More Food for Thought

County Sustainability Department Has Not Implemented Required SB 1383 Edible Food Recovery Enforcement Procedures

San Mateo County Civil Grand Jury
2025-2026

Release Date: August 3, 2026

ISSUE

Is San Mateo County administering edible food recovery provisions mandated by Senate Bill 1383 (2016)?

SUMMARY

The Grand Jury conducted an investigation of San Mateo County's administration of the edible food recovery provisions of Senate Bill 1383 (2016). [1] SB 1383 establishes a statewide goal that not less than 20% of edible food currently disposed of be recovered for human consumption by 2025. We examined the role of the San Mateo County Sustainability Department (SMCSD) (See Glossary) with respect to edible food recovery, focusing on large commercial edible food generators such as supermarkets.

We found that, for the jurisdictions for which SMCSD undertook edible food recovery enforcement services under memoranda of understanding (MOUs) (See Glossary), the Department had not documented enforcement actions required in response to identified violations occurring after January 1, 2024. This omission jeopardizes the compliance status of the 24 jurisdictions within the County that are governed by SB 1383. (See Appendix A). SMCSD must develop and implement a written enforcement process consistent with 14 CCR §§ 18995.1, 18995.4, and 18997.2.

The Grand Jury also could not verify that all jurisdictions maintained an anonymous complaint process as required by the regulations. While this remains the responsibility of the local jurisdictions, we believe it would be more efficient for the County to create a single complaint process and make it available to the jurisdictions.
Finally, the Grand Jury determined that available data do not establish whether the State or the County achieved the 20% recovery target because the amount of edible food disposed of was not quantified. Available SMCSD data indicates that 3,000 tons of edible food was recovered in the County in 2024. This result reflects substantial educational and collaborative work with food generators and recyclers but does not eliminate the separate legal obligation to monitor and enforce compliance with SB 1383.

BACKGROUND

The Need

San Mateo County is the third wealthiest county in the United States when ranked by median household income. [2] Despite our wealth, a reality occurs daily at food distribution sites and pantries across the County. According to United Way Bay Area, 53,390 people are experiencing

[1] PRC § 42652.5(a)(2).
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1383

[2] U.S. Census Bureau American Community Survey (ACS)
https://usdataexplorer.com/ranking/median-household-income/counties/

food insecurity in San Mateo County.[3] A statewide survey found that 47% of families earning less than 200% of the federal poverty level ($62,400 for a family of four in 2024), said they could not afford enough food in the past 12 months, up from 35.8% in 2020.[4]

The Department

SMCSD, established in 2014 and reporting to the County Manager, has about 40 full-time staff and an overall budget of approximately $40 million (See Appendix B)**.** Approximately $8 million of the Department's budget comes from the General Fund and the balance is generated principally through landfill "tipping fees."

Since its inception, SMCSD has prioritized initiatives involving sustainable energy, the preservation of resources, and the expansion of transit alternatives alongside carbon emission mitigation. With the passage of SB 1383, the Department took on as its primary mission the task of educating the entities affected by the new regulations and creating the reporting mechanism required to keep the County and local jurisdictions in compliance. These continue to be the primary functions of the Department.

The Law

SB 1383 was enacted in September 2016. The law set ambitious targets for reducing greenhouse gas emissions by regulating short-lived climate pollutants (See Glossary) such as methane emissions, dairy and livestock waste, organic waste, and landfills. It directs CalRecycle (See Glossary) to adopt regulations intended to meet the goal that "not less than 20% of edible food that is currently disposed of is recovered for human consumption by 2025."[5]
Title 14 of the California Code of Regulations contains detailed provisions governing the responsibilities of public jurisdictions and private entities with respect to the implementation, reporting, and enforcement of SB 1383. Articles 13 and 14 address reporting and enforcement of the rules affecting edible food recovery.[6]

Specific to edible food recovery, SMCSD is responsible for collecting and reporting data to CalRecycle**,** conducting at least one inspection of a food generator per jurisdiction per year, and enforcing the regulations. Enforcement consists of escalating steps including inspections, re-inspections, Notice of Violations, penalty orders, and enforcement actions.

