

RESOLUTION NO. _____

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

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**RESOLUTION AUTHORIZING THE COUNTY MANAGER TO EXECUTE A
MEMORANDUM OF UNDERSTANDING WITH THE SOUTH BAYSIDE WASTE
MANAGEMENT AUTHORITY FOR SB 1383 PROGRAMS IN COUNTY SERVICE
AREAS NO. 8 (NORTH FAIR OAKS) AND COUNTY FRANCHISED AREA**

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

WHEREAS, the State of California passed SB 1383 (Lara, Chapter 395, Statutes of 2016), which required the California Department of Resources Recycling and Recovery (CalRecycle) to adopt regulations to reduce organic waste by 50 percent from its 2014 baseline level by 2020 and 75 percent by 2025; and

WHEREAS, CalRecycle has finalized regulations and revised Chapter 12 (Short-lived Climate Pollutants) of Division 7 of Title 14 of the California Code of Regulations (SB 1383 Regulations); and

WHEREAS, the SB 1383 Regulations require local agencies or jurisdictions, among other things, to implement programs requiring organic waste generators and waste haulers to meet minimum standards for organic waste collection services, inspect waste containers for prohibited contamination of materials, provide education and outreach information to organic waste generators, report to CalRecycle on compliance

with SB 1383 Regulations, and maintain records of compliance with SB 1383 Regulations; and

WHEREAS, jurisdictions may designate a public or private entity to fulfill its requirements of SB 1383, including utilizing a Joint Powers Authority, except that the jurisdictions shall remain ultimately responsible for compliance and enforcement; and

WHEREAS, the South Bayside Waste Management Authority (SBWMA) developed an Implementation of SB 1383 Memorandum of Understanding (MOU) detailing the roles and responsibilities between SBWMA and its Member Agencies; and

WHEREAS, the SBWMA Board of Directors considered the Implementation of SB 1383 MOU to its Member Agencies at its regularly scheduled meeting held June 24, 2021, and adopted Resolution 2021-17 recommending that Member Agencies approve the MOU; and

WHEREAS, the County agrees with the roles and responsibilities detailed in the Implementation of SB 1383 MOU; and

WHEREAS, environmental review is not required because adoption of the MOU is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline 15378 (b)(5) (organizational or administrative activities of governments not project).

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board of Supervisors hereby approves the Memorandum of Understanding with the SBWMA for SB 1383 programs in County Service Areas No. 8 (North Fair Oaks) and County Franchised Area, and authorizes the County Manager to execute the agreement attached hereto as Exhibit A.

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