Recycling Plan is promoting reusable foodware / banning disposable foodware. NCRA supports StopWaste creating a countywide ordinance which features funding for reusable foodware and support for enforcement. Similar to how StopWaste has successfully implemented and enforced other countywide ordinances and bans. While NCRA applauds the creativity and leadership of the individual jurisdictions who have implemented innovative, groundbreaking local reusable

foodware ordinances, a unified countywide approach will be easier for the public and food vendors to understand and for hesitant jurisdictions to adopt.

### **SB 1383 Compliance**

SB 1383 is the greatest challenge facing Alameda County jurisdictions since AB 939. StopWaste should continue and expand its efforts to support Member Agencies in achieving SB 1383 compliance. SB 1383 compliance should be a significant part of any Recycling Plan for 2021 and beyond. StopWaste has greater financial resources and staffing than most Member Agencies and is in a unique position to lead SB 1383 compliance efforts in the County. Many of the requirements of SB 1383 are most efficiently and effectively implemented on a countywide level. Examples of how StopWaste could lead SB 1383 compliance efforts include:

- Inspection and Enforcement. StopWaste should expand its MRO inspection and enforcement activities to cover all related SB 1383 requirements.
- Edible Food Recovery. Identifying edible food generators and food rescue organizations, connecting them to one another, and educating generators are all best done on a countywide basis. Food rescue organizations do not recognize jurisdictional boundaries.
- Procurement. StopWaste should coordinate the procurement of compost, mulch, renewable gas, biomass-derived electricity, and recycled content paper products by Member Agencies. StopWaste could consider organizing a purchasing co-op for some or all of these products.
- Public Education. StopWaste should continue and expand its public education and technical assistance programs in support of SB 1383.
- Regional Composting Capacity. StopWaste should continue efforts to ensure sufficient composting/anaerobic digestion capacity for organics recovered in the County.

If there is insufficient funding for such efforts, StopWaste could consider asking Member Agencies if they would be willing to forgo a portion of their Measure D funding so that StopWaste could more cost-effectively implement these SB 1383 requirements on their behalf.

Thank you for soliciting and considering our comments. Please contact me if you would like to discuss them further.

Sincerely,

*David Krueger*

David Krueger  
NCRA President

General Response from StopWaste to comments from Northern California Recycling Association (NCRA):

We appreciate the time NCRA staff put in to reviewing the draft Recycling Plan and the input/questions we received. Most input is best applied to project development conducted as part of our annual budgeting process rather than the Recycling Plan itself. The Recycling Plan is designed to be a general guiding document, closely related to other documents and processes within the Agency, including the Countywide Integrated Waste Management Plan ([CoIWMP](#)), the biennial Priority Setting Process, and the [annual budget](#). Both the Recycling Plan and the CoIWMP are intended to be longer term documents, and therefore, the level of detail requested in the comments below is more appropriate for documents that are revised on a shorter cycle than the Recycling Plan or CoIWMP, which are only updated every five years or more. For example, short term priorities are refined by the Boards during the biennial Priority Setting Process; most specific programmatic decisions are made by the Boards during their annual budget approvals; and facility and infrastructure questions are handled under the CoIWMP. (See Chapter 7 of the CoIWMP for more detail on these processes.) This approach maintains the relevance of “bigger picture” goals and strategies that are likely to remain the same, while specific programs or discard management approaches may change quickly depending on markets or technologies.

**Stay the Course: Continue to Support Collection, Processing, and Public Education**

NCRA Comment: One example is that StopWaste discontinued the program which provided no-cost indoor containers to businesses. That program was effective at encouraging businesses to source separate and will be even more needed as SB 1383 is implemented.”

