



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 03/06/07
AGENDA ITEM _____
WORK SESSION ITEM ws# 3

TO: Mayor and City Council
FROM: Director of Public Works
SUBJECT: Seventy-five Percent Diversion Goal

RECOMMENDATION:

It is recommended that the City Council review and comment on this report

DISCUSSION:

State Mandated Diversion Rate and City's Compliance

State law establishes that each city and county divert 50 percent of its waste from landfills beginning in calendar year 2000, and each year thereafter. The base year from which this requirement is calculated for the City of Hayward is 1990. The City's diversion rates for calendar years 2000, 2001, and 2003 were 50 to 52 percent. In 2002, the City reported a 49 percent diversion rate. The State approved a "good-faith" compliance effort for that year, since the City has implemented programs to separately collect recyclables and green waste from residents and instituted an ordinance to recycle construction and demolition debris, among other programs. The diversion rate reported and approved for calendar year 2004 was 60 percent. This rate was higher than previous years for two reasons. First, the State approved using an alternate taxable sales calculation that yielded seven additional percentage points toward the 60 percent total. Second, staff arranged with Waste Management of Alameda County (WMAC) to divert all of the yard trimmings collected from households for use as biomass fuel, thus increasing the diversion rate an additional three percentage points. For calendar year 2005, staff anticipates a diversion rate of 55 to 60 percent based on a preliminary review of some of the data. Staff will complete its review of all data for calendar year 2005 in late March. Exhibit A lists the diversion rates for each jurisdiction in Alameda County for calendar year 2004, as that is the most recent year for which diversion rates are available. That exhibit indicates that the countywide average is 61 percent.

Alameda County's Measure D Diversion Goals

Measure D establishes a 75 percent diversion goal through waste reduction, recycling and composting discarded materials. Prior to January 1999, the members of the Alameda County Recycling Board and the Alameda County Waste Management Authority Board (ACWMA, aka StopWaste.Org) agreed to set the year 2010 as the date by which the 75 percent goal should be met. Over the course of several meetings in 2006, a joint committee consisting of members of both Boards met to discuss whether and how the goal could be achieved. Authority staff advised the joint committee that it projected a countywide diversion rate in the range of 65 percent by 2010, short of the 75 percent diversion goal. During those meetings, Committee members expressed disparate views, some recommending that the 75 percent diversion goal be retained, while others believed a

stepped goal of 75 percent by 2015 would be appropriate. The Committee members recommended that no changes be made to the goal. The Committee reached consensus on a series of recommendations for action. Those recommendations must be approved by both Boards before they can be implemented. The recommendations are summarized as follows:

1. Jurisdictions should formally adopt the 75 percent goal by vote of their governing board.
2. Current programs and recommendations should continue to be pursued, including adoption of ordinances relating to recycling construction and demolition debris, green building programs, Bay-friendly landscaping and gardening programs, and schools recycling.
3. Adopt mandatory recycling ordinances for residents and businesses. Mandatory recycling provisions could range from a more passive use of educational literature that describes the programs available and emphasizes the importance of participating in those programs to more rigorous measures.
4. Approve resolutions in support of Extended Producer Responsibility (EPR). EPR provisions are also referred to as Producer Take Back measures in that the burden for proper disposal of electronic wastes, for example, be placed on the producer. Doing so could help to limit the amount of waste produced because it gives companies an incentive to redesign products, thereby using safer materials and making products easier to recycle and reuse.
5. The Agency should pursue a regional landfill ban on certain materials, including green waste and cardboard, in conjunction with the nine Bay Area counties through the Association of Bay Area Governments and San Joaquin County.

Based on a survey of jurisdictions, the cities of Berkeley, Fremont, and Oakland have adopted the 75 percent diversion goal by 2010. The cities of Berkeley and Oakland have also adopted a zero waste goal by 2020. Other jurisdictions in Alameda County are evaluating adoption of the 75 percent diversion goal by 2010, including Albany, Emeryville, and Livermore.

Authority staff has proposed that the recommendations described in items one and two above serve as eligibility criteria for the jurisdictions in Alameda County to continue to receive funds that are disbursed by the Authority in conjunction with the fees charged on volumes landfilled annually in Alameda County by San Francisco. The objective in establishing the criteria is to provide an incentive to the member agencies to achieve the 75 percent goal. The City of Hayward receives about \$90,000 annually from these funds.

City's Projected Diversion Rates

Experience by many solid waste professionals indicates that new recycling programs typically require up to five years to mature and to achieve the anticipated participation levels experienced by other jurisdictions. Therefore, staff anticipates that the new and expanded recycling and organics collection programs planned for residents and businesses that would begin in June 2007 would be mature by 2012. The residential food waste program is scheduled to begin in 2009 – 2010 and could reach maturity in 2012. The total projected tonnage diverted could yield an incremental increase of one to two percent to the City's diversion rate, thereby achieving a 61 – 62 percent diversion rate for the City in 2012. This projection takes into account the larger quantities of recyclables collected from residents due to the larger capacity two-wheeled carts and residents' ability to co-mingle their recyclables into one container. However, staff anticipates higher levels of contamination under the new program, which is consistent with other jurisdictions' experiences. The projected diversion rates are based on the tonnage disposed in calendar 2005. These projections are based on the programs planned for implementation beginning June 2007.

If the residential food waste collection program is implemented in 2009 – 2010, it would have the positive effect of a small (0.1 percent) increase in diversion. Unfortunately, the City will no longer be able to receive a biomass credit, which, in 2005, was three percent. This is because with food waste included in yard trimmings and the yard trimmings will not be acceptable as biomass fuel. The tonnage diverted from the other planned programs, mainly commercial recycling and organics, will offset this anticipated three percent reduction in the overall diversion rate.

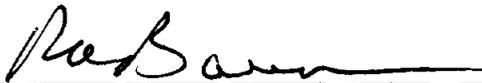
Staff believes that achieving a 75 percent diversion rate would require additional programs to divert other materials not currently identified. Additional time is needed to identify and evaluate other programs that could increase the likelihood of meeting the goal of 75 percent diversion. Staff can not be certain that such additional programs would yield a 75 percent diversion rate for the City. Over the next several years, staff would be in a better position to re-assess the City's actual and projected diversion rates based on the tonnage diverted from the new and expanded programs described above. So long as the 75 percent rate continues to be treated as a goal and not a mandate, the Council may want to consider joining other Alameda County cities in expressing support for this objective.

Prepared by:



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Recommended by:



Robert A. Bauman, Director of Public Works

Approved by:



Jesús Armas, City Manager

Exhibit A: 2004 Waste Diversion Rates for Alameda County Jurisdictions

Exhibit A

2004 Waste Diversion Rates for Alameda County Jurisdictions

Diversion rates are calculated using the California Integrated Waste Management Board methodology adjusting for population and economic growth.

Jurisdiction	2004 Rate
Alameda	68 %
Albany	70 %
Berkeley	57 %
Dublin	50 %
Emeryville	66 %
Fremont	66 %
Hayward	60 %
Livermore	65 %
Newark	61 %
Oakland	55 %
Piedmont	65 %
Pleasanton	52 %
San Leandro	60 %
Union City	58 %
Unincorporated Alameda County Area Subtotal*	60 %
Countywide Average	61%
Countywide Rate**	59%

* Includes Castro Valley Sanitary District and Oro Loma Sanitary District

** Countywide Rate is a weighted average based on all jurisdictions

Source: Stopwaste.Org