

RESOLUTION NO. 21-

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, OPTING TO AFFIRM AN EXEMPTION FROM THE REQUIREMENTS OF MANDATORY ORGANICS COLLECTION SERVICES

WHEREAS, the Town of Mammoth Lakes 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, the Town of Mammoth Lakes is committed to meeting its mandatory commercial recycling requirements, pursuant to Public Resources Code Section 42649.3 and related regulations adopted by the California Department of Resources Recycling and Recovery (CalRecycle); and

WHEREAS, Senate Bill (SB) 1383 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, 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, Section 18984 et seq (Organic Waste Collection Services) requires jurisdictions to 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 Council of a rural jurisdiction to adopt a resolution exempting the jurisdiction from the requirements of 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 jurisdiction as a jurisdiction that is located entirely within one or more rural counties (defined as having populations 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, the Town of Mammoth Lakes is located within Mono County, which has a population of 14,444 persons, which is less than 70,000 persons, as of the California Department of Finance's most current population estimate; 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, the Town of Mammoth Lakes does not have existing infrastructure, composting or anaerobic facilities, with the capacity to economically handle all the organic waste produced within the Town; and

WHEREAS, with the amounts of organic waste generated in the Town of Mammoth Lakes, it is not currently economically feasible to build sustainable processing facilities necessary to handle all the organic waste produced within the Town; and

WHEREAS, with the amounts of organic waste generated in the Town of Mammoth Lakes and the distance to accessible processing facilities, it is not economically feasible for the Town to require organics diversion at this time; and

WHEREAS, the Town of Mammoth Lakes is committed to continuing to pursue economically feasible alternatives for organics management; and

WHEREAS, the Town of Mammoth Lakes is committed to encouraging businesses and residences to reduce and recycle organic materials; and

WHEREAS, on December 31, 2026, this exemption shall become inoperative, unless subsequent legislation or CalRecycle regulations or approvals extends the rural exemptions beyond that date.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES RESOLVES as follows:

SECTION ONE: The above recitals are hereby adopted as findings of the Town Council.

SECTION TWO: The Town of Mammoth Lakes affirms its exemption 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.

APPROVED AND ADOPTED THIS 17th DAY OF NOVEMBER 2021.

BILL SAUSER, Mayor

ATTEST:

JAMIE GRAY, Town Clerk