



**San Gabriel Valley Council of Governments**  
**AGENDA AND NOTICE OF THE SPECIAL MEETING OF THE**  
**ENERGY, ENVIRONMENT AND NATURAL RESOURCES**  
**(EENR) COMMITTEE**

**Wednesday, October 16, 2019 – 1:00 PM**  
**Monrovia Community Center: Monroe Conference Room**  
**119 W. Palm Avenue, Monrovia, CA 91016**

Chair  
**Denis Bertone**  
City of San Dimas

Vice Chair  
**Liz Reilly**  
City of Duarte

**Members**  
*Claremont*  
*Covina*  
*Duarte*  
*Rosemead*  
*San Dimas*  
*San Gabriel*  
*Sierra Madre*  
*West Covina*  
*L.A. County District #1*

**Ex-Officio Member**  
*Jeffrey Lee*  
City of Temple City's  
Planning Commission

Thank you for participating in today's meeting. The EENR Committee encourages public participation and invites you to share your views on agenda items.

**MEETINGS:** *Regular Meetings of the EENR Committee are held on the third Wednesday of each month at 12:30 PM at the Monrovia Community Center, 119 W. Palm Avenue, Monrovia, CA 91016.* The EENR Committee agenda packet is available at the San Gabriel Valley Council of Government's (SGVCOG) Office, 1000 South Fremont Avenue, Suite 10210, Alhambra, CA, and on the website, [www.sgvkog.org](http://www.sgvkog.org). Copies are available via email upon request ([sgv@sgvkog.org](mailto:sgv@sgvkog.org)). Documents distributed to a majority of the Committee after the posting will be available for review in the SGVCOG office and on the SGVCOG website. Your attendance at this public meeting may result in the recording of your voice.

**PUBLIC PARTICIPATION:** Your participation is welcomed and invited at all EENR Committee meetings. Time is reserved at each regular meeting for those who wish to address the Committee. SGVCOG requests that persons addressing the Committee refrain from making personal, slanderous, profane or disruptive remarks.

**TO ADDRESS THE EENR COMMITTEE:** At a regular meeting, the public may comment on any matter within the jurisdiction of the Committee during the public comment period and may also comment on any agenda item at the time it is discussed. At a special meeting, the public may only comment on items that are on the agenda. Members of the public wishing to speak are asked to complete a comment card or simply rise to be recognized when the Chair asks for public comments to speak. We ask that members of the public state their name for the record and keep their remarks brief. If several persons wish to address the Committee on a single item, the Chair may impose a time limit on individual remarks at the beginning of discussion. **The EENR Committee may not discuss or vote on items not listed on the agenda.**

**AGENDA ITEMS:** The Agenda contains the regular order of business of the EENR Committee. Items on the Agenda have generally been reviewed and investigated by the staff in advance of the meeting so that the EENR Committee can be fully informed about a matter before making its decision.

**CONSENT CALENDAR:** Items listed on the Consent Calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion on these items unless a Committee member or citizen so requests. In this event, the item will be removed from the Consent Calendar and considered after the Consent Calendar. If you would like an item on the Consent Calendar discussed, simply tell Staff or a member of the Committee.



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the SGVCOG office at (626) 457-1800. Notification 48 hours prior to the meeting will enable the SGVCOG to make reasonable arrangement to ensure accessibility to this meeting.



## PRELIMINARY BUSINESS

1. Call to Order
2. Roll Call
3. Public Comment (*If necessary, the Chair may place reasonable time limits on all comments*)
4. Changes to Agenda Order: Identify emergency items arising after agenda posting and requiring action prior to next regular meeting (*It is anticipated that the EENR Committee may take action on the following matters*)

## CONSENT CALENDAR (*It is anticipated that the EENR Committee may take action on the following matters*)

5. EENR Meeting Minutes – September 18, 2019 (**Page 1**)  
*Recommended Action: Approve.*
6. Correspondence (**Page 7**)  
*Recommended Action: Receive and file.*
7. SB 1383 (Lara) Comment Letter (**Page 13**)  
*Recommended Action: Receive and file.*

## PRESENTATIONS (*It is anticipated that the EENR Committee may take action on the following matters*)

8. Beverage Recycling Updates – Lyana Murillo, Supervisor of Division of Recycling of Recycling Program Certification and Registration Branch, California Department of Resources Recycling and Recovery (**Page 15**)  
*Recommended Action: For information.*
9. Solid Waste Legislative Review and Updates – Elijah Carder, Management Assistant, Los Angeles County Department of Public Works (**Page 25**)  
*Recommended Action: For information.*

## UPDATE ITEMS (*It is anticipated that the EENR Committee may take action on the following matters*)

10. Upper San Gabriel Valley Municipal Water District  
*Recommended Action: For information*
11. Clean Power Alliance  
*Recommended Action: For information*
12. San Gabriel Mountains Community Collaborative  
*Recommended Action: For information.*
13. San Gabriel Valley Mosquito and Vector Control District  
*Recommended Action: For information.*
14. Los Angeles County Parks and Recreation  
*Recommended Action: For information.*
15. Trust for Public Land  
*Recommended Action: For information.*
16. San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy  
*Recommended Action: For information.*
17. Sanitation Districts of Los Angeles County  
*Recommended Action: For information.*
18. Southern California Edison

- 19. *Recommended Action: For information.*  
Southern California Gas Company  
*Recommended Action: For information.*
- 20. Waste Management  
*Recommended Action: For information.*
- 21. Athens Services  
*Recommended Action: For information.*

#### **COMMITTEE MEMBER ITEMS**

- 22. Potential Tours: Southern California Edison Energy Education Center & SoCalGas Energy Resource Center  
*Recommended Action: For information.*

#### **STAFF ANNOUNCEMENTS**

- 23. 626 Golden Streets: Streets and Treats  
*Recommended Action: For information.*
- 24. Next Committee Meeting  
*Recommended Action: For information.*