*StopWaste Response: StopWaste continues to offer no-cost indoor bins to businesses. That activity takes place through Project 2090 – Mandatory Recycling Ordinance.*

NCRA Comment: StopWaste’s draft Recycling Plan states, “both the data and the experiences of Alameda County jurisdictions and service providers suggest that the county is reaching the limits of an approach that relies on post-consumption collection and processing.” NCRA respectfully disagrees. While we wholeheartedly support waste prevention and “upstream solutions” and agree that they are preferable to “downstream” solutions, there is still much work to be done to optimize collection and processing.

*StopWaste Response: StopWaste agrees that much work is still to be done to optimize collection and processing. This statement indicates the limits in primarily reliance on downstream solutions, as they are inherently insufficient to reach the goal of landfill obsolescence. For example, successfully removing contamination from recycling means that these materials will be landfilled. Instead, these materials need to be removed from the production cycle altogether to reach the goal of landfill obsolescence. StopWaste will continue to support proper sorting in partnership with industry and member agencies, both through the Technical Advisory Committee and the Alameda County “National Sword Task Force.” These entities are best positioned to deal managing contamination since they directly manage recycling streams, and StopWaste will take a supporting role through communication and enforcement activities.*

## **Promoting Reusables / Banning Disposables**

NCRA Comment: One “upstream” solution that NCRA recommends StopWaste include in their Recycling Plan is promoting reusable foodware / banning disposable foodware. NCRA supports StopWaste creating a countywide ordinance which features funding for reusable foodware and support for enforcement.

*StopWaste Response: Since this is a programmatic level comment, StopWaste will address it through Annual Budget instead of through the Recycling Plan. See Project 3280 Reusable Food Ware project in the current Annual Budget for details. Please note, on January 22, 2020, the Waste Management Authority decided against an ordinance to ban disposable food ware, instead directing staff to pursue pilot projects that can help develop more robust infrastructure for reusable food ware in the county. All efforts regarding reusables will of course be subject to developments in COVID-19 and related Health Orders.*

**StopWaste Beyond 75% Plan Feedback from CVSan Zero Waste Dept:**

Is garbage processing being considered?

How is StopWaste planning to address SB 1383 requirements in this plan? I'm sure they are thinking of this but it is a big question.

1. Establishing Edible Food Recovery Programs – I think this is something that should be accomplished on the countywide level.
2. Conduct Education and Outreach to Community – I think local jurisdictions can play a role but the guidance and direction should again be on a countywide level.
3. Evaluating current infrastructure and planning of new compost and AD facilities and edible food.
4. Inspection and enforcement – should fold nicely into the existing commercial enforcement programs Stopwaste has developed on a countywide level.

Can StopWaste support jurisdictions in pooling efforts to recycle harder to recycle items like plastic film, cartons, etc. countywide?

Page 6 – Diversion and Goal / are there any plans to attempt to calculate Reduce or Reuse in any way?

Page 8 – Plan Activities / Are there plans to work with manufacturers to develop packaging that can easily be recycled or composted?

Page 8 – Plan Activities / Are there plans to expand outreach efforts to promote interest in reuse businesses, such as repair shops or thrift stores, to address a potential lack of enthusiasm in shopping for used goods or repairing broken items?

Page 8 – Plan Activities / In the age of COVID-19, what steps will be taken to decrease public reliance on single-use food ware and packaging?

Page 8 – Plan Activities / are there any plans to survey the community more on Reduce and Reuse in attempt to expand those programs?

Page 8 – Plan Activities / are there any plans to expand work or advocacy around Extender Producer Responsibility for products that are still landfilled?

