



July 15, 2008

The Honorable Alex Padilla
Member, of the California State Senate
State Capitol, Room 4032
Sacramento, CA 95814

The Honorable Patricia Wiggins
Member, of the California State Senate
State Capitol, Room 4081
Sacramento, CA 95814

RE: Senate Bill 1016 and Senate Bill 1020 – STRONG CONCERNS

Dear Senator Padilla and Senator Wiggins:

On behalf of the Solid Waste Association of North America (SWANA), the Regional Council of Rural Counties (RCRC), the California State Association of Counties (CSAC), the Sanitation Districts of Los Angeles County (LACSD), and the League of California Cities (the League), we are writing to express our strong concerns over recent amendments to Senate Bill 1016 (Wiggins) and proposed amendments to Senate Bill 1020 (Padilla).

SB 1016, which is sponsored by the Integrated Waste Management Board (the Waste Board), would re-calculate the way solid waste diversion efforts are imposed upon local governments. The bill also revises the timelines that local jurisdictions must adhere to when reporting to the Waste Board. SB 1020, as proposed to be amended, sets a new 60% mandated level for jurisdictions to meet in diverting their solid waste from landfills. SB 1020 also requires specified cities and counties to adopt local ordinances which impose recycling mandates on local businesses.

Several of our organizations adopted a qualified support for SB 1016 in the belief that a new calculation method and a new timeline scheme would be beneficial to the Waste Board and local jurisdictions. That qualified support position was reached with some apprehension and was predicated upon the Waste Board having flexibility and discretion in approving local diversion plans. A recent amendment (page 6, lines 1 – 12) removes the discretion of the Waste Board to use per-capita disposal numbers as one indicator of a jurisdiction's effort in compliance. In other words, we believe the latest version of SB 1016 requires the Waste Board to include per-capita disposal calculations when determining compliance. We respectfully request that this provision be returned to its original form or unfortunately, the support that was offered earlier will be reversed.

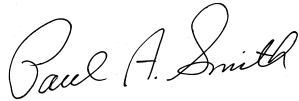
Complicating the latest amendment to SB 1016 are proposed amendments to SB 1020. In essence, without some flexibility given to the Waste Board with respect to compliance determination, virtually every jurisdiction in California will have a difficult – and some say impossible – time attaining a 60% diversion requirement as called for in SB 1020.

We would also request that once SB 1016 is amended, SB 1020 be amended to adopt a statewide goal of 60% by 2015. Specifically, we request that, when SB 1020 is amended, Section 41780(a)(3) of the Public Resources Code not be included. If these amendments can be made, local

government can remove their opposition to each measure and we can continue to work towards these efforts being implemented in an appropriate manner.

If you have any questions or concerns about our position, please do not hesitate to contact any one of us at your convenience.

Sincerely,



PAUL A. SMITH, RCRC
Director of Legislative Affairs



KAREN KEENE, CSAC
Legislative Representative



KYRA EMANUELS ROSS, the League
Legislative Representative



PAUL YODER, SWANA
Legislative Advocate



SHARON GREEN, Sanitation Districts of Los Angeles County
Legislative & Regulatory Liaison

cc: Members, Assembly Natural Resources Committee
Members, Senate Environmental Quality Committee
Ms. Carol Mortensen, Senate Environmental Quality Committee
Ms. Elizabeth MacMillan, Assembly Natural Resources Committee
Members of the California Integrated Waste Management Board
Ms. Elizabeth Huber, California Integrated Waste Management Board