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May 25, 2021

The Honorable Ben Allen
Chair, Senate Environmental Quality Committee
State Capitol Building, Room 2205
Sacramento, CA 95814

RE: SB 619 (Laird) Organic Waste: Reduction Regulations
Notice of SUPPORT IN CONCEPT (*As Amended 3/10/21*)

Dear Senator Allen,

The City of Arcata would like to express our strong **Support in Concept** for SB 619 (Laird), which would help local governments implement SB 1383 (Lara, 2016) and the subsequent CalRecycle regulations.

Over the past several years, CalRecycle has been developing sweeping regulations to implement statewide organic waste diversion goals set forth in SB 1383 by Senator Lara in 2016 (Regulations). SB 619 seeks help local governments implement SB 1383 by allowing for additional time and flexibility to comply with the regulations.

Currently, local governments have until January 1, 2022, to implement the sweeping requirements outlined in the Regulations. Additional time and flexibility to comply with the Regulations is needed to take into account when the Regulations were finalized, the outbreak of COVID-19, and the effects these Regulations will have on city residents and businesses. Although the Regulations had been in development for several years, they were not finalized until November 2020, only giving local governments thirteen months to fully implement various facets of the Regulations.

At the first meeting held after finalization of SB 1383 Regulations, the Humboldt County Solid Waste Local Task Force created an Ad hoc Committee to develop recommendations for SB 1383 planning and implementation. Arcata is a member of the Ad hoc Committee. Since then, the committee has met every two weeks, at minimum, to prioritize implementation and schedule for various elements of SB 1383. Additionally, City staff has attended multiple workshops and met with CalRecycle staff several times to discuss SB 1383 implementation. Many elements of SB 1383 will likely require regional collaboration to effectively implement in rural Humboldt County, and jurisdictions are making their best effort to expeditiously ensure necessary planning and implementation is in place prior by January 1, 2022. However, to plan and implement regulations of such large scale in an area where no current municipal organic recycling infrastructure exists is not possible by January 1, 2022. Furthermore, given the regulations were finalized in late 2020, there has not been enough time to adequately plan for and budget necessary funds for achieving compliance with SB 1383 prior to January 1, 2022.

The timelines contemplated in SB 1383 and the Regulations also do not take into account the COVID-19 pandemic and the associated shifting of city staff and resources to protect public health and safety. Cities have been on the front lines helping ensure that our residents are safe and critical city operations remain operational.

Additional time to implement SB 1383 will help ensure Arcata is able to develop a comprehensive implementation plan most appropriate for our community by providing adequate time to research, analyze, and gain community input on various pathways to complying with organics recycling and food rescue requirements. Arcata is an economically disadvantaged community; additional time will enable the City to pursue grant funding opportunities to help implement SB 1383, in turn minimizing rate increases to fund compliance. Finally, additional time will create greater opportunities for regional collaboration to most effectively implement various elements of SB 1383.

Without additional time and flexibility in our city, we are anticipating that Arcata may not achieve SB 1383 compliance. Arcata may plan and implement elements of SB 1383 based on time constraints rather than selecting the most effective and appropriate means for the community. Without enough time to analyze rate structures and increase rates to offset the cost of compliance with SB 1383, Arcata may be forced to compromise existing levels of service to fund SB 1383 compliance.

Lastly, given that the Regulations do not have a source of state funding to implement, the burden of paying for the costs associated with implementing the program will fall to our residents and our businesses. With all of the economic hardships facing cities, residents, and businesses, more time and flexibly implementing the Regulations will be needed to soften the blow of increased solid waste rates.

Cities, like ours, are working diligently to implement SB 1383 and are committed to fully implementing the program. However, given the reasons outlined above, additional time and flexibility is needed in order to avoid our serious challenges.

We acknowledge that this legislation is a work in progress, however, cities want to see this legislation move forward to continue the discussions with legislators and all stakeholders to see what solutions can be reached. We applaud Senator Laird for all of his efforts to help local governments get the additional time and flexibility we need to meet the state's ambitious climate and emissions reduction goals.

For these reasons, the City of Arcata **Supports SB 619 in Concept** and urges you to vote “AYE” on the bill to continue to move this legislation forward to further the discussion on this important issue to cities and their residents.

Respectfully,



Sofia Pereira, Mayor
City of Arcata

cc:

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