



SWANA[®]
SOLID WASTE ASSOCIATION
of North America

CALIFORNIA CHAPTERS

FOUNDING

SIERRA

GOLD RUSH

LEGISLATIVE TASK FORCE

www.swanacal-leg.org

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**MINUTES OF SWANA CALIFORNIA LEGISLATIVE
TASK FORCE ANNUAL WORKSHOP MEETING IN MONTEREY**

December 4 and 5, 2015

By: Mark Urquhart

The Legislative Task Force (LTF) meeting started at about 8:30 AM. A quorum was present as there were 14 voting members present (one Gold Rush Chapter alternate), including at least one voting member from each chapter. The agenda is Attachment A. An LTF attendee list is Attachment B. Items from the agenda below may not have all been discussed in the order listed. These minutes are broken into Day 1 and Day 2, for December 4 and 5, respectively.

Day 1 – December 4, 2015

I. BUSINESS ITEMS AND LTF ACTIVITIES

Approval of Minutes

Nancy Ewert asked for a motion to approve the minutes from the November 5, 2015 telephone meeting.

Motion:

Mike Mohajer made a motion to approve the minutes with an edit to update the contact information for Herb Cantu to the City of Santa Maria. This motion was seconded by Curtis Larkin. The motion carried as all were in favor.

Nominations and Recommendations for Proposed Officers for 2016

It was discussed that according to the LTF MOU, the election of officers is formally taken up during the first LTF meeting after February 1 of the given year. According to the MOU the task force voting members are appointed by Chapter Presidents by January 1. The Chairperson and Vice Chairperson are then elected by the LTF during the first LTF meeting after February 1. The Chairperson then appoints the treasurer and secretary at the same first meeting of the LTF after February 1, which are then ratified by the LTF.

Nancy Ewert discussed that her recommendation to the LTF is that Mark Bowers serve as the Chairperson, and Glenn Acosta serve as the Vice-Chair. She further recommended that Eric Zetz would be installed to serve as Treasurer; and Mark Urquhart be retained to continue to serve as Secretary. The LTF members present agreed that this slate be recommended to the LTF at the first 2016 meeting in February.

It was noted by Mark Urquhart that these members would, therefore, also have to be appointed by the chapter presidents to serve on the LTF for 2016. Nancy Ewert noted that this slate would comply with the MOU that requires at least one officer from each Chapter.

Attendance Report

This item was not discussed as it was briefly noted that attendance was good for this year.

November Treasurer's Report

Glenn Acosta discussed the November 2015 treasurer's report in Attachment C. He said that the LTF financial situation looks good for this year with revenues slightly ahead of the annual budget and he expects that after expenses are completed for the year these will be close to the budgeted expenses.

Motion:

There was a motion by Mike Mohajer to approve the treasurer's report. The motion was seconded by Curtis Larkin. The motion carried, as all were in favor.

Meeting Schedule for 2016

Nancy Ewert proposed that the telephone meetings would continue to typically be monthly on the first Thursday from 10 AM to noon, starting in February except for months where in-person meetings would be held. This would mean that the first meeting in 2016 would be Thursday February 4, 2016. It was discussed this would be followed by an in-person meeting in Sacramento that the LTF decided to hold on March 10, 2016 at Shaw/Yoder/Antwih Inc. (SYAI) offices. March 9, 2016 is planned to be meetings with key legislators/regulators and the LTF officers. Nancy Ewert said that she would coordinate with Brian Klatt regarding the LTF informational session at the SWANA Western Regional Symposium in April, targeting a morning meeting on Tuesday. Depending on LTF activities a formal LTF telephone meeting may be held in April in addition to the SWANA Western Regional Symposium informative session. The planning for the date and location for 2016 annual workshop will be carried out later in 2016.

LTF/Chapter Officers Meeting Re: LTF MOU

It was discussed that there is a meeting planned for the California chapters officers on January 22, 2016. The LTF had some discussion about an idea brought up in the past regarding merging of the Sierra and Gold Rush Chapters. It was noted that it is not clear if that idea will still be pursued at the upcoming planned officer's meeting but if so, the LTF will have some members present (including Mark Bowers, the 2016 LTF Chair nominee) to have input regarding any effects on the LTF MOU.

SWANA National/SWANA Chapters Report

Constance Hornig, a SWANA National board member, noted that SWANA has growing concerns over the lack of conference attendance. It was also noted that the new CEO seems to be active in attending conferences in California.

