

MENDOCINO COUNTY POLICY #44	SUSTAINABLE PRACTICES POLICY
ADOPTED: September 26, 2006	ADOPTED BY: MINUTE ORDER
SUPERSEDED: September 15, 2009	SUPERSEDED BY: MINUTE ORDER – Effective September 15, 2009
AMENDED: May 3, 2022	AMENDED BY: MINUTE ORDER – Effective May 3, 2022

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1.0 POLICY STATEMENT AND PURPOSE

1.1 Policy Statement

It is the policy of Mendocino County to:

- Institute practices that reduce waste by increasing efficiency and effectiveness; and
- Purchase products that minimize environmental impacts, toxics, pollution, and hazards to worker and community safety to the greatest extent practicable, and purchase products that include recycled content, are durable and long-lasting, conserve energy and water, use agricultural fibers and residues, reduce greenhouse gas emissions, and use unbleached or chlorine free manufacturing processes, are lead-free and mercury-free.
- Incorporate environmental considerations including recycled-content and recovered Organic Waste product use into purchasing practices and procurement.

1.2 Purpose of Policy

This Policy is adopted in order to:

- Protect and conserve natural resources, water and energy
- Minimize the County’s contribution to climate change, pollution, and solid waste disposal
- Eliminate or reduce toxics that create hazards to workers and our community
- Support strong recycling markets
-
- Increase the use and availability of environmentally preferable products that protect the environment
- Identify environmentally preferable products and distribution systems
- Create a model for successfully purchasing environmentally preferable products that encourages other purchasers in our community to adopt similar goals
- Comply with State requirements as contained in 14 CCR Division 7, Chapter 12, Article 12 (SB 1383 procurement regulations) to procure a specified amount of Recovered Organic Waste Products to support Organic Waste disposal reduction targets and markets for products made

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from recycled and recovered Organic Waste materials, and to purchase Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper

2.0 DEFINITIONS

- 2.1 “Annual Recovered Organic Waste Product Procurement Target” means the amount of Organic Waste in the form of a Recovered Organic Waste Product that the County is required to procure annually under 14 CCR Section 18993.1. This target shall be calculated by multiplying the per capita procurement target, which shall be 0.08 tons of Organic Waste per California resident per year, times the County’s residential population using the most recent annual data reported by the California Department of Finance. Annually, CalRecycle will provide notice to the County of its Annual Recovered Organic Waste Product Procurement Target by posting such information on CalRecycle’s website and providing written notice directly to the County.

- 2.2 “Compost” means the product resulting from the controlled biological decomposition of organic solid wastes that are source separated from the municipal solid waste stream or which are separated at a centralized facility or as otherwise defined in 14 CCR Section 17896.2(a)(4).

Compost eligible for meeting the Annual Recovered Organic Waste Product Procurement Target must be produced at a compostable material handling operation or facility permitted or authorized under 14 CCR Chapter 3.1 of Division 7 or produced at a large volume in-vessel digestion facility that composts on-site as defined and permitted under 14 CCR Chapter 3.2 of Division 7. Compost shall meet the State’s composting operations regulatory requirements.

- 2.3 “Direct Service Provider” means a person, company, agency, district, or other entity that provides a service or services to County pursuant to a contract or other written agreement or as otherwise defined in 14 CCR Section 18982(a)(17).

- 2.4 “County” means the County of Mendocino.

- 2.5 “Organic Waste” means solid wastes containing material originated from living organisms and their metabolic waste products including, but not limited to, food, yard trimmings, organic textiles and carpets, lumber, wood, Paper Products, Printing And Writing Paper, manure, and sludges, or as otherwise defined in 14 CCR Section 18982(a)(46).

- 2.6 “Paper Products” include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissue, and toweling; or as otherwise defined in 14 CCR Section 18982(a)(51).

