THIRD READING

Bill No: AB 643
Author: Wilson (D)
Amended: 6/3/26 in Senate
Vote: 21

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 7-0, 6/17/26
AYES: Blakespear, Valladares, Allen, Dahle, Gonzalez, Hurtado, Menjivar

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 60-4, 1/26/26 - See last page for vote

SUBJECT: Climate change: short-lived climate pollutants: organic waste reduction

SOURCE: Valley Sanitary District

DIGEST: This bill allows a local jurisdiction to count organic material used as a beneficial agricultural amendment for up to 10% of its recovered organic waste procurement target if the material meets specified conditions.

ANALYSIS:

Existing law:

1) Requires the California Air Resources Board (CARB) to develop a comprehensive strategy to reduce the emissions of short-lived climate pollutants (SLCP) to achieve a 40% reduction in methane emissions, a 40% reduction in hydrofluorocarbon gases, and a 50% reduction in anthropogenic black carbon below 2013 levels by 2030. (Health and Safety Code (HSC) §§ 39730-39730.5)

2) Requires the state to reduce the disposal of organic waste by 40% from the 2014 level by 2020 and 75% by 2025 to help achieve the state's methane reduction goal. (HSC § 39730.6)

3) Requires the Department of Resource Recovery and Recycling (CalRecycle), in consultation with CARB, to adopt regulations to achieve the state's organic waste reduction requirements. Specifies that the regulations, in part:

   a) May require jurisdictions to impose requirements on generators or other relevant entities within their jurisdiction and may authorize local jurisdictions to impose penalties on generators for noncompliance;

   b) Include requirements intended to meet the goal that not less than 20% of edible food is recovered for human consumption by 2025;

   c) Specify that penalties for the organic waste procurement target established by CalRecycle shall be imposed on the following schedule:

      i) On or after January 1, 2023, each jurisdiction shall procure a quantity of recovered organic waste products that meet or exceed 30% of its recovered organic waste procurement target;

      ii) On or after January 1, 2024, each jurisdiction shall procure a quantity of recovered organic waste products that meet or exceed 65% of its recovered organic waste procurement target; and,

      iii) On and after January 1, 2025, each jurisdiction shall procure a quantity of recovered organic waste products that meet or exceed 100% of its recovered organic waste procurement target.

   d) Allow a local jurisdiction to count the following toward its recovered organic waste procurement targets:

      i) compost from vermicomposting;

      ii) operations composting green material, agricultural material, food material, or vegetative food material if the total amount of feedstock and compost onsite does not exceed 100 cubic yards and 750 square feet;

      iii) mushroom compost;

      iv) mulch produced from tree trimming operations or recovered edible food for up to 10% of its target;

      v) pipeline biomethane converted exclusively from organic waste diverted from a landfill;

vi) direct expenditures toward investments in community composting, equipment used to apply compost or mulch, or the development of compost or mulch distribution sites for up to 10% of its target using a conversion of $21.38 for each ton of organic waste. (Public Resources Code (PRC) § 42652.5)

4) Beginning January 1, 2022, requires a jurisdiction to annually procure a specified quantity of recovered organic waste products that meets or exceeds its annual organic waste procurement target. Specifies that the organic waste procurement target is calculated by multiplying the per capita procurement target (0.8 tons per resident per year) by the jurisdiction's population. (Title 14 of the California Code of Regulations (CCR) § 18993.1)

5) Specifies that the organic waste procurement target may be met by procuring:

   a) Compost from a compost facility or in-vessel digestion facility;

   b) Renewable gas used for transportation, electricity, or hearing applications;

   c) Electricity from biomass conversion; and,

   d) Mulch, as specified. (Tit. 14 CCR § 18993.1)

6) Defines "solid waste disposal" and "disposal" as "the final deposition of solid wastes onto land, into the atmosphere, or into the waters of the state." (PRC § 40192)

7) Defines "transformation" as "incineration, pyrolysis, distillation, or biological conversion other than composting." And further:

   a) Excludes "composting, gasification, EMSW conversion, or biomass conversion" from the definition of "transformation" (PRC § 40201)

8) Defines organic waste as food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed with food waste. (PRC § 42649.8(d))

9) Define biosolids as solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works (14 CCR § 17852)

10) Requires every person who manufactures or distributes fertilizing materials to obtain a license from the Secretary of Food and Agriculture for each plant and business location. (Food and Agriculture Code (FAC) § 14591)

This bill allows a local jurisdiction to count the following toward their recovered organic waste procurement target:

1) beneficial agricultural amendments derived from organic waste and processed with biosolids for up to 10% of its recovered organic waste product procurement target (calculated using the dry weight of the material), if the beneficial agricultural amendments meet the following conditions:

    a) Are processed at a facility authorized by CalRecycle using approved technologies;

    b) Are approved for end use as a fertilizing material by the Department of Food and Agriculture;

    c) Are not derived from activities which constitute solid waste disposal, disposal, or transformation, including:

        i) Facilities that produce fuels or energy through transformation;

        ii) Municipal solid waste conversion; or

        iii) Other disposal methods.

