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SOLID WASTE ASSOCIATION
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CALIFORNIA CHAPTERS

FOUNDING

SIERRA

GOLDRUSH

LEGISLATIVE TASK FORCE

www.swanacal-leg.org

LEGISLATIVE ADVOCATES

PAUL J. YODER

Shaw/Yoder/Antwih, Inc.

1415 L Street, Suite 200

Sacramento, CA 95814

(916) 446-4656

FAX (916) 446-4316

paul@shawyoderantwih.com

CHAIR

WILLIAM MERRY, PE., BCEE

Monterey Regional
Waste Management District

14201 Del Monte Boulevard

P.O. Box 1670

Marina, CA 93933

(831) 384-5313

wmerry@mrwmd.org

VICE CHAIR

LISA WOOD

CITY OF SAN DIEGO

9601 Ridgehaven Court #210

San Diego, CA 92123

lwood@sandiego.gov

TREASURER

NANCY L. EWERT, PE.

KERN COUNTY

2700 M Street, Suite 500

Bakersfield, CA 93301

nancye@co.kern.ca.us

SECRETARY

MARK URQUHART, PE.

Senior Project Manager

HDR ENGINEERING, INC

2365 Iron Point Rd. #300

Folsom, CA 95630

(916) 817-4933

Mark.Urquhart@hdrinc.com

**MINUTES
SWANA CALIFORNIA LEGISLATIVE TASK FORCE MEETING
SACRAMENTO, CA**

April 7, 2011

By: Mark Urquhart, Secretary

The Legislative Task Force (LTF) in-person meeting started at about 10:00 AM. A quorum was present as there were 11 voting members present, including one alternate voting member, and at least one voting member from each chapter. The agenda is Attachment A. A list of the attendees is Attachment B. The items from the agenda below were not all discussed in the order listed.

I. BUSINESS ITEMS AND LTF ACTIVITIES

Approval of Minutes from March 3, 2011 LTF Telephone Meeting:

William Merry asked for comments on these minutes. Mike Mohajer noted to place (CR) after Mark Leary's name, delete (watch) from end of SB 833 discussion, and add the words "by the jurisdictions" and the end of jurisdictional tool discussion.

Motion:

A motion was made by NE and seconded by Glenn Acosta to approve the minutes from the March 3, 2011 phone call meeting (Mike Mohajer corrections were noted later in meeting). The motion carried, as all were in favor.

Treasurer's Update

Nancy Ewert discussed the treasurer's reports in Attachment C for February and March 2011. She said the LTF fund looks good with balance of about \$48,000. NE will circulate request for contributions in May. Tressa Wallace noted that a discussion on release from reserves needs to be clarified to Gold Rush chapter, which Nancy Ewert will do by providing a table regarding history of use of reserves. She noted that this year the reserves were used but in the past many years not only did not use reserves but also did not use the entire budget. The use of reserves is not expected to be a long term trend or problem.

Motion:

A motion was made by Glenn Acosta and seconded by Chris Hanson to approve the Feb and March Treasurer's reports. The motion carried, as all were in favor.

Next LTF Meeting Date and Tentative Schedule for Year

The next meeting will be a phone call meeting held on May 5, 2011 from 10AM to noon.

SWANA Western Regional Symposium (WRS)

It was discussed that the May 5 conference phone call will be held because the WRS will not include a longer LTF session other than a short meeting (Wednesday 4:45 to 5:30PM) to discuss the status of bills and regulations.

Annual Meeting

Due to conflicts with William Merry schedule it has been decided to hold the SWANA LTF meeting on December 2 and 3, 2011. It will still be held in Monterey.

Letter to Governor Regarding CalRecycle Director Position

The Gold Rush Chapter sent and recommended the LTF send a letter to governor, not including a name, but recommended qualifications for the CalRecycle (CR) appointment. Glenn Acosta noted a concern about the role of LTF and it was discussed that since the Chapters have already sent a letter maybe the LTF does not need to do so. Although it was discussed that maybe the LTF could sign on with the League, SWIG, and/or CSAC; although timing might not be good as it needs to happen soon.

Motion:

A motion was made by Nancy Ewert and seconded by Glenn Acosta to have William Merry draft an LTF letter similar and consistent to the Gold Rush Chapter letter. The motion carried, as all were in favor. Mark Bowers abstained.

