
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 1046 (Bains) - Short-lived climate pollutants: recovered organic waste product: agricultural crop preparation service

Version: April 10, 2025

Urgency: No

Hearing Date: July 14, 2025

Policy Vote: E.Q. 8 - 0

Mandate: No

Consultant: Ashley Ames

Bill Summary: This bill would exempt an agricultural crop preparation service, as defined and that demonstrates it has not disposed of organic waste to a landfill since at least January 1, 2016, from the state's organic waste management requirements.

Fiscal Impact:

- The Department of Resources Recycling and Recovery (CalRecycle) estimates ongoing costs of about \$327,000 beginning in fiscal year 2026-27 (Integrated Waste Management Account) and two positions to revise regulations, review information from agricultural crop preparation services, communicate with jurisdictions, and provide stakeholder training.

Background: SB 1383 (Lara), Chapter 395, Statutes of 2016, requires CARB to approve and implement a comprehensive SLCP strategy to achieve, from 2013 levels, a 40% reduction in methane, a 40% reduction in hydrofluorocarbon gases, and a 50% reduction in anthropogenic black carbon, by 2030. In order to accomplish these goals, the law specifies that the methane emission reduction goals include targets to reduce the landfill disposal of organic waste, including food, 50% by 2020 and 75% by 2025 from the 2014 level. SB 1383 also requires that 20% of edible food that would otherwise be sent to landfills be redirected to feed people by 2025. Specifically, the law requires jurisdictions to establish food recovery programs and strengthen existing food recovery networks; food donors to arrange to recover the maximum amount of edible food; and, food recovery organizations and services that participate in SB 1383 to maintain specified records.

When developing the SB 1383 program, CalRecycle cast a wide net to ensure that the program covers all sources of organic waste. This has resulted in all food processors being subject to the program, even though a number of processors do not routinely dispose of any food materials to a landfill. As noted above, SB 1383 requirements were intended to reduce the landfill disposal of organic waste to avoid SLCP emissions, which raises a question about the appropriateness of requiring these facilities to be subject to SB 1383 requirements.

Little guidance exists for local jurisdictions from CalRecycle about how to regulate processors who do not dispose of material in a landfill. According to the author, there have been several instances in which county officials have assumed agricultural processors generate organic waste and therefore must comply with the program's recordkeeping and inspection requirements.

Proposed Law: This bill would exempt an agricultural crop preparation service, as defined and that has not disposed of organic waste to a landfill since at least January 1, 2016, from the waste diversion requirements of SB 1383.

Related Legislation: SB 1383 (Lara), Chapter 395, Statutes of 2016, requires CARB to approve and implement a comprehensive SLCP strategy to achieve, from 2013 levels, a 40% reduction in methane, a 40% reduction in hydrofluorocarbon gases, and a 50% reduction in anthropogenic black carbon, by 2030.

Staff Comments: This bill intends to clarify SB 1383 regulations for commercial edible food generators that historically have not disposed of organic waste to landfill. To the extent that the waste generated by agricultural crop preparation services does not—and has not since the inception of SB 1383—go to landfills at all, it seems like a reasonable fix to not count that waste towards what must be diverted from a landfill.

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