REQUEST FOR APPROVAL

To: Cara Morgan
Branch Chief

From: Heather Williams
Environmental Scientist

Request Date: February 22, 2016

Decision Subject: Revision To The Source Reduction And Recycling Element For The County Of Kern

Action By: March 15, 2016

Summary of Request:

California cities, counties and regional agencies are required to comply with the planning and implementation requirements of Assembly Bill 939. The procedures for the Source Reduction and Recycling Element (SRRE) adoption process are outlined in 14 CCR, Division 7, Chapter 9, Article 7.0. Procedures for formal revisions to the SRRE are similar. CalRecycle action is required on a revision to the SRRE.

SRRE revisions are usually not required since the former California Integrated Waste Management Board decided not to require a revision of the HHWE/SRRE for program changes, additions or deletions. Instead a jurisdiction is allowed to update its programs, including additions, deletions, changes, etc., in the jurisdiction's Electronic Annual Report (EAR) each year. Instead of updating the SRRE programs through the Electronic Annual Report, the County decided to submit a SRRE revision to update the document to include all of their current programs that they have been reporting in the EAR. CalRecycle's approval of this revision does not change its policy that SRRE revisions are not required for program changes, additions or deletions that do not constitute significant changes to the overall plan and that such changes should be submitted as an update to the EAR.

At its November 17, 1993 meeting, CalRecycle (formerly known as the California Integrated Waste Management Board) approved *CIWMP Enforcement Part I: Plan Adequacy* to address content adequacy requirements of an element and plan, regulatory and statutory requirements, the submittal process, the evaluation process by staff, the approval and disapproval process and proposed methods to correct deficiencies. Staff used this policy guidance during the review of the SRRE revision submitted by the County to determine the documents' adequacy. The purpose of this Request for Approval is to consider the adequacy of the County's SRRE revision.

Recommendation:
Staff has determined that the SRRE revision is adequate and meet the requirements and recommends approval of the County's revised SRRE.

Branch Chief Action:
On the basis of the information and analysis in this Request for Action and the findings set out above, I hereby approve the County's SRRE revision.

Dated: 3/15/16
Cara Morgan

Cara Morgan, Chief, Local Assistance and Market Development

Attachment: County of Kern Revised SRRE

Background Information, Analysis, and Findings:

Background
California cities, counties and regional agencies are required to comply with the planning and implementation requirements of Assembly Bill 939 (AB939). The procedures for the SRRE adoption process are outlined in 14 CCR, Division 7, Chapter 9, Article 7.0. Procedures for formal revisions to the SRRE are similar. However, SRRE revisions are usually not required since the former California Integrated Waste Management Board decided not to require a revision of the HHWE/SRRE for program changes, additions or deletions. Instead a jurisdiction is allowed to update its programs, including additions, deletions, changes, etc., in the jurisdiction's Electronic Annual Report (EAR) each year.

At its November 17, 1993, meeting, the Board approved *CIWMP Enforcement Part I: Plan Adequacy* to address content adequacy requirements of an element and plan, regulatory and statutory requirements, the submittal process, the evaluation process by staff, the approval and disapproval process and proposed methods to correct deficiencies. Staff used this policy guidance during the review of the SRRE revision by the County to determine the documents' adequacy.

Basis for staff's analysis
Staff's analysis is based upon the information below.

County's geographic location: The County is located in Central California. Surrounding Counties include Fresno, Tulare, San Luis Obispo and San Bernardino. The County is approximately 8161 square miles.

SRRE
This SRRE revision adequately addresses the requirements of 14 CCR Chapter 9, Article 6.2, as outlined in *CIWMP Enforcement Part I: Plan Adequacy,* for the following areas:

SRRE REVISION ADEQUACY	Yes	No
All required documentation submitted	X	
Draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in *CIWMP Enforcement Part I: Plan Adequacy*)	X	
CEQA	X	
Public Notice Requirement	X	
Approval Resolution	X	

Under the California Environmental Quality Act (CEQA), the County served as Lead Agency with respect to SRRE planning documents (the Project) and determined that this revision is statutorily exempt pursuant to PRC Section 21080(b)(15).

Once the County made its determination that the Project is exempt, the Department makes its CEQA determination as Lead Agency. The Department has determined that the exemption pursuant to PRC Section 21080(b)(15) does not apply because the Project was not undertaken to implement a rule or regulation imposed by a state agency, board, or commission under a certified regularly program pursuant to PRC Section 21080.5.

Additionally, because revising the Siting Element was not required in this instance, the Department has determined that the Project is exempt from all requirements of CEQA under the provisions of PRC Section 15061(b)(3) of the State CEQA Guidelines, because it can be seen with certainty that there is no possibility that the action taken may have a significant effect on the environment.

The administrative record for the Department's determination that the Project is statutorily exempt from CEQA requirements and guidelines includes the administrative record before the County, the proposed Project together with all of its components and supporting documentation, this staff report, and all other documents and materials utilized by the Department in reaching its decision to approve the proposed Project. The custodian of the Department's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

The Department will file a Notice of Exemption with the State Clearinghouse following Department approval of the Project.

Findings

The SRRE revision submitted by the County adequately addresses the requirements of 14 CCR Chapter 9, Articles 6.2 and 7.0; and staff therefore recommends approval of the County's SRRE revision.