The Issues

SB 1383 applies food recovery requirements at the local jurisdiction level, subject to the

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[3] United Way Bay Area
https://uwba.org/our-impact/bay-area-need-impact-data/san-mateo-county/

[4] UCLA Center for Health Policy Research
https://healthpolicy.ucla.edu/our-work/food-insecurity

[5] PRC § 42652.5(a)(2).
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC&sectionNum=42652.5

[6] California Code of Regulations tit. 14 § 18991.1 Jurisdiction Edible Food Recovery Program
https://www.law.cornell.edu/regulations/california/14-CCR-18991.1

governing regulations and any approved waiver. CalRecycle granted low-population waivers affecting Colma, Portola Valley, and the unincorporated portions of San Mateo County. CalRecycle continues to collect and report data for unincorporated portions of the County. There are explicit requirements placed upon the jurisdictions for record keeping, reporting, inspections (See Glossary), and enforcement. Twenty-three of 24 affected jurisdictions signed MOUs with SMCSD in 2021, placing responsibility for record keeping, reporting, and enforcement back with SMCSD. The jurisdictions retained responsibility for implementing an anonymous complaint process. (See Appendix C, paragraph 1A(f).)

Two issues emerged from our investigation. First, the evidence reviewed indicates that SMCSD had not implemented a documented enforcement process for Tier 1 food generators (See Glossary). Second, the Grand Jury was unable to verify that each jurisdiction reviewed had an anonymous complaint process.

METHODOLOGY

Interviews

The Grand Jury interviewed employees of SMCSD, Second Harvest of Silicon Valley, and CalRecycle.

Documents Provided by Interviewees

SMCSD provided copies of the Memorandums of Understanding between the jurisdictions and the County. It also supplied copies of reports from inspections of food generators.

Online Public Records

Public records were obtained through organization websites for the SMCSD, CalRecycle, Second Harvest of Silicon Valley, and RethinkWaste, and through a California Public Records Act request to CalRecycle.

Online Research

Background information, statistics, and other primary sources of information were identified through online searches.

Contact with Jurisdictions

Grand Jurors explored the websites and called employees of six jurisdictions to verify the presence of an anonymous complaint process.

DISCUSSION

This discussion addresses two issues in greater detail: delegated enforcement and anonymous written complaint procedures.

Before addressing these issues, the Grand Jury commends the work of the SMCSD, the vast network of food recovery organizations, and the edible food generators that are in fact recycling food that would otherwise be discarded. We discovered an intricate web of organizations, large and small, working together to help alleviate hunger in the County in a meaningful way as well as reducing carbon emissions. While we can be proud of the County's accomplishments so far, more can and should be done.

Our research into the food recovery target gave us an appreciation of the scope and

complexity of SB 1383's carbon emission reduction goals. Initial County actions appropriately emphasized major sources such as agricultural waste and curbside recycling. SMCSD's early efforts concentrated on educating affected public and private entities and facilitating the growth of the complex "ecosystem" required to divert short-lived climate pollutants. Those efforts continue today.

Given the enormity of topics covered by SB 1383 and the Grand Jury's focus on edible food recovery, the investigation examined how Tier 1 food generators, such as large grocery stores (≥ 10,000 sq. feet) and supermarkets, are addressed by SMCSD. Our rationale was that compliant Tier 1 entities are likely to recover the most edible food. Based on preliminary findings, the Grand Jury focused on the enforcement process. The Grand Jury also examined the anonymous complaint process. Inspections conducted by SMCSD and complaints filed by residents appeared to be the most likely ways to identify non-compliant supermarkets.

The regulations place responsibility for virtually all aspects of food recovery with the 24 jurisdictions in the County. At a minimum, those obligations include annual inspections of food generators, reporting findings to CalRecycle, creating an anonymous complaint process, and enforcing the regulations. In 2021, SMCSD signed MOUs with the local jurisdictions to consolidate responsibility for reporting and enforcement with the County. The jurisdictions retained responsibility for the anonymous complaint process.

The division of responsibilities framed our investigation. We evaluated SMCSD's performance of delegated enforcement services and evaluated whether the jurisdiction reviewed made complaint procedures available.

The data reported inspections in each jurisdiction each year. However, there were no other enforcement actions taken against Tier 1 or Tier 2 generators in any of the reported years. The database also reported 1,470 Notices of Violation issued to commercial organic waste generators that were outside the scope of this investigation. The Grand Jury therefore examined inspection reports of the Tier 1 food generators. One of the responsibilities assumed by the County pursuant to the MOUs was an annual inspection of at least one food generator (Tier 1 plus Tier 2) per jurisdiction per year. The inspections started in 2023. Because there are no full-time staff assigned to food recovery, SMCSD retained a consulting firm to conduct the inspections. Four different inspectors were utilized from program inception to the present.