II. LEGISLATION

Tressa Wallace led discussions on the following proposed bills:

State

AB 34 (Williams) Solid waste: compost market program

http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0001-0050/ab_34_bill_20101206_introduced.pdf

A proposal is being worked out to set an “objective” standard for composting facilities. A four-county pilot program is being discussed by the author, sponsored by Recology (Solano County issue). There was concern over distinguishing odors between neighboring facilities. A “nasal ranger” as a measuring device is being discussed by the author relative to the standards. The LTF will continue to **watch** this bill.

AB 298 (Brownley) Recycling: reusable bags

http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0251-0300/ab_298_bill_20110330_amended_asm_v98.pdf

The bill was amended to include the definition of banned bag using the LA County ordinance. In its present form the bill is not as comprehensive as last year’s bills; and may be more acceptable to bag manufacturers. The LTF will continue to **watch** this bill.

AB 341 (Chesbro) Solid waste: diversion

http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0301-0350/ab_341_bill_20110210_introduced.pdf

Tressa Wallace discussing this with SWIG group members at a meeting, and Tressa Wallace said she was the only person representing the public sector. Tressa Wallace told that group that the bill is still objectionable to LTF with the 75% diversion goal. She said there was also discussion of combining bills AB 818 and AB 341; but Tressa Wallace said told the meeting group that the LTF would fight combining the bills, because the LTF supports AB 818. It was also discussed that the amendments made 4/6 are poor and make LTF opposition stronger. LTF will continue to **oppose** this bill.

AB 508 (Swanson) Displaced public transit, solid waste handling, and recycling services employees

http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0501-0550/ab_508_bill_20110215_introduced.pdf

There a lot of questions being raised about this bill. Tressa Wallace noted that some haulers feel that this is already being done in excess of the 90 days being proposed in the bill. This is also a worker's compensation concern; in addition to concerns about the impacts to winning bidders. The proposed bill would also drive up public contract costs.

Motion:

A motion was made by Mike Mohajer and seconded by Nancy Ewert to **oppose** this bill. Glenn Acosta, Mark Bowers, Lisa Wood, Patty Ackley, and John Gullede abstained. The remaining voting members voted in favor so the motion passed.

After considerable discussion on pros and cons of the bill after the motion, it was discussed that maybe the oppose position in the motion, above, should be tabled to the next meeting to provide time to sort out whether abstention voters can discuss it further with their agencies and be able to take a position. Lisa Wood asked for this motion (William Merry had to leave the meeting prior to this point).

Motion:

A motion was made by John Gullede and seconded by Glenn Acosta to **rescind the previous motion to oppose the bill and rehear this issue** at the next LTF meeting. This motion passed as all were in favor.

AB 525 (Gordon) Solid waste: tire recycling

http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0501-0550/ab_525_bill_20110215_introduced.pdf

Tressa Wallace said this bill has "teeth" compared to other spot bills on tires and is moving forward. There was discussion on whether the bill should be funded on a per capita basis or on an as needed basis determined by CR. The LTF was split on the issue of funding per capita.

Motion:

A motion was made by Mark Bowers and seconded by Glenn Acosta to **watch** the bill. The vote was 10 to 1 in favor so the motion passed.

AB 834 (Hernandez) Local government: contracts

http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0801-0850/ab_834_bill_20110217_introduced.pdf

Glenn Acosta said that many associations have taken watch positions. Tressa Wallace suggested LTF read Constance analysis of bill and watch the bill.

Motion:

A motion was made by John Gullede and seconded by Mike Mohajer to **watch** the bill. All were in favor so the motion passed.

AB 1019 (Perez) Solid waste: carpet stewardship

http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1001-1050/ab_1019_bill_20110218_introduced.pdf

This bill is regarding state building waste/product stewardship programs. The bill is so short so it was decided the LTF would **watch** the bill.

AB 1178 (Ma) Solid waste: place of origin

http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1151-1200/ab_1178_bill_20110404_amended_asm_v98.pdf

Larry Sweetser noted that RCRC may oppose as bad public policy. Haulers support this bill. The LTF discussed concerns about the loss of local control regarding restriction on waste movement. Concerns about Prop 26 lawsuits and defense costs that would result were also mentioned. There is concern over giving CR authority over waste movement over county lines. The bill is set of hearing on April 25.