**StopWaste Beyond 75% Plan Feedback from CVSan Zero Waste Dept:**

**General Response from StopWaste to comments from CVSan:**

We appreciate the time CVSan staff put in to reviewing the draft Recycling Plan and the input/questions we received. Most input is best applied to project development conducted as part of our annual budgeting process rather than the Recycling Plan itself. The Recycling Plan is designed to be a general guiding document, closely related to other documents and processes within the Agency, including the Countywide Integrated Waste Management Plan ([CoIWMP](#)), the biennial Priority Setting Process, and the [annual budget](#). Both the Recycling Plan and the CoIWMP are intended to be longer term documents, and therefore, the level of detail requested in the comments below is more appropriate for documents that are revised on a shorter cycle than the Recycling Plan or CoIWMP, which are only updated every five years or more. For example, short term priorities are refined by the Boards during the biennial Priority Setting Process; most specific programmatic decisions are made by the Boards during their annual budget approvals; and facility and infrastructure questions are handled under the CoIWMP. (See Chapter 7 of the CoIWMP for more detail on these processes.) This approach maintains the relevance of “bigger picture” goals and strategies that are likely to remain the same, while specific programs or discard management approaches may change quickly depending on markets or technologies.

Is garbage processing being considered?

*StopWaste Response: The CoIWMP is the vehicle for solid waste infrastructure planning, and does not explicitly plan for garbage processing. Jurisdictions may opt to pursue that option with their processors and through their franchises. Regardless, all new or proposed facilities with solid waste management permits will be considered through the processes outlined in the CoIWMP and through CEQA processes. (See [CoIWMP](#) for details.)*

How is StopWaste planning to address SB 1383 requirements in this plan? I’m sure they are thinking of this but it is a big question.

1. Establishing Edible Food Recovery Programs – I think this is something that should be accomplished on the countywide level.
2. Conduct Education and Outreach to Community – I think local jurisdictions can play a role but the guidance and direction should again be on a countywide level.
3. Evaluating current infrastructure and planning of new compost and AD facilities and edible food.
4. Inspection and enforcement – should fold nicely into the existing commercial enforcement programs Stopwaste has developed on a countywide level.

*StopWaste Response: SB 1383 requirements will not be addressed in the Recycling Plan, but rather through the priority setting and budget development processes. StopWaste is working closely with TAC members and other member agency staff to identify how best to leverage our collective capacity and individual strengths to support SB 1383 implementation. Staff is also in consultation with city managers,*

*haulers, edible food recovery organizations, organics processing facilities, waste consultants, and other cities and stakeholders to learn how they plan to approach achieving SB 1383 compliance.*

*In coordination with member agencies, StopWaste will undertake the following activities to assist with SB 1383 compliance:*

- Conduct the required Edible Food Recovery Capacity Study and generate a list of edible food recovery organizations and services*
- Develop SB 1383-compliant countywide or model ordinance for organics collections and edible food recovery*
- Work with partners to identify paths for enforcement*
- Develop policies and agreements to facilitate procurement requirements*
- Act as a hub to pool funding for countywide efforts and economy of scale*

*In addition, we will continue to play other important roles, such as:*

- Convening stakeholders to build partnerships to facilitate compliance*
- Providing grants to expand edible food recovery capacity*
- Providing technical assistance*
- Piloting innovative strategies that support SB 1383 compliance and intent*
- Assisting with community outreach and education*
- Advocating at the state level for relief for cities to recover from COVID-19 effects*

*StopWaste is working with member agencies to identify how best to support compliance and enforcement in other ways, such as in cases when it is not possible for the agency to take on a direct role in implementation. For example, regulations require jurisdictions to procure a minimum amount of recovered organic waste products (i.e., compost, mulch, renewable natural gas, or electricity from biomass) on an annual basis. While StopWaste will not directly procure these products, we can help develop policies and funding strategies for member agencies to do so.*

#### *SB 1383: Alignment with MRO*

*StopWaste has compared SB 1383 requirements for organics service collection and contamination minimization to existing Mandatory Recycling Ordinance (MRO) enforcement to determine whether and how well they align. SB 1383 requires route reviews to identify and minimize contamination on all hauler routes: commercial, multi-family residential, and single-family residential. StopWaste's MRO enforcement will not meet this requirement due to the following reasons: our inspections cover only a small subset of affected commercial generators; our program specifically excludes residential generators; return visits to violators are not frequent enough to meet requirements; and we cannot update the many sources of data from haulers with sufficient frequency to*