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- 2.7 “Printing and Writing Papers” include, but are not limited to, copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications; or as otherwise defined in 14 CCR Section 18982(a)(54).
- 2.8 “Procurement of Recovered Organic Waste Products” shall mean purchase or acquisition (e.g., free delivery or free distribution from a hauler or other entity via a written agreement or contract), and end use by the County or others. The County’s Annual Recovered Organic Waste Product Procurement Target can be fulfilled directly by the County or by Direct Service Providers through written contracts or agreements for Procurement of Recovered Organic Waste Products at the County’s behest.
- 2.9 “Recovered Organic Waste Products” means products made from California, landfill-diverted recovered Organic Waste processed at a permitted or otherwise authorized operation or facility, or as otherwise defined in 14 CCR Section 18982(a)(60). Products that can be used to meet the Annual Recovered Organic Waste Product Procurement Target shall include Compost and SB 1383 Eligible Mulch, provided that such products meet requirements of 14 CCR, Division 7, Chapter 12, Article 12.
- 2.10 “Recordkeeping Designee” means the County employee appointed by the County Chief Executive Officer or their designee to track procurement and maintain records of Recovered Organic Waste Product procurement efforts both by the County and others, if applicable, as required by 14 CCR, Division 7, Chapter 12, Articles 12 and 13.
- 2.11 "Recyclability" means that the Paper Products and Printing and Writing Paper offered or sold to the County are eligible to be labeled with an unqualified recyclable label as defined in 16 Code of Federal Regulations Section 260.12 (2013).
- 2.12 “Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper” means such products that consist of at least thirty percent (30%), by fiber weight, postconsumer fiber, consistent with the requirements of Sections 22150 to 22154 and Sections 12200 and 12209 of the Public Contract Code, and as amended.
- 2.13 “SB 1383” means Senate Bill 1383 (Chapter 395), which added Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and Safety Code, and added Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants, as amended, supplemented, superseded, and replaced from time to time.
- 2.14 “SB 1383 Regulations” or “SB 1383 Regulatory” means or refers to, for the purposes of this

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policy, the Short-Lived Climate Pollutants (SLCP): Organic Waste Reductions regulations developed by CalRecycle and adopted in 2020 that created Chapter 12 of 14 CCR, Division 7 and amended portions of regulations of 14 CCR and 27 CCR.

2.15 “SB 1383 Eligible Mulch” means mulch eligible to meet the Annual Recovered Organic Waste Product Procurement Target, pursuant to 14 CCR Chapter 12 of Division 7. This SB 1383 Eligible Mulch shall meet the following conditions for the duration of the applicable procurement compliance year, as specified by 14 CCR Section 18993.1(f)(4):

2.15.1 Produced at one of the following facilities:

2.15.1.1 A compostable material handling operation or facility as defined in 14 CCR Section 17852(a)(12), that is permitted or authorized under 14 CCR Division 7, other than a chipping and grinding operation or facility as defined in 14 CCR Section 17852(a)(10);

2.15.1.2 A transfer/processing facility or transfer/processing operation as defined in 14 CCR Sections 17402(a)(30) and (31), respectively, that is permitted or authorized under 14 CCR Division 7; or,

2.15.1.3 A solid waste landfill as defined in Public Resources Code Section 40195.1 that is permitted under 27 CCR Division 2.

2.15.2 Meet or exceed the physical contamination, maximum metal concentration, and pathogen density standards for land application specified in 14 CCR Sections 17852(a)(24.5)(A)1 through 3, as enforced by Mendocino County Code Chapter 9A.40.

2.16 “State” means the State of California.

3.0 SPECIFICATIONS

3.1 Source Reduction

3.1.1 Mendocino County shall institute practices that reduce waste and result in the purchase of fewer products whenever practicable and cost-effective, but without reducing safety or workplace quality.