2) Operations composting green material, agricultural material, food material, or vegetative food material if the total amount of feedstock and compost onsite does not exceed 200 to 500 cubic yards.

Background

Organic waste in California. SB 1383 (Lara) 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. 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. An estimated 40 million tons of waste are disposed of in California's landfills annually.[1] 48% of landfilled material is organic waste.[2]

The 2020 Analysis of the Progress Toward SB 1383 Organic Waste Reduction Goals from CalRecycle states that “in 2025 there will be an additional 5.5 million tons of compost and more than 14 billion cubic feet of biomethane produced as a

[1] CalRecycle. (2021) *Disposal Facility-Based Waste Characterization Study*. https://calrecycle.ca.gov/wcs/dbstudy/
[2] CalRecycle. *Organic Materials Management*. https://calrecycle.ca.gov/organics/

result of SB 1383 implementation" but does not explicitly state if the 2020 waste diversion goal was met.[3] Additionally, CalRecycle reports that as of 2022, 97% of jurisdictions have residential organics collection.[4]

SB 1383 also requires that by 2025, 20% of edible food that would otherwise be sent to landfills is redirected to feed people. 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. In 2024, 231,766 tons of edible food were recovered.[4] Since 2022, over 1 billion meals went to Californians in need.[4]

Challenges to recycling organic waste. Organic waste recycling includes a variety of methods:

1) *Composting.* Organic waste is primarily recycled through composting, which is a process through which organic waste biodegrades into compost. Compost can be used in agriculture as a soil amendment or for engineering purposes such as slope stabilization. Some organic waste can be composted residentially, such as in a backyard; other organic waste must be industrially composted.

2) *Anaerobic digestion.* Anaerobic digestion is an industrial process through which organic waste is broken down using bacteria in the absence of oxygen. Anaerobic digestion produces biomethane and digestate. Biomethane is an energy source. Digestate can be used as fertilizer, as feedstock for compost, or as a building material.[5,6]

3) *Mulch.* Yard waste, particularly tree trimmings, can be mulched and used as a soil amendment.

CalRecycle estimates that there are 170 compost and mulch businesses.[7] The American Biogas Council estimates that there are 411 biogas facilities in California: 55 capture gas from landfills, 31 process food waste, 145 process wastewater, and 180 process agricultural waste.[8] Only anaerobic digesters

---

[3] CalRecycle (2020) *Analysis of the Progress Toward the SB 1383 Organic Waste Reduction Goals*. https://www2.calrecycle.ca.gov/Docs/Publications/Details/1693
[4] CalRecycle, *California's Climate Progress on SB 1383.* https://calrecycle.ca.gov/organics/slcp/progress/
[5] EPA, *How Does Anaerobic Digestion Work?* https://www.epa.gov/agstar/how-does-anaerobic-digestion-work
[6] California Energy Commission (CEC) *Anaerobic Digestion*. https://www.energy.ca.gov/data-reports/california-power-generation-and-power-sources/bioenergy/anaerobic-digestion
[7] CalRecycle, *Compost and Mulch Producers.* https://calrecycle.ca.gov/organics/processors/
[8] American Biogas Council, *Biogas State Profiles: California.* https://americanbiogascouncil.org/resources/state-profiles/california/

processing organic waste (such as those processing food waste) count toward SB 1383 procurement targets.

To ensure that there are adequate markets for the state's increasing quantities of products made from organic waste, like mulch, compost, and biomethane, CalRecycle established procurement requirements for local jurisdictions. Jurisdictions can meet the target by procuring, giving away, or arranging for the use of the material through contracts with direct service providers. Eligible materials include compost, mulch, and biomethane, as specified in PRC § 42652.5.

Comments

Purpose of Bill. According to the author, "The Legislature has heard from many communities across the state that they are concerned they will struggle to meet their procurement targets under SB 1383. Increasing the eligibility of procurement products made from diverted organics will assist in jurisdictions in meeting their goals, provide positive impacts to the State's climate change objectives, and provides the agricultural community another tool to continue growing crops in our state."

