
UNFINISHED BUSINESS

Bill No: SB 279
Author: McNerney (D), et al.
Amended: 9/2/25
Vote: 21

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 7-0, 3/19/25
AYES: Blakespear, Valladares, Dahle, Gonzalez, Hurtado, Padilla, Pérez
NO VOTE RECORDED: Menjivar

SENATE APPROPRIATIONS COMMITTEE: 5-0, 5/23/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NO VOTE RECORDED: Seyarto, Dahle

SENATE FLOOR: 38-0, 5/29/25
AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Limón, Reyes

ASSEMBLY FLOOR: 79-0, 9/8/25 - See last page for vote

SUBJECT: Solid waste: compostable materials

SOURCE: Author

DIGEST: This bill lowers the regulatory requirements for certain composting operations, including agricultural operations.

Assembly Amendments : Lowers the volume of compost material that can be considered an excluded activity for CalRecycle permitting from 500 cubic yards to 200 cubic yards, unless the composting activity is owned by a public agency

Removes the provision that would have allowed facilities to accept up to 10% food material by volume for five years before applying for a full solid waste facility permit if they met certain conditions.

ANALYSIS:

Existing law:

- 1) 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. (Health and Safety Code (HSC) § 39730.6)
- 2) Requires the Department of Resource Recovery and Recycling (CalRecycle), in consultation with the California Air Resources Board (CARB), to adopt regulations to achieve the state's organic waste reduction requirements. Specifies the regulations:
 - a) May require jurisdictions to impose requirements on waste generators or other relevant entities and may authorize local jurisdictions to impose penalties on generators for noncompliance;
 - b) May include penalties for noncompliance;
 - c) Require penalties be imposed on jurisdictions that miss the following organic waste procurement targets established by CalRecycle:
 - 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.
- 3) Establishes different regulatory tiers for composting facilities based on their size and the materials they process. This includes:
 - a) Excluded Activities Tier. These include, among others:
 - i) Small composting facilities that process green material, agricultural material, food material, and vegetative food material, if the total amount of feedstock and compost on-site at any one time does not exceed 100 cubic yards and 750 square feet. (California Code of Regulations (CCR) § 17855(a)(4))

- ii) An activity that handles agricultural material, derived from an agricultural site if no more than 1,000 cubic yards of compost product are given away or sold annually from this operation. (CCR § 17855(a)(1))
- b) Excluded Activity Notification Tier which requires notification of operations to local enforcement agencies among other criteria. This tier applies to composting operations for agricultural material, among other activities (CCR tit 14 § 18103.1)
- c) Registration Tier. Requires operators to submit certain information describing and reporting on the operation including a Report of Facility Information (RFI) and pertinent California Environmental Quality Act (CEQA) documents: compost operations in the registration tier may be approved or denied a permit based on the content of their registration tier application (CCR § 18104). Vegetative food material composting facilities that process up to 12,500 cubic yards of compost fall into this category. (CCR tit 14 § 17857.2)
- d) Full Tier. Requires operators to submit specific information in an RFI and pertinent CEQA documents and, for landfills, to include a complete closure plan, financial assurance, and operating liability. (CCR tit § 27 21570). Large (12,500 cubic yards). Vegetative Food Material Composting Facilities fall into this regulatory tier.
- 4) Requires that composting facilities accepting food waste be in a full regulatory tier, except in specific cases, including facilities 12,500 cubic yards or smaller. These smaller facilities accepting food waste are subject to the registration permit tier. (CCR14 § 17854.1)

This bill

- 1) Excludes the following activities from specified composting regulatory requirements:
 - a) Composting green material, agricultural material, food material, and vegetative food material activities, alone or in combination, if the total amount of feedstock and compost onsite at any one time does not exceed 200 cubic yards or 500 cubic yards for an activity owned by a public agency, as specified.