II. LEGISLATIVE FORECAST

Jason Schmelzer led discussions that included the following:

- A. *Greenhouse Gas Reduction Fund (GGRF)* – Funding program currently includes \$60 M for solid waste organics programs. There is some hedging going on the Senate and it is not clear if this topic will drag out until June and then become a majority vote rather than a 2/3 vote.

- B. *Short Lived Climate Pollutants (SLCP)* - This is a related topic to the GGRF and other California Air Resources Board (CARB) strategies involving solid waste, and the LTF needs to think about developing a strategy to try to more directly deal with CARB, rather than reactive through CalRecycle. It was discussed that the LTF needs to plan on meeting with CARB leadership because it is well along on the strategies and often those are not practical goals or strategies. The LTF needs to discuss potentially coordinating with California State Association of Counties (CSAC), the League of California Cities, California Resource Recovery Association (CRRA), and others on this and other CARB topics.
- C. *AB 1063 CalRecycle Funding* – It was discussed that CalRecycle leadership needs to listen more to stakeholders and was told that by Jason Schmelzer, particularly given the 2/3 vote hurdle involved. It was discussed that Scott Smithline plans to do more direct meetings with stakeholders, which the LTF feels is a step in the right direction.
- D. *Household Hazardous Waste (HHW)/AB45 & AB1159* – It is not clear whether these bills will die in January or morph into other bills next year so this topic remains not only for the bill issues but related Extended Producer Responsibility (EPR) issues. It was decided that this should be a workshop breakout topic.
- E. *HHW Permit by Rule for Private Facilities* – Chuck White brought up this topic because Waste Management, Inc. wants to sponsor a bill this year and wants LTF input on the bill. He described that public agencies can develop HHW collection facilities under permit-by-rule but private entities cannot. Waste Management, Inc. wants to develop facilities and will propose that permit-by-rule be extended to private companies.

At the end of forecast discussions Nancy Ewert noted that two topics appear to be key ones, worth breakout sessions; namely HHW and the tip fee and related organics issues. There was some discussion about the organics strategy and CARB being a separate topic but it was decided that the organics could be covered with the tip fee issues. It was also decided that breakouts would not be needed and the full LTF could discuss both topics, rather than breakout sessions.

III. LTF DISCUSSION TOPICS (FULL RATHER THAN BREAKOUT)

It was discussed that the LTF should consider white papers for these topics and therefore discuss what is wrong with the current legislation on the topic, a solution strategy, and hurdles there will be on the issue.

HHW/EPR

Discussion of this issue included the following points/issues:

- AB 45 contained a non-profit grant to local government but no takeback.
- CalRecycle seems to support an EPR on certain HHW, which the pharma lobby seemed to have a tough time attacking at recent hearings.
- The LTF needs to develop a reasoned strategy rather than pushing back on the criticisms made by pharma because the current perceptions are not accurate. A white paper needs to address the inaccuracy in the current perceptions about the effectiveness of current HHW programs.
- A hurdle will be describing that it is difficult to set a success bar for the HHW collection programs because each jurisdiction situation varies in terms of the needs and programs, making measuring effectiveness very subjective. Various examples of tracking effectiveness of programs were discussed including trends in load check programs,

standards for drive times to facilities, and tracking HHW collection increases and then stability over time.

- There is general agreement on the LTF that producer industries need to deal with the problem through EPR take-back models because source control will often be the most effective approach, for example for pharmaceuticals and other medical waste that were discussed as examples by the LTF. There was considerable discussion on the topic including controlled substances, and what works best for law enforcement.

It was decided that the LTF will develop a white paper on this issue. Larry Sweetser has started one and will be assisted by a subcommittee comprised of Doug Kobold, Glenn Acosta, Nancy Ewert and Chuck White.

Chuck White again request that the LTF consider support and input to a Waste Management, Inc. bill regarding HHW collection facility permit-by-rule, as previously noted, above. It was noted that this could be handled separately from the larger HHW/EPR issue, as it is a smaller and focused issue.

Further related discussion later in the sessions (in second day) included the following potential order prioritizing EPR for various waste types. There was some debate on the order as it was discussed in terms of both health risk and viability/complexity of implementation.