#### **ANNOUNCEMENTS**

#### **ADJOURN**





**SGVCOG EENR Committee Unapproved Meeting Minutes**

Date: September 18, 2019

Time: 12:30 PM

Location: Monrovia Community Center: Monroe Conference Room (119 West Palm Avenue, Monrovia, CA 91016)

**PRELIMINARY BUSINESS**

1. Call to Order  
The meeting was called to order at 12:32 p.m.
2. Roll Call

**Members Present:**

Claremont – J. Stark  
Covina – M. Saint  
Duarte – L. Reilly  
Rosemead – M. Clark  
San Dimas – D. Bertone  
Sierra Madre – J. Capoccia

**Members Absent:**

San Gabriel  
West Covina  
L.A. County District #1

**Ex-Officio Member Present:**

Temple City – J. Lee

**Guests:**

J. Farned – SGVMVCD  
J. Torres – SCE  
J. Soriano – SCE  
J. Lyons – LGP  
P. Perrone – TPL  
M. Rosales – LACSD  
S. Gee – RMC  
L. Augino – Watermaster  
C. Cruz – CPA

**SGVCOG Staff:**

K. Ward  
A. Fung

3. Public Comment  
There were no public comments at this meeting.
4. Changes to Agenda Order: Identify emergency items arising after agenda posting and requiring action prior to next regular meeting.  
There were no changes to the meeting agenda.

**CONSENT CALENDAR**

5. EENR Meeting Minutes – June 19, 2019  
*Recommended Action: Approve.*
6. EENR Meeting Notes – July 17, 2019  
*Recommended Action: Receive and file.*
7. Correspondence  
*Recommended Action: Receive and file.*
8. EENR Committee Chair and Vice Chair Elections

*Recommended Action: Elect Denis Bertone as Chair and Liz Reilly as Vice Chair of the EENR Committee for FY 2019-2020.*

*Item 8 was pulled from the consent calendar by EENR Committee Chair Denis Bertone.*

**There was a motion made to approve the consent calendar items 5, 6, and 7. (L. Reilly/M. Clark)**

**[Motion Passed]**

<b>AYES:</b>	Claremont, Covina, Duarte, Rosemead, San Dimas, Sierra Madre
<b>NOES:</b>	
<b>ABSTAIN:</b>	
<b>ABSENT:</b>	San Gabriel, West Covina, L.A. County District #1

Item 8 Recap: EENR Committee Chair and Vice Chair Elections

- EENR Committee Chair Denis Bertone inquired if any committee members would be interested in submitting a nomination for the positions of EENR Committee Chair and Vice Chair.
- Rosemead Mayor Margaret Clark nominated San Dimas Councilmember Denis Bertone as Chair and Duarte Councilmember Liz Reilly as Vice Chair.

**There was a motion made to elect San Dimas Councilmember Denis Bertone as EENR Committee Chair and Duarte Councilmember Liz Reilly as EENR Committee Vice Chair for FY 2019-2020. (M. Clark/L. Reilly)**

**[Motion Passed]**

<b>AYES:</b>	Claremont, Covina, Duarte, Rosemead, San Dimas, Sierra Madre
<b>NOES:</b>	
<b>ABSTAIN:</b>	
<b>ABSENT:</b>	San Gabriel, West Covina, L.A. County District #1

**PRESENTATIONS**

**9. EV-Ready Communities Paper**

Joshua Paul Torres, Southern California Edison’s (SCE) Senior Policy Advisor, provided a presentation on the EV-Ready Communities Paper. This paper was developed by SCE to assist local governments in preparing for the increased adoption of electric vehicle technology by the residents and businesses within their jurisdictions. The paper includes six recommendations for local governments to consider in preparing for mass electric vehicle adoption and additional details on how governments can carry out these recommendations.

**10. Claremont Locally Grown Power**

Former Claremont Mayor and City Councilmember Joe Lyons provided a presentation on the Claremont Locally Grown Power (LGP) initiative. LGP is a group of dedicated Claremont and Pomona residents, community organizations, and students working to create clean energy job

opportunities, address local issues of environmental justice, and help buildings in Claremont and Pomona reach zero net energy consumption. LGP aims to prove the possibility of every city creating its own energy by combining simplified solar technology with a nonprofit business model. This model includes the creation of a locally-owned and operated manufacturing plant that produces high-quality solar panels that would be skillfully-made and carefully-installed by local workers and residents of the community.

**DISCUSSION ITEMS**

**11. SGVCOG Representative to the San Gabriel Mountains Community Collaborative**

The committee was provided with the opportunity to recommend the SGVCOG Governing Board to appoint a representative to serve as the SGVCOG delegate to the San Gabriel Mountains Community Collaborative (SGMCC) due to a recent vacancy in the position. Committee member Liz Reilly provided a brief overview of the Collaborative and emphasized the importance of staying engaged with the SGVCOG’s external stakeholders.

**There was a motion made to recommend the SGVCOG Governing Board to appoint Claremont Councilmember Jennifer Stark as the SGVCOG delegate to the San Gabriel Mountains Community Collaborative (L. Reilly/J. Capoccia)**

[Motion Passed]

<b>AYES:</b>	Claremont, Covina, Duarte, Rosemead, San Dimas, Sierra Madre
<b>NOES:</b>	
<b>ABSTAIN:</b>	
<b>ABSENT:</b>	San Gabriel, West Covina, L.A. County District #1

The committee then directed staff to inform the SGVCOG Governing Board and the San Gabriel Mountains Community Collaborative regarding the committee’s recommendation to appoint Councilmember Stark as the SGVCOG delegate.

**ACTION ITEMS**

There were no action items at this meeting.