- b) Subject to specified requirements, the composting of agricultural materials and residues from a large-scale biomass management event, as specified, at an agricultural facility that does not otherwise operate as a solid waste facility.
 - i) Provides that the excluded large-scale biomass event activities may include acquiring and using agricultural materials, agricultural byproduct materials, and manure from an agricultural facility to blend with the onsite agricultural materials and residues resulting from the large-scale biomass management event. Specifies that this offsite material shall not include whole or partial animal carcasses or animal byproducts other than manure. Requires specified recordkeeping and provides that this exclusion may not be used more than once every 10 years for a period not to exceed 24 months.
- 2) Authorizes a composting operation to give away or sell up to 5,000 cubic yards of compost product annually, and, authorizes CalRecycle to increase, by regulation, the amount of material a composting activity may give away or sell when the composting is of agricultural materials and residues from a large-scale biomass management event at an agricultural facility, as specified.
- 3) Defines "agricultural byproduct material," "agricultural facility," "agricultural material," "large-scale biomass event," and "manure" for purposes of this bill.

Background

Organic Waste and Short-Lived Climate Pollutants. By weight, organic waste makes up 48% of the annual material added to landfills in California. This includes approximately 2.5 billion meals worth of unspoiled food a year¹.

When food and other organic material are discarded in a landfill, bacteria break down the material aerobically (without oxygen), a process that releases methane, a potent greenhouse gas (GHG). While modern landfills have systems in place to capture this methane, significant amounts of methane and other short-lived climate pollutants (SLCP's) continue to escape from older landfills into the atmosphere. According to CalRecycle, landfills are the third largest source of methane in California, and organic waste in landfills emits 20% of the state's methane. Approximately 8.5 million tons of carbon dioxide equivalent were released by landfills in 2020².

¹ [Organic Materials Management - CalRecycle Home Page](#)

² [California's Short-Lived Climate Pollutant Reduction Strategy - CalRecycle Home Page](#)

To reduce SLCPs, the Legislature passed SB 1383 (Lara, Chapter 395, Statutes of 2016) which set a target to reduce methane emissions by 40% relative to 2014 levels by 2030. SB 1383 targeted SLCPs emitted from landfills, and set a goal to reduce the landfill disposal of organic waste by 50% by 2020 and 75% by 2025 relative to the 2014 disposal level. Under SB 1383, the organic waste diverted from landfills must go to organics recovery facilities to be recycled into products like compost, mulch, or biogas.

Regulatory Tiers for composting. CalRecycle has established different regulatory tiers for composting facilities that have different requirements³. Facilities are slotted into tiers based on their size, activities, and the materials they process. These tiers include⁴:

- **Excluded Activity Tier** – This tier is not regulated by CalRecycle. Operations that are eligible for the “excluded activity (EA)” tier include small (<100 cubic yards) compost facilities that take food waste, and onsite farm composting operations made from agricultural material if less than 1,000 cubic yards of compost is given away or sold each year.
- **Excluded Activity Notification Tier** – This tier requires the compost operator to send information to CalRecycle on its intent to operate a compost facility. The operator has to describe how the facility will operate, and send documentation that the operator has notified the local planning department of its intent to commence operations). Notification operations can require submittal of an “operation plan” or an “odor impact minimization plan” (OIMP).⁵ Activities that fall into the Excluded Activity Notification Tier include green material composting operations under 12,500 cubic yards of material, and large agricultural material composting operations. This notification tier is not a permit tier.
- **Registration Tier** – The registration tier requires more information and longer processing times compared to the notification tier, but less than that for full or standardized permits. Vegetative food material composting facilities that process up to 12,500 cubic yards of compost fall into this category.

⁴ Tiered Regulatory Placement - CalRecycle Home Page

⁵ Permit Tasks and Tiers Charts - CalRecycle Home Page

- Full Regulatory Tier – The process and timelines for processing a full solid waste permit (SWFP) are the most significant of any of the tiers. Examples of facilities that fall into this tier include solid waste facilities and compost facilities that accept vegetative food material and process more than 12,500 cubic yards of material.

