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LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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August 8, 2012

The Honorable Lois Wolk, Chair
Senate Governance and Finance Committee
State Capitol, Room 408
Sacramento, CA 95814

Dear Chairman Wolk:

**POSSIBLE RECONSIDERATION OF ASSEMBLY BILL 1178 (MA)
SOLID WASTE LANDFILL PREEMPTION
POSITION: STRONG OPPOSE**

Last year a large coalition of statewide and regional environmental and local government organizations, including the Los Angeles County Integrated Waste Management Task Force (Task Force), strongly opposed Assembly Bill 1178 (AB 1178, Ma). This bill, with limited exceptions, would prohibit a city or county from restricting or limiting the importation of solid waste into that city or county. AB 1178 was held in the Senate Environmental Quality Committee, but there are moves afoot to resurrect the measure in the waning days of this session—most likely through a last-minute gut-and-amend on the Senate floor. On behalf of the Task Force, I am writing to you and your committee members to urge you to pull back from taking such measures.

AB 1178 represents a dramatic shift in State policy that would severely limit the local control over landfills that California cities and counties have possessed since the State's founding. It would also greatly undermine the local "initiative power" as well as the host jurisdiction's authority over the nature, location, and extent of landfills and other solid waste handling services.

AB 1178's proposal to drastically reduce that local control where the impacts of solid waste disposal facilities are most acute is unprecedented and completely unwarranted. Simply put, AB 1178 does not address any actual or potential problem regarding landfill capacity or extraterritorial disposal of solid waste. The existing ability of local jurisdictions to limit importation of solid waste has not prevented any other jurisdiction from finding a location to dispose of those solid wastes that cannot be recycled and/or otherwise diverted from landfills.

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Moreover, the Task Force is concerned with the bill's impetus being a desire to overturn local Measure E in Solano County and potentially having staggering Statewide consequences. Local governments have established permitting requirements and conditions and/or watershed restrictions on publically and privately owned disposal facilities for a variety of reasons including preserving local or in-county disposal capacities, reducing traffic impacts on communities, and other site-specific factors in order to avoid the creation of nuisances in the best interest of local governments and their constituents. The discretion granted to local governments in establishing boundaries for purposes of controlling the flow of solid waste on a case-by-case basis has provided an avenue to effectively advance local interests as well as enhance public health and safety. AB 1178, while extolling solid waste disposal as a state-level responsibility, in effect gives disposal discretion solely to privately owned solid waste facility operators and solid waste haulers whose primary priority is generally established by economic factors.

Again, if enacted, AB 1178 would effectively hand solid waste companies the power that cities and counties have long possessed to preserve and regulate landfill capacity. The bill also goes against the will of California voters, interferes with judicial matters, and usurps local government autonomy Statewide in an attempt to overturn a local decision impacting only one facility in Solano County.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939 [AB 939], as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated, cost-effective, and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, waste management industry, environmental groups, the public, and a number of other governmental agencies.

For the above reasons, the Task Force respectfully requests that your committee insist AB 1178 or any similar version of this measure that may emerge over the next few weeks be reviewed and discussed in your committee.

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Should you or your staff have any questions regarding this matter, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147 or MikeMohajer@yahoo.com .

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Council Member, City of Rosemead

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cc: Senate Governance and Finance Committee
Each Member of the Senate Environmental Quality Committee
Each Member of Senate Rules Committee
Assemblymember Fiona Ma
Each Member of the County of Los Angeles Board of Supervisors
Each City Mayor and City Manager in the County of Los Angeles
California State Association of Counties
League of California Cities
League of California, Los Angeles County Division
Contract Cities Association
Independent Cities Association
Southern California Association of Governments
San Gabriel Valley Council of Governments
Gateway Cities Council of Governments
Westside Cities Council of Governments
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Integrated Waste Management Task Force