



RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA

September 3, 2024

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

RE: Assembly Bill 2902 (Wood) – REQUEST FOR SIGNATURE

Dear Governor Newsom:

On behalf of the Rural County Representatives of California (RCRC), we respectfully request your signature on Assembly Bill 2902 (Wood) regarding CalRecycle's organic waste recycling program. RCRC is an association of forty rural California counties and the RCRC Board of Directors is comprised of elected supervisors from each of those member counties.

CalRecycle's organic waste regulations were designed with urban solid waste collection systems in mind; however, they are sometimes ill-suited to deal with the needs and challenges of lower-population and rural areas and afford very little flexibility for those situations. RCRC was pleased to sponsor AB 2902, which takes a multi-pronged approach to provide CalRecycle and local governments with flexibility in implementing the state's SB 1383 organic waste recycling law, will promote innovation, increase local benefits, and reduce cost pressures for the state and local governments.

Rural Jurisdictions

AB 2902 extends the existing rural exemption for the state's 19 counties with fewer than 70,000 residents (and cities within those counties). Collectively, these 19 counties have just under 600,000 residents spread across 50,000 square miles. When this exemption expires, rural jurisdictions will have to comply with collection and procurement obligations that are ill-suited for their remote and rural nature and will disproportionately increase costs relative to benefits achieved. Procurement will be particularly challenging for the eight rural border counties, as they are generally too small to support new composting facilities and would be barred from complying with the procurement obligations by using products from nearby out-of-state facilities. In light of these challenges, AB 2902 appropriately extends the current exemption until January 1, 2037, and allows CalRecycle to continue granting five-year extensions beyond that date.

1215 K Street, Suite 1650, Sacramento, CA 95814 | www.rcrcnet.org | 916.447.4806 | Fax: 916.448.3154

ALPINE · AMADOR · BUTTE · CALAVERAS · COLUSA · DEL NORTE · EL DORADO · GLENN · HUMBOLDT · IMPERIAL · INYO · KINGS · LAKE · LASSEN
MADERA · MARIPOSA · MENDOCINO · MERCED · MODOC · MONO · MONTEREY · NAPA · NEVADA · PLACER · PLUMAS · SAN BENITO · SAN LUIS OBISPO
SANTA BARBARA · SHASTA · SIERRA · SISKIYOU · SOLANO · SONOMA · SUTTER · TEHAMA · TRINITY · TULARE · TUOLUMNE · YOLO · YUBA

Maximizing Local Benefits while Preserving Flexibility and Innovation

AB 2902 seeks to maximize local benefits of organic recycling while preserving flexibility and promoting innovative recycling opportunities. AB 2902 attempts to increase local benefits of edible food recovery programs to ensure that local hunger is addressed before recovered food is trucked to distant jurisdictions. For years, many rural communities have recovered organics and used them as soil amendments or as animal feed. In recognition of those realities, the bill also preserves local flexibility and innovation by promoting healthy soils programs and the continued use of organics in local animal feed operations. Finally, AB 2902 resolves any lingering ambiguity by clarifying that (consistent with existing caselaw) local compost and mulch give aways and rebate programs do not constitute a gift of public funds.

Preventing Adverse Human/Bear Interactions

AB 2902 seeks to avoid adverse human/bear interactions related to the collection and management of organic waste and food scraps. CalRecycle's existing regulations allow high-elevation jurisdictions (those over 4,000' in elevation) to obtain a waiver from the requirement to separate food and food-soiled paper. While helpful, bears can often be found in lower elevation areas and source-separated organic waste can attract bears. Existing regulations require all organics containers to have green lids; however, jurisdictions and service providers have been unable to obtain bear-proof bins with the California-specific lid color. AB 2902 provides flexibility for jurisdictions with nearby bear populations to use bear boxes with lid colors that do not comply with those prescribed in the current regulations. Additionally, AB 2902 expands CalRecycle's existing grant program to allow it to fund the deployment of bear bins for solid and organic waste for primary residences in areas where there are significant bear-related public safety issues associated with food waste collection.

Refining Procurement Targets

AB 2902 adjusts local procurement targets to exclude residents covered by low-population and elevation waivers. Under existing law, a jurisdiction must procure recycled organic products based on the jurisdiction's total population; however, some of those residents may be exempt from organic collection requirements for a host of geographic, public safety, and population density factors. As residents living in low-population and high elevation areas are appropriately exempted from organic waste collection requirements, AB 2902's minor adjustment to the procurement targets will accordingly avoid unnecessary local costs, program complexity, and vehicle miles traveled (VMT).

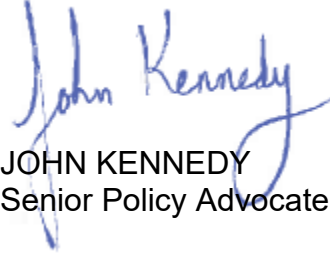
Reducing Emissions from Solid Waste Facilities

AB 2902 also facilitates emission reductions from solid waste facilities by having CalRecycle, the California Pollution Control Financing Authority and the California Infrastructure and Economic Development Bank inform owners/operators of solid waste facilities about existing state financing programs and tools that can fund facility improvements to increase the capture, or reduce the escape, of methane emissions.

The Honorable Gavin Newsom
Assembly Bill 2902
September 3, 2024
Page 3

For the above reasons, RCRC respectfully requests your signature on Assembly Bill 2902. If you should have any questions, please do not hesitate to contact me at jkennedy@rcrcnet.org.

Sincerely,



JOHN KENNEDY
Senior Policy Advocate

cc: The Honorable Jim Wood, Member, California State Assembly