Enforcement challenges. The infrastructure needed to implement the requirements of SB 1383 has not kept pace with the increased materials that need to be recycled. This is, in part, due to the costs and timelines associated with facility siting and construction. As a result, some parts of the state are facing increased illegal disposal. According to the Los Angeles Times, more than 80 unpermitted sites in the Antelope Valley appear to be accepting some forms of organic waste for "land application;" however, the materials contain significant amounts of solid waste, including plastics. In some cases, the property owners are the victims of illegal dumping by third parties; in others, landowners are charging to accept illegally disposed material. News reports state that some of these sites cover hundreds of acres and are dozens of feet deep. Residents in the area complain of toxic odors and worry about fire risk.

In response to the deluge of illegal dumping activity, CalRecycle adopted emergency regulations to deal with illegal organic material dumping in February of this year. The regulations incorporate land application activities into CalRecycle's compost facility tiers and subject them to the appropriate operator filing requirements, state minimum standards, record keeping, and LEA inspection requirements to ensure that LEAs are able to appropriately regulate and enforce these activities.

Comments

- 1) *Purpose of Bill.* According to the author, "Now that California has banned nearly all burning of agricultural waste, the state's farmers and winegrape growers need assistance in dealing with large amounts of organic material. Currently, farms and vineyards ship large amounts of agricultural waste to offsite composting facilities, often hundreds of miles away, rather than composting the green waste themselves onsite in a sustainable way. SB 279 will help farmers and winegrape growers by allowing them to compost agricultural waste onsite when they have a large biomass removal event, like the removal of an orchard or vineyard. It will also benefit community composters, urban farms and school farms by allowing them to compost larger amounts of green waste and food scraps onsite."

- 2) *Large scale composting: better than burning, still impactful.* Up until this year, organic material from a “large biomass event” like clearing a vineyard was likely to be burned in an open pile. However, as of January 1, 2025, agricultural burns like these in the San Joaquin Valley are essentially all banned. (SB 705, Chapter 481, Statutes of 2003).

The material that is no longer allowed to be burned in open piles could be diverted into compost. The scale of material is significant: according to information on the Almond Board’s website, an estimated 71,000 acres of orchards will be removed by the end of the crop year, adding to the 83,000 acres removed in the 2023-24 crop year, according to Land IQ’s estimate issued in November last year.

Composting agricultural waste will have fewer emissions than open-pile burning, and compost is also one of the highest and best uses for recycling organic material. However, composting, especially large-scale composting, does impact the environment, including emissions of air pollutants, odors, and the potential for leaching into the groundwater. In addition to making large-scale composting of agricultural material an excluded activity in CalRecycle’s regulatory tiers, this bill also allows off-site material, including manure, to be brought onto farms to mix with the material from a “large-scale biomass management event” like removing an orchard. Mixing in other agricultural materials can be important to creating healthy and robust compost. However, because there is no size constraint on the amount of material from a large-scale biomass event that can be composted, there is also no constraint on the amount of agricultural material that could be brought in to blend with that material.

This bill adds some level of assurance that off-site material coming onto agricultural lands is (1) sourced from agricultural sites and (2) that there is accountability for farmers to keep track of what offsite material comes in and from where should they be audited.

- 3) *Competing composts?* This bill quintuples (from 1,000-5,000 cubic yards) the amount of compost that can be given away or sold if it is on agricultural land without increasing the regulatory tier for those composting activities. By increasing the amount of compost that agricultural composters can sell while remaining in the excluded activity tier, this bill could give agricultural compost operations a competitive edge over other compost operations. On the one hand, agricultural material processed on-site can be much cleaner when compared to compost from facilities that accept material from communities and businesses,

so agricultural composting operations may not need as much regulation. On the other hand, compost facilities accepting organic material from communities where they are located are essential to reaching the GHG emission and organic waste diversion goals of SB 1383. Their proximity to the communities where they are located keeps composting decentralized and drives down emissions and costs associated with transporting organic waste and compost. In 2023, California had 166 composting facilities, with at least 20 new facilities being prepared specifically to provide local composting options. These emerging compost facilities represent millions of dollars of local investment, and CalRecycle estimates that California currently needs 50-100 new composting operations in order to reach its SB 1383 goals⁶.

