



September 7, 2021

The Honorable Philip Ting
Member, California State Assembly
State Capitol, Room 6026
Sacramento, CA 95814

**RE: Assembly Bill 1201 – OPPOSE
As Amended September 3, 2021**

Dear Assembly Member Ting:

On behalf of the Rural County Representatives of California (RCRC), we regret to inform you that we must remove our support and change our position to “Oppose” on Assembly Bill 1201, relating to organic waste. RCRC is an association of thirty-seven rural California counties and the RCRC Board of Directors is comprised of elected supervisors from each member county.

RCRC strongly supported Assembly Bill 1201 to improve the quality of inputs into the compost stream and prohibit the use of problematic chemicals in compostable products. Unfortunately, the September 3 amendments could add significant additional burdens on local governments and ratepayers who are struggling to implement the existing SB 1383 organic waste recycling regulations.

The September 3 amendments, specifically the additions to Public Resources Code Section 42357(g)(1)(B), require CalRecycle to modify their newly-adopted organic waste recycling regulations and impose a completely new dual stream collection system for organic waste if it determines that it is feasible to do so. Under this new system, local governments and the solid waste industry will have to split their organic waste into two streams: one that separates organic waste that is suitable for use in agricultural applications and one for organic waste that is not suitable for agricultural applications.

In California, local governments are the backbone of solid waste management and recycling. Recent CalRecycle regulations require local governments to achieve new state targets to reduce landfill disposal of organic waste 75 percent by 2025 and increase edible food waste recovery 20 percent. The newly-adopted organic waste regulations are anticipated to cost local governments and ratepayers roughly \$20-\$40 billion to implement over the next ten years – including substantial infrastructure investment. Local

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governments are already straining to roll out their SB 1383 programs on time and many rural communities will see very significant rate hikes as a result.

While we appreciate that CalRecycle would first have to determine that it would be feasible to bifurcate the organic waste recycling stream, experience has shown that what may be “feasible” in some parts of the state is completely unworkable in others. We also fear that product manufacturers may try to show that the bifurcated system is *theoretically* feasible, while downplaying the fact that the costs of the new system and infrastructure will simply be passed on to local governments and ratepayers – thereby subsidizing the end-of-life management of the products manufacturers introduce into the marketplace.

RCRC shares your objectives to improve the quality of organic waste to make it easier to recycle. We also applaud your efforts to make it easier for consumers to determine what is compostable and what is not. At the same time, we have grave concerns that the new amendments for AB 1201 will require the state to expose local governments and ratepayers to even greater costs to achieve these new organic waste sorting and processing requirements – even before they have determined how to implement the existing regulatory framework.

For the reasons mentioned above, we must oppose AB 1201. Please do not hesitate to contact me at jkennedy@rcrcnet.org or (916) 447-4806 with any questions.

Sincerely,



JOHN KENNEDY
Legislative Advocate

cc: The Honorable Laura Friedman, Member of the State Assembly
The Honorable Lorena Gonzalez, Member of the State Assembly
The Honorable Devon Mathis, Member of the State Assembly
Members of the Senate Appropriations Committee
Ashley Ames, Consultant, Senate Appropriations Committee
Rylie Ellison, Consultant, Senate Environmental Quality Committee
Elizabeth MacMillan, Consultant, Assembly Natural Resources Committee