



CALIFORNIA ASSOCIATION of SANITATION AGENCIES

925 L Street, Suite 1400 Sacramento, CA 95814 PH: (916) 446-0388 – FX: (916) 448-4808 www.casaweb.org

MEMORANDUM

Via Electronic Mail

May 6, 2005

To: CASA Agencies
CASA Associates
CASA Attorneys

Cc: CASA Executive Board
CASA Legislative Committee

From: Mike Dillon, CASA Executive Director/Lobbyist
Marlaine Hudnall, Biosolids Program Manager

Subject: **SB 926-FLOREZ – BIOSOLIDS UPDATE**

We anticipate SB 926 will be on the Senate Floor for vote next Thursday, May 12th. While we understand Senator Florez is working hard to gain support for his bill, we are working just as hard to oppose it. CASA has prepared a Floor Alert for distribution to each of our 40 senators early next week. Your help is also needed.

We are requesting every member agency send an opposition letter to their Senator for delivery no later than Wednesday May 11th. Faxes followed by mailed copies are acceptable. A copy of the CASA Floor Alert along with a Senate fax directory is attached for your reference and use. The current bill language is provided below.

“40065. (a) Nothing in Section 13274 of the Water Code shall prohibit the Kern County Board of Supervisors, upon a majority vote, from regulating or prohibiting, by ordinance, the importation of sewage sludge from another California county for application to land within the jurisdiction of the county.

(b) A prohibition, if enacted pursuant to subdivision (a), shall provide an exemption for a contractual obligation to import sewage sludge for application to land that was in existence before the effective date of a prohibition. This subdivision shall not be construed as authorizing the exemption to apply to a renewal of a preexisting contractual obligation to import sewage sludge for application to land when the renewal occurs after the effective date of a prohibition.

(c) Nothing in this section supersedes other provisions of state or federal law, and nothing in this section affects the holding in County Sanitation Dist. No. 2 of Los Angeles County v. County of Kern, 127 Cal. App. 4th 1544, --- Cal. Rptr. 3d ---, 2005 WL 737528, 35 Env'tl. L. Rep. 20,070, 5 Cal. Daily Op. Serv. 2907, 2005 Daily Journal D.A.R. 3974 (5th Dist., Apr 01, 2005).”

We greatly appreciate the efforts each of you have taken to help defeat this bill and hope you will continue to work with us on this very important issue. If you need additional information, please contact Mike or Marlaine at the CASA office (916-446-0388).

Ensuring Clean Water for California

FLOOR ALERT

SB 926 – FLOREZ – SEWAGE SLUDGE MANAGEMENT

OPPOSE

The Honorable Sam Aanestad
California State Senate
State Capitol, Room 2054
Sacramento, CA 95814

Dear Senator Aanestad:

The undersigned local government agencies remain opposed to SB 926-Florez, as amended May 3, 2005. SB 926 would establish a special provision in law for Kern County only, relating to sewage sludge (biosolids) management.

The intent of SB 926 appears to be to provide special authority to Kern County that is beyond the authority enjoyed by other counties in the state. We feel this is an unacceptable precedent. Further, the legislative findings contained in the measure are inaccurate and misleading. Additionally, the bill severely undermines the concept of biosolids recycling, which is essential if California is to beneficially reuse biosolids in a manner similar to what is being done in other progressive regions of the nation.

SB 926 ignores the inter-reliance of counties on one another. Biosolids are beneficially used in Kern County because Kern County has arid land that can be turned into useful agricultural land, producing crops, such as alfalfa, milo and winter wheat for cattle feed. Just as cities in the Los Angeles and Ventura County areas rely on Kern County, likewise Kern County relies on cities like Oxnard to manage hazardous and other wastes, because Kern does not have the facilities needed to do so. (For example, oil brine wastes, high in salt, pass through Oxnard's wastewater treatment plant to the ocean where they are easily absorbed.) If Kern County can prohibit the importation of a recyclable material such as biosolids, what other county-by-county restrictions will follow?

Lastly, SB 926 would have a drastic impact on the entities that currently land-apply biosolids to approximately 1% of the agricultural land in Kern County, likely leaving no other alternative but landfill disposal, particularly in the short-term.