Food generators selected for inspection were not chosen at random. SMCSD consulted with food recovery organizations to identify food generators that were more likely to be non-compliant, a prioritization method expressly permitted by the regulations. (14 CCR § 18995.1(b).) Because the sample was targeted rather than random, the inspection results cannot be projected to the entire population of 600 food generators, including 437 Tier 1 entities located in the County.[7]

We requested copies of the inspection reports and were given a 250-page PDF file containing reports produced from 2023 to the present. Each report was a two-page form completed by hand, sometimes accompanied by supporting letters or certificates. We determined that 73 of the reports concerned Tier 1 generators, 59 of which were supermarkets. Thirty-one inspections were rated compliant and 42 as non-compliant for a failure rate of almost 60%.

[7] Interview and correspondence with SMCSD officials.

Because supermarkets were selected based on suspected noncompliance, we did not expect a high pass rate. Inspections from 2023 and 2024 identified the lack of contracts with food recovery organizations as a primary issue. Compliance rates improved in 2025, but this trend should also be interpreted cautiously because inspector assignments changed during the review period.

The inspection reports support several conclusions. First, the inspection reports are not presented in a form that permits the public to readily determine a supermarket's recorded compliance status or follow-up action. Second, a minimum number of inspections are being conducted. The regulations require one inspection per jurisdiction per year, and the total number of inspections appears to be just meeting that goal. Third, there are very few re-inspections. Re-inspections are a required step in the enforcement process.

SMCSD staff acknowledged that no enforcement actions have been undertaken since the program started in 2023. The Department's emphasis has remained focused on education and outreach. In fact, the regulations dictate that education and enforcement be carried out in parallel. The regulations specify that complaints be investigated beginning in 2022, education efforts take place in 2022 and 2023, and enforcement begin in 2024. (14 CCR § 18995.1.) SMCSD's own planning documents recognize edible food recovery enforcement as an unmet Department responsibility. Slide 31 of the Department's June 2025-December 2026 Workplan (See Appendix D) presented at the September 2025 all-hands offsite meeting states: "Enforcement: Develop and implement a robust enforcement protocol for edible food recovery to ensure program success

- Develop and implement enforcement protocol and approach; Manage contract with Cascadia for Audits and Enforcement Sept. '25 –Jan. '26
- Develop and implement penalty system Sept. '25 –Dec. '26"

However, despite this recognition, there was no mention or presentation of any enforcement-related planning during the Grand Jury's interviews.

The Grand Jury therefore recommends that SMCSD 1) adopt and implement written SB 1383 edible food recovery enforcement procedures, and 2) develop a standardized inspection form and publicly accessible database of inspection reports consistent with the Public Records Act and any applicable exemptions. In addition, SMCSD should increase the number of inspections carried out annually. At the current rate, it could take over 25 years to conduct a first inspection of all food generators in the County, not counting mandated re-inspections of non-compliant entities. That pace warrants evaluation under 14 CCR § 18995.1(b), which requires that "A jurisdiction shall conduct a sufficient number of route reviews and inspections of entities described in this section to adequately determine overall compliance with this chapter." SMCSD should also consider a public awareness campaign. The inspection reports should be easily accessible and clearly identify compliance issues and follow up steps. Supermarkets that pass inspections could receive recognition (e.g., "Green Stickers" and other promotional material that can be displayed on their premises). Given that the maximum penalty that could be levied against a violator for a first offense is $100, public awareness is perhaps the best and only real remedy.[8]

[8] 14 CCR section 18997.2(d)(1)

Which leads us to our second investigation topic.

Anonymous Complaint Process

The MOUs leave specified responsibilities with participating jurisdictions. Under 14 CCR § 18995.3 and the sample MOU, each jurisdiction must create an anonymous complaint process to allow residents to report possible violations. Besides a failed inspection, a complaint provides an additional means of identifying potential violations and initiating enforcement.

The Grand Jury attempted to file anonymous complaints in six jurisdictions. We explored each of their websites and found ways to file complaints about municipal services and staff but could not locate a link to an edible food-related complaint form. We had mixed results when we spoke to employees. One person referred us to the County Health Department and another to the SMCSD. Finally, a third employee referred us to a link on the website of RethinkWaste, which is a joint powers authority established by 11 regional government entities to provide trash collection and recycling services. The RethinkWaste site likely satisfies the requirement for those 11 entities.

The Grand Jury also reviewed the SMCSD website in detail. After diligent searching we found one link to a complaint form located on the "Short-Lived Climate Pollutants" tab. The form was exclusive to the unincorporated areas of the County and was not edible food recovery specific. A search for "edible food" returned a landing page that was almost exclusively geared towards food generators. The page included a link to a "Make a Confidential Complaint" form. When selected, the link returned the message "**app.asana.com refused to connect**." (See Appendix E).

The evidence demonstrated that the County's public-facing complaint mechanism was not functioning when tested. Although SMCSD received a waiver for the County in 2022, a low-population waiver relating to Article 3 collection services does not by itself waive the complaint obligations in section 18995.3 or the edible food recovery enforcement obligations in Article 14. (14 CCR § 18984.12(e).)

Based on our investigation, the Grand Jury could not verify that all of SMC's jurisdictions are complying with this requirement. Jurisdictions that do not comply with SB 1383 are subject to state levied penalties which are substantially higher than $100. We recommend that SMCSD develop a written anonymous complaint receipt and investigation process that can be adopted or formally authorized by participating jurisdictions.

Alternatively, SMCSD and participating jurisdictions could amend the MOUs to include provision of a complaint process by the County. We believe that would be a superior approach because the Department would be able to view complaints as they happen and incorporate the information into ongoing enforcement activities.

In conclusion, the evidence indicates that SMCSD has not implemented documented

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https://calrecycle.ca.gov/organics/slcp/enforcement/jurisdiction/

enforcement procedures for edible food recovery violations in the jurisdictions for which it performs delegated enforcement services, and the lack of a conforming anonymous complaint process may expose the responsible jurisdictions to CalRecycle enforcement for noncompliance with SB 1383 implementing regulations.

FINDINGS

F1. Since January 1, 2024, 14 CCR §§ 18995.1 and 18995.4 require jurisdictions to enforce SB 1383 requirements. Under MOUs reviewed by the Grand Jury, SMCSD is responsible for enforcement for participating jurisdictions. Inspection records reviewed by the Grand Jury do not show a consistent documented process for conducting inspections and re-inspections, setting compliance deadlines, or issuing Notices of Violation, Penalty Orders, or other enforcement when required.

F2. During the investigation, SMCSD's online edible food recovery complaint form was not functional when tested, and the Grand Jury could not locate publicly accessible written complaint procedures for the jurisdictions reviewed. Although a countywide form is not mandated, 14 CCR § 18995.3 requires each jurisdiction to provide a procedure for receipt and investigation of written complaints and to allow anonymous complaints.

RECOMMENDATIONS

R1. By December 31, 2026, SMCSD should adopt and implement written SB 1383 edible food recovery enforcement procedures for services performed under its MOUs, including criteria for inspections, re-inspections, Notices of Violation, Penalty Orders, or other enforcement when required.

R2. By June 30, 2027, SMCSD should develop and implement a standardized inspection form and publicly accessible database of inspection reports and enforcement information, subject to Public Records Act requirements and any applicable exemptions.

R3. By June 30, 2027, SMCSD should develop an anonymous complaint process that can be adopted by participating jurisdictions.

REQUIRED RESPONSES

The following responses are required, pursuant to Penal Code sections 933 and 933.05: From the Director of the San Mateo County Sustainability Department within 60 days, as to Findings F1 and F2 and Recommendations R1, R2 and R3.

> Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

California Penal Code Section 933.05 provides as follows (emphasis added):

(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent **agrees** with the finding.
(2) The respondent **disagrees** wholly or partially with the finding, in which case the response shall **specify the portion of the finding that is disputed and shall include an explanation of the reasons, therefor**.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall indicate one of the following actions:

(1) The recommendation has been implemented, **with a summary regarding the implemented action**.
(2) The recommendation has not yet been implemented, but will be implemented in the future, **with a timeframe for implementation**.
(3) The recommendation requires further analysis, **with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report**.
(4) The recommendation will not be implemented because it is not warranted or is not reasonable **with an explanation therefor**.

Under Penal Code section 933(c), the governing body of a public agency must respond within 90 days after the grand jury submits its final report, and an elected county officer or agency head for which the grand jury has responsibility under Penal Code section 914.1 must respond within 60 days regarding matters under that officer's or agency head's control.

APPENDIX A

	Jurisdiction	MOU	Article 3 Waiver/Exemption	RethinkWaste Member Agency
1	Atherton	X		
2	Belmont	X		X
3	Brisbane	X		
4	Burlingame	X		X
5	Colma	X	X	
6	Daly City	X		
7	East Palo Alto	X		X
8	Granada Community Service Distr.	X		
9	Foster City	X		X
10	Half Moon Bay	X		
11	Hillsborough	X		X
12	Menlo Park	X		X
13	Millbrae	X		
14	Montara	X		
15	Pacifica	X		
16	Portola Valley	X	X	
17	Redwood City	X		X
18	San Bruno	X		
19	San Carlos	X		X
20	San Mateo	X		X
21	South San Francisco	X		
22	West Bay Sanitary District	X		X
23	Woodside	X		
24	Unincorporated San Mateo County		X	X

APPENDIX B

Mission Statement

The Sustainability Department helps the County of San Mateo and its communities adapt to our changing environment by providing services and resources that inspire new ideas and solutions. We are committed to building a community that fulfills the needs of everyone today and in the future.

General Fund
FY 2025-26 and FY 2026-27 Budget Unit Summary

	Actual 2023-24	Actual 2024-25	Revised 2024-25	Adopted 2025-26	Change 2025-26	Recomm 2026-27	Change 2026-27
Sources							
Taxes	3,013,328	2,597,826	8,855,624	7,679,976	(1,175,648)	7,218,124	(461,852)
Licenses, Permits and Franchises	2,968,056	2,900,698	3,095,926	2,966,967	(128,959)	2,877,967	(89,000)
Use of Money and Property	377,750	395,325	165,767	292,009	126,242	292,009	—
Intergovernmental Revenues	1,215,783	1,956,683	2,603,390	6,297,513	3,694,123	3,328,872	(2,968,641)
Charges for Services	1,954,815	2,174,844	1,924,010	2,553,349	629,339	2,153,349	(400,000)
Interfund Revenue	63,652	285	—	—	—	—	—
Miscellaneous Revenue	552,458	111,567	5,000	3,500	(1,500)	3,500	—
Other Financing Sources	1,246,614	1,641,763	1,895,733	1,688,729	(207,004)	1,923,619	234,890
Total Revenue	**11,392,456**	**11,778,991**	**18,545,450**	**21,482,043**	**2,936,593**	**17,797,440**	**(3,684,603)**
Fund Balance	14,861,119	14,594,729	14,594,729	14,264,161	(330,568)	13,224,672	(1,039,489)
Total Sources	**26,253,575**	**26,373,720**	**33,140,179**	**35,746,204**	**2,606,025**	**31,022,112**	**(4,724,092)**
Requirements							
Salaries and Benefits	6,835,427	6,852,679	7,618,635	8,103,169	484,534	8,485,499	382,330
Services and Supplies	9,012,086	9,092,416	15,116,024	15,458,736	342,712	13,817,393	(1,641,343)
Other Charges	929,148	702,462	672,533	776,262	103,729	800,231	23,969
Fixed Assets	—	249,020	—	—	—	—	—
Other Financing Uses	605,717	992,592	5,483,745	10,350,507	4,866,762	5,619,605	(4,730,902)
Gross Appropriations	**17,382,378**	**17,889,169**	**28,890,937**	**34,688,674**	**5,797,737**	**28,722,728**	**(5,965,946)**
Intrafund Transfers	—	(1,280)	443,557	(273,633)	(717,190)	161,773	435,406
Net Appropriations	**17,382,378**	**17,887,889**	**29,334,494**	**34,415,041**	**5,080,547**	**28,884,501**	**(5,530,540)**
Contingencies/Dept Reserves	2,041,358	—	2,186,186	2,293,713	107,527	2,293,713	—
Non-General Fund Reserves	10,080,634	10,148,453	9,553,802	7,109,965	(2,443,837)	8,215,089	1,105,124
Total Requirements	**29,504,370**	**28,036,342**	**41,074,482**	**43,818,719**	**2,744,237**	**39,393,303**	**(4,425,416)**

APPENDIX C

THIS MEMORANDUM OF UNDERSTANDING (MOU), entered into this 1st day of December 2021, by and between the County of San Mateo, hereinafter called "the County" and the "City of Belmont", hereinafter called "the Jurisdiction;"

W I T N E S S E T H:

WHEREAS, the County's Board of Supervisors has enacted a Mandatory Organic Waste Disposal Reduction Ordinance as required by the California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants; and

WHEREAS, to promote consistency within jurisdictions throughout San Mateo County and leverage economies of scale, the County has offered to lead the creation of a County-wide Edible Food Recovery Program on behalf of the unincorporated areas of the county and all the jurisdictions in the county; and

WHEREAS, the City of Belmont City Council adopted this Memorandum of Understanding on July 27, 2021 and authorizes the County to operate an Edible Food Recovery Program on behalf of and within the Jurisdiction.

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

1. Tasks to be Completed by the Jurisdiction

A. The County will create and coordinate the Edible Food Recovery program on behalf of the City of Belmont, if the City of Belmont performs each of the following actions:

a) adopts and makes part of its municipal code an enforceable ordinance establishing an Edible Food Recovery program as required under the California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants, including the specific provisions provided to the City of Belmont by the County of San Mateo for edible food recovery definitions, requirements for Tier One and Tier Two Edible Food Generators, and requirements for Food Recovery Organizations and Food Recovery Services; and
b) enters into this Memorandum of Understanding; and
c) provides the County with a list and schedule of "large events" as defined by the California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants occurring in the Jurisdiction; and

d) after consultation with the County, is responsible for coordinating the required edible food recovery regulations for those "large events" occurring in the City of Belmont; and
e) authorizes, by ordinance, the County to enforce California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants in Section (a) above, and to incorporate such authorization to include, without limitation, the authority to inspect, investigate, hold hearings, issue citations, and/or assess administrative fines on behalf of the City of Belmont as its Designee for Edible Food Recovery; and
f) shall develop a method to accept written complaints, including anonymous complaints, regarding an entity that may be potentially non-compliant with the Edible Food Recovery requirements as required under the California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants, and direct all such complaints to the County; and
g) acknowledges, by ordinance, that, notwithstanding this Memorandum of Understanding, the City of Belmont is, as stated in California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants, ultimately responsible for compliance with the said Code.

Note: Some County of San Mateo Jurisdictions are Member Agencies of the South Bayside Waste Management Authority (SBWMA), a joint powers agency located within San Mateo County that provides solid waste and recyclables processing services for its Members; nothing in this MOU precludes the SBWMA from assisting its Member Agencies with the Tasks described in this MOU.

2. Services to be Performed by the County

A. The County shall create and coordinate an Edible Food Recovery Program compliant with California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants on behalf of the City of Belmont so long as this Memorandum of Understanding is in effect in its entirety.

B. The County shall provide such services and activities for the City of Belmont as described in Exhibit A, attached hereto and incorporated by reference herein.

C. The County shall offer only to provide services relating directly to the California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants Edible Food Recovery regulations with the exception of a yearly analysis to be conducted by the County to estimate the amount of Green House Gas (GHG) emissions reduction to be attributed to edible food recovery activities in the City of Belmont for use in their climate action plans.

D. The County shall provide the information and data necessary for the City of Belmont to make their required reports to CalRecycle.

APPENDIX D

SB 1383: Edible Food Recovery Program

Activities	Timeline
Enforcement: Develop and implement a robust enforcement protocol for edible food recovery to ensure program success *(Transforming Systems)*	
Develop and implement enforcement protocol and approach Manage contract with Cascadia for Audits and Enforcement	Sept. '25 – Jan. '26
Develop and implement penalty system	Sept. '25 – Dec. '26
SB 1383 Pilot Projects: Develop and implement three different edible food recovery pilot programs to explore further options to increase food recovered and distributed *(Transforming Systems)*	
Community Fridge with recovered food Pilot	Sept. '25 – Nov. '26
Burlingame fee-for-service food recovery trial pilot	Sept. '25 – Nov. '26
Technical assistance to food generators and food recovery organizations	Sept. '25 – Nov. '26
Funding: Research methods for funding a countywide edible food recovery program to ensure its long-term sustainability *(Transforming Systems)*	
Complete edible food recovery program cost and funding study by Abbe & Associates	Sept. '25 – Jan. '26
Explore models for funding countywide EFR program	Jan. '26 – Dec. '26

APPENDIX E

Sustainability Department

Focus Areas | Resources For | Get Involved | About Us

Edible Food Recovery Complaint Form

Thank you for helping us identify businesses that may need additional support to meet State and local edible food recovery requirements under SB 1383.

Make a Confidential Complaint

GLOSSARY

CalRecycle - The State department responsible for administering and enforcing SB 1383.

Enforcement Actions - An action of a jurisdiction or the Department to ensure compliance with this chapter, including, but not limited to, issuing notices of violation, accusations, or other remedies.

Citation: 14 CCR § 18982(a)(19), Division 7, Chapter 12, Article 1.

Food Insecurity - Food insecurity is an official term from the USDA and an economic and social indicator of the health of a community. In simple terms, food insecurity arises when people do not have enough to eat and do not know where their next meal will come from. Locally, food insecurity in San Mateo County can also mean purchasing cheaper, less nutritious food, skipping meals and cutting portions of food which can ultimately lead to undernutrition and negative health outcomes.

In the Bay Area, the counties of Sonoma, Napa, Santa Cruz, Contra Costa, and San Mateo saw the greatest increases in food insecurity in the state for adults at the federal poverty level in 2024 compared to 2019, before the COVID-19 pandemic.[9]

Inspection - A site visit where a jurisdiction or the Department reviews records, containers, and an entity's collection, handling, recycling, or landfill disposal of organic waste or edible food handling to determine if the entity is complying with requirements set forth in this chapter.

Citation: 14 CCR § 18982(a)(35), Division 7, Chapter 12, Article 1.

Memorandum of Understanding (MOU) - An agreement allocating responsibilities between parties.

Notice and Order to Correct - A notice that a violation has occurred and that failure to correct the violation may result in a penalty.

Defined at 14 CCR § 18982(a)(44).

Notice of Violation (NOV) - Notice of Violation (NOV) means a notice that a violation has occurred that includes a compliance date to avoid an action to seek penalties. Its purpose is to formally document an alleged breach and initiate an administrative enforcement action. Unlike a simple warning, an NOV carries the potential for penalties if the violation is not addressed.

Defined at 14 CCR § 18982(a)(45).

RethinkWaste - RethinkWaste, with the help of its service provider, Recology San Mateo County, offers weekly recycle, compost and garbage collection. The 3-cart system was designed to make it easy and convenient for residents to keep materials out of the landfill.

Also known as the South Bayside Waste Management Authority, RethinkWaste was formed in 1982 as a joint powers authority formed by eleven local SMC government jurisdictions (City of Belmont, City of Burlingame, City of East Palo Alto, City of Foster City, Town of Hillsborough, City of Menlo Park, City of Redwood City, City of San Carlos, City of San Mateo, the County of

[9] Alise Maripuu "Survey shows 'sharp increase' in food insecurity in the Bay Area", March 5, 2026 https://www.nbcbayarea.com/news/local/food-insecurity-bay-area/

San Mateo and the West Bay Sanitary District). These jurisdictions are referred to as the RethinkWaste Member Agencies.

Second Harvest of Silicon Valley - A food bank serving Santa Clara and San Mateo Counties. It is the largest food bank in the San Francisco Bay Area and the 12th largest in the United States. It distributes food through a network of 400 partners and 900 sites across the two counties.

Source: Second Harvest of Silicon Valley website

Short-Lived Climate Pollutants - Includes black carbon, fluorinated gases, and methane. These pollutants have a major negative effect on air quality, public health and climate change by creating a warming influence on the climate much more potent than the effect of carbon dioxide.

Source: Senate Bill 1383

Sustainability Department (SMCSD) - A division of San Mateo County that was established in July 2014. Its mission is to enhance environmental resilience and sustainability in the County as well as in the community at large.

Tier 1 Food Generators - Larger producers of food such as supermarkets, large grocery stores, food service providers and distributors, and wholesale food vendors.

Tier 2 Food Generators - Restaurants, hotels, health facilities, local education facilities, and large venues and large events (serving more than 2,000 people).[10]

DISCLAIMER

This report was issued by the San Mateo County Grand Jury with the exception of one juror who recused herself from all parts of the investigation, including interviews, deliberations, and the writing and approval of the report.

[10] "Food Donors Fight Hunger and Combat Climate Change" https://calrecycle.ca.gov/organics/slcp/foodrecovery/donors/