Related/Prior Legislation

AB 411 (Papan, 2025) authorizes composting of livestock carcasses resulting from a routine livestock mortality event or on-farm processing to be composted if certain requirements are met. The bill is awaiting hearing on the Senate Floor.

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

According to the Assembly Appropriations Committee, the bill will result in “Costs of an unknown amount, likely over \$150,000, for CalRecycle to reopen and amend its composting regulations in accordance with the requirements of this bill, provide ongoing compliance-related assistance to stakeholders, review permitting and inspection reports, and conduct oversight, among other tasks (Integrated Waste Management Account (IWMA)). For its part, CalRecycle estimates ongoing annual costs beginning in fiscal year 2025-26 of approximately \$327,000 to hire two staff to implement this bill (IWMA). However, it is not clear to this committee that the workload created by this bill alone necessitates two permanent positions.

SUPPORT: (Verified 9/8/25)

350 Bay Area Action
350 Humboldt
350 Sacramento
Active San Gabriel Valley
Agricultural Council of California
Almond Alliance
Almond Alliance of California
American Pistachio Growers

⁶ [Capacity Planning - CalRecycle Home Page](#)

Azul
Ban Single Use Plastic
Ban Sup (single Use Plastic)
Biochosen
California Alliance for Community Composting
California Association of Resource Conservation Districts
California Association of Winegrape Growers
California Certified Organic Farmers
California Climate & Agricultural Network
California Farm Bureau
California Farm Link
California Farmlink
California Food and Farming Network
California Food Producers
California Fresh Fruit Association
California League of Food Producers
California Nurses for Environmental Health & Justice
Californians Against Waste
Carbon Cycle Institute
Central California Environmental Justice Network
Central Valley Air Quality Coalition
Ceres Community Project
Chicobag Company
Climate Action California
Climate Action Petaluma
Climate Center; the
Climate Health Now Action Fund
Climate Reality Project - Silicon Valley Chapter
Climate Reality Project, Los Angeles Chapter
Climate Reality Project, Orange County
Community Aliance With Family Farmers
Community Alliance With Family Farmers
Courage California
Ecology Center
Elders Climate Action Norcal Chapter
Elders Climate Action Socal Chapter
Endangered Habitats League
Friends Committee on Legislation of California
Glendale Environmental Coalition
Los Angeles Waterkeeper
National Resources Defense Council
Northern California Recycling Association

Oakland Recycles
People Food and Land Foundation
Plastic Pollution Coalition
Regen Monterey
Salinas Valley Solid Waste Authority
San Francisco Baykeeper
Santa Cruz Climate Action Network
Save Our Shores
Save the Albatross Coalition
See (social Eco Education)
Sierra Club California
Sierra Harvest
Socal 350 Climate Action
Solana Center for Environmental Innovation
Stopwaste
Sustainable Rossmoor
The Climate Center
The Last Plastic Straw
The Office of Kat Taylor
Tracy Earth Project
U.s. Green Building Council, California
US Green Building Council
Western Growers Association
Western Tree Nut Association
Wildcoast
Wine Institute
Zero Waste Marin
Zero Waste San Diego
Zero Waste Sonoma

OPPOSITION: (Verified 9/8/25)

California Compost Coalition
California Council for Environmental & Economic Balance
California Waste Haulers Council
Inland Empire Disposal Association
Los Angeles County Waste Management Association
Republic Services
Republic Services - Western Region
Resource Recovery Coalition of California
Solid Waste Association of Orange County

Swana California Chapters Legislative Task Force
Waste Connections, INC.
Wm (waste Management)

ASSEMBLY FLOOR: 79-0, 9/8/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Nguyen

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