

October 27, 2026

Board of Supervisors
Kern County Administrative Center
1115 Truxtun Avenue
Bakersfield, CA 93301

**REQUEST TO SET A PUBLIC HEARING AMENDING ORDINANCE G-9381 TO ADD A
GATE FEE FOR CONTAMINATED COMPOST DERIVED ORGANICS AT SPECIFIC KERN
COUNTY SOLID WASTE DISPOSAL FACILITIES (All S.D.s)**
(Fiscal Impact: None)

The Public Works Department requests that your Board set a public hearing amending Ordinance G-9381 to add a new Gate Fee for Contaminated Compost Derived Organics at specific Kern County solid waste disposal facilities. Ordinance G-9381 is the schedule of the Solid Waste Management Service Charge (Gate Fees and Bin Fees) for all non-residential properties in Kern County for Fiscal Year 2026-2027.

The Public Works Department proposes to establish a rate for contaminated compost derived organics (CCDO) of \$34 per ton. Specifically, this material must be generated via decomposed organic matter produced through California composting processes with controlled aerobic breakdown of feedstocks consisting of green waste, pre-consumer food waste, residential food waste, and animal materials. This process includes processing that has maintained 55° C (131° F) for 15 consecutive days to avoid occurrence of spontaneous combustion during disposal.

This is material made up of residuals from composting processes. This covers a wide variety of items, including leftover stalks, leaves, roots, straw, husks, manure, wood chips, bark, nut shells, fruit or vegetable trimmings, etc. All of this is material that did not fully break down during the composting process, was screened out post-composting, and determined not to be useful for further composting. This type of material is currently accepted under two gate fee codes dependent on contamination level:

- Clean Dirt: \$5.98/ton if contamination is estimated to be less than 10%. This material is used for slope dressing, intermediate cover, etc. with the landfill contractor having to remove minimal, visible contamination (plastic bags, Styrofoam, etc.)
- General Disposal: \$69.35/ton if contamination is estimated to be 10% or more. This material is placed in the active face and covered as disposal.

The new category (CCDO) will create an intermediate threshold for spent compost based on contamination levels ranging from 10%-30%. It will be used to supplement the alternative daily cover (ADC), with the "clean" material placed on top of this new category. Typical ADC application is anywhere from 6-12 inches depending on the soil/material type. It is anticipated that this new material will occupy 2/3 of that space, with the "clean" material placed on the upper 1/3 of the space. This material will only be accepted at the Bakersfield Metropolitan (Bena) Sanitary Landfill.

At a properly noticed Public Hearing, your Board may approve future rate adjustments in this fee based on the prior fiscal year Consumer Price Index (CPI) for Los Angeles-Long Beach-Anaheim, CA (Series ID: CUURS49ASA0). If, in any year, the rate adjustment approved is lower than the amount resulting from the application of the CPI, the difference may be carried over and applied by your Board to future rate adjustments. In the event the cited index is substantively changed or is no longer published, your Board will select a substantially similar index.

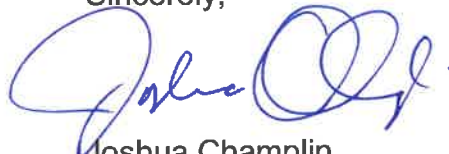
The Public Works Department has considered the environmental impacts of this action and concluded that this action is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15273 and Public Resources Code Section 21080(b)(8) because it is the establishment of operational rates and charges. Additionally, it has been determined that this action is exempt from further environmental review pursuant to Guidelines Section 15061(b)(3) because it can be seen with a certainty that this action will not have a significant effect on the environment.

The Notice of Hearing and Summary of Proposed Ordinance has been prepared and is also attached for reference and publication in accordance with Government Code Section 25124.

The Ordinance Amendment and Notice of Hearing and Summary of Proposed Ordinance have been reviewed and approved as to form by County Counsel.

Therefore, IT IS RECOMMENDED that your Board set the public hearing for Tuesday, November 17, 2026, at 2:00 p.m. to consider the proposed Ordinance Amendment; and direct the Chief Clerk of the Board to publish the attached Notice of Hearing and Summary of Proposed Ordinance pursuant to Government Code Section 6062a in *The Bakersfield Californian* and other local area newspapers.