**UPDATE ITEMS**

**12. Clean Power Alliance**

C. Cruz announced that the Clean Power Alliance is closely working with Southern California Edison to resolve billing issues with customers. Mr. Cruz mentioned that these issues will be resolved soon and that affected residents are given the options of participating in payment plans. 1% of the 110,000 affected customers opted out of Clean Power Alliance; however, 6% of the 110,000 affected customers decided to increase their energy source from 36% or 50% to 100% renewable energy contents.

**13. San Gabriel Mountains Community Collaborative**

L. Reilly announced that the Collaborative will be meeting on Thursday, September 26, 2019.

- 14. San Gabriel Valley Mosquito and Vector Control District**  
J. Farned reported that peak vector disease transmission season is quickly approaching. California has received 89 reports of West Nile virus transmissions that resulted in 2 deaths. Within Los Angeles County, 7 West Nile cases were reported with one of these reports recorded in the City of Claremont. MVCD has since enhanced mosquito control and surveillance in this area. Additionally, the MVCD launched an interactive map on its website that showcases existing public outreach efforts.
- 15. Los Angeles County Parks and Recreation**  
J. Beesley provided a written report on the recently-released guidelines on existing grant opportunities for open space. The first grant application workshop was held on Wednesday, September 18, 2019.
- 16. Trust for Public Land**  
P. Perrone announced that some Proposition 68 funding is still available and that there is a possible measure regarding the approval of a climate action bond in the 2020 elections. If approved by voters, the measure would authorize the issuance of bonds in the amount of \$4.189 billion to finance projects for a wildfire prevention, safe drinking water, drought preparing, and flood protection program.
- 17. San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy**  
S. Gee announced that RMC received 26 applications in the recent round of call-for-projects. 13 of these applications were submitted for projects located in the San Gabriel Valley. The RMC is currently reviewing the applications and decisions will be released as early as November.
- 18. Sanitation Districts of Los Angeles County**  
M. Ramirez reported that the Puente Hills facility is currently being renovated for additional automation processes. The agency is happy to host a tour for the committee if committee members are interested in visiting the facility. Additionally, a trash and sewage tour will be held for members of the public on Saturday, October 5, 2019 at the Sanitation Districts' main office in Whittier.
- 19. Southern California Edison**  
J. Soriano reported that any questions regarding the presentation on the EV-Ready Communities Paper can be directed to [jeannette.soriano@sce.com](mailto:jeannette.soriano@sce.com). SCE is also happy to host a tour at its Irwindale Energy Education Center.
- 20. Southern California Gas Company**  
No reports were given.

#### **COMMITTEE MEMBER ITEMS**

- 21. Proposed New Committee Meeting Time**  
The committee decided to change the committee's regular meeting time from 12:30pm to 1:00pm beginning in October 2019.

## **STAFF ANNOUNCEMENTS**

- 22.** Potential Tour: SoCalGas Energy Resource Center  
The committee discussed the possibility of hosting a tour at SoCalGas' Energy Resource Center in December. It was decided that this item will be re-visited at the next meeting.
  
- 23.** Next Committee Meeting  
The next committee meeting is scheduled for Wednesday, October 16, 2019 at 1:00pm at the Monrovia Community Center.

## **ADJOURN**

D. Bertone adjourned the meeting at 2:33 p.m.



# Governor Newsom Signs Bills to Enhance Wildfire Mitigation, Preparedness and Response Efforts

Published: Oct 02, 2019

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*New laws reflect key recommendations made by Governor's Strike Force Report on Wildfires & build on \$1 billion wildfire and emergency investment in the budget*

*In July, Governor signed a catastrophic wildfire and safety bill, moving the state toward a safer, more reliable and affordable energy future*

SACRAMENTO – Today, Governor Gavin Newsom signed a series of bills aimed at improving California's wildfire prevention, mitigation and response efforts and continuing progress toward our clean energy goals. The 22 bills cover various areas for a comprehensive approach to these issues, and reflect recommendations in of the [Governor's Strike Force](#) report released in June. The report provided guidance on how the state can build a safe, reliable and affordable energy future.

"This has been a top priority in my Administration since day one, and we were able to work collaboratively and effectively with the Legislature to ensure California has a framework for today and for future generations," said Governor Newsom. "Given the realities of climate change and extreme weather events, the work is not done but these bills represent important steps forward on prevention, community resilience, and utility oversight. I commend the Legislature for making progress on these difficult issues."

The Governor's Strike Force report included the following areas of focus:

- Catastrophic Wildfire Prevention and Response
- Mitigating Climate Change through Clean Energy Policies
- Fair Allocation of Catastrophic Wildfire Damages
- A More Effective California Public Utilities Commission (CPUC) with the Tools to Manage a Changing Utility Market
- Holding PG&E Accountable and Building a Utility that Prioritizes Safety

Below is a list of bills the Governor signed to address recommendations made in the report, producing tangible results for all Californians.

## Catastrophic Wildfire Prevention and Response

The Strike Force report recommended the administration, the CPUC, local communities, and utilities work together to reduce the incidence and severity of wildfires. The following legislation will step up both community resilience and the state's response capabilities:

