



## Memorandum

**TO:** SATPAL SIDHU, COUNTY EXECUTIVE

**FROM:** Jennifer Hayden, Environmental Health Supervisor

**DATE:** February 23, 2023

**RE:** Request to adopt a Compost Procurement Ordinance

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The Legislature in 2022 adopted House Bill 1799, requiring counties like Whatcom to adopt a compost procurement ordinance by January 1, 2023. The requirement is codified in RCW 43.19A.150. The Legislature's stated intent is to encourage "cities and counties to procure more of the compost and finished products created from their organic material wastes in order to support the economic viability of processes to turn organic materials into finished products and increasing the likelihood that composting and other responsible organic material management options are economically viable."

The content of the proposed ordinance is dictated by state law. There are three main elements to the ordinance:

1. When planning projects, departments are required to determine whether compost may be used. The ordinance identifies certain categories of work that shall be considered specifically when evaluating projects. Where feasible, compost must be used, unless certain enumerated exceptions are met (availability, quality, cost). Preference is given to local sources.
2. The County must report annually to Ecology the following: (a) the total tons of compost diverted from the waste stream, (b) the volume and cost of compost purchased each year, and (c) the source of the compost purchased. Each involved department will report to the Health Department, who will then aggregate the data and report to Ecology.
3. The County must conduct educational outreach to inform residents and businesses about the value of compost and how the city uses compost in its operations each year.

In practice, the County already does consider use of compost in projects. This new ordinance will not result in much of an operational change in terms of use of compost or an increase in the cost of projects.

### **RECOMMENDED ACTION:**

Vote to approve the proposed ordinance for compost procurement and use in County projects.

Please call Jennifer Hayden at 360-778-6036 if there are any questions. Thank you.

