

SB 1383 Organics Management



Sutter Creek has created this page to provide local information about our efforts to comply with Senate Bill 1383, a California State law that calls for substantial changes in how food waste, yard debris, and other organic discards are managed. When these materials are placed in a landfill, anaerobic decomposition of those materials generates methane which is a potent greenhouse gas. Methane from landfills has been found to be the third largest source of methane, and these programs are intended to reduce generation of greenhouse gases.

In September 2017 Senate Bill 1383 (Lara, Chapter 395) was enacted to set methane emissions reduction targets for California in a statewide effort to reduce emissions of short-lived climate pollutants (SLCP). The law establishes targets to reduce organic waste disposal in landfills 50 percent by 2020 and 75 percent by 2025; and requires that not less than 20 percent of edible food that is currently disposed be recovered for human consumption by 2025. Placing these materials in a landfill generates methane gas, which is a much more potent greenhouse gas than carbon dioxide.

The California Department of Resources Recycling and Recovery (CalRecycle) oversees a variety of programs to reduce the amount of solid waste sent to landfills and promote recycling in California, including organic waste recycling under SB 1383. CalRecycle adopted SB 1383 regulatory requirements in 2020 that set forth a variety of programmatic and policy-related requirements for jurisdictions, generators, and other entities to support the Statewide goals of SB 1383 beginning January 1, 2022.

Local jurisdictions are required to implement and enforce the various requirements of SB 1383. Sutter Creek is tasked with overseeing the programs included in SB 1383. The various components of SB requirements applicable to Amador County and its cities include:

- Education and outreach to all affected parties

- Compliance with CALGreen Building Code with respect to space for recycling containers in new commercial and multifamily residential construction and Construction and Demolition Recycling
- Compliance with the Model Water Efficiency Landscape Ordinance with respect to use of compost and mulch
- An Edible Food Recovery Program
- Printing and Writing Paper and Paper Products Procurement
- Enforcement
- Recordkeeping and reporting
- Facility sampling and monitoring

In the coming months and years ahead, the Amador Waste Management Department – working in partnership with the cities of Amador City, Lone, Jackson, Plymouth, and Sutter Creek – will introduce outreach efforts and programs to address various organics management.

Edible Food Recovery Program

One aspect of SB 1383 requires certain businesses that are defined as either a “Tier 1” or “Tier 2” edible food generators to recover edible food. (See below for a description of the types of businesses that fall under the Tier 1 and Tier 2 categories and when they are required to start recovering edible food.) The regulations require these major food generators to implement new or expanded programs to rescue food and keep organic materials out of landfills. The Amador Waste Management Department supports expanded Food Rescue!

Contact the organization below if you have food to donate, are interested in food distribution, or wish to volunteer.

The following organization is engaged in food rescue and redistribution throughout Amador County and its cities:

The Interfaith Food Bank:

12181 Airport Road

Jackson CA 95642

(209) 267-9006

www.feedamador.org

Foods accepted include:

- Non-Perishable Foods (e.g., canned, boxed, or packaged foods)
- Perishable Foods

- Dry Foods (e.g., bread, produce)
- Refrigerated Foods (e.g., produce, dairy, juice, meat)
- Frozen Foods (e.g., meat bread)

Tier 1 Edible Food Generators:

These entities are required to recover the maximum amount of edible food (that would otherwise be disposed of) starting January 1, 2022

- **Grocery store** – a store that is 10,000 square feet or more in size that is primarily engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, fresh meats, fish, and poultry, and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments.
- **Supermarket** – a full-line, self-service retail store with gross annual sales \$2,000,000 or more that sells a line of dry grocery, canned goods, or nonfood items and some perishable items
- **Food service provider** – an entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations
- **Food distributor** – a company that distributes food to entities including, but not limited to, supermarkets and grocery stores
- **Wholesale food vendor** – a business engaged in the wholesale distribution of food, where food is received, shipped, stored, or prepared for distribution to a retailer, warehouse, distributor, or other destination

Tier 2 Edible Food Generators:

These entities are required to recover the maximum amount of edible food (that would otherwise be disposed of) starting January 1, 2024

- **Restaurant** with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet
- **Hotel** with an on-site food facility and 200 or more rooms
- **Health facility with an on-site food facility** and 100 or more beds
- **Large venue** – a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. A venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. A site under common ownership or control that includes more than one large venue that is contiguous

with other large venues in the site, is a single large venue

- **Large event** – an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event
- **A state agency with a cafeteria** with 250 or more seats or a total cafeteria facility size equal to or greater than 5,000 square feet
- **A local education agency with an on-site food facility**

Compliance with CALGreen Building Code

New Construction Waste Diversion:

CALGreen requires newly constructed buildings and demolition projects and additions and alterations to non-residential projects to recycle a minimum of 65% of the nonhazardous construction and demolition waste. Please see [this table](#) for general requirements for each type.

Methods of Compliance:

- Enforcing agencies can require contractors to develop and maintain a waste management plan and document diversion and disposal. OR
- Utilize a waste management company that can provide verifiable documentation that it meets 65% waste diversion. OR
- Use a waste stream reduction alternative:
 - Non-residential new construction and residential high rise (4 stories or more) projects with a total disposal weight of ≤ 2 lbs/ft² meets the 65% waste diversion requirement.
 - Residential low rise (3 stories or less) with new construction disposal of ≤ 3.4 lbs/ft² meets the 65% waste diversion requirement.

Space for Recycling by Occupants:

Newly constructed non-residential buildings, certain non-residential additions and multi-family housing with ≥ 5 units must provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including (at minimum) paper, corrugated cardboard, glass, plastics, and metals.

For more information on CALGreen's waste diversion requirements, refer to the Building Department.

Reporting:

In its annual report to CalRecycle each jurisdiction must provide the number of C&D debris removal activities that complied with CALGreen's minimum 65% C&D debris recovery rate requirement and the number of construction permits subject to the space for recycling requirement.

Compliance with the Model Water Efficiency Landscape Ordinance

Soil Amendment, Compost and Mulch:

- Jurisdictions are already required to adopt the MWELO in its municipal code. It applies to:
 - New construction projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review.
 - Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review.
- The regulations require jurisdictions to have a mechanism by which to enforce:
 - The incorporation of soil amendments when planting.
 - Use of compost for landscape installations with a minimum of four cubic yards per 1,000 square feet and a depth of six inches.
 - Application of a minimum three-inch layer of mulch for planting areas.

Post-Consumer Organic Mulch Products:

- MWELO instructs covered landscape projects to use organic mulch materials made from recycled or post-consumer goods over inorganic materials or virgin forest products.
- The SB 1383 regulations require that jurisdictions enforce existing requirements regarding the preferential use of recycled and post-consumer organic mulch materials.

Reporting:

- In its annual report to CalRecycle, each jurisdiction must provide the number of landscaping projects subject to the MWELO.