- AB 38 by Assemblymember Jim Wood (D-Santa Rosa) provides mechanisms to develop best practices for community-wide resilience against wildfires through home hardening, defensible space, and other measures.
- SB 190 by Senator Bill Dodd (D-Napa) includes a specific requirement to develop best models for defensible space and additional standards for home hardening and construction materials to increase the resilience of communities.
- SB 70 by Senator Jim Nielsen (R-Gerber) requires IOUs to include information about consideration of undergrounding utility lines in their Wildfire Mitigation Plans (WMPs).
- SB 167 by Senator Bill Dodd (D-Napa) requires IOUs to improve their WMPs by including specified requirements to mitigate the impacts of Public Safety Power Shutoffs (PSPS).
- SB 247 by Senator Bill Dodd (D-Napa) requires increased oversight of the IOUs' WMPs, enhances requirements for fair wages and improves safety by ensuring a skilled and trained workforce.
- SB 209 by Senator Bill Dodd (D-Napa) requires establishment of a new weather technology center modeled after the state's intelligence fusion centers.
- AB 836 by Assemblymember Buffy Wicks (D-Oakland) establishes a program for retrofits of air ventilation systems to create community clean air centers, prioritizing areas with high cumulative smoke exposure burden.
- AB 661 by Assemblymember Kevin McCarty (D-Sacramento) requires the Sacramento Metropolitan Air Quality Management District to prepare a wildfire smoke air pollution emergency plan to serve as an informational source for local agencies and the public during an air pollution emergency caused by wildfire smoke.
- SB 560 by Senator Mike McGuire (D-Healdsburg) will mitigate impacts of PSPS.
- SB 160 by Senator Hannah-Beth Jackson (D-Santa Barbara) will improve engagement with culturally diverse communities for local emergency planning.
- SB 670 by Senator Mike McGuire (D-Healdsburg) will improve the coordination of emergency communication systems during 9-1-1 outages.

- SB 632 by Senator Cathleen Galgiani (D-Stockton) sets a deadline for completion of CAL FIRE’s vegetation management environmental review.
- AB 1823 by Assemblymember Laura Friedman (D-Glendale) which facilitates fuel reduction and other forest health projects.

### **Mitigating Climate Change Through Clean Energy Policies**

The Strike Force report recommended that, given climate change is a core driver of heightened wildfire risk, the state must continue the transition to clean energy, mitigate risk and build resilience. The following legislation will ensure that California continues to make progress toward its clean energy goals:

- SB 520 by Senator Robert Hertzberg (D-Van Nuys) establishes requirements for an energy provider of last resort given the increasing number of customers receiving power from entities other than IOUs.
- SB 255 by Senator Steven Bradford (D-Gardena) requires additional reporting to the CPUC of efforts of community choice aggregators to comply with contracting diversity guidelines, and encourages other load-serving entities to participate.
- SB 155 by Senator Steven Bradford (D-Gardena) improves CPUC oversight of renewable procurement and long-term energy supply contracts.
- AB 1144 by Assemblymember Laura Friedman (D-Glendale) requires use of a portion of the Self-Generation Incentive Program, which provides incentives for battery storage, to provide additional benefits for community resiliency.
- AB 1584 by Assemblymember Bill Quirk (D-Hayward) supports load-serving entities’ decisions to take actions that benefit the grid and recognizes resources that serve overall needs.

### **A More Effective CPUC with the Tools to Manage a Changing Utility Market**

The Strike Force report recommended an increased focus on effective safety regulation at the CPUC. The following legislation strengthens utility regulation by expanding the CPUC’s safety review process:

- SB 550 by Senator Jerry Hill (D-San Mateo) provides requirements for additional CPUC safety reviews, conducted together with the CPUC’s review of utility asset transactions.

- AB 1362 by Assemblymember Patrick O'Donnell (D-Long Beach) which requires posting of information by load serving entities to increase consumer access to information about their energy bills.

### Additional Legislation

- AB 1699 by Assemblymember Marc Levine (D-San Rafael) prohibits a mobile internet service provider from impairing or degrading the lawful internet traffic of first response agencies during an emergency.
- AB 1513 by Assemblymember Chris Holden (D-Pasadena) makes several technical and clarifying changes to current law which concern programs under the jurisdiction of, and the authority of, the California Public Utilities Commission and other energy programs to address the increasing threat of wildfires and utility liability related to those fires.

In July, the Legislature passed and the Governor [signed](#) wildfire safety and accountability legislation, which moved our state toward a safer, more affordable and reliable energy future. [AB 1054](#) created a more fair allocation of catastrophic wildfire damages and will hold PG&E accountable for prioritizing safety, and required the California Public Utilities Commission to take a number of actions.

Governor Newsom has made wildfire prevention and mitigation a top priority since taking office. The Governor proactively declared a [state of emergency](#) to fast-track 35 [critical forest-management projects](#) to protect more than 200 of California's highest-risk communities and [redirected National Guard members](#) from the border to undertake fire prevention activities throughout the state. The governor also included \$1 billion in additional funding in the state budget to enhance our state's preparedness and expand our capacity to respond to emergencies. The budget included 13 new fire engines. He also:

- Invested \$127.2 million to expand CAL FIRE'S fleet with C-130 air tankers and modified Black Hawk helicopters for nighttime firefighting operations,
- Signed an executive order [authorizing the surge of almost 400 seasonal firefighters](#) to CAL FIRE this year,
- Began overdue modernization of California's [9-1-1 system](#),
- Announced the selection of the first two contracts for the [Wildfire Innovation Sprint](#), intended to modernize the way the state contracts for acquisition and development of technology systems, with the goal of getting cutting-edge firefighting technology in the hands of emergency responders by next fire season,

- Supporting local fire operations, including \$2 million for the Butte County Fire Department to maintain its current level of service and continue operation of one year-round fire station through its cooperative agreement with CAL FIRE,
- Partnered with the federal government to secure state access to remote sensor-based technology to detect wildfire ignitions, including securing delegation of authority from the Secretary of Defense to fly infrared equipped Unmanned Aerial System in support of CAL FIRE missions,
- Invested \$210 million Greenhouse Gas Reduction Fund for forest health and fire prevention projects and programs to enable CAL FIRE to complete more fuel reduction projects and increase the pace and scale of fire prevention, and
- Developed and implemented the Forestry Corps Program, to operate four Forestry Corps crews that will undertake forest health and hazardous fuel reduction projects in areas of high fire risk.
- During his [State of the State Address](#), the Governor announced the creation of a Strike Force to develop a comprehensive strategy within 60 days, to address the destabilizing effects of catastrophic wildfires on California's energy future.

