



GAIL FARBER
CHAIR

LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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February 24, 2010

The Honorable Arnold Schwarzenegger
Governor of the State of California
State Capitol Building
Sacramento, CA 95814

Dear Governor Schwarzenegger:

PUBLIC RESOURCE CODE STATUTORY CHANGES TO THE BEVERAGE CONTAINER RECYCLING PROGRAM (INCLUDED IN GOVERNOR'S FISCAL YEAR 2010-11 SPECIAL SESSION BUDGET PROPOSAL SUBMITTED ON JANUARY 8, 2010)

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) is opposed to the proposed statutory changes to the Public Resource Code regarding California's Beverage Container Recycling Program (Program) as submitted to your office by the Department of Resources Recycling and Recovery (CalRecycle) as part of the Governor's Fiscal Year 2010-2011 special session budget proposal. The proposed changes to the Program could result in increased fees for California residents, a reduction or elimination of funding to local government managed programs, and a reduction in convenient recycling locations for Los Angeles County constituents.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (AB 939, as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and its 88 cities in Los Angeles County with a combined population in excess of 10 million. Consistent with these responsibilities, and to ensure a coordinated and cost-effective and environmentally-sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, the County of Los Angeles Board of Supervisors, the City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

Public Resource Code Section 14536 currently gives the director of CalRecycle authority to implement regulations regarding specific Program elements, excluding refund values or funding allocations. If implemented, the proposed changes would extend the director's authority to set redemption values and payments, making it easier and more likely for the State to increase the CRV fees paid by residents. The proposed changes would also extend the director's authority to require funding to local governments go through a yearly budgetary review process. This change would affect the continuously appropriated funding for the following programs: city and county payments, curbside recycling, local community conservation corps, recycling market development, recycling and litter reduction, public education, beverage container quality incentive, recycling incentives to recycling centers, and other programs. Making these programs subject to yearly budgetary review, subject to availability of funding, could perpetuate issues of underfunding of programs. This year, due to similar constraints, funding to local governments is being reduced by 90 percent or eliminated. Local governments cannot effectively operate programs to recycle, educate constituents, and protect public health given such varying funding levels.

The proposed changes also seek to change the definition of "supermarket" to include only those facilities that achieve gross annual sales of \$6 million or more, versus the current definition of a supermarket by gross annual sales of \$2 million. As a result of redefining the term, certain supermarkets in Los Angeles County would no longer meet this threshold, and convenience zone recyclers would not be incentivized to locate near these supermarkets due to an ineligibility of receiving handling fee payments. The end result is that residents in these areas may not have a convenient way to recycle their beverage containers, and additional recyclable material may be disposed in landfills.

The Task Force has been a long standing supporter of recycling as an essential element of the California integrated waste management system, and has concerns regarding the proposed statutory changes that could result in increased fees for Los Angeles County residents, drastic variations or elimination of funding to local government managed programs, and a reduction in convenient recycling locations.

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California's Beverage Container Recycling Program has been a success for over 25 years, but continued borrowing by the State from the Program Fund and continued increases in recycling rates have depleted the Fund and hampered the Program's success. It is imperative that the State take action to address these challenges in a way that protects the Program's integrity and doesn't shift the burden to local governments, who already shoulder the majority of the cost for addressing litter at a local level. Should you have any questions regarding these concerns, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Council Member, City of Rosemead

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cc: Senate President Pro Tem Darrell Steinberg
Assembly Speaker Karen Bass
Senator Dennis Hollingsworth, Minority Leader
Assembly Member Martin Garrick, Minority Leader
Each Member of the Los Angeles County Legislative Delegation
Each Member of the County of Los Angeles Board of Supervisors
Each City Mayor in the County of Los Angeles
California State Association of Counties
League of California Cities
League of California Cities, Los Angeles County Division
California Product Stewardship Council
Southern California Association of Governments
San Gabriel Valley Council of Governments
South Bay Cities Council of Governments
Gateway Cities Council of Governments
Each Member of the Los Angeles County Integrated Waste Management Task Force
Each City Recycling Coordinator in Los Angeles County