

RESOLUTION NO. CC 2025-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, ORANGE COUNTY, CALIFORNIA, SPECIFYING THE PROCUREMENT REQUIREMENTS FOR MULCH TO BE ELIGIBLE FOR PROCUREMENT CREDIT AND TO QUALIFY AS A RECOVERED WASTE PRODUCT UNDER SB 1383, AB 2902 AND AB 2346

WHEREAS, in 2016, the State approved SB 1383, the Solid Waste: Reduction and Recycling Act, which requires the California Department of Resources Recycling and Recovery (CalRecycle) to develop regulations to reduce organics in landfills as a source of methane. As adopted by CalRecycle, these SB 1383 regulations (SB 1383 Regulations) place requirements on multiple entities including the city, residential households, commercial businesses, commercial edible food generators, haulers, self-haulers, food recovery organizations, and food recovery services to support achievement of statewide organic waste disposal reduction targets; and

WHEREAS, in 2024, the State approved AB 2902, which directs the CalRecycle to make changes to existing organic waste regulations. The new law changes how population is calculated for organic waste procurement targets and modifies several other provisions that reduce the stringency of organic waste regulations; and

WHEREAS, in 2024, the State approved AB 2346, which directs the CalRecycle to make changes to existing organic waste regulations. This new law authorizes local jurisdictions to count towards their procurement targets compost produced and procured from specified compost operations and specified investments and expenditures related to meeting its procurement target, as provided. Among other revisions, the bill authorizes CalRecycle, in adopting and revising regulations, to consider other pathways to prioritize local use of compost, as specified; and

WHEREAS, State regulations covered by the laws SB 1383, AB 2902, and AB 2346 require the city to adopt and enforce an ordinance or other enforceable mechanism to implement relevant provisions for specific types of mulch procurement; and

WHEREAS, the city council has determined this resolution concerning mulch procurement requirements, is necessary to enable the city to implement and enforce its rules and regulations relating to SB 1383, AB 2902, and AB 2346 in a manner consistent with State law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA HABRA HEREBY RESOLVES AS FOLLOWS:

SECTION 1: That for procurement purposes of mulch by the City of La Habra, in order for mulch to qualify as a recovered waste product or as SB 1383 Eligible Mulch, it must be in compliance with the land application standards listed:

- (1) The mulch is produced at one or more of the following:
 - i. A compostable material handling operation or facility as defined in Section 17852(a)(12), other than a chipping and grinding operation or facility as defined in Section 17852(a)(10), that is permitted or authorized under this division; or

- ii. transfer/processing facility or transfer/processing operation as defined in Sections 17402(a)(30) and (31), respectively, that is permitted or authorized under this division; or
 - iii. A solid waste landfill as defined in Public Resources Code Section 40195.1 that is permitted under Division 2 of Title 27 of the California Code of Regulations.
- (2) The mulch must meet or exceed the physical contamination, maximum metal concentration, and pathogen density standards for land application specified in 14 CCR Sections 17852(a)(24.5)(A)1 through 3.

SECTION 2: The City Clerk shall enter this Resolution into the official Book of Resolutions. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 18th day of August, 2025.

Rose Espinoza
Mayor

ATTEST:

Rhonda J. Barone, CMC
City Clerk

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS.
CITY OF LA HABRA }

I, Rhonda J. Barone, CMC, City Clerk for the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. CC 2025-__ introduced and adopted at a meeting of the City Council of the City of La Habra held on the 18th day of August, 2025, by the following roll call vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Witness my hand and the official seal of the City of La Habra this 18th day of August, 2025.

Rhonda J. Barone, CMC
City Clerk