



# San Bernardino County

## Legislation Text

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**File #: 7030, Agenda Item #: 59**

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### **REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY AND RECORD OF ACTION**

**November 15, 2022**

#### **FROM**

**BRENDON BIGGS, Director, Department of Public Works - Solid Waste Management**

#### **SUBJECT**

California Department of Recycling Resources and Recovery SB 1383 Local Assistance Grant

#### **RECOMMENDATION(S)**

Accept grant funding in the amount of \$399,454, from the California Department of Recycling Resources and Recovery to assist with the implementation of regulation requirements associated with Senate Bill 1383.

(Presenter: Brendon Biggs, Director, 387-7906)

#### **COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

#### **FINANCIAL IMPACT**

Approval of this item will not result in the use of the Discretionary General Funding (Net County Cost). The 2021-22 California Department of Resources Recycling and Recovery (CalRecycle) Senate Bill (SB) 1383 Local Assistance Grant Program (Grant) funds of \$399,454 will be split between the Department of Public Works - Solid Waste Management (SWMD), Department of Public Health (DPH), and Purchasing Department (Purchasing). No local match is required. DPH and Purchasing will each receive \$133,151 and SWMD will receive \$133,152. Sufficient appropriation and revenue have been included in the 2022-23 budgets and will be included in future recommended budgets for each department.

#### **BACKGROUND INFORMATION**

On September 19, 2016, Governor Brown signed into law Senate Bill (SB) 1383 (Chapter 395, Statutes of 2016), establishing methane emissions reduction targets in an effort to reduce emissions of short-lived climate pollutants in various sectors of California's economy. CalRecycle developed the SB 1383 regulations (approved by the Office of Administrative Law on November 3, 2020) to include prescriptive program requirements for all California jurisdictions, generators, waste haulers, and waste processors that were deemed necessary in order to meet the statewide organics reduction targets. The prescriptive regulations require the County to mandate, implement, and enforce new policies and programs.

The Grant funding from CalRecycle will aid the County in the implementation of SB 1383 requirements with expenditures to be used for collection programs, equipment, outreach, promotion, and marketing campaigns, and personnel and training costs that are related to the County's implementation of the SB 1383 regulations. The awarded funding will be allocated amongst SWMD, DPH, and Purchasing to aid in the County's compliance with the requirements of SB 1383.

On January 25, 2022 (Item No. 60), the Board of Supervisors (Board) approved the submission of applications to CalRecycle for various grant and payment programs as administered by CalRecycle for the next five program years and adopted Resolution No. 2022-09 authorizing the Director or the Assistant Director of the Department of Public Works to sign and submit grant and payment program applications and any non-substantive application amendments, subject to review by County Counsel, for a period of five years or until rescinded by the Board, whichever comes first.

The Grant application period opened on January 1, 2022 for both the first and second rounds of funding requests. Applicants had the additional requirement of certifying that an SB 1383 enforceable ordinance(s), or a similarly enforceable mechanism, was adopted by its governing body no later than March 1, 2022 for first round funding, or June 14, 2022 for second round funding, in order to be awarded funds. SWMD's Grant application was submitted on February 1, 2022 and subsequent certification of the County's SB 1383 enforceable ordinance was provided to CalRecycle on June 14, 2022. CalRecycle officially awarded Grant funds to the County on September 1, 2022. Payment from CalRecycle was received on October 19, 2022. Any funds not spent by September 2, 2024 must be returned to the State. This item is being presented at this time as this is the first available date following the required operational, fiscal, and legal reviews.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Jolena Grider, Deputy County Counsel, 387-5455) on September 28, 2022; Finance (Carl Lofton, Administrative Analyst, 387-5404) on October 6, 2022; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on October 11, 2022.