###





October 16, 2019

**OFFICERS**

*President*  
Cynthia Sternquist

*1<sup>st</sup> Vice President*  
Margaret Clark

*2<sup>nd</sup> Vice President*  
Becky Shevlin

*3<sup>rd</sup> Vice President*  
Tim Hepburn

**MEMBERS**

- Alhambra
- Arcadia
- Azusa
- Baldwin Park
- Bradbury
- Claremont
- Covina
- Diamond Bar
- Duarte
- El Monte
- Glendora
- Industry
- Irwindale
- La Cañada Flintridge
- La Puente
- La Verne
- Monrovia
- Montebello
- Monterey Park
- Pomona
- Rosemead
- San Dimas
- San Gabriel
- San Marino
- Sierra Madre
- South El Monte
- South Pasadena
- Temple City
- Walnut
- West Covina
- First District, LA County  
Unincorporated Communities
- Fourth District, LA County  
Unincorporated Communities
- Fifth District, LA County  
Unincorporated Communities
- SGV Water Districts

Ashlee Yee  
Materials Management and Local Assistance Division  
California Department of Resources Recycling and Recovery (CalRecycle)  
P.O. Box 4025  
Sacramento, CA 95812

E-Mail: [SLCP.Organics@calrecycle.ca.gov](mailto:SLCP.Organics@calrecycle.ca.gov)

**RE: Comments on the Released SB 1383 Formal Regulation Text**

Dear Ms. Yee,

On behalf of the San Gabriel Valley Council of Governments (SGVCOG), we are writing to express our appreciation for the opportunity to comment on the SB 1383 (Lara) formal regulations that were released in October 2019. SGVCOG is a joint powers authority of thirty-four-member agencies that are located in the San Gabriel Valley. The SGVCOG is also the largest and most diverse sub-regional government entity in the Los Angeles County.

SGVCOG continues to support both a robust waste management system that complies with California's climate goals as well as reasonable and achievable goals in removing short-lived climate pollutants, including methane from landfills. We deeply appreciate the stakeholder process your agency is undertaking and the ability to weigh in on the proposed regulations. We want to take the opportunity to thank CalRecycle for acknowledging the critical need for infrastructure capacity statewide. Additionally, we appreciate CalRecycle staff for aligning linguistics outreach requirements in accordance to Section 7295 of the Government Code and including more flexibility for compliance in the revised proposed regulation text. However, SGVCOG would like to reiterate several key concerns from our member agencies:

**Disproportionate Burdens on Cities and Counties:** SGVCOG and our member agencies recognize the significant responsibility that CalRecycle bears to achieve the statewide recycling goals and organic waste landfill disposal reduction goals within a limited timeframe; however, the method that CalRecycle has proposed appears to be placing a tremendous burden on cities and counties. In accordance to Section 40001 (a) of the Public Resources Code, the responsibility for solid waste management is a shared responsibility between the state and local governments. Under the existing proposed regulation text, the responsibility of programmatic and penalty requirements appears to weigh more heavily on cities and counties than on state agencies, special districts, school districts, education agencies, and non-local entities. SGVCOG recommends CalRecycle to provide a more equitable distribution of responsibility for achieving the reduction goals amongst all sectors, including state and local governments, school districts, universities, public and private colleges, and other non-local entities.

**Procurement:** The proposed regulations outline new procurement requirements that mandate local governments to purchase recovered organic waste products. These requirements may result in substantial additional costs to local municipalities that are in addition to the costs needed to comply with the extensive programmatic requirements of the proposed regulations. Additional costs resulting from complying with the procurement regulations represent an unfunded state mandate under Cal. Const. Article XIII B, section 6 (a), as the regulations would impose a new program on cities and neither the proposed regulations nor the Initial Statement of Reasons identifies a clear state funding source. CalRecycle should not rely only on the fee authority granted to local jurisdictions under the existing SB 1383 language. The SGVCOG requests that CalRecycle work to develop markets for such materials in a second regulatory proceeding.

**Jurisdictional “Good Faith Efforts” to Comply with SB 1383 Regulations:** SGVCOG and our member jurisdictions are extremely concerned with CalRecycle’s position to not consider “good faith efforts” in determining a jurisdiction’s progress in complying with SB 1383 mandates. We take exception to such a position since it is contrary to provisions of SB 1383 {Section 42652.5. (a) (4) of the Public Resources Code} which specifically requires the consideration of jurisdictional “good faith efforts” by CalRecycle in making its determination of a jurisdiction’s progress toward achieving organic waste landfill disposal reduction targets. The SGVCOG respectfully requests CalRecycle to update the SB 1383 proposed regulations to include provisions for the “good faith efforts” as provided and defined by state law.

SGVCOG deeply appreciates the inclusive stakeholder process your agency has undertaken. We look forward to continued opportunities to comment on specific proposals.

Sincerely,



Marisa Creter  
Executive Director  
San Gabriel Valley Council of Governments

# REPORT

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DATE: October 16, 2019  
TO: EENR Committee  
FROM: Marisa Creter, Executive Director  
RE: **BEVERAGE RECYCLING UPDATES**

## **RECOMMENDED ACTION**

For information only.

## **ABOUT CALRECYCLE**

The California Department of Resources Recycling and Recovery (CalRecycle) was established in 2010 as a department within the California Environmental Protection Agency to oversee California's waste management, waste reduction, and recycling programs. CalRecycle administers and provides oversight for all of the state-managed non-hazardous waste handling and recycling programs, such as the beverage container recycling and electric-waste recycling programs.

The department strives to inspire and challenge residents to achieve the highest waste reduction goals in the United States while restoring, protecting, and enhancing the environment to promote public health, environmental quality, and economic vitality.

