

RESOLUTION NO. 21- 8642

A RESOLUTION OF THE PLUMAS COUNTY BOARD OF SUPERVISORS OPTING TO AFFIRM AN EXEMPTION FROM THE REQUIREMENTS OF MANDATORY ORGANICS COLLECTION SERVICES

WHEREAS, Plumas 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, Plumas 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, Plumas County has a population of 19,730 persons, which is less than 70,000 persons, as of the California Department of Finance’s most current population estimate; and,

WHEREAS, Plumas 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 Plumas 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 Plumas 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, Plumas County is committed to continue to pursue economically feasible alternatives for organics management; and,

WHEREAS, Plumas 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 It Be Resolved, that the Board of Supervisors of Plumas 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.

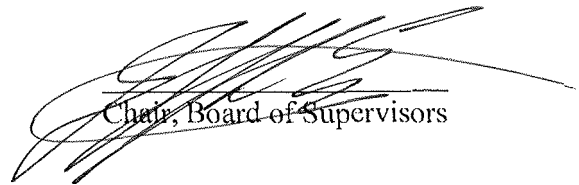
BE IT FURTHER RESOLVED, that the Board of Supervisors reserves the right to rescind this resolution at any time prior to the sunset date of December 31, 2026.

ON A MOTION by Supervisor Engel, seconded by Supervisor Hagwood the foregoing Resolution was duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said Board held on the 7th day of December, 2021 by the following votes:

AYES: Supervisors: Thrall, Ceresola, Hagwood, Goss, and Engel

NOES: Supervisors: None

ABSTAIN: Supervisors: None


Chair, Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors