November 17, 2026

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

PUBLIC HEARING TO CONSIDER 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 your Board's approval of an amendment to 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 the October 27, 2026, meeting of your Board, you set November 17, 2026, at 2:00 p.m. as the date and time for the public hearing to consider the Ordinance Amendment and any public comment concerning the rate. A Notice of Hearing and Summary of the Proposed Ordinance has been published.

The Public Works Department has reviewed the requested action in accordance with the California Environmental Quality Act (CEQA). It has been determined that the requested action qualifies for an exemption as specified in Public Resources Code Section 21080(b)(8) and State CEQA Guidelines Sections 15061(b)(3) and 15273. The appropriate CEQA findings for your Board's review are as follows:

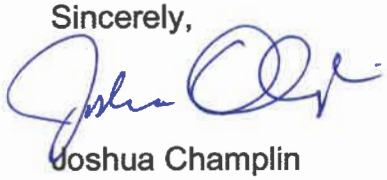
CEQA Findings

1. The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been observed in conjunction with the hearing in consideration of this matter and all of the previous proceedings.
2. The effect upon the environment of the project, activities, and improvements which may be carried out will not be substantial and will not interfere with maintenance of a high-quality environment now or in the future.
3. The requested action is statutorily exempt from further CEQA review pursuant to Section 15061(b)(3) of the State CEQA Guidelines because it could be seen with certainty that there was no possibility that the approval of the recommendations would have a significant effect on the environment. Additionally, it has been determined that the action is exempt from further CEQA review pursuant to Sections 21080(b)(8) of the Public Resources Code and Section 15273 of the State CEQA Guidelines because the recommendation is the establishment of operational rates and charges.

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

Therefore, IT IS RECOMMENDED that your Board open the hearing; receive public comment; close the hearing; make a finding that the project is exempt from further environmental review per Public Resources Code Section 21080(b)(8) and Sections 15273 and 15061(b)(3) of the State CEQA Guidelines; waive reading and if appropriate, enact the Ordinance Amendment.

Sincerely,



Joshua Champlin
Director

JC:LS:mm
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Attachment
cc: County Administrative Office

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 _____, 20____, 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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SUMMARY OF ENACTED ORDINANCE G-_____

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

NOTICE IS HEREBY GIVEN:

On the **17th day of November, 2026**, at the hour of 2:00 p.m., in the Chambers of the Board of Supervisors, in the Kern County Administrative Center, 1115 Truxtun Avenue, Bakersfield, California, the Board of Supervisors of the County of Kern adopted an Ordinance Amendment adding 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%.

Additionally, the Kern County Board of Supervisors (Board) may approve future rate adjustments in the new fee based on the prior 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.

The Public Works Department has considered the environmental impacts of this action and concluded that this action will not have a significant effect on the environment and the action is statutorily exempt from further California Environmental Quality Act (CEQA) review per Public Resources Code Section 21080(b)(8) and Sections 15061(b)(3) and 15273 of the CEQA Guidelines.

A copy of the Ordinance Amendment is on file with the Clerk of the Board of Supervisors, Fifth Floor, 1115 Truxtun Avenue, Bakersfield, California, and is available for inspection by the public during normal business hours. 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.

The effective date of the Ordinance Amendment adopted is: _____

AYES:

NOES:

ABSENT:

Dated: _____

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

By:_____
Deputy Clerk

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