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- 3.1.2 Mendocino County shall purchase remanufactured products such as toner cartridges, tires, furniture, equipment and automotive parts whenever practicable, but without reducing safety, quality or effectiveness or increasing life cycle emissions.
- 3.1.3 Mendocino County shall require all equipment bought after the adoption of this policy to be compatible with source reduction goals as referred to in this section (3.1), when practicable.
- 3.1.4 The General Services Agency shall consider short-term and long-term costs in comparing product alternatives, when feasible. This includes evaluation of total costs expected during the time a product is owned, including, but not limited to, acquisition, extended warranties, operation, supplies, maintenance, disposal costs and expected lifetime compared to other alternatives.
- 3.1.5 Products that are safe, durable, long lasting, reusable or refillable are preferred whenever feasible.
- 3.1.6 Mendocino County will request vendors eliminate packaging or use the minimum amount necessary for product protection, to the greatest extent practicable.
- 3.1.7 Packaging that is reusable, recyclable or compostable is preferred, when suitable uses and programs exist.
- 3.1.8 Vendors shall be encouraged to take back and reuse pallets and other shipping and packaging materials.
- 3.1.9 Suppliers of electronic equipment, including but not limited to computers, monitors, printers, and copiers shall be requested to take back equipment for reuse or environmentally safe recycling when Mendocino County discards or replaces such equipment, whenever possible.
- 3.1.10 Mendocino County shall consider provisions in contracts with suppliers of non-electronic equipment that require suppliers to take back equipment for reuse or environmentally safe recycling when Mendocino County discards or replaces such equipment, whenever practicable.
- 3.1.11 County departments are discouraged from printing any documentation unless it is necessary for their business purposes. If departments must print documentation, departments shall be encouraged to print and copy all documents on both sides to reduce the use and purchase of paper, whenever practical.

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3.2 Recycled Content Products

- 3.2.1 All products for which the United States Environmental Protection Agency (U.S. EPA) has established minimum recycled content standard guidelines in the Agency’s Comprehensive Procurement Guidelines, such as those for printing paper, office paper, janitorial paper, construction, landscaping, parks and recreation, transportation, vehicles, miscellaneous, and non-paper office products, shall contain the highest postconsumer content practicable, but no less than the minimum recycled content standards established by the U.S. EPA Guidelines. See Sections 3.8 and 3.9 for additional requirements.
- 3.2.2 Copiers and printers purchased shall be compatible with the use of recycled content and remanufactured products.
- 3.2.3 In accordance with California Public Contract Code, Sec. 10409, Mendocino County shall purchase re-refined lubricating and industrial oil for use in its vehicles and other equipment, as long as it is certified by the American Petroleum Institute (API) as appropriate for use in such equipment.
- 3.2.4 When specifying asphalt concrete (AC), aggregate base (AB) or portland cement concrete (PCC) for road construction projects, Mendocino County shall use recycled, reusable or reground materials when practicable. When specifying AB for some road section layers, reground PCC may not be practical with regards to workability and durability.
- 3.2.5 Mendocino County shall specify and purchase recycled content transportation products, including signs, cones, parking stops, delineators, channelizers and barricades, which shall contain the highest postconsumer content practicable, but no less than the minimum recycled content standards established by the U.S. EPA Comprehensive Procurement Guidelines.
- 3.2.6 All pre-printed recycled content papers intended for distribution that are purchased or produced shall contain a statement or identifier that the paper is recycled content. Whenever feasible, the statement should indicate the percentage of postconsumer recycled content it contains.

3.3 Energy and Water Savings

- 3.3.1 Where applicable, energy-efficient equipment shall be purchased with the most up-to date energy efficiency functions. This includes, but is not limited to, high efficiency space heating systems and high efficiency space cooling equipment.

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- 3.3.2 When practicable, Mendocino County shall replace inefficient interior lighting with energy efficient equipment.
- 3.3.3 When practicable, Mendocino County shall replace inefficient exterior lighting with energy-efficient equipment. Exterior lighting shall be minimized where possible to avoid unnecessary lighting of architectural and landscape features while providing adequate illumination for safety and accessibility.
- 3.3.4 All products purchased by Mendocino County and for which the U. S. EPA Energy Star certification is available shall meet Energy Star certification, when practicable. When Energy Star labels are not available, Mendocino County shall choose energy-efficient products that are in the upper 25% of energy efficiency as designated by the Federal Energy Management Program.
- 3.3.5 Mendocino County shall purchase water-saving products whenever practicable. This includes, but is not limited to, high-performance fixtures like toilets, low-flow faucets and aerators, and upgraded irrigation systems.

3.4 Green Building

- 3.4.1 All building and renovations undertaken by Mendocino County shall follow Green Building Practices for design, construction, and operation, where appropriate, and shall meet a minimum LEED “Silver rating” under the LEED™ Rating System, or a County-approved equivalent.

3.5 Landscaping

- 3.5.1 All landscape renovations, construction and maintenance performed by Mendocino County, including workers and contractors providing landscaping services for Mendocino County, shall employ sustainable landscape management techniques for design, construction and maintenance whenever possible, including, but not limited to, integrated pest management, grasscycling, drip irrigation, composting, and procurement and use of mulch and compost that give preference to those produced from regionally generated plant debris and/or food waste programs.
- 3.5.2 Plants shall be selected to minimize waste by choosing species for purchase that are appropriate to the microclimate, species that can grow to their natural size in the space allotted them, and perennials rather than annuals for color. Native and drought-tolerant plants that require no or minimal watering once established are preferred.
- 3.5.3 Hardscapes and landscape structures constructed of recycled content materials are encouraged. Mendocino County shall limit the amount of impervious surfaces in the

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landscape, wherever practicable. Permeable substitutes, such as permeable asphalt or pavers, are encouraged for walkways, patios and driveways.

3.5.4 See Section 3.8 for additional requirements.

3.6 Workplace Chemical exposures

3.6.1 To the extent practicable, Mendocino County shall purchase, or require janitorial contractors to supply, industrial and institutional cleaning products that meet Green Seal certification standards for environmental preferability and performance.

3.6.2 To the extent practicable, Mendocino County shall purchase, or replace and/or require janitorial contractors to supply, vacuum cleaners that meet the requirements of the Carpet and Rug Institute “Green Label” Testing Program – Vacuum Cleaner Criteria, are capable of capturing 96% of particulates 0.3 microns in size, and operate with a sound level less than 70dBA. Where possible and as applicable, other janitorial cleaning equipment shall be capable of capturing fine particulates, removing sufficient moisture so as to dry within 24 hours, operate with a sound level less than 70dBA, and use high- efficiency, low-emissions engines.

3.6.3 The use of chlorofluorocarbon and halon-containing refrigerants, solvents and other products shall be phased out and new purchases of heating/ventilating/air conditioning, refrigeration, insulation and fire suppression systems shall not contain them.

3.6.4 All surfactants and detergents shall be readily biodegradable and, where practicable, shall not contain phosphates.

3.6.5 When maintaining buildings and landscapes, Mendocino County shall manage pest problems through prevention and physical, mechanical and biological controls. Mendocino County has an Integrated Pest Management (IPM) using the least toxic pest control as a last resort.

3.6.6 When maintaining buildings, Mendocino County shall use products with the lowest amount of volatile organic compounds (VOCs), highest recycled content, and low or no formaldehyde when practicable when purchasing materials such as paint, carpeting, adhesives, furniture and casework.

3.6.7 Mendocino County shall reduce or eliminate its use of products that contribute to the formation of dioxins and furans. This includes, but is not limited to:

- Purchasing paper, paper products, and janitorial paper products that are unbleached or that are processed without chlorine or chlorine derivatives, whenever possible

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- Prohibiting purchase of products that use polyvinyl chloride (PVC) such as, but not limited to, office binders, furniture, flooring, and medical supplies whenever practicable

3.6.8 Mendocino County shall purchase products and equipment with no lead or mercury whenever possible. For products that contain lead or mercury, Mendocino County shall give preference to those products with lower quantities of these metals and to vendors with established lead and mercury recovery programs.

3.6.9 Mendocino County shall specify that desktop computers, notebooks and monitors purchased meet, at a minimum, all Electronic Product Environmental Assessment Tool (EPEAT) environmental criteria designated as “required” as contained in the IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products, whenever practicable.