*align our inspections with hauler routes. Given that haulers have immediate access to their own route data, direct contact with generators, control provision of collection services, and will be providing SB 1383 services to jurisdictions outside Alameda County, they are positioned to perform the required tasks more cost-effectively and efficiently than StopWaste.*

*However, StopWaste is continuing to consult with member agencies and other stakeholders to identify how to best leverage our collective capacity to support enforcement activities at scale. Examples include providing technical assistance and training to generators and providing member agencies with tools to support their development of SB 1383-compliant updates to franchise agreements.*

*Given that CalRecycle designed many of the requirements to be most efficiently implemented by haulers, integrating SB 1383 requirements into franchise agreements will be a key part of compliance. A survey of member agency staff showed that most have either not started or are in early stages of working with their service providers to update their franchise agreements.*

Can StopWaste support jurisdictions in pooling efforts to recycle harder to recycle items like plastic film, cartons, etc. countywide?

*StopWaste Response:* *Ideas such as these can be brought to the Alameda County “National Sword Task Force” (which meets quarterly). Specifics would be considered during the budget.*

Page 6 – Diversion and Goal / are there any plans to attempt to calculate Reduce or Reuse in any way?

*StopWaste Response:* *Not at this time. However, an evaluation process is currently underway to gauge the effectiveness of source reduction efforts currently being conducted through community/school outreach programs.*

Page 8 – Plan Activities / Are there plans to work with manufacturers to develop packaging that can easily be recycled or composted?

*StopWaste Response:* *Work with manufacturers is detailed in the [Annual Budget](#), Project 1200 Packaging*

Page 8 – Plan Activities / Are there plans to expand outreach efforts to promote interest in reuse businesses, such as repair shops or thrift stores, to address a potential lack of enthusiasm in shopping for used goods or repairing broken items?

*StopWaste Response:* *StopWaste has brought together a network of reuse and repair providers, and as a result has expanded the reuse and repair content of the RE:Source online search tool. This tool was designed to make it easier for residents and businesses to find reuse and repair options (when available). Additional work on reuse issues is detailed in the [Annual Budget](#), Projects 2040 and 2049: Resources for Upstream Projects*

Page 8 – Plan Activities / In the age of COVID-19, what steps will be taken to decrease public reliance on single-use food ware and packaging?

*StopWaste Response: We anticipate addressing this question in the FY21-22 Annual Budget, under the Reusable Food Ware projects (Projects 3280 and 3281). Agency actions will of course be subject to developments in COVID-19 and updated health orders.*

Page 8 – Plan Activities / are there any plans to survey the community more on Reduce and Reuse in attempt to expand those programs?

*StopWaste Response: The Agency typically conducts a public opinion survey in alternate years. We anticipate a survey in FY21-22 and input into content can be made through TAC.*

Page 8 – Plan Activities / are there any plans to expand work or advocacy around Extended Producer Responsibility for products that are still landfilled?

*StopWaste Response: We anticipate engaging on issues related to Extended Producer Responsibility via our Legislation project and our participation on the Board of the California Product Stewardship Council (CPSC). Many factors are taken into consideration for prioritization of products, including prevalence in landfill, toxicity, and cost/difficulty to manage.*

**DATE:** December 10, 2020

**TO:** Programs & Administration Committee  
Planning Committee/Recycling Board

**FROM:** Jeff Becerra, Communications Manager

**SUBJECT:** 2021 Legislative Priorities

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## SUMMARY

This January the California legislature begins a new two-year session. At the December 10 committee meetings, staff will lead a discussion of current policy issues and ask the committees to provide a 2021 legislative priority recommendation to the Waste Management Authority for adoption later this month.

## DISCUSSION

The legislature will start the year in the same challenging spot where it finished the 2020 session, adapting to changing priorities and limitations on how it can conduct business in the Covid era. As a result, the legislature is likely to send fewer bills to the Governor again this year, and legislative priorities will remain focused on issues like Covid relief, housing/homelessness and wildfire relief.

