

**BEFORE THE GOVERNING BOARD OF THE
TWAIN HARTE SCHOOL DISTRICT
COUNTY OF TUOLUMNE
STATE OF CALIFORNIA**

IN THE MATTER OF DECLARING THE PURPOSE AND NEED FOR A RURAL EXEMPTION FROM THE ORGANIC WASTE COLLECTION REQUIREMENTS SPECIFIED IN THE SB 1383 REGULATIONS	Resolution No. 2022-2023-03-01
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WHEREAS, SB 1383 (Chapter 395, Statutes of 2016) directed the California Department of Resources Recycling and Recovery (“CalRecycle”) to adopt regulations to reduce organic waste in landfills by 50 percent from its 2014 baseline level by 2020 and 75 percent by 2025; and

WHEREAS, CalRecycle promulgated regulations as directed in SB 1383 in Chapter 12 (Short-Lived Climate Pollutants) of Division 7 of Title 14 of the California Code of Regulations (“SB 1383 Regulations”); and

WHEREAS, the SB 1383 Regulations require Twain Harte School District (THSD) and other jurisdictions to adopt and enforce an ordinance or enforceable mechanism to implement relevant provisions of SB 1383 Regulations by January 1, 2022, including organic waste collection requirements specified in Article 3, Chapter 12 of Title 14 of the California Code of Regulations; and

WHEREAS, Section 18984.12(c) of Title 14 of the California Code of Regulations requires CalRecycle to grant an exemption from compliance with the organic waste collection requirements specified in Article 3, Chapter 12 of the SB 1383 Regulations to jurisdictions that meet the definition of a “rural jurisdiction” in Public Resources Code Section 42649.8 if the jurisdiction adopts a resolution that includes a finding as to the purpose of and need for the exemption; and

WHEREAS, Public Resources Code Section 42649.8 defines “rural jurisdiction” as a jurisdiction that is located entirely within one or more rural counties, and which further defines “rural county” as a county that has a total population of less than 70,000 persons; and

WHEREAS, the District meets the definition of “rural jurisdiction” as it is entirely located in Tuolumne County, California; and

WHEREAS, THSD is comprised of 1 school, including, serving grades TK-8; and

WHEREAS, the THSD school serves the small communities Northwest of Yosemite National Park and East of Sonora; and

WHEREAS, the United States Census Bureau defines Rural Area as one that is not included in an Urbanized Area, which is defined as an area with an urban nucleus of 50,000 or more people and a population density of 1,000 people/square mile; and

WHEREAS, the Universal Service Administrative Co, an independent not-for-profit organization, administers the Universal Service Fund, which includes the E-Rate, Rural Health Care, and other programs designed to serve people living in rural, underserved, and difficult-to-reach areas; and

WHEREAS, all schools in the TWAIN HARTE SCHOOL DISTRICT are considered rural based on Universal Service Administrative Co. (E-Rate); and

WHEREAS, the Board must adopt a resolution that includes a finding as to the purpose of and need for the exemption in order to apply for such an exemption; and

WHEREAS, the Board finds that adopting this Resolution for the purpose of exempting the District from the requirements of Article 3, Chapter 12 of Title 14 of the California Code of Regulations is necessary because it will result in cost savings and savings in staff time from not having to implement said requirements and keep solid waste collection rates for customers lower.

WHEREAS, such an exemption shall be valid until April 20, 2027 or until five (5) years after CalRecycle makes a determination that the statewide disposal of organic waste has not been reduced to 50 percent of the level of disposal during the 2014 calendar year, whichever is later.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Twain Harte School District that:

1. The Board hereby finds and determines that the foregoing recitals are true and correct and are incorporated herein by this reference.
2. The Board hereby elects to exempt Twain Harte School District from the organic waste collection requirements specified in Article 3, Chapter 12 of Title 14 of the California Code of Regulations, pursuant to Section 18984.12(c) of Title 14 of the California Code of Regulations.
3. The Board declares the purpose and need for the rural exemption pursuant to Section 18984.12(c) of Title 14 of the California Code of Regulations is to realize cost savings and savings in staff time from not having to implement the organic waste collection requirements under Article 3, Chapter 12 of Title 14 of the California Code of Regulations, and to keep solid waste collection rates for customers lower.
4. The rural exemption shall take effect on May 26, 2022, and shall be valid until May 25, 2027, or until five (5) years after CalRecycle makes a determination that the statewide disposal of organic waste has not been reduced to 50 percent of the level of disposal during the 2014 calendar year, whichever is later.

The foregoing resolution was duly passed and adopted at a regular meeting of the Twain Harte School District Board of Trustees on the 8th day of March, 2023 by the following vote.

The foregoing Resolution was passed and adopted upon motion of Board Member Berry, seconded by Board Member Kelleher, at a meeting of this Board held on March 8, 2023, by the following vote:


AYES: 5

NOES: 0

ABSTENTIONS: 0

ABSENT: 0

Date: 3-8-23



Jacob Foiada, Board Clerk
Twain Harte School District