3.6.10 When replacing vehicles (excluding equipment), Mendocino County shall consider less-polluting alternatives and the life cycle cost of operation to gasoline and diesel vehicles such as compressed natural gas, bio-based fuels, hybrids, electric batteries, and fuel cells, as available.

3.7 Bio-Based Products

3.7.1 Vehicle fuels made from non-wood, plant-based contents such as vegetable oils are encouraged whenever they reduce lifecycle emissions and are cost effective.

3.7.2 Paper, paper products and construction products made from non-wood, plant-based contents such as agricultural crops and residues are encouraged whenever practicable.

3.7.3 Bio-based plastic products that are biodegradable and compostable, such as bags, film, food and beverage containers, and cutlery, are encouraged whenever practicable.

3.8 Recovered Organic Waste Product Procurement

3.8.1 Procurement Target

3.8.1.1 County will annually procure for use or giveaway a quantity of Recovered Organic Waste Products that meets or exceeds its Annual Recovered Organic Waste Product Procurement Target through the implementation of this Policy.

3.8.1.2 To be eligible to meet the Annual Recovered Organic Waste Product Procurement Target, products that may be procured include the following

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(provided that each product meets the criteria included in their respective definition in Section 2.0 of this Policy):

- SB 1383 eligible Compost (as defined in Section 2.2).
- SB 1383 Eligible Mulch (as defined in Section 2.15).

3.8.2 Requirements for County Departments – Compost and SB 1383 Eligible Mulch procurement.

Divisions and departments responsible for landscaping maintenance, renovation, or construction shall:

3.8.2.1 Use Compost and SB 1383 Eligible Mulch produced from recovered Organic Waste, as defined in Sections 2.2 and 2.15 of this Policy, for landscaping maintenance, renovation, or construction, as practicable, whenever available, and capable of meeting quality standards and criteria specified. SB 1383 Eligible Mulch used for land application must meet or exceed the physical contamination, maximum metal concentration and pathogen density standards specified in 14 CCR Section 17852(a)(24.5)(A)(1) through (3).

3.8.2.2 When County uses Compost and SB 1383 Eligible Mulch and the applications are subject to the State’s Model Water Efficient Landscape Ordinance (MWELO), comply with Sections 492.6 (a)(3)(B), (C), (D), and (G) of the State’s Model Water Efficient Landscape Ordinance, Title 23, Division 2, Chapter 2.7 of the CCR, as amended September 15, 2015, which requires the submittal of a landscape design plan with a “Soil Preparation, Mulch, and Amendments Section” to include the following:

- For landscape installations, Compost at a rate of a minimum of 4 cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six (6) inches into the soil. Soils with greater than six percent (6%) organic matter in the top six (6) inches of soil are exempt from adding Compost and tilling.
- Apply a minimum three- (3-) inch layer of mulch on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, leave up to five percent (5%) of the landscape area without mulch. Designated insect habitat must be included in the

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landscape design plan as such.

- Procure organic mulch materials made from recycled or post-consumer materials rather than inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local Fuel Modification Plan Guidelines or other applicable local ordinances.
- For all mulch that is land applied, procure SB 1383 Eligible Mulch that meets or exceeds the physical contamination, maximum metal concentration, and pathogen density standards for land applications specified in 14 CCR Section 17852(a)(24.5)(A)(1) through (3).

3.8.2.3 Keep records, including invoices or proof of Recovered Organic Waste Product procurement (either through purchase or acquisition), and submit records to the Recordkeeping Designee, upon completion of project.

Records shall include:

- General procurement records, including:
 - General description of how and where the product was used and applied, if applicable;
 - Source of product, including name, physical location, and contact information for each entity, operation, or facility from whom the Recovered Organic Waste Products were procured;
 - Type of product;
 - Quantity of each product; and,
 - Invoice or other record demonstrating purchase or procurement.
- For Compost and SB 1383 Eligible Mulch provided to residents through giveaway events or other types of distribution methods, keep records of the Compost and SB 1383 Eligible Mulch provided

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to residents. Records shall be maintained and submitted to the Recordkeeping Designee in accordance with the requirements specified in this Section.