Amendments are expected and LTF decided to handle review by email after the amendments are made.

SB 419 (Simitian) Solid waste: home generated sharps

http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0401-0450/sb_419_bill_20110216_introduced.pdf

Tressa Wallace said the LTF needs to assume the bill will move forward as drafted. It was discussed that the bill does not do anything substantive. It was decided to **watch** this bill.

SB 515 (Corbett) Recycling: product stewardship: batteries: universal waste management facilities

http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0501-0550/sb_515_bill_20110217_introduced.pdf

Tressa Wallace said that this bill that the LTF **supports** made it through committee hearings.

SB 833 (Vargas) Solid waste: facilities permit

http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0801-0850/sb_833_bill_20110218_introduced.pdf

Tressa Wallace confirmed that the bill mainly wants to oppose the Gregory Canyon Landfill. The LTF wants to maintain an **oppose** position, and watch amendments.

SB 841 (Wolk) Solid waste: enterprises: contracts

http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0801-0850/sb_841_bill_20110324_amended_sen_v98.pdf

This bill involves contracts and indemnification. Amendments are being proposed by League of Cities. Tressa Wallace said that a consultant was making recommendations to local government to ask that indemnification from Prop 26 be provided in contracting haulers. The haulers are concerned. The League has indicated that if their language is put in the bill that the LTF might want to not take a position because Prop 26 has yet to be litigated. Glenn Acosta said that many associations have taken watch positions.

Motion:

A motion was made by John Gullede and seconded by Glenn Acosta to **watch** the bill. All were in favor so the motion passed.

SB 915 (Calderon) Recycling: plastic bags

http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0901-0950/sb_915_bill_20110325_amended_sen_v98.pdf

This bill was amended to take out language that the LTF opposed regarding preempting local control. The LTF still needs to watch this bill for amendments.

Motion:

A motion was made by Mark Urquhart to **change the previous oppose position to just watch** the bill. Larry Sweetser seconded the motion. All were in favor so the motion passed.

Other

Larry Sweetser suggested that the LTF put SB 456 on the list of bills to watch.

Federal

- House Panel Passes Legislation Preventing EPA Regulations of GHG (see email sent 3/11) - Tressa Wallace noted that the US Senate has voted down restrictions on Greenhouse Gas enforcement.
- Tressa Wallace noted that the USEPA Requests SWANA's Assistance with e-GRRT Testing (see email sent 3/31)

III. REGULATORY MATTERS

Water Board Storm Water Regulations

Tressa Wallace said that due to large opposition the comment period was extended two weeks. It was discussed that it would be good to compile cost implications in comments to SWB; and maybe even include another SWIS letter. Tressa Wallace will ask CSAC and the League if they have interest in completing a local government letter.

CalRecycle

Tressa Wallace noted that the April meeting has a lot of reports coming out for jurisdictions.

Mike Mohajer discussed that the carpet stewardship regulations being drafted go beyond the intent of the enabling legislation (AB 2398) because they have restrictions relative to conversion technology and transformation in addition to disposal. The enabling bill only directed issues related to disposal and not conversion technology or transformation.

Motion:

A motion was made by Mike Mohajer and seconded by Nancy Ewert to write to CR indicating that the LTF opposes the CR provisions that go beyond the intent of AB 2398 and deal with conversion technology and transformation. The motion passed as all were in favor.

IV. ADJOURNMENT

The meeting was adjourned about 12:02 PM.

SWANA LTF AGENDA

Call in number 1-800-867-2581 access code 1006105

THURSDAY, April 7th 10:00 P.M. – 12:00 P.M.

I. Business Items

- Next Meeting Date – May 5th
- Approval of Minutes (March)
- Treasurer's Update
- Other
 - Western Regional Symposium
 - Annual Meeting
 - 1. New date – December 2-3 in Monterey
 - Letter to Governor re: CalRecycle Director (see attachments)

II. Legislative Matters (Bill Matrix attached)

State

AB 34 (Williams) Solid waste: compost market program

http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0001-0050/ab_34_bill_20101206_introduced.pdf

AB 298 (Brownley) Recycling: reusable bags

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WILLIAM MERRY, PE., BCEE

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VICE CHAIR

LISA WOOD

CITY OF SAN DIEGO

9601 Ridgeway Court #210

San Diego, CA 92123

lwood@saniego.gov

TREASURER

NANCY L. EWERT, PE.

