Legislation Text

File #: 22-413, **Version:** 1

Memorandum

Date: May 3, 2022

To: The Honorable Lake County Board of Supervisors

From: Lars Ewing, Public Services Director

Subject: Consideration of an Ordinance Establishing Chapter 31 of the Lake County Code for an Edible Food Recovery Program

Executive Summary: Last year staff presented to the Board of Supervisors a summary of the regulations which implement the State's Short-Lived Climate Pollutant Reduction Strategy (SB 1383). The regulations, which were adopted by CalRecycle, were designed to reduce statewide landfill disposal of organic waste and include requirements for organic waste recycling and surplus food recovery. Your board has already taken action to approve a rural jurisdiction waiver, which exempts the County from the requirements to provide organic waste collection services, perform organic waste capacity planning, and procure organic waste products.

The waiver does not, however, exempt the County from the requirement to establish an edible food recovery program. The state's goal through this component of the regulations is to help meet the statewide target of decreasing by 20% the amount of edible food that is currently wasted (i.e. sent to the landfill), and instead divert that edible food to people in need. To support that goal, the state requires the County's edible food recovery program to consist of the following:

1. Identify commercial edible food generators that are mandated to comply with the regulations
2. Educate all mandated food generators of the requirement to establish donor agreements with food recovery organizations
3. Monitor food donor compliance
4. Assess the county's food recovery capacity, and plan for additional capacity if it is determined to be insufficient
5. Establish an enforcement mechanism for the mandated food generators

Numbers 1 and 2 above have been completed, while 3 and 4 are in progress. For number 5, the County is required to adopt an edible food recovery ordinance, and by January 2024 begin enforcing the ordinance in response to violations, for commercial food generators who do not comply with the requirements of the program. What this equates to for Lake County businesses is approximately a dozen grocery stores that will be required to enter into a contract with a food recovery organization for the donation of edible food that otherwise would have been thrown away.

Earlier this year staff assembled an informal group of industry representatives to provide input for the establishment of Lake County's edible food recovery program ordinance. The representatives came

from the three distinct groups noted in the state regulations: local jurisdictions, food donors, and food recovery organizations.

If not budgeted, fill in the blanks below only:
Estimated Cost: _____ Amount Budgeted: _____ Additional Requested: _____ Future Annual Cost: _____

Consistency with Vision 2028 (check all that apply): ☐ Not applicable

☒ Well-being of Residents	☐ Public Safety	☐ Disaster Prevention, Preparedness, Recovery
☐ Economic Development	☐ Infrastructure	☐ County Workforce
☒ Community Collaboration	☐ Business Process Efficiency	☐ Clear Lake

Recommended Action:

If your Board wishes to approve the ordinance, staff recommends you offer the ordinance and have it read in title only and motion to advance the second reading of the ordinance to the May 10, 2022 Board of Supervisors meeting