

NOTICE OF DETERMINATION/NOTICE OF EXEMPTION
California Environmental Quality Act (CEQA)

DATE: August 6, 2021

TO: Alameda County Clerk
1106 Madison Street
Oakland, CA 94607

Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

FROM: Alameda County Waste Management Authority
1537 Webster Street
Oakland, CA 94612
Contact: Emily Alvarez, Program Manager, 510-891-6585

SUBJECT: Filing of Notice of Determination/Notice of Exemption in compliance with Section 21108 or 21152 of the Public Resources Code

PROJECT TITLE: Organics Reduction and Recycling Ordinance

STATE CLEARINGHOUSE NUMBER: Previous CEQA Document: *Program EIR for the SB 1383 Regulations, Short-Lived Climate Pollutants: Organic Waste Methane Emission Reductions*, SCH#2018122023

PROJECT APPLICANT: Alameda County Waste Management Authority (WMA)

PROJECT LOCATION: Alameda County – countywide

PROJECT DESCRIPTION:

The Organics Reduction and Recycling Ordinance (ORRO) is a countywide ordinance that WMA adopted on July 28, 2021 pursuant to CalRecycle's SB 1383 Regulations, which require diversion of 75% of organic waste from landfills and recovery of 20% of edible food for human consumption statewide by 2025. The SB 1383 regulations require that by January 1, 2022, jurisdictions adopt an ordinance or other enforceable mechanism to require compliance by organic waste generators, haulers, and other entities subject to the regulations and subject to the jurisdiction's regulatory authority. The SB 1383 Regulations were the subject of the *SB 1383 Regulations, Short-Lived Climate Pollutants: Organic Waste Methane Emission Reductions* program EIR (SB 1383 Regulations EIR), SCH#2018122023, prepared by the Department of Resources Recycling and Recovery (CalRecycle).

WMA adopted the ORRO to assist WMA member agencies, all of which are jurisdictions in Alameda County, in complying with the SB 1383 Regulations and to create a consistent set of requirements throughout the county. The ORRO's requirements include the following: single family, multifamily and businesses must have organic waste and recycling collection service and sort properly; businesses and multifamily buildings must educate employees and tenants about proper sorting and must provide labeled bins; businesses must monitor for contamination of bins; haulers must assist with SB 1383 implementation in several ways, such as conducting or complying with route reviews (i.e., contamination monitoring) and providing compliance data to enforcement agencies; commercial edible food generators (e.g., grocery stores, restaurants, wholesale food distributors, and others) must recover surplus edible food, have a contract in place with a food recovery organization or service, and keep monthly records; and food recovery organizations must keep records and report the amount of food collected. The ORRO will apply within the boundaries of each WMA member agency that opts-in to the ORRO.

This is to advise that WMA, acting as lead agency, approved the above described project on July 28, 2021, and has made the following determinations regarding the above described project.

1. Except for provisions in the ORRO which maintain the already established requirements of WMA's *Ordinance Requiring Actions to Reduce Landfilling of Recyclable and Organic Solid Wastes from Businesses, Multifamily Residences, and Self-Haulers* (Ordinance 2012-1; also known as the Mandatory Recycling Ordinance), the activities to be carried out under the project are entirely within the scope of the SB 1383 Regulations and its EIR.
2. No mitigation measures identified in the SB 1383 Regulations EIR are applicable to WMA's enactment of the ORRO.
3. None of the conditions requiring a subsequent or supplemental EIR, as described in Public Resources Code Section 21166 and California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15163, have occurred.
4. The SB 1383 Regulations EIR adequately analyzes any potential environmental effects of the project and no additional environmental review is required.
5. Findings were made pursuant to the provisions of CEQA.

On a separate and independent basis, WMA has determined that the project is exempt from CEQA pursuant to Section 15308, Class 8 of the CEQA Guidelines as an action that will not have a significant impact on the environment and as an action taken by a regulatory agency for the protection of the environment, specifically, for the protection of the climate by reducing the contributions to climate change from methane and other harmful greenhouse gases. There are no unusual circumstances that would cause this project to have a significant effect on the environment.

Due to the COVID-19 pandemic, Alameda County Waste Management Authority's office is currently closed to the public. A record of project approval by WMA is available to the general public by request by emailing ealvarez@stopwaste.org or by calling 510-891-6585.

The SB 1383 Regulations EIR may be examined online at:

Draft EIR: <https://www.calrecycle.ca.gov/docs/cr/laws/rulemaking/slcp/sb1383eir.pdf>

Final EIR: <https://www2.calrecycle.ca.gov/Docs/Web/116058>



By: Date: 8/10/2021
TIMOTHY BURROUGHS, Executive Director
Alameda County Waste Management Authority