

**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF THE OFFICE OF SUSTAINABILITY OR THE DIRECTOR'S DESIGNEE, TO SUBMIT A NOTIFICATION OF INTENT TO COMPLY WITH SENATE BILL 1383 REGULATIONS TO CALRECYCLE FOR APPROVAL**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, on November 3, 2020, the California Department of Resources Recycling and Recovery (“CalRecycle”) adopted regulatory requirements (“Regulations”) consistent with the mandate of Senate Bill 1383 (Lara, Chapter 395, Statutes of 2016), that are designed to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from 2014 levels by 2020 and a 75 percent reduction in the level of the statewide disposal of organic waste from 2014 levels by 2025; and

**WHEREAS**, the County of San Mateo is a local jurisdiction required to comply with the Regulations; and

**WHEREAS**, Senate Bill 619 (Laird, 2021), through amendments to Section 42652.5 of the Public Resources Code (“Statute”), created a mechanism called a Notification of Intent to Comply through which a local jurisdiction may secure administrative civil penalty relief from any continuing violations of the Regulations for the 2022 calendar year and may be eligible for a broader and longer-term regulatory

compliance path, including suspended administrative civil penalties, through a corrective action plan; and

**WHEREAS**, the County of San Mateo is a local jurisdiction authorized by the Statute to submit a Notification of Intent to Comply to CalRecycle for approval; and

**WHEREAS**, CalRecycle shall approve a Notification of Intent to Comply that is duly adopted by the County by formal written resolution and meets the requirements of the Statute; and

**WHEREAS**, on December 7, 2021 the Board adopted Ordinance No. 4857 adding Chapter 4.106, Establishing an Edible Food Recovery Program, and adopted an Ordinance No. 4856 amending Chapter 4.04, Solid Waste Collection, Transport, Storage and Disposal, of the San Mateo County Ordinance Code to meet some of the substantial requirements of SB 1383 for the unincorporated areas of the county, and

**WHEREAS**, staff recommend the County submit a Notification of Intent to Comply to provide administrative civil penalty relief and an extended timeframe for compliance with selected aspects of SB 1383 implementation; and

**WHEREAS**, by submitting the Notification of Intent to Comply pursuant to and subject to the above referenced requirements, the County represents and certifies that it will implement the proposed actions according to the proposed schedule as approved by CalRecycle and in accordance with the Statute and Regulations.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the Board of Supervisors hereby formally adopts the Notification of Intent to Comply as attached as Attachment A and authorizes and directs the Director of the Office of Sustainability, or the Director's designee, on its behalf, to submit the Notification of Intent to Comply to CalRecycle for approval.

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