This change in emphasis by the legislature means that we should adapt as well, and rather than having multiple priority areas like in a typical year, for 2021 staff is proposing a singular focus on providing relief to jurisdictions on SB 1383 implementation deadlines.

This doesn't mean we will ignore other important issues in line with the Agency's Guiding Principles (expected to be updated at the December WMA meeting) like packaging, right to repair, and climate change when they come up, but it focuses our contract lobbying team (Shaw Yoder Antwih Schmelzer & Lange) time on what jurisdictions have conveyed to us is the top issue for them.

### SB 1383 Implementation Relief

In 2020, StopWaste joined the League of California Cities, California State Association of Counties, and Rural Counties Representatives of California, requesting state officials and CalRecycle to grant grace periods and temporary relief from SB 1383 implementation requirements as a result of the Covid pandemic. The policy goals of SB 1383 are admirable, and we supported the legislation when it was in the Legislature, however the impacts of jurisdictions dealing with Covid fallout warrant a reprieve in the policy's implementation schedule. CalRecycle has shared that implementation dates could only be delayed through legislation. Therefore the staff recommendation is to join with the coalition we've previously been working with to introduce legislation seeking to modify SB 1383

implementation timelines. If the Board agrees, our lobbying team would focus their efforts on garnering additional support and helping to move the legislation through the 2021 session.

#### Additional State Policy Related Issues

After many months of vacancy, the Governor has appointed Rachel Wagoner as Director of CalRecycle (pending expected CA Senate confirmation). She is experienced and well respected in the environmental community, most recently serving as Deputy Legislative Secretary in the Office of the Governor. Her previous roles have included Chief Consultant for the California State Senate Committee on Environmental Quality, and Director of Legislative Affairs at the California Department of Toxic Substances Control. Among Wagoner's priorities will be addressing problems with the State Bottle Bill.

#### **Statewide Commission on Recycling Markets and Curbside Recycling**

This new group was modeled after the National Sword Task Force that StopWaste organized, and formed as a result of AB 1583 – the California Recycling Market Development Act. It is designed to provide policy and messaging recommendations to CalRecycle, along with identifying which items are recyclable or compostable statewide. The commission is required to submit preliminary policy recommendations (for which StopWaste has been consulted) to the legislature by January 1, 2021. Staff will update the Board on recommendations when they are available.

#### **California Recycling and Plastic Pollution Reduction Act**

Led by Recology, this voter initiative closely matches the provisions of the failed SB 54/AB 1080, which sought to reduce single-use food ware packaging throughout the state. Once the measure is confirmed to be on the 2022 ballot, staff will provide a recommended position for the Board to adopt.

#### **Next Steps/Key Dates**

Staff will return to the Board in March for review of recommended positions on new bills. Key dates for the 2021 session include:

- December: WMA Board adopts legislative priorities for the upcoming year.
- January: Governor's proposed 2021-22 budget is released.
- February: Deadline for introduction of new bills.
- March: Bill authors and organizational sponsors seek letters of support for new bills; staff reviews bills and recommends positions for Board adoption.
- May: Governor's May revision of the budget is released.
- June: Board receives status update on bills and provides direction as appropriate. The 2021-22 budget must be passed.
- September: Deadline for bills to pass the Legislature.
- October: Deadline for Governor to sign or veto bills; Status update provided to Board after Governor takes action.

**RECOMMENDATION**

Discuss legislative priorities for calendar year 2021 and provide a recommendation to the Waste Management Authority for adoption at its December 16 meeting. The staff recommendation is to join efforts with partners to introduce and support legislation seeking to modify SB 1383 implementation timelines.

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**DATE:** December 10, 2020

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

**FROM:** Pat Cabrera, Administrative Services Director  
Nisha Patel, Management Analyst II

**SUBJECT:** Landfill Tonnage and Associated Revenue

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## SUMMARY

At the December 10, 2020 Programs and Administration Committee and Planning Committee/Recycling Board meetings, staff will provide an update on recent landfill tonnage trends and associated Agency revenue.

