



June 6, 2014

The Honorable Jerry Hill, Chair
Senate Environmental Quality Committee
State Capitol, Room 5064
Sacramento, CA 95814

RE: AB 371 (Salas) – OPPOSE

Dear Senator Hill:

The Southern California Alliance of Publicly Owned Treatment Works (SCAP) has taken an “Oppose” position on AB 371 by Assemblyman Salas. SCAP represents 81 public agencies that provide essential water and wastewater treatment to nearly nineteen million people in Los Angeles, Orange, San Diego, Santa Barbara, Riverside, San Bernardino, and Ventura counties. We provide environmentally sound, cost-effective management of more than two billion gallons of wastewater each day and, in the process, convert wastes into resources such as reclaimed water, soil amendment and renewable energy.

The bill, as amended on January 27th, would require additional and unnecessary testing of biosolids being land applied solely in the unincorporated areas of Kern County. AB 371 specifically targets the City of Los Angeles, and other wastewater agencies that land apply biosolids in the unincorporated sections of Kern County. The bill arbitrarily discriminates against out-of-county agencies without any scientific justification, and would set a statewide precedent without providing any benefit to human health or the environment. These new requirements also would unnecessarily increase monitoring and reporting costs for these local wastewater agencies land applying biosolids in Kern County.

SCAP is concerned that AB 371 arbitrarily discriminates between out-of-county biosolids and in-county biosolids. The bill only imposes new testing and reporting requirements on "properties in unincorporated areas of Kern County where sewage sludge or other biological solids are imported from another California county." Several cities within Kern County continue to apply biosolids to farmland within city boundaries, including Bakersfield. Under AB 371, only land application in unincorporated sections of the county will be subject to additional testing and reporting requirements. There is absolutely no scientific or health basis for distinguishing between the land application of in-county biosolids and land application of out-of-county biosolids.

Additionally, requiring new testing of biosolids land applied in Kern County would have negative precedential implications for SCAP’s members. Wastewater agencies in at least 30

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counties export all or a portion of their biosolids outside of the borders of their counties, and in 2013 more than 54% of all biosolids managed in California were land applied or publicly distributed. Imposing unnecessary additional testing exclusively in the unincorporated area of Kern County would send a signal that this is not a beneficial recycling practice, contrary to other state objectives and regulations. It could also lead to additional unnecessary testing in other portions of the state, resulting in unfounded public opposition and increased costs for biosolids management statewide.

Finally, SCAP believes it is of critical importance for the Legislature to recognize that the land application of biosolids is a proven, safe, and effective means of recycling a valuable resource produced through the essential public service of wastewater treatment. Decades of research at universities across California, the nation, and the globe have documented the many benefits of recycling biosolids to the land. Biosolids improve crop production, soil tilth and quality, and water holding capacity, which greatly reduces the need for irrigation, which is especially important in this time of extreme drought. Using biosolids also decreases the need for fossil fuel-intense inorganic fertilizer, reduces greenhouse gas emissions, and provides for long term carbon sequestration. At a time when the state is attempting to recycle 75% of its solid waste, produce 33% of its energy needs from renewable sources, and return to 1990 levels of carbon dioxide equivalent emissions, the land application of biosolids helps achieve all of those goals. As such, this legislation runs contrary to the Legislature's objectives.

For these reasons, we respectfully request a "No" vote on AB 371. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "John Pastore". The signature is written in a cursive, flowing style with a large initial "J" and "P".

John Pastore, Executive Director

cc: Senator Ted Gaines – Vice Chair
Senator Jean Fuller
Senator Lori Hancock
Senator Hannah-Beth Jackson
Senator Mark Leno
Senator Fran Pavley
Rachel Machi Wagoner – Chief Consultant
Rebecca Newhouse – Committee Consultant
Joanne Roy – Committee Consultant
Robert Ghirelli, President – SCAP
Grace Hyde, Vice President - SCAP