## **BACKGROUND**

In 1986, California enacted the "Bottle Bill," known as AB 2020, to establish a self-funded program to encourage residents to recycle beverage containers. The program requires consumers to pay a deposit for each eligible container purchased and guarantees repayment of that deposit for each eligible container returned to a certified recycler. The existing California Refund Value (CRV) for containers that are less than 24 ounces is set at \$0.05 each and \$0.10 each for containers that are larger than 24 ounces. Once collected by the processors, the recyclables are treated and bundled up to be sold to companies that can turn the recyclables into other products. For a majority of the past few decades, most of the nation's recyclables were exported to China.

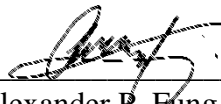
Last year, the General Administration of Customs of the People's Republic of China placed a 0.5% contamination limit on all recyclables and enacted a ban on the imports of 24 categories of solid waste. As a result, recyclable materials are either stockpiled at recycling facilities or re-directed to landfills. Additionally, California's largest operator of recycling redemption centers, known as RePlanet, ceased operations this year due to reduction in State fees, depressed pricing of recycled aluminum and plastics, and increased operating costs.


These factors, despite negatively impacting California's recycling operations and markets, present new opportunities for state and local agencies to develop innovative methods to process recyclables.

# REPORT

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Lyana Murillo, CalRecycle’s Supervisor of Division of Recycling of the Recycling Program Certification and Registration Branch, will provide a brief presentation on the background of beverage recycling in California, the impact of China’s new contamination limits and RePlanet facilities’ closure on the state’s recycling operations, and new opportunities for cities to consider to manage recyclables in their jurisdictions.

Prepared by:   
Alexander P. Fung  
Management Analyst

Approved by:   
Marisa Creter  
Executive Director

## ATTACHMENTS

Attachment A – Overview of California’s Beverage Container Recycling Program (AB 2020)

STATE CAPITOL  
ROOM 2205  
SACRAMENTO, CA 95814  
TEL (916) 651-4108  
FAX (916) 322-3519

California Legislature  
Senate Committee on  
Environmental Quality

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**OVERSIGHT HEARING OF THE  
SENATE ENVIRONMENTAL QUALITY COMMITTEE**

**An Overview of  
California's Beverage Container Recycling (Bottle Bill) Program**

Wednesday, February 15, 2017  
California State Capitol, Room 3191  
9:30 a.m.

**BACKGROUND**

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**Bottle Bill Overview**

The Bottle Bill was established by AB 2020 (Margolin, Chapter 1290, Statutes of 1986). The purpose of the program is to be a self-funded program that encourages consumers to recycle beverage containers to prevent littering. The program accomplishes this goal by requiring consumers to pay a deposit for each eligible container purchased. Then the program guarantees consumers repayment of that deposit, the California Redemption Value (CRV), for each eligible container returned to a certified recycler. Statute includes two main goals for the program: (1) reducing litter; and, (2) achieving a recycling rate of 80% for eligible containers.

*Eligible beverage containers.* Only certain beverage containers containing certain beverages are part of the CRV program. Most containers made from glass, plastic, aluminum, and bimetal (consisting of one or more metals) are eligible. Wine, spirits, milk, fruit juices (over 46 ounces), vegetable juice (over 16 ounces), and soy drinks are not eligible for CRV. Container types that are not included in the CRV program are cartons, pouches, and any container that holds 64 ounces or more.

*Participants in the Bottle Bill program.* The various stakeholders in the Bottle Bill program include:

- *Consumer.* Every person who, for his or her use or consumption, purchases a beverage in a beverage container from a dealer.
- *Dealer.* A retail establishment which offers the sale of beverages in beverage containers to consumers. However, any lodging, eating, or drinking establishment, or soft drink vending machine operator who engages in the sale of beverages in beverage containers to consumers shall not be deemed a dealer for purposes of the Bottle Bill program.
- *Distributor.* Every person who engages in the sale of beverages in beverage containers to a dealer in the state, including any manufacturer who engages in these sales. “Distributor” includes any person who imports beverages from outside of this state for sale to dealers or consumers in this state.
- *Beverage Manufacturer.* A person who bottles, cans, or otherwise fills beverage containers, or imports filled beverage containers, for sale to distributors, dealers, or consumers.
- *Container Manufacturer.* A person who produces beverage containers for filling by beverage manufacturers, including any person who imports these beverage containers from outside of this state for filling by beverage manufacturers.
- *Recycler.* A recycling center, dropoff or collection program, or curbside program.
- *Processor.* A person, including a scrap dealer, certified by the Department of Resources Recycling and Recovery (CalRecycle), who purchases empty aluminum beverage containers, bimetal beverage containers, glass beverage containers, plastic beverage containers, or any other beverage containers, including any one or more of those beverage containers, which have a refund value established pursuant to the Bottle Bill, from recycling centers in this state for recycling, or, if the container is not recyclable, not for recycling, and who cancels, or who certifies to the department the cancellation of, the

refund value of these empty beverage containers by processing empty beverage containers, in any manner which the department may prescribe.

- *CalRecycle*. State agency which administers, oversees, and enforces the Bottle Bill program.

*Flow of CRV containers and payments.* The Bottle Bill involves the flow of beverage containers and payments between several sets of parties, including consumers, retailers, recyclers, and manufacturers. At each stage, beverage containers and CRV are exchanged between participants. The Beverage Container Recycling Fund (BCRF) is used to collect and distribute payments for the CRV program.

Consumers generally have three options to recycle: return container to a recycler at a convenience zone (CZ) recycling center; return to an “old line” recycler; or, “donate” the container to a curbside collector. Once collected, the containers are sold to a processor.

Processors sort, clean, and process the containers into materials ready to be recycled, such as glass cullet or plastic flake, which they are able to sell to manufacturers for use in new beverage containers or other types of products. Beverage manufacturers that use glass and aluminum containers combine the recycled material with virgin material to create new containers and fill them with beverages. Plastic beverage containers generally contain no recycled content.

