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CALIFORNIA



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ARLEEN P. TAYLOR
EXECUTIVE OFFICER

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April 3, 2013

Motion

Mayor Antonio R. Villaraigosa
Room 305, CH

City Council
Room 395, CH

Attn: Juan Rodriguez
Director of State Relations

As recommended in the accompanying motion of the Director of the Bureau of Sanitation, which this Board has adopted, the Board of Public Works recommends that the Mayor and City Council concur with the Bureau of Sanitation's position in its Bill Response Report opposing legislative bill **AB 371** entitled: "Sewage Sludge: Kern County", 2013 legislation.

Respectfully submitted,


Arleen P. Taylor, Executive Officer
Board of Public Works

APT:dpc

cc: Gerry F. Miller, Chief Legislative Analyst
Jim Marchese, Regulatory Affairs Division, Bureau of Sanitation

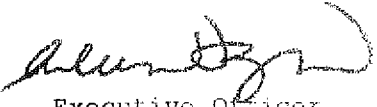


For the Board Meeting of April 3, 2013

ADOPTED BY THE BOARD
PUBLIC WORKS OF THE CITY
of Los Angeles California

Council District(s): All

APR - 3 2013


Executive Officer

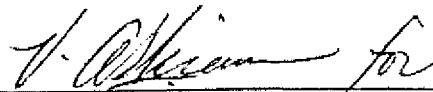
MOTION

Discussion/Background:

The Bureau of Sanitation (BOS) has prepared the attached Bill Response Report (BRR) on the legislative bill **AB 371** entitled: "Sewage Sludge: Kern County", 2013 legislation.

The BOS recommends OPPOSING this version of the bill.

IT IS THEREFORE RECOMMENDED that the Board of Public Works concur with the Bureau of Sanitation's position on this bill and forward to the Mayor and City Council for their approval.



Enrique C. Zaldivar, Director
Bureau of Sanitation

Prepared by: Jim Marchese, Regulatory Affairs Division
(213) 847-5174

CITY OF LOS ANGELES

BILL RESPONSE REPORT

DEPARTMENT/BUREAU/OFFICE Public Works: Bureau of Sanitation		BILL NO. AB 371	AUTHOR Salas
PREPARED BY Diane Gilbert Jones	EXT. 213-847-5180	DATE March 27, 2013	AMENDED DATE March 19, 2013
BILL SUBJECT/TITLE:		Sewage Sludge: Kern County	

I. Describe the impact this bill will have on your department or the City, its program(s), and/or its constituency (state existing law or practice, a summary of the effect the bill will have on existing department operations, etc.).

The bill as amended will impact the City of Los Angeles (City), Bureau of Sanitation's ability to maintain land application of biosolids at Green Acres the (Farm) located in Kern County, California and will impact the Bureau of Sanitation's budget by as much as \$3 million annually. The City purchased the Farm in 2000 and has applied biosolids at the Farm since 1994. Approximately 77 per cent of the City's biosolids which is about 470 wet tons per day is managed at the Farm. The City depends on Green Acres for environmentally beneficial and economical management of biosolids in compliance with the Clean Water Act. The City operations at the Farm are in compliance with all applicable federal, state, and local regulations and have received no environmental or health impact notices or violations. The City purchased the Farm to provide a long-term sustainable option for management of its biosolids and provide oversight over its program. The closure of Green Acres Farm that is the intent of this amended bill will create an emergency situation for the City and require extraordinary efforts to find acceptable disposal and recycling options for approximately 470 wet tons of biosolids every day.

Since purchasing the Farm the City has invested over \$15 million in upgrades to its treatment plants and the Farm to meeting existing regulations, including the Kern County Biosolids Ordinance, which only allows the application of Exceptional Quality Class A biosolids. Existing California law allows the practice of land application of biosolids as mandated under the Integrated Waste Management Act. This amended bill would remove the use of this practice in Kern County for the City of Los Angeles. If the amended bill passed, it would open doors for other jurisdictions within the state to ban the practice of land application of biosolids, thus limiting the ability for public agencies to select land application of biosolids as a viable management option in helping meet the mandate set by the Integrate Waste Management Act to recycle materials and divert them from landfills.

II. Give estimate of cost or savings to your department (include SB 90 reimbursements, if applicable).

The City invested nearly \$13 million in purchasing Green Acres and constructing improvements on the property to serve its biosolids management program and provided an additional \$15 million in upgrades to its wastewater treatment plants to generate biosolids of higher quality in order to meet Kern County's regulatory mandates. The amended bill jeopardizes the City's significant investments, as well as the interests of the City's hundreds of thousands of sewage rate paying citizens. The amended bill will cost the City an additional \$3 million annually to maintain the same biosolids management program through the use of other options at a higher cost.

III. Arguments both For and Against this bill.

For: According to the bill these provisions would allow Kern County to ban land application of biosolids in their area and set standards for their public good.

Against: The legislation will shutdown the City's Green Acres biosolids land application program in Kern County and will end an environmentally sound and economically feasible program that the City has owned and operated since 2000. The City disagrees with the proposed bill and asserts that benefits associated with use of biosolids as a fertilizer to agricultural land in Kern will be lost, thus requiring chemical fertilizer to be used. Also Kern County would lose approximately \$6 million annually in revenue that is associated with the land application operations and approximately 40 employees may be unemployed. Additionally, the City of Bakersfield would have to find alternate means of disposing of their treated effluent if the City is not farming the site.

IV. Recommended position and justification:

No Position Support Oppose Amend

Describe reasons for recommended position (include relevant existing City legislative policy, and any proposed amendments in underline and ~~strike-out~~ format).

Oppose: The City passed a resolution in 1999 supporting the recycling of biosolids and proper management and oversight of its biosolids management program. In 2000 the City adopted a biosolids policy statement along with goals to guide the biosolids management program. The policy supported the use of beneficial management options including land application and set a goal to beneficially recycle 100 percent of the biosolids produced by the City. Since 1989, the City has maintained a long-term environmentally sound 100 percent beneficial use biosolids management program that is in compliance with all applicable federal, state, and local regulations. No environmental or health impact notices or violations have been issued to the City related to the Green Acres Farm. The City has been a good steward of the environment and has provided its rate payers with economical biosolids management options. The crops produced on the Farm are sold locally to dairies as feed crops and provides revenue to the City general fund from the sale of the crops. In 2012 the revenue received was over \$700, 000.00. An oppose position would allow the City to continue operating is Green Acres Farm, maintain its environmentally sound biosolids program, keep program operating costs low, and continue to generate revenue for the City.

V. Interested Parties:

Indicate any interest other departments or organizations may have on the bill. Also, list any contacts you made in preparing this information.

California Association of Sanitation Agencies (CASA)
Los Angeles County Sanitation Districts
Orange County Sanitation Districts

FOR CLA USE ONLY

Position Noted _____

Committee _____

Analyst _____

Council _____

Program No. _____

Position _____