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2700 M Street, Suite 500

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MARK URQUHART, PE.

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Federal

- House Panel Passes Legislation Preventing EPA Regulations of GHG (see email sent 3/11)
- EPA Requests SWANA's Assistance with e-GRRR Testing (see email sent 3/31)

III. Regulatory Matters

Water Board – Proposed Industrial Stormwater permit

- Comment period extended (see email sent 3/31)

CalRecycle

April meeting agenda

<http://calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=383&aid=366>

**ATTENDANCE LIST
SWANA LEGISLATIVE TASK FORCE MEETING APRIL 7, 2011**

VOTING MEMBER CHAPTER	NAME	ORGANIZATION	PHONE	EMAIL
VM/Gold Rush	William Merry (Ch)	Monterey RWMD	831-384-5313	wmerry@mrwmd.org
VM/Gold Rush	Mark Urquhart (S)	HDR Engineering, Inc.	916-817-4933	mark.urquhart@hdrinc.com
VM/Gold Rush	Christina Hanson	Placer County	530-886-4965	CHanson@placer.ca.gov
VM/Gold Rush	Larry Sweetser	Sweetser and Associates/ESJPA	510-703-0898	sweetser@aol.com
VM/Gold Rush	Mark Bowers	City of Sunnyvale	408- 730-7421	mbowers@ci.sunnyvale.ca.us
Gold Rush	Allison Hudson	San Joaquin County	209-468-3066	
VM/Founding	Glenn Acosta	LA County Sanitation Districts	562-699-7411	gacosta@lacsds.org
Gold Rush	Jami Aggers	Stanislaus County	(209) 525-6768	
VM/Founding	Mike Mohajer	Southern California Waste Management Forum	909-592-1147	mikemohajer@yahoo.com
VM/Founding	John Gulledege	LA County Sanitation Districts	562-699-7411 ext 2401	jgulledege@lacsds.org
VM/Founding	Lisa Wood (VC)	City of San Diego	858-573-1236	lwood@sandiego.gov
VM/Sierra	Nancy Ewert (T)	Kern County	661-862-8953	nancye@co.kern.ca.us
ALT/Sierra	Patricia Ackley	Tulare County Resource Management Agency	559-733-6653 ext. 4848	packley@co.tulare.ca.us
Founding	David Tieu	OC Waste and Recycling	714-834-4064	David.Tieu@ocwr.ocgov.com
SWANA CA Chapters Legislative Assistant	Tressa Wallace	Shaw / Yoder Inc.	916-446-4656 Ext. 1025	Tressa@shawyoder.org

SWANA LEGISLATIVE TASK FORCE - 2011 BUDGET			
February 2011 Treasurer's Report			
BEGINNING ACCOUNT BALANCE - 1/1/2011	\$ 52,010.88		
Release from Reserves	\$ 12,920.00		
Starting Cash Balance	\$ 39,090.88		
REVENUES			
	Annual	Monthly	YTD
DUES SURCHARGE (\$30 / MEMBER)	\$ 21,000.00		
Jan Dues		\$1,530.00	
Feb Dues		\$1,470.00	
Mar Dues			
Apr Dues			
May Dues			
June Dues			
July Dues			
Aug Dues			
Sept Dues			
Oct Dues			
Nov Dues			
Dec Dues			\$3,000.00
WESTERN REGIONAL SYMPOSIUM	\$ 7,500.00		
			\$0.00
MOLO COURSE REVENUES	\$ 5,000.00		
			\$0.00
AGENCY CONTRIBUTIONS	\$ 15,000.00		
CH2M-Hill			
Kern County			
San Joaquin County			
City of Folsom			
Merced County			
LA County			
City of Sunnyvale			
City of San Diego			
Monterey RWMD			
Placer County			
LA City			
Salinas IVMA			\$0.00
INTEREST	\$ 20.00		
Jan-11		\$0.43	
Feb-11		\$0.40	
Mar-11			
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$0.83
RELEASE FROM RESERVES	\$12,920.00		
			\$0.00
TOTAL BUDGETED REVENUES	\$ 61,440.00		\$3,000.83

