

**ORDINANCE NO. \_\_\_\_\_**

**ESTABLISHING A COMPOST PROCUREMENT POLICY**

**WHEREAS**, in March 2022, ESSHB 1799 was signed into Washington law to increase the diversion of organic materials to productive uses in order to reduce methane emissions caused by landfills; and

**WHEREAS**, RCW 43.19A.150 requires that most cities and counties adopt a compost procurement ordinance by January 1, 2023

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that

Section 1. Definition. A "Finished Compost Product" means a product created with "composted material" as defined in RCW 70A.205.015(3). Finished Compost Products include, but are not limited to, 100% finished compost or blends that include compost as a primary ingredient. Mulch is considered a Finished Compost Product if it contains a minimum of sixty percent composted material. Bark is not a Finished Compost Product.

Section 2. General Policy. Whatcom County shall purchase finished compost products as needed for use in public projects in which compost is an appropriate material in county projects or on county land. Whatcom County is not required to use compost products if:

- a) Compost products are not available within a reasonable period of time;
- b) Compost products that are available do not comply with existing purchasing standards;
- c) Available compost products do not comply with federal or state health, quality, or safety standards; and
- d) The total cost of using compost is financially prohibitive

Section 3. Planning. In order to meet the general policy, Whatcom County shall plan for compost use in the following categories:

- a) Landscaping projects;
- b) Construction and postconstruction soil amendments;
- c) Applications to prevent erosion, filter stormwater runoff, promote vegetative growth, or improve the stability and longevity of roadways; and
- d) Low-impact development of green infrastructure to filter pollutants to keep water onsite or both.

This plan will be re-assessed by December 31, 2024, and each December 31st of even-numbered years thereafter as part of its reporting obligations in Section 5.

Section 4. Local Purchasing. Whatcom County will purchase finished compost products from companies producing compost locally, are certified by a nationally recognized organization, such as the United State Composting Council, and produce finished compost products that are derived from municipal solid waste compost programs while meeting quality standards

1 adopted by the department of transportation or adopted by rule by the Department of  
2 Ecology.

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4 Section 5. Education. Whatcom County shall conduct educational outreach to inform  
5 residents about the value of compost and how the jurisdiction uses compost in its  
6 operations each year.

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8 Section 6. Reporting. Departments that use compost shall report the following information  
9 to the solid waste division by each December 15:

- 10 a) The volume and cost of compost purchased by the department in that year; and
- 11 b) The source or sources of the compost purchased by the department in that year.

12  
13 By December 31, 2024, and each December 31st of even-numbered years thereafter,  
14 Whatcom County shall report the following information to the Department of Ecology:

- 15 a) The total tons of organic material diverted each year;
- 16 b) The volume and cost of composted material purchased each year; and
- 17 c) The source(s) of the finished compost product purchased.

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19 **ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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23 ATTEST: WHATCOM COUNTY COUNCIL  
24 WHATCOM COUNTY, WASHINGTON

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26 \_\_\_\_\_  
27 Dana Brown-Davis, Clerk of the Council

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29 \_\_\_\_\_  
30 Barry Buchanan, Council Chair

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32 WHATCOM COUNTY EXECUTIVE  
33 APPROVED AS TO FORM: WHATCOM COUNTY, WASHINGTON

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35 \_\_\_\_\_  
36 /s/ Royce Buckingham

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41 Civil Deputy Prosecutor  
Executive Satpal Sidhu, County Executive

( ) Approved ( ) Denied

Date Signed: \_\_\_\_\_