- For procurement of SB 1383 Eligible Mulch, maintain an updated copy of the ordinance or enforceable mechanism(s) requiring that the mulch procured by the County or Direct Service Provider meets the land application standards specified in 14 CCR Section 18993.1, as it may be amended from time to time, as currently reflected in Mendocino County Code Chapter 9A.40.

3.8.2.4 When Procurement of Recovered Organic Waste Products occurs through a Direct Service Provider, enter into a written contract or agreement or execute a purchase order with enforceable provisions that includes: (i) definitions and specifications for SB 1383 Eligible Mulch and Compost; and, (ii) an enforcement mechanism (e.g., termination, liquidated damages) in the event the Direct Service Provider is not compliant with the requirements.

3.8.3 Requirements for Direct Service Providers – Compost and SB 1383 Eligible Mulch procurement.

Direct Service Providers of landscaping maintenance, renovation, and construction shall:

3.8.3.1 Use Compost and SB 1383 Eligible Mulch, as practicable, produced from recovered Organic Waste, as defined in Sections 2.2 and 2.15 of this Policy, for all landscaping renovations, construction, or maintenance performed for the County, whenever available, and capable of meeting quality standards and criteria specified. SB 1383 Eligible Mulch used for land application shall comply with 14 CCR, Division 7, Chapter 12, Article 12 and must meet or exceed the physical contamination, maximum metal concentration and pathogen density standards specified in 14 CCR Section 17852(a)(24.5)(A)(1) through (3).

3.8.3.2 If Direct Service Provider is subject to the State’s Model Water Efficient Landscape Ordinance (MWEL0), comply with Sections 492.6 (a)(3)(B), (C), (D), and (G) of the State’s MWEL0, Title 23, Division 2, Chapter 2.7 of the CCR, as amended September 15, 2015, which requires the submittal of a landscape design plan with a “Soil Preparation, Mulch, and Amendments Section” to include the following:

- For landscape installations, Compost at a rate of a minimum of 4

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cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six (6) inches into the soil. Soils with greater than six percent (6%) organic matter in the top six (6) inches of soil are exempt from adding Compost and tilling.

- Apply a minimum three- (3-) inch layer of mulch on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, leave up to five percent (5%) of the landscape area without mulch. Designated insect habitat must be included in the landscape design plan as such.
- Procure organic mulch materials made from recycled or post-consumer materials rather than inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local Fuel Modification Plan Guidelines or other applicable local ordinances.
- For all mulch that is land applied, procure SB 1383 Eligible Mulch that meets or exceeds the physical contamination, maximum metal concentration, and pathogen density standards for land applications specified in 14 CCR Section 17852(a)(24.5)(A)(1) through (3).

3.8.3.3 Keep and provide records of Procurement of Recovered Organic Waste Products (either through purchase or acquisition) to Recordkeeping Designee, upon completion of projects. Information to be provided shall include:

- General description of how and where the product was used and if applicable, applied;
- Source of product, including name, physical location, and contact information for each entity, operation, or facility from whom the Recovered Organic Waste Products were procured;
- Type of product;
- Quantity of each product; and,

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- Invoice or other record demonstrating purchase or procurement.

3.9 Recycled-Content Paper Procurement

3.9.1 Requirements for County Departments

3.9.1.1 Comparable or more favorable pricing: If fitness and quality of Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper are equal to that of non-recycled items, all County departments and divisions shall purchase Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists of at least thirty percent (30%), by fiber weight, postconsumer fiber, whenever available at the same or a lesser total cost than non-recycled items, consistent with the requirements of the Public Contracts Code, Sections 22150 through 22154 and Sections 12200 and 12209, as amended.

