



County of Los Angeles  
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DAVID E. JANSSEN  
Chief Administrative Officer

Board of Supervisors  
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Fifth District

May 12, 2003

To: Supervisor Yvonne Brathwaite Burke, Chair  
Supervisor Gloria Molina  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

From: David E. Janssen  
Chief Administrative Officer

**MOTION TO OPPOSE SB 537 (ROMERO)--ITEM NO. 115-B, AGENDA OF  
MAY 13, 2003**

Item No. 115-B on the May 13, 2003 Agenda is a motion by Supervisor Burke that the Board of Supervisors send a five-signature letter to the California Legislature and the Governor expressing the Board's opposition to SB 537.

SB 537, as amended on May 5, 2003, specifically prohibits the County from permitting the Puente Hills Materials Recovery Facility (PHMRF) to exceed the current limit of 4,000 tons per day of waste recycling by more than five percent. (Our analysis is based on amendments obtained from staff to the Senate Committee on Environmental Quality. The printed version of the amended bill will be available later in the week.) According to an analysis prepared for the Senate Environmental Quality Committee's May 5, 2003 hearing, the author indicates that the San Gabriel Valley is willing to accept 4,000 tons per day, but "fears" that the facility could be enlarged to accommodate 8,000 tons per day. The analysis goes on to say that the City of Industry believes that Sanitation Districts may be looking to expand the PHMRF to move 16,000 tons per day, or more.

In April 2003, the Sanitation Districts' Boards of Directors adopted the attached resolution, strongly opposing the May 1, 2003 amended version of SB 537, which would have required an expansion of any Materials Recovery Facility (MRF) in an unincorporated area to be approved by the city councils of all of the cities within one mile of the facility. Rather than allowing a city to veto an expansion project at any MRF, the May 5<sup>th</sup> version of the bill establishes a State prohibition, specifically on expansion of the PHMRF. The Sanitation Districts believe that SB 537 would have severe impacts

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on their ability to provide cost effective and environmentally sound solid waste management. The Department of Public Works believes that SB 537 represents a significant encroachment on the County's right to make local land use decisions within unincorporated territory. **Opposition to SB 537 is consistent with Board policy, as contained in the State Legislative Agenda adopted on February 4, 2003, which opposes legislation that infringes upon the Board's local land use decision-making authority.**

After SB 537 was amended on May 5, 2003, it passed the Senate Committee on Environmental Quality by a vote of 4 to 2. It was read a second time and re-referred to the Committee on Environmental Quality. No further hearings have been set. The Committee's staff analysis, which was completed before the May 5<sup>th</sup> amendments, reports that the City of Industry was the source of this bill and that the City of Arcadia is in support. Formal opposition to the bill includes the Sanitation Districts of Los Angeles County, the California State Association of Counties, the League of California Cities, the Solid Waste Association of North America, and the cities of Culver City, Downey, Gardena, La Canada Flintridge, La Verne, Paramount, Signal Hill and West Hollywood.

DEJ:GK  
MAL:DRS:ib

#### Attachment

c: Executive Officer, Board of Supervisors  
County Counsel  
Legislative Strategist