*Flow of CRV.* When beverage containers are exchanged, there is a corresponding CRV exchange. When consumers purchase beverages, they pay CRV to retailers. Retailers pass the CRV to beverage distributors. Beverage distributors pay CRV on all new beverage containers they sell in California to the BCRF after keeping 1.5% (about \$18M/year) for administrative costs. The BCRF is then used to pay CRV to processors for the containers they process. Processors pass the CRV on to the recyclers who collected the empty containers. Recyclers, in turn, pay CRV to consumers who redeem their beverage containers at a recycling center. In this way, consumers are able to recoup their CRV from the recycler.

*Ways to redeem containers.* Consumers have three different avenues in which they may redeem containers:

- Return the container to a “convenience zone” recycling center located within ½ mile radius of a supermarket. These are generally small centers that only accept beverage containers and receive handling fees from the BCRF. CZ

recyclers collect about 25% of CRV containers, but are utilized by 60% of consumers.

- Return the container to an “old line” recycling center, which refers to a recycler that does not receive handling fees and usually accepts large quantities of materials, frequently by truckload from municipal or commercial waste collection services. Traditional recyclers collect slightly more than half of all CRV containers (54%).
- Consumers can also "donate" their containers to residential curbside recycling collection. Curbside programs collect about 10% of CRV containers. Curbside programs keep the CRV on these containers.

*High recycling results in structural deficit.* Since the program was first implemented, the recycling rate of eligible containers has increased from 52% to 85%, exceeding the statutory recycling goal of 80%. Moreover, the total number of containers that are recycled has tripled due to the higher recycling rate and several expansions in the types of eligible containers over the years. The high recycling rate combined with the large number of additional expenditures has resulted in a budgetary shortfall within the BCRF.

*Additional Expenditures.* Until recently, lower recycling rates resulted in a half-billion dollar surplus in the BCRF, and previous Governors used the surplus to fund several loans to the General Fund. In an attempt to increase recycling and reduce the surplus, the Legislature amended the Bottle Bill a few times between 2000 and 2003 to include additional beverages, reduce the processing fees paid by manufacturers, establish the processing fee “offset” (reduced processing fees based on the “recycling rate” of a material), increase the CRV, increase handling fees to larger CZ recyclers, and establish and increase funding for a number of additional recycling programs. These programs are not directly related to the CRV, but they are intended to help achieve broader recycling goals. In 2006, AB 3056 (Committee on Natural Resources, Chapter 907, Statutes of 2006) increased the amounts of many of the additional programs, adjusted handling fees, and increased distributors' administrative fee.

The funding amounts for the supplemental programs are set in statute. A provision within the section that establishes the bulk of the BCRF expenditures requires CalRecycle to “reduce all payments proportionally” if it determines that there are insufficient funds to make any of the payments. Stakeholders refer to this reduction in funding as “proportional reduction.”

Supplemental programs funded by CRV include:

- *Processing Payments, Fees, and Offsets.* For many material types, the cost of recycling containers is greater than the value of the recycled material, which is referred to as the “scrap value.” This means that, absent some additional financial support, accepting these containers from consumers and recycling them would be unprofitable for recyclers and processors. In order to close that gap, the state subsidizes recycling by making “processing payments” from the BCRF to recyclers and processors. CalRecycle determines processing payment amounts by estimating recycling costs through surveys of recyclers every two years and calculating scrap values based on monthly reports from processors.

The cost to the BCRF of making processing payments is partially covered by the beverage manufacturers who produce these containers when they pay “processing fees” into the BCRF. The processing fees are calculated based on the number of containers each manufacturer sells. While processing fees were established to cover the full cost of making processing payments to recyclers and producers, over time the Legislature has reduced the processing payment by creating the “processing fee offset.” Since 2003, processing fee offsets have been determined on a sliding scale based on recycling rates (the amount of material collected for recycling, not the amount of material actually being recycled into new containers). As recycling rates for specific materials increase, beverage manufacturers that produce containers from those materials pay proportionally less in processing fees.

- *Handling Fees.* Supermarkets with more than \$2 million in gross annual sales are required to have a recycling center within a ½ mile radius, which is referred to as the “convenience zone.” CZ recyclers receive a “handling fee” from CalRecycle based on the number of containers they redeem.

Supermarkets that do not have a CZ recycler are required to take back containers themselves or pay an “in lieu” fee of \$100 per day.

- *Administrative Fees.* Statute provides administrative fees to beverage distributors, recyclers, and processors to defray their costs of program participation. Since 2006, beverage distributors retain 1.5 % of the total CRV collected to cover administrative costs. CalRecycle pays processors

2.5% of their reimbursed CRV; processors then distribute 0.75% to recyclers.

- *Curbside Supplemental Payments.* \$15 million is annually allocated to residential curbside recycling collection programs and neighborhood drop-off programs to encourage curbside recycling. The curbside supplemental payment is distributed to individual programs based on each program's share of beverage containers collected over the previous year.
- *Payments to Local Governments.* \$10.5 million is annually allocated to cities and counties for beverage container recycling and litter cleanup activities. Payments are distributed proportionally based on each jurisdiction's population.
- *Plastic Market Development (PMD) Payments.* PMD payments are awarded to plastic processors and plastic product manufacturers for empty plastic beverage containers that are processed and recycled into new material in California.
- *Quality Incentive Payments (QIP).* \$10 million is annually allocated for QIP in order to improve the quality and marketability of collected glass containers. Glass container recycling has significant GHG benefits and supports in-state bottle manufacturing. Curbside glass has significant issues with contamination and requires a great deal of processing prior to recycling. Glass collected at recycling centers is generally much higher quality and more easily recycled into new containers.
- *Local Conservation Corp (LCC) Grants.* LCCs are awarded grants to operate beverage container litter reduction and recycling programs. The 2014-15 Budget shifted some funding for the LCCs from the BCRF to three other special fund sources to reduce LCC reliance on the BCRF on an ongoing basis.