Sincerely,



Joshua Champlin
Director

ORDINANCE NO. _____

AMENDING ORDINANCE NO. G-9381 ESTABLISHING
THE SCHEDULE OF THE SOLID WASTE
MANAGEMENT PROGRAM SERVICE CHARGE FOR
NON-RESIDENTIAL PROPERTY (GATE FEE AND BIN
FEE) FOR FISCAL YEAR 2026-2027 TO ADD A FEE
FOR CONTAMINATED COMPOST DERIVED
ORGANICS

The following Ordinance Amendment, consisting of three (3) Sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Kern, State of California, at a regular meeting held on the _____ day of _____, 2026, by the following vote, to wit:

AYES:
NOES:
ABSENT:

Chairman, Board of Supervisors
County of Kern, State of California

(SEAL)

ATTEST:

NANCY ANDERSON
County Administrative Officer
Clerk of the Board

By _____, Deputy Clerk

THE BOARD OF SUPERVISORS OF THE COUNTY OF KERN ORDAIN AS FOLLOWS:

Section 1. This Ordinance Amendment, which shall take effect and be in full force on and after the _____, shall have a summary published in accordance with the provisions of Government Code Section 25124(b)(1).

Section 2. Section 18 of Ordinance G-9381 is hereby amended to add a new subsection under "Fees for Recyclable, Reusable, or Divertable Material" to read as

follows:

Contaminated Compost Derived Organics.....\$34.00 per ton
(Contamination between 10%-30%)

Section 3. Except as amended herein, all other provisions of Ordinance G-9381 shall remain in full force and effect.

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#2949025-JHR

**NOTICE OF HEARING
AND
SUMMARY OF PROPOSED ORDINANCE AMENDMENT**

**SOLID WASTE MANAGEMENT PROGRAM
SERVICE CHARGE (GATE FEE AND BIN FEE)
FOR NON-RESIDENTIAL PROPERTY FOR FISCAL YEAR 2026-2027**

On the **17th day of November 2026**, at the hour of 2:00 p.m., in the Chambers of the Board of Supervisors of the County of Kern, in the Kern County Administrative Center, located at 1115 Truxtun Avenue, Bakersfield, California, a Public Hearing will be conducted to consider an amendment to Ordinance G-9381 regarding the Solid Waste Management Program Service Charge schedule.

This proposed amendment would add a new recyclable, reusable, or divertable material fee category, specifically establishing a \$34.00 per ton fee for a newly defined material type: Contaminated Compost Derived Organics with a contamination level between 10% and 30%.

This amendment does not modify any existing Gate Fees, Bin Fees, or other special rates and applies only to the addition of this new material type under Section 18 (Schedule of Special Rates and Charges).

Additionally, the Kern County Board of Supervisors (Board) may approve future rate adjustments in the new fee based on the fiscal year Consumer Price Index (CPI) for Los Angeles-Long Beach-Anaheim, CA (Series ID: CUURS49ASA0) without a protest hearing for one additional year. If, in any year, the rate adjustment approved by the Board is lower than the amount resulting from the application of the CPI, the difference may be carried over and applied by the Board to future rate adjustments. In the event the cited index is substantively changed or is no longer published, the Board will select a substantially similar index.

Any affected person may submit written protests to the report. Written protests must be signed by the objecting party, indicate the subject property and be delivered to the Clerk of the Board of Supervisors prior to the conclusion of the public hearing.

The Director of the Public Works Department has considered the environmental impacts of this action and concluded that this action is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15273 and Public Resources Code Section 21080(b)(8) because it is the establishment of operational rates and charges. Additionally, it has been determined that this action is exempt from further environmental review pursuant to Guidelines Section 15061(b)(3) because it can be seen with a certainty that this action will not have a significant effect on the environment.

Complete copies of the proposed Ordinance Amendment filed by the Public Works Department are on file for inspection with the Clerk of the Board of Supervisors, Fifth Floor, 1115 Truxtun Avenue, Bakersfield, California. Alternatively, you may request copies by calling the Public Works Department at (661) 862-8900 or by making a request via email at waste@kerncounty.com.

Anyone wishing to present evidence or be heard regarding this matter may appear at the hearing of this matter or any continuation thereof. If you challenge the action taken by the Board of Supervisors on this matter in Court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

Please take notice that there is a 120-day statute of limitations for challenging any new, increased, or extended fee or charge.

Dated: _____

NANCY ANDERSON
County Administrative Officer
Clerk of the Board
County of Kern

By: _____
Deputy Clerk