1. Sharps
2. Lamps
3. Batteries
4. Pharmaceuticals
5. Compressed gas cylinders
6. Marine Flares
7. Photovoltaics

CalRecycle Funding- Organics

Discussion of this issue included the following points/issues:

- Some of the dislikes with the current CalRecycle proposals on this issue include:
 - Local government must send collected fees to Sacramento and then deal with how much comes back for programs and whether those are equitably distributed
 - Local government does not want to become the collection agency for the funds, as proposed by the CalRecycle bill. It is very costly (numerous examples brought up) and inefficient
 - There are Prop 218 issues that create difficulty and costs
 - There are issues with the grant funding process not being objective and appropriate.
- CalRecycle funding is not defined in terms of justified needs or any sunset or cap.
- CalRecycle funding needs to broaden the base over all types of solid waste facilities. Past data showed that only about \$0.12 of the \$1.40 was needed for enforcement for landfills. The LTF continues to note this is unsustainable and needs to be spread over all various types of solid waste facilities in the state, many of which are integrated facilities.
- CalRecycle does not have an incentive to be efficient with their programs if the costs and needs for the programs are not justified in developing the amount of fees that would need to be charged.

- The LTF likes the program EIR approach and a fee at all types of solid waste facilities that would be based on costs justified by CalRecycle. These fees could be subsidized by disposal facility fees to some extent to incentivize recycling, however, those amounts need to be presented transparently and justified in the strategy.

It was decided that the LTF will develop a white paper on this issue. The subcommittee will be comprised of Glenn Acosta, Mark Urquhart, Curtis Larkin, Herb Cantu, and Lisa Keating.

Adjournment

The meeting was adjourned about 5 PM.

Day 2 – December 5, 2015

The Day 2 session began at about 8:30 AM. This focused on updating the LTF workplan for 2016.

2016 Workplan Revision/Update

The LTF workplan circulated with the agenda was modified by Jason Schmelzer on a computer, while the LTF discussed the wording of each line item. The draft workplan as input and compiled at the meeting is Attachment D. It was discussed that this draft workplan would be formatted after the meeting and then sent to the chapter presidents for approval.

Other Items

It was brought up that there have been many Clean Water Act “citizen suits” filed against facility operators relative to the latest NSPS related stormwater regulations. Mark Bowers discussed that even though his and other facilities were in compliance with the permit, they were sued anyway and then have to go through the cost of defending their agency. After some discussion Sharon Greene said that she would try to find out if this is as widespread outside of California.

Motion:

Mike Mohajer made a motion that Sharon Greene contact SWANA national to find out if a similar level of stormwater “citizen lawsuits” have been filed in other states, and if SWANA national has worked on the issue at all. This motion was seconded by Mark Bowers. The motion carried as all were in favor.

Adjournment

The meeting was adjourned about 11:18 AM.



**Annual Work Plan Meeting
December 3-5, 2015
Hyatt Regency Monterey
Monterey, CA**

THURSDAY 12/3		
2:00 p.m. – 4:00 p.m.	SOLID WASTE FACILITY TOUR Monterey Regional WMD (Organics / Food Waste / AD) www.mrwmd.org/	
5:30 p.m.	DINNER AT (Il Vecchio) (on your own). http://www.ilvecchiorestaurant.com/	
FRIDAY 12/4		
8:30 a.m. – 9:00 a.m.	PLAN LTF SESSION AT WESTERN REGIONAL (All).	Breakfast provided in meeting room
9:00 a.m. – 9:30 a.m.	LTF BUSINESS <ul style="list-style-type: none"> • Approval of minutes • Officer nominations • Attendance report • Treasurer’s Report • Meeting schedule for 2016 • Rumors/gossip • LTF / Chapter Officers Meeting re: MOU 	
9:30 a.m. – 9:45 a.m.	SWANA NATIONAL/SWANA CHAPTERS REPORT	
9:45 a.m.– 10:15 a.m.	2016 LEGISLATIVE FORECAST (Shaw, Yoder Antwih LLC)	
10:15 a.m. – 10:30 a.m.	BREAK	
10:30 a.m. – 12:00 a.m.	MORNING BREAKOUTS (HHW, Tipping Fee)	
12:00 p.m. – 1:30 p.m.	LUNCH	Lunch provided in dining room
1:30 p.m. – 2:15 p.m.	REPORT OUTS FROM MORNING BREAKOUTS	
2:15 p.m.– 3:30 p.m.	2016 WORK PLAN	
3:30 p.m.– 4:00 p.m.	BREAK	
4:00 p.m. - 5:00 p.m.	2016 WORKPLAN	
6:30 p.m.	DINNER AT MONTRIO BISTRO. www.montrio.com	Dinner Provided offsite
SATURDAY 12/5		
8:30 a.m. – 10:00 a.m.	FINISH WORKPLAN	Breakfast provided in meeting room
10:00 a.m. – 10:15 a.m.	BREAK	
10:15 a.m. – 12:00 a.m.	UPDATE THE LTF WHITE PAPER	NO LUNCH PROVIDED