*CalRecycle's proposal on comprehensive reform of the Bottle Bill program.*

According to CalRecycle, the Bottle Bill program is limited in its abilities to adapt to changes in consumer products and behavior, developments in recycling systems, and fluctuations in the global commodities market. These limitations have created challenges and missed opportunities to maximize the benefits of recycling beverage containers, especially climate change benefits. To that end, CalRecycle

has proposed a policy framework outlining key components of reform and based on the following principles:

- *Improving recycling and remanufacturing.* According to CalRecycle, the program has been successful in its initial goal of reducing litter by providing recycling collection opportunities for consumers. However, collection does not ensure that a product is recycled into a new commodity. Future investments should be dedicated to creating clean, recyclable streams of material to facilitate recycling and remanufacturing. To facilitate recycling and remanufacturing, CalRecycle will focus on reform efforts on maintaining redemption opportunities for consumers and increasing the stream of clean recyclable materials.
- *Sharing responsibility.* According to CalRecycle, historically, the consumer has shouldered most of the financial burden to sustain the program. Program responsibilities and financing should be rebalanced among all program participants. Under the current program, consumers pay \$0.05 or \$0.10 on each beverage container purchased, and in order to get their money back, consumers must travel to a recycling center to return the container. In contrast beverage manufacturers pay \$0.00024 for each polyethylene terephthalate (PET) container they sell in California.
- *Enhancing adaptability and sustainability.* According to CalRecycle, increases in the recycling rate have resulted in a structural deficit in the BCRF. In addition, the program does not respond quickly to fluctuations in the global commodities market. The program must be both nimble and fiscally sustainable to advance the state's economic and environmental goals. A comprehensively reformed program must be fiscally stable and include a mechanism preventing future structural deficits.

CalRecycle has committed to collaborating with stakeholders on a comprehensive reform of the Bottle Bill program that aligns with the state's climate change goals and the state's 75% solid waste reduction, recycling, and composting goal, and is fiscally sustainable.

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# REPORT

DATE: October 16, 2019  
TO: EENR Committee  
FROM: Marisa Creter, Executive Director  
RE: **SOLID WASTE LEGISLATIVE REVIEW AND UPDATES**

## **RECOMMENDED ACTION**

For information only.

## **BACKGROUND**

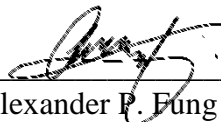
Los Angeles County Department of Public Works (LACDPW) serves as staff to the Los Angeles County Integrated Waste Management Task Force, which was formed in 1990 to address the various rising and multi-faceted issues surrounding solid waste management throughout Los Angeles County. The Task Force analyzes pieces of legislation and votes to take support or oppose positions depending on the impact to residents, businesses, and municipalities in the County. Representatives from LACDPW will provide details on the following key bills at this meeting:


Bill	Author	Summary	Task Force Position	Outcome
AB 54	Ting	This bill updates a recycling pilot project program, extends the pilot program for an additional two years, and provides funding to support those pilot projects.	Support	Chaptered
AB 187	Cristina Garcia & Bigelow	This bill makes various changes to the Used Mattress Recovery and Recycling Act in response to an audit report conducted by the Bureau of State Audits.	Support	Chaptered
AB 619	Chiu	This bill permits a local enforcement agency to allow a temporary food facility to use multi-use utensils that are clean, rinsed, and sanitized as an alternative to single-use utensils.	Support and Amend	Chaptered
AB 729	Chu	This bill revises the Product Stewardship for Carpets Program to include a funding mechanism with differential assessments and increase administrative penalties.	Support	Chaptered
AB 815	Aguiar-Curry	This bill requires CalRecycle to consider whether a local jurisdiction has adopted a dual stream recycling program when considering if the jurisdiction has made good faith efforts to meet the State's diversion goals.	Oppose Unless Amended	Chaptered
AB 827	McCarthy	This bill requires waste generators to provide customers with a commercial solid waste recycling bin or an organic waste recycling bin by July 1, 2020.	Oppose Unless Amended	Chaptered
AB 1583	Eggman	This bill extends the sunset for the Recycling Market Development Zone Program and the California Alternative Energy & Advanced Transportation Financing Authority by 5 years.	Watch	Chaptered

# REPORT

<b>SB 552</b>	Archuleta	This bill authorizes the use of consolidated manifests in the transportation of household hazardous waste (HHW) in door-to-door HHW collection programs indefinitely.	Support	Chaptered
<b>SB 726</b>	Caballero	This bill authorizes a contractor of a public agency to conduct materials exchange program at a household hazardous waste collection facility for reusable household hazardous products and materials.	Support	Chaptered
<b>AB 1080 / SB 54</b>	Bloom / Allen	This bill would impose a comprehensive regulatory scheme on producers, retailers, and wholesalers of single-use packaging and single-use products.	Watch	Two-Year Bill
<b>AB 1509</b>	Mullin & Berman	This bill requires manufacturers of lithium-ion batteries to provide convenient collection, transportation, and disposal of lithium-ion batteries.	Watch	Two-Year Bill
<b>AB 296</b>	Cooley	This bill establishes the Climate Innovation Grant Program for the development and research of new innovations that reduce or address the impacts of climate change.	Support if Amended	Vetoed
<b>AB 792</b>	Ting	This bill establishes minimum postconsumer content standards for plastic beverage containers that are subject to the California Redemption Value.	Support	Vetoed

Elijah Carder, LACDPW’s Management Assistant, will provide a summary of solid waste-related legislation introduced this year. Questions and inquiries can be directed to Mr. Carder at [ecarder@dpw.lacounty.gov](mailto:ecarder@dpw.lacounty.gov).

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