## DISCUSSION

The Agency levies various fees on refuse disposed at Alameda County landfills.<sup>1</sup> These fees, referred to as tonnage revenue, help fund programs that advance compliance with state and local waste reduction mandates, as outlined in both the CoIWMP and the Recycling Plan, and as reflected in our budget. The AB 939 Facility Fee (\$4.34 per ton disposed), the Mitigation Fee (\$4.53 per ton disposed), and a portion of the Measure D Fee (\$8.23 per ton disposed) comprise approximately 92% of the Agency's core revenue. The remaining 8% comes from wind and other property related revenue, fee enforcement revenue and interest revenue.

Over the past several years this source of revenue has been stable, which in large part reflected a strong economy. More recently however, since the onset of the COVID-19 pandemic in March 2020, shelter in place orders and other measures to protect public health have impacted local economies and created some additional volatility in solid waste disposal trends and associated revenue. That being said, due to prudent budgeting, we expect that core budget expenditures will match or be below core revenues again this fiscal year.

### Tonnage Revenue: March – October 2020

As shown in the graph below, actual total solid waste tonnage accepted from both in- and out-of-county jurisdictions was below budgeted estimates for three non-consecutive months (April, May and

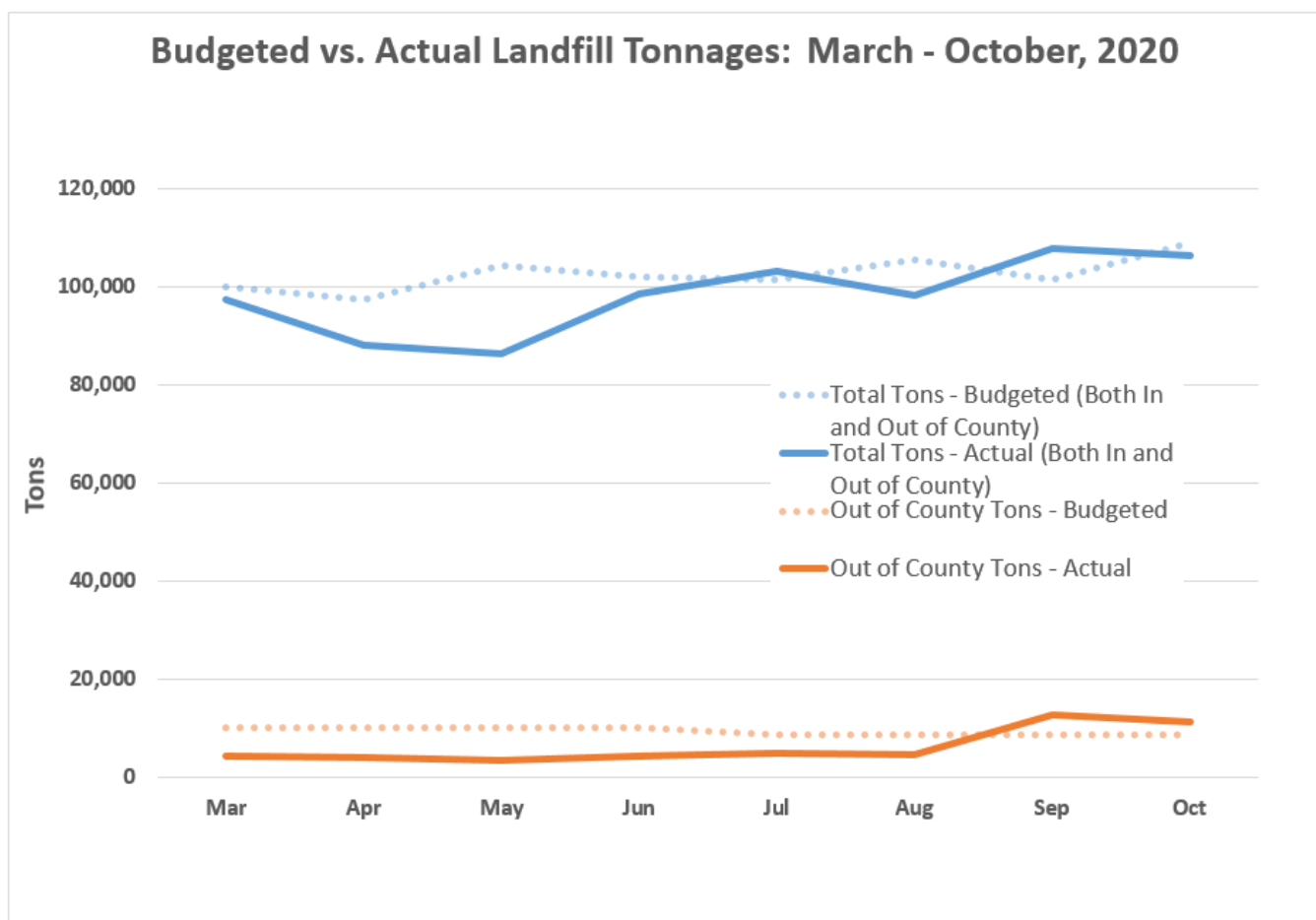
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<sup>1</sup> Waste generated in Alameda County and landfilled at out of county sites are also levied the \$4.34 AB 939 facility fee and monitored by the Agency's fee enforcement program.

