

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2006-226 (Revision 3)

Consideration Of Action For Noncompliance With Public Resources Code (PRC) Section 42921
By: 21st District Agricultural Association; 36th District Agricultural Association; Central California's Women's Facility; Cuesta Community College; California State University, Dominguez Hills; Humboldt State University; Department Of Industrial Relations; Mesa College; California State University, Monterey Bay; California Institution For Men, Chino; Richard J. Donovan Correctional Facility; Riverside Community College District; California Science Center- Los Angeles; California State Prison- Sacramento; West Kern Community College District; California Veterans Home Of California- Chula Vista; College Of The Siskiyou- Yreka; Compton Community College; Commission On Correctional Peace Officer Standards & Training; Kern Valley State Prison; Board Of Prison Terms

WHEREAS, AB 75 (Strom-Martin, 1999) mandates that reporting State agencies and large State facilities must meet a 50 percent diversion goal by January 1, 2004.

WHEREAS, Cuesta Community College; West Kern Community College District; Kern Valley State Prison; Humboldt State University; Commission on Correctional Peace Officer Standards & Training; and Board of Prison Terms have either submitted statements and documentation supporting achievement of the diversion mandates or have been abolished by the Legislature and no longer exist; and

WHEREAS, the 21st District Agricultural Association; 36th District Agricultural Association; Central California's Women's Facility; California State University, Dominguez Hills; Department of Industrial Relations; Mesa College; California State University, Monterey Bay; California Institution for Men, Chino; Richard J. Donovan Correctional Facility; Riverside Community College District; California Science Center- Los Angeles; California State Prison- Sacramento; California Veterans Home of California- Chula Vista; College of the Siskiyou- Yreka have submitted their annual report in a timely fashion; however, the submitted reports show noncompliance with the 50 percent diversion mandate; and

WHEREAS, Compton Community College; has not adequately responded to requests for or provided supporting statements showing compliance with the 50 percent diversion mandate.

NOW, THEREFORE, BE IT RESOLVED that Cuesta Community College; West Kern Community College District; Kern Valley State Prison; and Humboldt State University have met the requirements of Public Resources Code, Section 42921 et. sec.; and

NOW, BE IT FURTHER RESOLVED that 21st District Agricultural Association; 36th District Agricultural Association; Central California's Women's Facility; California State University, Dominguez Hills; Department of Industrial Relations; Mesa College; California State University,

Monterey Bay; California Institution for Men, Chino; Richard J. Donovan Correctional Facility; Riverside Community College District; California Science Center- Los Angeles; California State Prison- Sacramento; California Veterans Home of California- Chula Vista; College of the Siskiyou- Yreka; and Compton Community College have not shown that the 50 percent diversion mandate has been achieved as required by Public Resources Code, Section 42921; and

NOW, BE IT FURTHER RESOLVED that staff shall place the State agencies and large State facilities identified above on the noncompliance section of the CIWMBs website. Placement shall note the level of noncompliance and whether the State agency or large State facility had made all reasonable and feasible efforts to achieve the 50 percent diversion mandate; and

NOW, BE IT FURTHER RESOLVED that Board staff and, as appropriate Board leadership, shall meet with the leadership of the noncompliant State agency/facility to discuss appropriate steps to take to achieve the mandated diversion and upon completion of the leadership meeting, program staff shall review the necessity of the agency/facility developing and submitting a modified Integrated Waste Management Plan.

NOW, BE IT FURTHER RESOLVED that Board staff shall develop a letter to the Legislature and Governor, signed by the Board's chair, reporting the noncompliance with the 50 percent diversion mandate. The letter shall also note the level of effort implemented during 2005 and the reported 2006 diversion rate. Finally, the letter shall present whether the State agency or large State facility made all reasonable and feasible efforts to achieve the 50 percent diversion mandate within the 2005 report year.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on December 7, 2006.

Dated: December 7, 2006

Mark Leary
Executive Director