ATTENDANCE LIST
SWANA LEGISLATIVE TASK FORCE MEETING DECEMBER 4 & 5, 2015

VOTING MEMBER/ CHAPTER	NAME		ORGANIZATION	PHONE	EMAIL
VM/Gold Rush	Doug Kobold	P	Sacramento County	916-875-7087	koboldd@SacCounty.net
VM/Gold Rush	Mark Urquhart (S)	P	Mark Urquhart P.E.	530-626-4771	markj.urquhart.pe@gmail.com
VM/Gold Rush	Christina Hanson		Placer County/Western Placer WMA	530-886-4965	Chanson@placer.ca.gov
VM/Gold Rush	Larry Sweetser	P	Sweetser and Associates/ESJPA	510-703-0898	sweetser@aol.com
VM/Gold Rush	Mark Bowers (VC)	P	City of Sunnyvale	408- 730-7421	mbowers@ci.sunnyvale.ca.us
ALT/Gold Rush	Charles White	P ¹	Consultant to Waste Management	916-761-7882	chuckwhiteski@sbcglobal.net
ALT/Gold Rush	Joe La Mariana	p	County of San Mateo	650-599-1471	jlamariana@smcgov.org
VM/Founding	Glenn Acosta (T)	P	LA County Sanitation Districts	562-699-7411	gacosta@lacsds.org
VM/Founding	Lisa Keating	P	Orange County	714-834-5513	Lisa.Keating@ocwr.ocgov.com
VM/Founding	Mike Mohajer	P	Southern California Waste Mgmt. Forum	909-592-1147	mikemohajer@yahoo.com
VM/Founding	Lisa Wood	P	City of San Diego	858-573-1236	lwood@sandiego.gov
VM/Founding	Sharon Green	P	LA County Sanitation Districts	562-699-7411	sgreen@lacsds.org
ALT/Founding	Constance Hornig	p	Law Offices	323-934-4601	hornigesq@gmail.com
ALT Founding	Chuck Boehmke		LA County Sanitation Districts	562-699-7411	cboehmke@lacsds.org
VM/Sierra	Brian Klatt		Kern County	661-862-8940	bklatt@co.kern.ca.us
VM/Sierra	Nancy Ewert (C)	P	Kern County	661-862-8953	nancye@co.kern.ca.us
VM/Sierra	Herb Cantu	P	City of Santa Maria	805-925-0951 ext.7212	hcantu@cityofsantamaria.org
VM/Sierra	Eric Zetz	P	City of Clovis	559-324-2612	ericz@ci.clovis.ca.us
VM/Sierra	Curtis Larkin	P	Fresno County	559-600-4259	clarkin@co.fresno.ca.us
SWANA CA Chapters Leg. Asst.	Melissa Immel		Shaw / Yoder/Antwih Inc.	916-446-4656	Melissa@shawyoderantwih.com
SWANA CA Chapters Lobbyist	Jason Schmelzer	p	Shaw / Yoder/Antwih Inc.	916-446-4656	Jason@shawyoderantwih.com

1. Alternate voting member for Chris Hanson, Gold Rush Chapter.

P= VM present

VM= Voting Member

Ch = Chair

VC = Vice Chair

T = Treasurer

S = Secretary

SWANA LEGISLATIVE TASK FORCE - 2015 BUDGET
November 2015 Treasurer's Report
SUMMARY

MONTHLY SUMMARY															
	JAN 2015	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YTD	BUDGETED	% BUDGET
BEGINNING BALANCE ¹	\$40,958	\$37,787	\$36,672	\$44,313	\$40,731	\$43,919	\$41,969	\$38,919	\$55,235	\$53,728	\$51,977				
REVENUES	\$1,470	\$3,240	\$11,930	\$780	\$7,640	\$2,370	\$1,530	\$20,786	\$2,910	\$3,230	\$990		\$56,880	\$54,004	105%
EXPENSES ^{2,3}	\$4,641	\$4,355	\$4,290	\$4,362	\$4,453	\$4,320	\$4,581	\$4,470	\$4,418	\$4,982	\$4,330		\$49,201	\$58,940	83%
ENDING BALANCE	\$37,787	\$36,672	\$44,313	\$40,731	\$43,919	\$41,969	\$38,919	\$55,235	\$53,728	\$51,977	\$48,637				
MATCHES BANK STATEMENT?	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES				

NOTES:

- 1- Beginning balance includes CRRA/WRS check that was received in January
- 2- Expenses reflect checks posted by bank in November
- 3- SYA's invoice for November services is received in December