Thank you for your consideration.

Sincerely,

Steven T. Wallauch, Lobbyist
County of Alameda

Robert B. Garcia, Lobbyist
Los Angeles County Sanitation Districts

Michael F. Dillon, Lobbyist
California Association of Sanitation Agencies

Scott R. Baugh, Lobbyist
Orange County Sanitation District

Glenn Farrel, Lobbyist
East Bay Municipal Utility District

Michael Arnold, Lobbyist
City of Oxnard

Jennifer West, Lobbyist
Inland Empire Utilities Agency

Edward P. Manning, Lobbyist
City of San Diego

Marc Burgat, Lobbyist
City of Los Angeles

Edwin Berends, Lobbyist
Los Angeles County Board of Supervisors

SENATE Members
State Capitol
Sacramento, CA 95814

<u>Name</u>	<u>Room</u>	<u>Phone</u>	<u>Fax</u>	<u>Party</u>	<u>District</u>
Aanestad, Sam	2054	916 651 4004	916 445 7750	R	4
Ackerman, Dick	305	916 651 4033	916 445 9754	R	33
Alarcon, Richard	4035	916 651 4020	916 324 6645	D	20
Alquist, Elaine	4088	916 651 4013	916 324 0283	D	13
Ashburn, Roy	5094	916 651 4018	916 322 3304	R	18
Battin, Jim	3067	916 651 4037	916 327 2187	R	37
Bowen, Debra	4040	916 651 4028	916 323 6056	D	28
Campbell, John	3056	916 651 4035	916 445 9263	R	35
Cedillo, Gilbert	5100	916 651 4022	916 327 8817	D	22
Chesbro, Wesley	5035	916 651 4002	916 323 6958	D	2
Cox, Dave	2068	916 651 4001	916 324 2680	R	1
Denham, Jeff	3076	916 651 4012	916 445 0773	R	12
Ducheny, Denise	4081	916 651 4040	916 327 3522	D	40
Dunn, Joseph	2080	916 651 4034	916 323 2323	D	34
Dutton, Robert	2048	916 651 4031	916 327 2272	R	31
Escutia, Martha	5080	916 651 4030	916 327 8755	D	30
Figueroa, Liz	4061	916 651 4010	916 327 2433	D	10
Florez, Dean	5061	916 651 4016	916 327 5989	D	16
Hollingsworth, Dennis	5064	916 651 4036	916 447 9008	R	36
Kehoe, Christine	3086	916 651 4039	916 327 2188	D	39
Kuehl, Sheila	5108	916 651 4023	916 324 4823	D	23
Lowenthal, Alan	3048	916 651 4027	916 327 9113	D	27
Machado, Mike	5066	916 651 4005	916 323 2304	D	5
Maldonado, Abel	4082	916 651 4015	916 445 8081	R	15
Margett, Bob	3082	916 651 4029	916 324 0922	R	29
McClintock, Tom	3070	916 651 4019	916 324 7544	R	19
Migden, Carole	2059	916 651 4003	916 445 4722	D	3
Morrow, Bill	4048	916 651 4038	916 446 7382	R	38
Murray, Kevin	5050	916 651 4026	916 445 8899	D	26
Ortiz, Deborah	5114	916 651 4006	916 323 2263	D	6
Perata, Don	205	916 651 4009	916 327 1997	D	9
Poochigian, Charles	5087	916 651 4014	916 327 3523	R	14
Romero, Gloria	313	916 651 4024	916 445 0485	D	24
Runner, George	4066	916 651 4017	916 445 4662	R	17
Scott, Jack	2082	916 651 4021	916 324 7543	D	21
Simitian, Joseph	4062	916 651 4011	916 323 4529	D	11
Soto, Nell	4074	916 651 4032	916 445 0128	D	32
Speier, Jackie	2032	916 651 4008	916 327 2186	D	8
Torlakson, Tom	4032	916 651 4007	916 445 2527	D	7
Vincent, Edward	5052	916 651 4025	916 445 3712	D	25