



DONALD L. WOLFE  
CHAIRMAN

LOS ANGELES COUNTY  
SOLID WASTE MANAGEMENT COMMITTEE/  
INTEGRATED WASTE MANAGEMENT TASK FORCE  
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February 10, 2005

Mr. Michael Alpert, Chair  
Little Hoover Commission  
925 L Street, Suite 805  
Sacramento, CA 95814-3704

Dear Chairman Alpert:

**GOVERNOR REORGANIZATION PLAN-GRP 1 (BOARDS/COMMISSIONS)  
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**

On January 6, 2005, Governor Arnold Schwarzenegger submitted a reorganization plan, GRP 1, to your Commission that included a recommendation to eliminate the California Integrated Waste Management Board. Under this proposal, the Waste Board would be absorbed into the California Environmental Protection Agency (Cal-EPA) and its functions would be transferred to a department within Cal-EPA. While we recognize the potential benefits of a more coherent environmental strategy and a streamlined regulatory structure, the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force is very concerned that it and other stakeholders (including local governments and community groups) would be removed from the decision-making process, our ability to voice concerns in an open forum generally will be diminished, and, as a result, the new organization would become less responsive to the solid waste management needs of local jurisdictions and other stakeholders and entities Statewide.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (AB 939, as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared by the County and the 88 cities in the County of Los Angeles. Consistent with these responsibilities and to ensure a coordinated and cost-effective solid waste management system in the County of Los Angeles, the Task Force also addresses issues impacting the solid waste management system on a Countywide basis. Task Force membership

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includes representatives of the League of California Cities (Los Angeles County Division), the County of Los Angeles Board of Supervisors, the City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

The Waste Board is responsible for administering AB 939 which, among other things, requires jurisdictions to reduce 50 percent of their solid waste from disposal through implementation of various source reduction, recycling, and composting programs on an ongoing basis and verification by the Waste Boards on an annual basis. The Waste Board's membership includes representatives of the public, industry, and environmental community. As part of its decision-making process, the Waste Board and its various committees conduct monthly public meetings where they solicit input from the public and stakeholders before rendering any decisions including proposed regulations and enforcement actions. The Waste Board has made a concerted effort to work with stakeholders, including local governments, to address their concerns and generally achieve a mutual beneficial outcome within the confines of State Law and its discretionary authority. The Task Force is considered a major player in this decision-making process because we formulate solid waste management policies for the County of Los Angeles as a whole that represents one-third of the State's population.

As mentioned, the structure and process of the Waste Board affords a due process for rulemaking which, when followed, provides ample opportunity for discordant perspectives to be voiced and to work towards a consensus. The Waste Board's transparency and openness works in favor of all stakeholders and ultimately is a benefit to all Californians by striving towards compromise and balance in developing policies and regulations and implementing State law. The proposed GRP 1, as submitted, will result in a loss of the above including sensitivity to concerns of cities, counties, and regional agencies formed pursuant to AB 939.

We would also wish to reiterate that we are in full support of measures to reduce inefficiency and waste at the State level including adjusting the compensation of State boards and commissions to correspond with their responsibilities and activities. We also welcome proposals to eliminate overlapping jurisdictions and responsibilities among various boards and commissions especially those of an environmental nature which have in the past lacked a proactive mechanism to work together on interrelated environmental issues.

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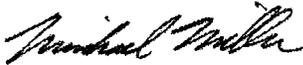
As the Commission reviews the Governor's proposal and prepares its comments to the Governor and the Legislature, the Task Force respectfully requests the Commission to carefully consider the above-stated concerns. Ultimately, we are confident that the Commission would recommend preserving the Waste Board as an independent agency or at the very least a delay in the implementation of reorganization plan until more public hearings are conducted in order to fully grasp the potential repercussions of such an action.

In a separate but related matter, the California Performance Review Report, which was the basis for recommending the elimination of the Waste Board, also recommended (Recommendation RES 27) that "rural communities be allowed to demonstrate compliance with [AB 939] based on program implementation rather than by calculating waste diversion rates." The Task Force supports this recommendation and would further request the Commission to further investigate this issue and expand it to include all jurisdictions both rural and urban. Briefly, to measure a jurisdiction's compliance with AB 939, the State developed a Disposal Reporting System to track the quantities of solid waste disposed by each jurisdiction. Since the inception of the system in 1995, concerns by local jurisdictions have been voiced to the State in determining and quantifying the waste by the jurisdiction of origin to measure a jurisdiction's waste diversion rate. This problem is particularly acute in the County of Los Angeles with 88 cities and numerous unincorporated communities. In recognition of the jurisdictions concerns, in 1999, the Task Force adopted a series of recommendations requesting changes in State law to emphasize the "quality" of waste diversion programs rather than sole reliance on "quantity" measurement for the sole purpose of complying with AB 939. The emphasis of programs over numerical compliance (which has a poor track record, especially in the County of Los Angeles), by conservative estimates, is expected to cumulatively save jurisdictions in the County of Los Angeles approximately \$10 million per year. Moreover, the regulatory burden on haulers and solid waste facilities would be reduced since they are currently required to track every ton of waste disposed to assist jurisdictions to document numerical compliance.

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We appreciate your consideration of these comments and look forward to a renewed and streamlined State government that is better able to address the new environmental challenges of the twenty-first century. If you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Very truly yours,



Michael Miller, Vice-chair  
Los Angeles County Solid Waste Management Committee/  
Integrated Waste Management Task Force  
Mayor, City of West Covina

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cc: Governor Arnold Schwarzenegger  
Little Hoover Commission  
President pro Tempore of the Senate (Don Perata)  
Speaker of the Assembly (Fabian Nunez)  
Each Member of the County of Los Angeles Board of Supervisors  
Each City Mayor in the County of Los Angeles  
Each Member of the Los Angeles County Legislative Delegation  
California Integrated Waste Management Board  
California Performance Review Commission  
Each Member of the Los Angeles County Integrated Waste Management Task Force  
Terry Tamminen, Cabinet Secretary  
Alan C. Lloyd, Cal/EPA Secretary  
League of California Cities  
Los Angeles County Division of the League of California Cities  
California State Association of Counties  
San Gabriel Valley Council of Governments  
South Bay Council of Governments