August) between March – October 2020. There were also two months (July and September) in which total tonnage exceeded budgeted estimates. Overall, for the eight-month period between March – October 2020, landfill tonnage dropped by approximately 34,000 tons, or 4% below budgeted estimates, corresponding to a reduction of approximately \$275,000 in core revenue. The largest declines occurred in April and May, which was not unexpected. However, given that actual tonnage for the first seven months of FY 19-20 met or exceeded projections, core tonnage revenue in total for the fiscal year was approximately \$380,000 above budgeted estimates.

Two months of unexpected or “one-time” tonnages (approximately 13.5 tons) offset declines in out-of-county tonnage this fiscal year, and in general we have not experienced the type of tonnage decreases we normally see with an economic downturn. Furthermore (and as anticipated), tonnage volumes reflect materials being diverted from the landfill due to the Organics Materials Recovery Facility (OMRF) operations at Davis St. In terms of fiscal year projections, should actual tonnages match projections through the rest of the fiscal year, the Agency would effectively reach its budgeted estimate of approximately \$10M for this revenue source.

However, there is a consistent decline in ongoing out-of-county tonnage once we deduct the one-time spikes. If we assume that ongoing out-of-county tonnages are going to continue this downward trend, we estimate that our total core tonnage projection would decline by approximately \$300,000, or 3%.



### Impacts on the Agency's Core Budget

The Agency's budgetary goal is to match ongoing expenditures with ongoing revenues. The Agency's core budget in FY20-21 is approximately \$400,000 less than budgeted core revenues. As such, should tonnage revenue decline by \$300,000 and assuming other revenues stay on track, the Agency will have met its goal this fiscal year. Furthermore, we are anticipating a surplus of at least \$350,000 resulting from salary and hard cost savings (not filling vacancies, deferred travel, hiatus on transfer station tours, and other savings). Therefore, we are not anticipating any reduction of our core fund balances, which are projected to total approximately \$17.1M at the end of FY20-21. Finally, the Agency has a fiscal reserve totaling \$2.1M. This reserve is designed to fill in revenue shortfalls if needed. We have never used this reserve and don't foresee the need to use it this year either. However, it is another safety net that we have in place to ensure the Agency's financial stability.

As always we will continue to monitor disposal trends carefully and advise the Board if any action needs to be taken. We will provide another revenue update as part of the annual fiscal forecast scheduled for March, in preparation of FY 21-22 budget development.

### **RECOMMENDATION**

This item is for information only.