

CA Senate Bill 1383, Short-Lived Climate Pollutants Act of 2016



**REQUIREMENTS AND PROPOSED ORDINANCES FOR
COMPLIANCE**

Overview

- Why the California legislature adopted SB 1383
- SB 1383 requirements for local jurisdictions
- Oakland's implementation planning
- Proposed ordinances for consideration

Why Senate Bill 1383?

Senate Bill 1383 (SB 1383) Short-Lived Climate Pollutants Act of 2016 passed to reduce methane emissions from landfills and other sources

- Landfills produce 21% of California's methane emissions
- Methane is produced by anaerobic decomposition
- Methane is 80+ times more potent than carbon dioxide in the first 20 years it is released

SB 1383 Targets

Statewide jurisdiction targets:

- Achieve a 75% reduction in statewide disposal of organic waste from the 2014 level
- Recover not less than 20% of currently disposed edible food for human consumption

SB 1383 Requirements for Local Jurisdictions

Program Activity	Implementation Date
Adopt Ordinances or Other Enforceable Mechanisms	January 1, 2022
Provide Organics Collection Service to All Residents and Businesses	January 1, 2022
Establish Edible Food Recovery Program	January 1, 2022
Procure Recycled Organic Products & Recycled Content Paper	January 1, 2022
Keep Records & Report Implementation Efforts	January 1, 2022
Jurisdiction Enforcement on Generators \$50 to \$500 per violation, depending on severity of violation.	January 1, 2024
CalRecycle Enforcement on Jurisdictions \$500 to \$10,000 per violation per day.	January 1, 2023

Oakland's SB 1383 Implementation

Requirements and Oakland's Progress:

- Providing Compliant Organics & Recycling Collection to All Residents and Businesses
 - Implemented July 1, 2015
- Establishing Edible Food Recovery Program
 - Pilot project and multi-organizational collaboration in process
- Procuring Recycled Organic Products & Recycled Content Paper Products
 - Staff is researching opportunities for affordable organics product procurement and preparing to update the Environmentally Preferable Purchasing Policy
- Recording and Reporting Implementation
 - Staff is evaluating City-owned systems, investigating new recordkeeping systems and leveraging regional partnerships
- Enforcing Compliance
 - City to leverage partnerships with ACWMA and Alameda County Health Department

Ordinance #1

Adopt WMA Organics Reduction and Recycling Ordinance and Amend Oakland Municipal Code (OMC) 8.28

- Opts into Alameda County Waste Management Authority Organic Reduction and Recycling Ordinance (WMA Ordinance 2021-02) and incorporates ordinance text into OMC
- Designates WMA and Alameda County Department of Environmental Health to act on the City's behalf regarding enforcement requirements

Ordinance #1

Adopt WMA Organics Reduction and Recycling Ordinance and Amend Oakland Municipal Code (OMC) 8.28

- Updates definitions for consistency with SB 1383
- Requires edible food recovery by commercial generators
- Adds minimum level of recyclable and compost service
- Authorizes increased penalties for specified commercial violations
- Adopts findings of the California Environmental Quality Act

Ordinance #2

Amend OMC 15.34 (C&D Recycling)

- Requires Construction & Demolition Debris Recycling Plans for all projects with building permits
- Updates definitions to align with SB 1383 definitions
- Requires disposal/recycling facilities to have diversion performance verified by a 3rd party
- Adopts findings of the California Environmental Quality Act

Ordinance #3

Amend Oakland Planning Code 17.118 (Recycling Space Allocation Requirements)

- Adds requirement to allocate space in enclosures for organics/compost collection containers in addition to trash and recycle in new or remodeled solid waste enclosures built at multifamily and commercial (including City) properties
- Adopts findings of the California Environmental Quality Act
- Recommendation approved unanimously by Oakland Planning Commission on November 3, 2021

Ordinance #4

Adopt OMC 18.01 (Model Water Efficient Landscape Ordinance)

- Adds the State's Water Efficient Landscaping Ordinance requirement which became a requirement in 2015 and is also required by SB 1383
- Promotes greater use of compost and mulch in new landscape projects
- Adopts findings of the California Environmental Quality Act

Requested Action by City Council

- Adopt Alameda County Waste Management Authority Organics Reduction And Recycling Ordinance 2021-02 (WMA Ordinance 2021-02); Amend Oakland Municipal Code (OMC) Chapter 8.28 To Make Conforming Amendments For Consistency With WMA Ordinance 2021-02 And To Comply With Senate Bill 1383; And Adopt Appropriate California Environmental Quality Act (CEQA) Findings
- Amend OMC Chapter 15.34 (Construction And Demolition Debris Collection, Transportation, Waste Reduction And Recycling Requirements), To Comply With Senate Bill 1383 (The Short-Lived Climate Pollutant Reduction Act Of 2016) And Its Regulations At California Code Of Regulations At Title 14 Section 18989.1(a)(2), Which Require Compliance With The Requirements Of The California Green Building Standards Code (CALGREEN) Sections 4.408.1 And 5.408.1 To Divert 65% Of Construction And Demolition Debris; And Adopt Appropriate CEQA Findings

Requested Action by City Council

- Amend Oakland Planning Code Chapter 17.118 (Recycling Space Allocation Requirements), To Comply With Senate Bill (The Short-Lived Climate Pollutant Reduction Act Of 2016) And Its Regulations At California Code Of Regulations At Title 14 Section 18989.1(a)(2), Which Require Compliance With The Requirements Of CALGreen Sections 4.410.2 - Recycling By Residential Occupants And Section 5.410.1- Recycling By Non-residential Occupants To Require Space For Organics Containers In New Or Renovated Multi-family And Commercial Buildings As An Addition To The Current Requirement For Space For Recycling Containers; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings
- Adopt An Ordinance Amending Oakland Municipal Code By Adding Chapter 18.01 (Water Efficient Landscaping Ordinance), To Comply With The State Requirement To Promote Water Conservation And Efficient Use Of Water In Landscaping; And Adopting Appropriate California Environmental Quality Act (CEQA) Findings

Implementation Assistance

Oakland Public Works

Leading Implementation and Providing Technical Assistance

Environmental Services Division

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