



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Public Works  
**Department No.:** 054  
**For Agenda Of:** January 11, 2022  
**Placement:** Set Hearing (1/11/22)  
Departmental (2/1/22:  
First Reading)  
Administrative (2/15/22:  
Second Reading)  
**Estimated Tme:** 30 Minutes on February  
1, 2022  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department Scott D. McGolpin, Public Works Director, 805-568-3010  
Director(s)  
Contact Info: Leslie Wells, Deputy Public Works Director, 805-882-3605

**SUBJECT:** Amend Chapter 17 of the County Code to Comply with State Law SB 1383  
Regarding the Diversion and Recycling of Organic Waste

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** None

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors on January 11, 2022, set a public hearing on the Departmental Agenda for February 1, 2022 to consider recommendations, as follows:

On February 1, 2022:

- a) Consider the introduction (First Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara amending Chapter 17 of the Santa Barbara County Code, Solid Waste Services in the unincorporated area of the County;
- b) Read the title, "An Ordinance Amending Chapter 17, Solid Waste Services of the Santa Barbara County Code" and waive further reading of the Ordinance in full;
- c) Consider revisions to the Rules & Regulations of Chapter 17, to update information and reflect changes proposed in the Ordinance; and
- d) Set a hearing on the Administrative Agenda of February 15, 2022, to consider recommendations, as follows:

- a. Adopt (Second Reading) an Ordinance of the Board of Supervisors of the County of Santa Barbara amending Chapter 17 of the Santa Barbara County Code, Solid Waste Services;
- b. Determine that pursuant to Section 15162 of the State California Environmental Quality Act (CEQA) Guidelines that adoption of the Ordinance and Rules & Regulations is within the scope of the Final Environmental Impact Report dated December 2019 prepared by CalRecycle for *SB 1383 Regulations Short-Lived Climate Pollutants: Organic Waste Methane Emission Reduction* and that no subsequent EIR or Negative Declaration is required for this project because no substantial changes are proposed, no substantial changes have occurred with respect to the circumstances under which the project is undertaken and no new information of substantial importance has come to light regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, ; and
- c. Adopt the revisions to the Rules & Regulations of Chapter 17, to update information and reflect changes proposed in the Ordinance amending Chapter 17, the Santa Barbara County Code, Solid Waste Services.

**Summary Text:**

In September 2016, Governor Brown signed into law SB 1383, which established statewide emissions reduction targets for short-lived climate pollutants, including methane. As an estimated 20% of the State’s methane emissions results from the landfilling of organic waste, a primary impact of the new law is the required development and implementation of programs that divert organic waste from landfills. SB 1383 requires that the County adopt an Ordinance that ensures organic waste collection services for residents and businesses in the unincorporated area. This Ordinance also requires that collection containers follow State standards and assist the State in achieving its goal of reducing organic waste disposal by 75% from 2014 levels by 2025.

To comply with this State law, County staff used a model ordinance provided by CalRecycle as the basis of the Santa Barbara County Ordinance to amend Chapter 17, Solid Waste Services.

**Background:**

State law SB 1383 established statewide emissions reduction targets for short-lived climate pollutants, including methane generated in landfills. These targets are primarily achieved by requiring local jurisdictions to implement diversion and recycling programs that keep organics out of landfills.

Specifically, SB 1383 requires:

1. A 50% statewide reduction in organic waste disposal from 2014 levels by 2020 and a 75% reduction by 2025.
2. A 20% increase in the recovery of edible food for human consumption by 2025.
3. The provision of organic waste collection services for all residents and businesses, beginning in 2022.
4. The adoption of an ordinance or amendment to existing County or municipal code to establish and enforce key aspects of the new law.

To comply with the requirement of a local ordinance, County staff used a model ordinance provided by CalRecycle to amend relevant sections of Chapter 17 of the Santa Barbara County Code and the associated Rules and Regulations.

Key components of the SB 1383 Model Ordinance include:

1. The County is required to provide organics diversion programs to residents and businesses.
2. Residents and businesses are required to participate in these programs or divert organics themselves.
3. Enforcement of this ordinance may take place only after two years of education and outreach (January 1, 2024).

Through this Ordinance the County will be required to:

1. Provide organics collection services to all residents and businesses;
2. Conduct education and outreach;
3. Procure products made from recycled organics;
4. Establish food recovery programs;
5. Secure access to and track organics recycling and food recovery capacity;
6. Monitor compliance; and
7. Conduct enforcement.

Currently, the County provides organics diversion services for residents and businesses on the South Coast and in the Santa Ynez and Cuyama Valleys through the ReSource Center, which is contractually obligated to divert a minimum of 80% of all organics received. Residents and businesses in the Lompoc and Santa Maria Valleys will have organics collection and diversion services provided to them by their franchised waste hauler.

Pursuant to the requirements of the California Environmental Quality Act, CalRecycle prepared a final program EIR for SB 1383 regulations (December 2019). Included as a part of the EIR project description is a requirement for jurisdictions to adopt jurisdictions and other regulated entities to implement a suite of programs to achieve the statute's statewide mandates including ordinances or similarly enforceable mechanisms to implement the proposed regulation at the local level. Pursuant to CEQA Guidelines 15162 the adoption of the ordinance is within the scope of CalRecycle's EIR. The EIR is available for review at <https://www.calrecycle.ca.gov/laws/rulemaking/archive/2020/slcp>.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

Narrative: Costs associated with the implementation of required programs will be covered using current appropriations.

Ordinance to Amend Chapter 17 of the Santa Barbara County Code, Solid Waste Services, to Comply with State Law SB 1383, regarding the Diversion and Recycling of Organic Waste  
Agenda Date: January 11, 2022

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**Special Instructions:**

The Clerk of the Board shall publish the Ordinance in accordance with Government Code Section 25124.

**Attachments:**

Attachment A: Ordinance to Amend Chapter 17 of the Santa Barbara County Code, Solid Waste Services

Attachment B: Amended Rules & Regulations of Chapter 17 of the Santa Barbara County Code

Attachment C: Strikeout version of Ordinance to Amend Chapter 17 of the Santa Barbara County Code, Solid Waste Services

Attachment D: Strikeout version of Amended Rules & Regulations of Chapter 17 of the Santa Barbara County Code

**Authored by:**

Carlyle A. Johnston, Project Leader for Public Works, x23617