

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE
COUNTY OF SANTA BARBARA
STATE OF CALIFORNIA**

**RESOLUTION TO AUTHORIZE THE PUBLIC WORKS)
DIRECTOR OR HIS OR HER DESIGNEE TO SUBMIT)
TO THE DEPARTMENT OF RESOURCES RECYCLING)
AND RECOVERY (CALRECYCLE) ON BEHALF OF)
THE COUNTY, A NOTIFICATION OF INTENT TO)
COMPLY WITH SB 1383 REGULATIONS)**

RESOLUTION NO. 22-26

WHEREAS, CalRecycle, in consultation with the California Air Resources Board, has adopted regulatory requirements (Regulations), consistent with the mandate of Senate Bill 1383 (Lara, 2016), that are designed to achieve the organic waste reduction goals established in Section 39730.6 of the Health and Safety Code through a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025;

WHEREAS, the County of Santa Barbara (County) is a local jurisdiction required to comply with the Regulations;

WHEREAS, the County is currently working on adopting an ordinance to implement Senate Bill 1383; however, the ordinance will not be effective by the January 1, 2022 deadline and therefore, the County could face violations until March 2022 when the ordinance takes effect;

WHEREAS, the County is currently negotiating new SB 1383-compliant franchise agreements with its two solid waste collection providers, with the new agreements expected to begin on July 1, 2022, which does not meet SB 1383's January 1, 2022 deadline;

WHEREAS, the County currently offers yard waste and paper product recycling programs to all residents and businesses in the unincorporated area of the County but has not yet implemented a food scraps collection program for Lompoc Valley and Santa Maria Valley residents, as required by the Regulations, and as such will be working to implement the full program by July 2022 to remedy any possible violations incurred;

WHEREAS, the County is currently implementing a new SB 1383-compliant recycled content paper procurement recordkeeping system to begin by March 1, 2022, which does not meet SB 1383's January 1, 2022 deadline;

WHEREAS, the County faced challenges in implementing the requirements of Senate Bill 1383 due to contractor and internal staffing shortages related to the COVID-19 pandemic;

WHEREAS, Senate Bill 619 (Laird, 2021), through amendments to Section 42652.5 of the Public Resources Code (Statute), created a mechanism called a Notification of Intent to Comply through which a local jurisdiction may secure administrative civil penalty relief from any continuing violations of the Regulations for the 2022 calendar year and may be eligible for a broader and longer-term regulatory compliance path, including suspended administrative civil penalties, through a corrective action plan;

WHEREAS, County is a local jurisdiction authorized by the Statute to submit a Notification of Intent to Comply for CalRecycle approval; and

WHEREAS, CalRecycle shall approve a Notification of Intent to Comply that is duly adopted by the jurisdiction by formal written resolution and meets the requirements of the Statute.

NOW, THEREFORE, BE IT RESOLVED AND HEREBY ORDERED, that the Board of Supervisors agrees and authorizes that:

1. The foregoing recitals are true and accurate.
2. The Santa Barbara County Board of Supervisors (Board) by and through its Public Works Director, or his or her designee, hereby formally adopts the Notification of Intent to Comply application.
3. The Board hereby authorizes and directs the Public Works Director, or his or her designee, on its behalf, to submit the Notification of Intent to Comply to CalRecycle for approval pursuant to the Statute.
4. By submitting the Notification of Intent to Comply pursuant to and subject to the above referenced requirements, the County represents and certifies that it will implement the proposed actions to remedy the violations according to the proposed schedule as approved by CalRecycle and in accordance with the Statute and Regulations.
5. The County by and through its Public Works Director, or his or her designee, also acknowledges and agrees to comply to the maximum extent possible with any maximum compliance deadline in any corrective action plan that CalRecycle determines to be necessary and appropriate under the circumstances for the correction of any violation(s) of the Statute and Regulations identified in its Notification of Intent to Comply.

THE FOREGOING RESOLUTION was passed and adopted by the Board of Supervisors of the County of Santa Barbara, State of California, on this 15th day of February, 2022 by the following vote:

AYES: Supervisors Williams, Hart, Hartmann, Nelson, and Lavagnino

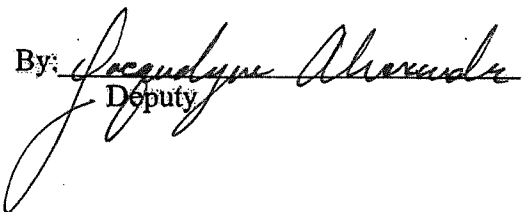
NAYS: None

ABSENT: None

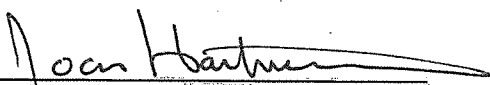
ABSTAIN: None

ATTEST:
MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

COUNTY OF SANTA BARBARA
BOARD OF SUPERVISORS

By: 

Deputy

By: 

Joan Hartmann

Chair, Board of Supervisors

APPROVED AS TO FORM:
RACHEL VAN MULLEM
COUNTY COUNSEL

By: 

Deputy County Counsel