



MARIPOSA COUNTY

Public Works · (209) 966-5356



RESOLUTION - ACTION REQUESTED 2015-92

MEETING: February 24, 2015

TO: The Board of Supervisors

FROM: Doug Wilson, Interim Public Works Director

RE: Affirm an Exemption from Mandatory Commercial Organics Recycling

RECOMMENDATION AND JUSTIFICATION:

Adopt a Resolution Affirming an Exemption from the Requirements of Mandatory Commercial Organics Recycling for Mariposa County.

Mariposa County is committed to meeting its solid waste diversion requirements through program implementation of its Source Reduction and Recycling Element of its Integrated Waste Management Plan. Assembly Bill (AB) 1826 requires that jurisdictions implement an organics recycling program for businesses by January 1, 2016, that includes education, outreach, and monitoring activities and reporting annually to the Department of Resources Recycling and Recovery (CalRecycle).

AB 1826 defines a rural county as a county that has a total population of less than 70,000 persons and includes a provision that allows the Board of Supervisors of a rural county to adopt a resolution exempting the county from the requirements of Section 1, Chapter 12.9 of the Public Resources Code (commencing with Section 42649.8) Recycling of Organic Waste, based upon findings as to the purpose and need for the exemption.

Mariposa County does not have the existing infrastructure, composting or anaerobic facilities with the capacity to economically handle all the organic waste produced within the County. With the amount of organic waste generated in the County, it is not currently economically feasible to build sustainable processing facilities necessary to handle all the organic waste produced within the County.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Negative action; the County will be forced to invest on infrastructure improvements and administrative oversight of a commercial organics recycling program.

ATTACHMENTS:

Formal Resolution (DOCX)

CAO RECOMMENDATION

Requested Action Recommended

Mary Hodson

Mary Hodson, Interim CAO 2/18/2015

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Rosemarie Smallcombe, District I Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Rosemarie Smallcombe, Merlin Jones, Marshall Long, John Carrier

EXCUSED: Kevin Cann

RESOLUTION 15-92

RESOLUTION OF THE BOARD OF SUPERVISORS OPTING TO AFFIRM AN EXEMPTION FROM THE REQUIREMENTS OF MANDATORY COMMERCIAL ORGANICS RECYCLING

WHEREAS, Mariposa County is committed to meeting its solid waste diversion requirements through program implementation of its Source Reduction and Recycling Element of its Integrated Waste Management Plan; and

WHEREAS, Assembly Bill (AB) 1826 (Chesbro, 2014) was signed into law and requires businesses that generate a specified amount of organic waste per week to arrange for recycling services for that organic waste in a specified manner beginning April 1, 2016; and

WHEREAS, AB 1826 requires that jurisdictions implement an organics recycling program for businesses by January 1, 2016, that includes education, outreach, and monitoring activities and reporting annually to the Department of Resources Recycling and Recovery (CalRecycle); and

WHEREAS, AB 1826 defines a rural county as a county that has a total population of less than 70,000 persons and includes a provision that allows the board of supervisors of a rural county to adopt a resolution exempting the county from the requirements of Section 1, Chapter 12.9 of the Public Resources Code (commencing with Section 42649.8) Recycling of Organic Waste, based upon findings as to the purpose and need for the exemption; and

WHEREAS, a business located in a rural jurisdiction that is exempted pursuant to paragraph (2) of subdivision (a) of Section 42649.82 is not required to recycle organics; and

WHEREAS, there are 19 counties in California with populations of less than 70,000 persons, which collectively represent 1.4% of the statewide waste stream; and

WHEREAS, Mariposa County has a population of 18,251 persons as of the Department of Finance's most current population estimates; and

WHEREAS, Mariposa County does not have the existing infrastructure, composting or anaerobic facilities, with the capacity to economically handle all the organic waste produced within the county; and

WHEREAS, with the amounts of organic waste generated in Mariposa County and the distance to accessible processing facilities, it is not economically feasible for the County to require organics diversion at this time; and

WHEREAS, with the amounts of organic waste generated in Mariposa County it is not currently economically feasible to build sustainable processing facilities necessary to handle all the organic waste produced within the county; and

WHEREAS, Mariposa County is committed to continue to pursue economically feasible alternatives for organics management; and

WHEREAS, Mariposa County is committed to encourage businesses to reduce and recycle organics materials; and

WHEREAS, CalRecycle determines the state's progress toward reducing the disposal of organic waste; and

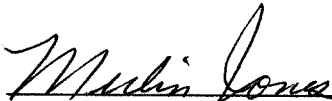
WHEREAS, if the statewide disposal of organic waste is not decreased to half of the level disposed in 2014, on or after January 1, 2020, this exemption shall become inoperative, unless the department determines that ending rural exemptions will not result in a significant reduction of the disposal of organic waste.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of Mariposa County hereby chooses to exempt the County from the requirements of Section 1, Chapter 12.9 of the Public Resources Code (commencing with Section 42649.8) Recycling of Organic Waste.

BE IT FURTHER RESOLVED that the Board of Supervisors reserves the right to rescind this resolution at any time prior to the sunset date of January 1, 2020.


PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 24th day of February, 2015 by the following votes:

AYES: SMALLCOMBE, JONES, LONG, CARRIER
NOES: NONE
ABSENT: CANN
ABSTAIN: NONE


Merlin Jones, Chair
Mariposa County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:


Rene' LaRoche, Clerk of the Board


Steven W. Dahlem, County Counsel