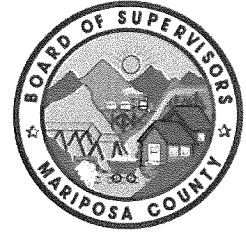


# MARIPOSA COUNTY

Public Works/Solid Waste · 209-966-2498



## RESOLUTION - ACTION REQUESTED 2021-689

MEETING: December 21, 2021  
TO: The Board of Supervisors  
FROM: Shannon Hansen, Interim Director of Public Works & Transportation  
RE: Affirm an Exemption from Mandatory Organics Collection Services

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### **RECOMMENDATION AND JUSTIFICATION:**

Adopt a Resolution Affirming an Exemption from the Mandatory Organics Collection Services 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. Senate Bill 1383 (SB 1383) requires that jurisdictions implement an organic waste collection program for residents and businesses by January 1, 2022.

Section 42689.8 of the Public Resources Code 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 Article 3 of Title 14, Division 7, Chapter 12 of the California Code of Regulations (commencing with Section 18984) Organic Waste Collection Services.

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, and with the distance to accessible processing facilities, it is not economically feasible for the County to require organics diversion at this time.

### **BACKGROUND AND HISTORY OF BOARD ACTIONS:**

The Board of Supervisors has adopted a similar Resolution in the past to Affirm and Exemption from Mandatory Commercial Organics Recycling (Resolution No. 2015-92)

### **ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Negative action; the County will be forced to invest in infrastructure improvements and administrative oversight of a Countywide mandatory organics collection program.

### **FINANCIAL IMPACT:**

**No Financial Impact**

**ATTACHMENTS:**

**Formal Resolution (PDF)**

**SB 1383 Jurisdiction Responsibilities - Informational Material (PDF)**

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Tom Sweeney, District II Supervisor

**SECONDER:** Wayne Forsythe, District IV Supervisor

**AYES:** Smallcombe, Sweeney, Long, Forsythe, Menetrey

**RESOUTON 21-689**

**RESOLUTION TO THE BOARD OF SUPERVISORS OPTING TO AFFIRM AN  
EXEMPTION FROM THE REQUIRMENTS OF MANDATORY ORGANICS  
COLLECTION SERVICES**

**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**, Mariposa County is committed to meeting its mandatory commercial recycling requirements, pursuant to PRC, Section 42649.3, through program implementation as clarified in the Model Mandatory Commercial Recycling Program for Rural Counties; and,

**WHEREAS**, Senate Bill (SB) 1383 (Lara, 2016) was signed into law and establishes methane emissions reduction goals of 50 percent in the level of the statewide landfill disposal of organic waste from the 2014 level by 2020 and 75 percent by 2025 and increase edible food recovery by 20 percent by 2025; and,

**WHEREAS**, the Department of Resources Recycling and Recovery (CalRecycle) developed regulations in Title 14 Natural Resources, Division 7, Chapter 12: Short-lived Climate Pollutants in the California Code of Regulations to implement the goals in SB 1383; and

**WHEREAS**, Chapter 12 Article 3 (commencing with Section 18984) Organic Waste Collection Services requires jurisdictions implement an organic waste diversion program that provides organic waste collection services to all businesses and residences; and

**WHEREAS**, Section 18984.12 (c) allows the Board of Supervisors of a rural county to adopt a resolution exempting the county from the requirements Article 3 based upon findings as to the purpose of and need for the exemption; and,

**WHEREAS**, Section 42649.8 of the Public Resources Code defines a rural county as a county that has a total population of less than 70,000 persons; and

**WHEREAS**, there are 19 counties in California with populations of less than 70,000 persons, which collectively represent only 2.0% of the statewide waste stream; and,

**WHEREAS**, organic waste generators within rural jurisdictions that meet the definition of "Rural Jurisdiction" in Section 42649.8 of the Public Resources Code that are exempted pursuant to paragraph (1) of subdivision (c) of Section 18984.12 are not required to comply with the organic waste collection requirements specified in Article 3; and,

**WHEREAS**, Mariposa County has a population of 17,131 persons, which is less than 70,000 persons, as of the California Department of Finance's most current population estimate; 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 it is not currently economically feasible to build sustainable processing facilities necessary to 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**, Mariposa County is committed to continue to pursue economically feasible alternatives for organics management; and,

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


**WHEREAS**, on December 31, 2026, this exemption shall become inoperative, unless subsequent legislation or department regulations or approvals extends the rural exemptions beyond that date, at which time portions of the county may qualify for the low population waiver (census tracts with less than 75 people per square mile).

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Mariposa County hereby chooses to exempt the County from the requirements of Article 3 of Title 14, Division 7, Chapter 12 of the California Code of Regulations (commencing with Section 18984) Organic Waste Collection Services.


**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 December 31, 2026.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Mariposa, a political subdivision of the State of California, this 21st day of December, 2021 by the following vote:

AYES: SMALLCOMBE, SWEENEY, LONG, FORSYTHE, MENETREY  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

  
**MARSHALL LONG**, Chair  
Mariposa County Board of Supervisors

**ATTEST:**

  
**RENE LaROCHE**  
Clerk of the Board

**APPROVED AS TO FORM:**

  
**STEVEN W. DAHLEM**  
County Counsel