What is a beneficial agricultural amendment? AB 643 requires that a beneficial agricultural amendment is an approved fertilizer derived from both organic waste and processed with biosolids. Anaerobic digestion, which creates digestate, is one potential method to create such a fertilizer. Both biosolids and digestate have unique benefits and challenges as soil amendments.

Biosolids as fertilizer. Biosolids are a nutrient-dense byproduct of wastewater treatment. Biosolids can be used as a fertilizer, improving soil and crop health, reducing water use, and even storing carbon in soil.[9] Though nutrient dense, biosolids may be contaminated with pathogens or microplastics, creating health concerns.[10] Ultimately, biosolids require additional treatment to be suitable for agriculture (this treatment can treat for pathogens but not necessarily microplastics). Rural wastewater treatment plants might not have the capabilities to treat biosolids for safe agricultural use.

Additionally, SB 1383 was meant to divert organic waste from landfills and create functional end markets for recycled organics. Biosolids are not largely landfill bound. Presently, biosolids diverted from landfill are considered an organic waste

[9] National Association of Clean Water Agencies (NACWA) *What are Biosolids?* https://www.nacwa.org/advocacy-analysis/advocacy-alerts/biosolids-explained
[10] Xue, J, et al. (2025) *Rethink biosolids: Risks and opportunities in the circular economy.* Chemical Engineering Journal. https://www.sciencedirect.com/science/article/pii/S1385894725025720

reduction activity (14 CCR § 18983.1). However, biosolids are not counted toward organic waste procurement targets. Only 13% of biosolids were disposed of at a landfill.[11] Therefore, counting biosolids toward organic waste procurement targets runs the risk of counting the 87% of biosolids which are not landfill bound toward SB 1383 goals.

If biosolids count toward SB 1383 procurement targets, the state risks not increasing the procurement of organic waste truly diverted from landfills compared to the status quo. However, limiting biosolids to 10% of a jurisdiction's organic waste procurement target mitigates these harms.

Anaerobic digestate as fertilizer. Though anaerobic digestion creates two products, biomethane and digestate, digestate is not listed as a recovered organic waste product on CalRecycle's website nor explicitly in statute.[12] AB 643 may allow the use of digestate, from organic waste and biosolid feedstocks, as a fertilizer to count toward SB 1383 targets.

AB 643 aims to expand SB 1383 eligible to help communities, and the state, achieve their landfill diversion goals. A community which struggles with access to industrial composting facilities may also struggle with access to industrial anaerobic digestion. Most anaerobic digesters process agricultural waste and wastewater, which would not count toward SB 1383.[9] There are significantly more industrial composters and mulchers (170 in the state) than there are anaerobic digestors processing food waste (31 in the state).

It is unclear if AB 643 would provide jurisdictions struggling to meet their procurement targets with an accessible product. Additionally, it is unclear how many facilities create a product which uses both anaerobic digestate and biosolids. AB 643 may only impact an exceptionally narrow market: the limited industry processing anaerobic digestate and biosolids and the jurisdictions willing and able to purchase that product. It is worth considering how best to support communities in reaching their SB 1383 procurement targets beyond expanding product eligibility.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT: (Verified 6/29/26)

[11] Carmel Wastewater District. *What are Biosolids?* https://www.cawd.org/what-are-biosolids
[12] CalRecycle, *Procurement Targets and Recovered Organic Waste Products.* https://calrecycle.ca.gov/organics/slcp/procurement/recoveredorganicwasteproducts/

Fairfield; City of
Fresno County Board of Supervisors
Los Angeles County

OPPOSITION: (Verified 6/29/26)

None received

ASSEMBLY FLOOR: 60-4, 1/26/26
AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Berman, Bonta, Bryan, Calderon, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Fong, Gallagher, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Lackey, Lowenthal, McKinnor, Nguyen, Ortega, Pacheco, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Wallis, Wicks, Wilson, Zbur, Rivas
NOES: Ellis, Johnson, Macedo, Tangipa
NO VOTE RECORDED: Arambula, Bennett, Boerner, Caloza, Flora, Gabriel, Garcia, Hadwick, Krell, Lee, Muratsuchi, Papan, Celeste Rodriguez, Rogers, Ta, Ward

Prepared by: Alyssa Poletti / E.Q. / (916) 651-4108
7/1/26 16:54:54

****** END ******