

**TOWN OF  
APPLE VALLEY, CALIFORNIA**

**AGENDA MATTER**

**Subject Item:**

**THE TOWN OF APPLE VALLEY AB 939 WASTE DIVERSION STATUS; STAFF RECOMMENDATION FOR CERTIFICATION OF NEW BASE YEAR.**

**Summary Statement:**

All California cities and counties report to the California Integrated Waste Management Board (CIWMB) each year on recycling and diversion programs in compliance with AB 939 which became law in 1989. A "base year" of 1990 was established by statute as the standard against which to compare future diversion efforts. Unfortunately, the Apple Valley landfill in use in 1990 had neither scales nor gates. Since accurate numbers for waste disposal were not available, the tonnage was estimated. To that estimate, an approximated amount of recycling – material not going to the landfill – was added. The amount of waste taken to the landfill plus the amount being recycled is what the CIWMB terms "waste generation."

Each year, the annual waste generation is compared with the estimated waste generation for 1990. An adjustment factor established by CIWMB attempts to adjust for growth and employment by factoring in sales tax and population changes. This adjustment has not worked for Apple Valley. CIWMB's default calculations put the Town's diversion rate for 2005 at 17%. However, staff work in canvassing local businesses and agencies was able to demonstrate verifiable recycling that put the Town over 50% diversion. For 2006, CIWMB's default calculations show 30% diversion for Apple Valley, while staff has again provided proof of recycling to CIWMB that again puts the Town's diversion rate over 50%.

As a result of the "waste generation studies" that staff has done for several years, CIWMB staff recommends that the Town establish 2005 as its new base year. Going forward, diversion rates would be measured against the more accurate 2005 levels instead of the 1990 estimates. Using 2005 as a base year, the Town's diversion rates for 2005 and 2006 would be 48% and 58%, respectively. Staff recommends this action for two reasons; first, because the 2005 numbers have much more accuracy than the 1990 estimates. Secondly, the potential passage of SB 1016 would move cities from dealing with total tonnage rates to a per capita rate that, once established, cannot be modified or corrected. If the Town does not set a new base year and SB 1016 passes, Apple Valley will have no option but to live with the incorrect figures.

**Recommended Action:**

Authorize staff to submit the Request for Certification of a New Base Year to the California Integrated Waste Management Board.

**Proposed by:** \_\_\_\_\_ Diana McKeen \_\_\_\_\_ **Item Number** \_\_\_\_\_

**T. M. Approval:** \_\_\_\_\_ **Budgeted Item**  **Yes**  **No**  **N/A**