EXPENSES			
	Annual	Monthly	YTD
REGULATORY REVIEW	\$ 12,000.00		
Jan-11			
Feb-11			
Mar-11			
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$0.00
SHAW / YODER, INC. CONTRACT	\$ 38,940.00		
Cashed			
Jan-11			
Feb-11			
Mar-11			
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$0.00
SHAW / YODER, INC. ADMIN. EXPENSES	\$ 2,000.00		
Jan-11			
Feb-11			
Mar-11			
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$0.00
WEBSITE DEV/MAINTENANCE & ROSTER	\$ 1,000.00		
Jan-11			
Feb-11			
Mar-11			
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$0.00
MTGS/TELECONFERENCE/WORKSHOP	\$ 3,500.00		
Jan-11			
Feb-11			
Mar-11			
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$0.00
CONTINGENCIES / SPECIAL PROJECTS	\$ 4,000.00		
			\$0.00
TOTAL BUDGETED EXPENSES	\$ 61,440.00		\$0.00
February Account Balance			\$55,011.71
PROJECTED CARRY OVER TO 2012	\$ 39,090.88		

SWANA LEGISLATIVE TASK FORCE - 2011 BUDGET

March 2011 Treasurer's Report

BEGINNING ACCOUNT BALANCE - 1/1/2011	\$ 52,010.88		
Release from Reserves	\$ 12,920.00		
Starting Cash Balance	\$ 39,090.88		
REVENUES			
	Annual	Monthly	YTD
DUES SURCHARGE (\$30 / MEMBER)	\$ 21,000.00		
Jan Dues		\$1,530.00	
Feb Dues		\$1,470.00	
Mar Dues		\$1,590.00	
Apr Dues			
May Dues			
June Dues			
July Dues			
Aug Dues			
Sept Dues			
Oct Dues			
Nov Dues			
Dec Dues			\$4,590.00
WESTERN REGIONAL SYMPOSIUM	\$ 7,500.00		
			\$0.00
MOLO COURSE REVENUES	\$ 5,000.00		
			\$0.00
AGENCY CONTRIBUTIONS	\$ 15,000.00		
CH2M-Hill			
Kern County			
San Joaquin County			
City of Folsom			
Merced County			
LA County			
City of Sunnyvale			
City of San Diego			
Monterey RWMD			
Placer County			
LA City			
Salinas IWMA			\$0.00
INTEREST	\$ 20.00		
Jan-11		\$0.43	
Feb-11		\$0.40	
Mar-11		\$0.46	
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$1.29
RELEASE FROM RESERVES	\$12,920.00		
			\$0.00
TOTAL BUDGETED REVENUES	\$ 61,440.00		\$4,591.29

EXPENSES			
	Annual	Monthly	YTD
REGULATORY REVIEW	\$ 12,000.00		
Jan-11		\$1,000.00	
Feb-11		\$1,000.00	
Mar-11			
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$2,000.00
SHAW / YODER, INC. CONTRACT	\$ 38,940.00		
	Cashed		
Jan-11	3/29/2011	\$3,245.00	
Feb-11	3/29/2011	\$3,245.00	
Mar-11			
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$6,490.00
SHAW / YODER, INC. ADMIN. EXPENSES	\$ 2,000.00		
Jan-11		\$45.00	
Feb-11		\$45.00	
Mar-11			
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$90.00
WEBSITE DEV/MAINTENANCE & ROSTER	\$ 1,000.00		
Jan-11			
Feb-11			
Mar-11			
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$0.00
MTGS/TELECONFERENCE/WORKSHOP	\$ 3,500.00		
Jan-11			
Feb-11			
Mar-11			
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$0.00
CONTINGENCIES / SPECIAL PROJECTS	\$ 4,000.00		
			\$0.00
TOTAL BUDGETED EXPENSES	\$ 61,440.00		\$8,580.00
March Account Balance			\$48,022.17
PROJECTED CARRY OVER TO 2012	\$ 39,090.88		