SWANA LEGISLATIVE TASK FORCE - 2014 BUDGET
November 2015 Treasurer's Report
REVENUE

	REVENUES													YTD	BUDGET
	DEC 2014	JAN 2015	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC		
DUES SURCHARGE ¹	\$1,140	\$1,470	\$3,240	\$1,680	\$780	\$1,140	\$870	\$1,530	\$1,800	\$1,410	\$1,230	\$990		\$16,140	\$20,000
WESTERN REGIONAL SYMPOSIUM									\$14,674					\$14,674	\$12,000
MOLO COURSE REVIEWS									\$4,312					\$4,312	\$2,000
INTEREST ²	\$0.27	\$0.28	\$0.27	\$0.29	\$0.33	\$0.32	\$0.35	\$0.33	\$0.37	\$0.37	\$0.42	\$0.42		\$3.75	\$4
AGENCY CONTRIBUTIONS														\$21,750	\$20,000
City of Clovis						\$750									
City of Santa Monica							\$1,500								
Humboldt Waste Mgmt Authority				\$1,000											
Kern County				\$1,500											
Sacramento County										\$1,500					
San Joaquin County				\$1,000											
City of Folsom															
Merced County Regional Waste Mgmt						\$1,000									
City of Santa Cruz															
LA County Sanitation Districts				\$2,500											
City of Sunnyvale						\$750									
City of San Diego						\$2,500									
Monterey RWMD						\$1,000									
City of Los Angeles															
Western Placer WMA											\$2,000				
OC Waste & Recycling				\$2,500											
City of Tulare				\$750											
City of Roseville						\$500									
Salinas Valley Solid Waste Authority				\$1,000											
TOTALS	\$1,140	\$1,470	\$3,240	\$11,930	\$780	\$7,640	\$2,370	\$1,530	\$20,786	\$2,910	\$3,230	\$990	\$0	\$56,880	\$54,004
														% OF BUDGETED	105%

FOOTNOTES:

1 - \$30/member

2 - Interested estimated for November

SWANA LEGISLATIVE TASK FORCE - 2015 BUDGET
November 2015 Treasurer's Report
EXPENSES

EXPENSES															
	DEC 2014	JAN 2015	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YTD	BUDGET
SYA REGULATORY REVIEW	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000			\$10,000	\$12,000
SYA CONTRACT	\$3,245	\$3,245	\$3,245	\$3,245	\$3,245	\$3,245	\$3,245	\$3,245	\$3,245	\$3,245	\$3,245			\$32,450	\$38,940
SYA ADMIN EXPENSES (FAXES)	\$45	\$45	\$45	\$45	\$45	\$45	\$45	\$45	\$45	\$45	\$45			\$450	\$1,000
SYA WEBSITE				\$72	\$40	\$30	\$152	\$70		\$92	\$40			\$496	\$1,000
SYA TELECONFERENCE/MEETINGS	\$351	\$64.85			\$122.53		\$138.58	\$109.84	\$127.54					\$563	\$2,500
NON-SYA EXPENSES*										\$600.00				\$600	\$3,500
TOTALS	\$4,641	\$4,355	\$4,290	\$4,362	\$4,453	\$4,320	\$4,581	\$4,470	\$4,418	\$4,982	\$4,330	\$0	\$0	\$49,201	\$58,940
													% SPENT	83%	

CHECKS TO SYA													
MONTH SERVICES RENDERED	DEC 2014	JAN 2015	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
SYA INVOICE NO.	12323	12393	12478	12500	12556	12665	12686	12744	12819	12894	12956		
CHECK NO.	934	935	936	937	938	939	940	941	942	943	945		
AMOUNT	\$4,641.40	\$4,354.85	\$4,290.00	\$4,362.00	\$4,452.53	\$4,320.00	\$4,580.58	\$4,469.84	\$4,417.54	\$4,382.00	\$4,330.00		
DATE CHECK POSTED	1/16/15	2/4/15	3/6/15	4/9/15	5/8/15	6/5/15	7/21/15	8/14/15	9/9/15	10/15/15	11/6/15		

QUARTERLY LOBBYING PAYMENTS (BY POSTED DATES)			
1ST QUARTER	2ND QUARTER	3RD QUARTER	4TH QUARTER
\$13,286.25	\$13,134.53	\$13,467.96	\$8,712.00

* \$600 check was issued to Montrio Bistro as deposit for SWANA LTF dinner scheduled for December 4, 2015

ATTACHMENT D

[See workplan pdf for this attachment – email JS 12/6/15]