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FOR ENVIRONMENTAL HEALTH & JUSTICE

Carbon Cycle Institute



January 6, 2026

The Honorable Isaac Bryan
Assembly Natural Resources Committee
1020 N Street, Room 164
Sacramento, CA 95814

RE: AB 643 (Wilson) – Biosolids Fertilizer Eligibility for SB 1383 Procurement – OPPOSE UNLESS AMENDED

Dear Chair Bryan,

The undersigned organizations must respectfully oppose AB 643 unless it is amended to ensure alignment with the purpose of the SB 1383 procurement system. We appreciate the work of the author's office on AB 643, which seeks to support innovative approaches to organic waste diversion. However, as currently written, this bill risks undermining the procurement markets that SB 1383 was expressly designed to support.

We appreciate the author's intent to provide local governments with additional tools to meet SB 1383's procurement requirements. Organic materials like food scraps, yard trimmings, paper, and cardboard make up over half of what Californians send to landfills, contributing roughly 20% of the state's methane emissions. In response, SB 1383

(Lara, 2016) established statewide organic waste reduction targets—50% by 2020 and 75% by 2025—and required local jurisdictions to procure recycled organic waste products to help drive market demand, support infrastructure development, and achieve California's climate goals. The program has already generated \$2.3 billion in private investment, with an estimated \$17 billion in long-term economic benefit and thousands of green jobs created. That success depends on clear, climate-aligned rules.

It is our understanding that the bill aims to include an end product made from food scraps and biosolids within SB 1383 procurement eligibility. This end product is a liquid, biosolids-derived fertilizer, licensed by CDFA for agricultural use. CAW supports efforts to expand compliant procurement pathways for jurisdictions. However, the bill's current language is overly broad and presents several concerns that, if unaddressed, risk undermining SB 1383's effectiveness:

1. **Procurement credit must be limited to historically landfilled materials.** To uphold SB 1383's intent, procurement credit should be reserved for products derived from organic waste streams that were *historically* landfilled (like food scraps and yard waste). Biosolids, by contrast, have been diverted through wastewater treatment systems for decades and are often composted or land-applied across the state. The procurement program was designed to create markets for newly-diverted SB 1383 materials— a distinction that is reflected in the existing procurement regulations.

Allowing the biosolids portion of co-digested material to count towards procurement would expand SB 1383 procurement well beyond its intended scope and create precedent for wastewater residuals (materials that are already diverted through means with established infrastructure and end markets). As written, the bill risks weakening the procurement system and shifting demand away from compost markets that SB 1383 has built and is still actively building across the state.

To ensure procurement credit reflects the intent of the procurement program, only the food portion of co-processed food and biosolids end products should count towards procurement. Biosolids-derived portions must remain ineligible.

2. **Bone dry tons should be the standard unit for procurement accounting.** Procurement credit is determined by tonnage of recovered organic waste for

the final product. Liquid fertilizers are mostly water, so counting wet weight would dramatically inflate procurement credit without reflecting equal organic waste recovery compared to other end products like compost. To ensure consistency and accuracy, procurement should be calculated in bone dry tons.

3. **Exclusion of disposal facility products is critical.** The bill's reference to facilities authorized under Chapter 12 (commencing with Section 18981.1) includes so-called "Article 2" technologies which is overly broad and could create concerning precedent. While the bill also requires that eligible material be licensed by CDFA for agricultural use, this condition does not fully mitigate the risk. Article 2 has historically allowed technologies that function as disposal (like waste-to-energy and similar transformation technologies) to be deemed an approved compliance mechanism, despite their disproportionate impacts on surrounding communities and their incompatibility with California's waste reduction strategy.

By linking procurement credit to this framework, the bill may unintentionally create an incentive for disposal facilities to pursue fertilizer licensing in order to access SB 1383 procurement credit, undermining the intent to prioritize true recycling of organic waste. To address this concern, disposal facilities must be excluded from qualifying technologies under the provisions of this bill.

4. **This issue is best addressed through the regulatory process.** The bill's goals would be more appropriately addressed through CalRecycle's regulatory authority, particularly under the "other pathways" provision created by AB 2346 (Lee, 2024). That provision allows CalRecycle to:
 - Develop conversion factors for compost or other materials applied locally;
 - Explore additional pathways to prioritize local use of compost and related products.

A regulatory approach allows for careful vetting, public input, and science-based policy development that balances innovation with climate integrity.

We appreciate the author's intent to support local governments in implementing SB 1383 and to explore additional, compliant procurement pathways. It is critical, however, that any expansion of procurement eligibility maintain the high standards

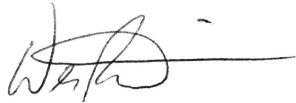
necessary to ensure SB 1383 delivers the methane reductions and organic waste recycling outcomes it was designed to achieve.

We appreciate the author's office's collaboration and engagement in resolving the concerns outlined above and ensuring AB 643 supports flexibility without compromising SB 1383's environmental goals.

Sincerely,



Erica Parker,
Policy Associate
Californians Against Waste



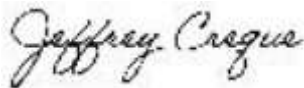
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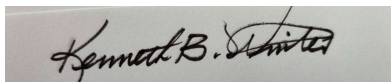
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CC:

The Honorable Assemblymember Lori Wilson
Assembly Natural Resources Committee
Assembly Natural Resources Committee, Members