3.9.1.2 All Paper Products and Printing and Writing Paper shall be eligible to be labeled with an unqualified recyclable label as defined in Title 16 Code of Federal Regulations Section 260.12 (2013).

3.9.1.3 Provide records to the Recordkeeping Designee of all Paper Products and Printing and Writing Paper purchases within thirty (30) days of the purchase (both recycled-content and non-recycled content, if any is purchased) made by a division or department or employee of the County. Records shall include a copy of the invoice or other documentation of purchase, written certifications as required in Section 3.9.2.1 for recycled-content purchases, vendor name, purchaser name, quantity purchased, date purchased, and recycled content (including products that contain none), and if non-Recycled-Content Paper Products and/or non-Recycled-Content Printing and Writing Paper are provided, include a description of why Recycled-Content Paper Products and/or Recycled-Content Printing and Writing Paper were not provided.

3.9.2 Requirements for Vendors

3.9.2.1 All vendors that provide Paper Products (including janitorial Paper Products) and Printing and Writing Paper to County shall:

- Provide Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists of at least thirty percent (30%), by fiber weight, postconsumer fiber, if fitness and quality are equal to that of non-recycled item, and available at equal or lesser price.

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- Only provide Paper Products and Printing and Writing Papers that meet Federal Trade Commission Recyclability standard as defined in Title 16 Code of Federal Regulations Section 260.12 (2013).
- Certify in writing, under penalty of perjury, the minimum percentage of postconsumer material in the Paper Products and Printing and Writing Paper offered or sold to the County. This certification requirement may be waived if the percentage of postconsumer material in the Paper Products, Printing and Writing Paper, or both can be verified by a product label, catalog, invoice, or a manufacturer or vendor internet website.
- Certify in writing, under penalty of perjury, that the Paper Products and Printing and Writing Paper offered or sold to the County is eligible to be labeled with an unqualified recyclable label as defined in Title 16 Code of Federal Regulations Section 260.12 (2013).
- Provide records to the Recordkeeping Designee of all Paper Products and Printing and Writing Paper purchased from the vendor within thirty (30) days of the purchase (both recycled-content and non-recycled content, if any is purchased) made by a division or department or employee of the County. Records shall include a copy of the invoice or other documentation of purchase, dollars spent for each type of product, written certifications as required in Section 3.9.2.1 for recycled-content purchases, purchaser name, quantity purchased, date purchased, and recycled content (including products that contain none), and if non-Recycled-Content Paper Products and/or non- Recycled-Content Printing and Writing Paper are provided, include a description of why Recycled-Content Paper Products and/or Recycled-Content Printing and Writing Paper were not provided.

3.9.2.2 All vendors providing printing services to the County via a printing contract or written agreement, shall use Printing and Writing Paper that consists of at least thirty percent (30%), by fiber weight, postconsumer fiber, or as amended by Public Contract Code Section 12209.

4.0 PRIORITIES

- 4.1 The health and safety of workers and citizens is of utmost importance and takes precedence over all other policies.
- 4.2 Mendocino County has made significant investments in developing a successful recycling system and recognizes that recycled content products are essential to the continuing viability of that

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recycling system and for the foundation of an environmentally sound production system. Therefore, to the greatest extent practicable, recycled content shall be included in products that also meet other specifications, such as chlorine free or biobased.

- 4.3 Nothing contained in this policy shall be construed as requiring a department, purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time.
- 4.4 Nothing contained in this policy shall be construed as requiring Mendocino County, department, purchaser or contractor to take any action that conflicts with local, state or federal requirements.

5.0 BEST PRACTICES

5.1 Procurement Practices

The General Services Agency shall evaluate the following environmentally preferable product categories, at a minimum, and produce a list of such products that meet the criteria. The County shall order from the list that meets the criteria, whenever practicable, unless a performance issue with a specific product arises or the cost of the product is unreasonably expensive.

- 5.1.1 Printing and writing papers including all imprinted letterhead paper, envelopes, copy paper, and business cards shall contain a minimum of 30 percent post-consumer recycled content.
- 5.1.2 Paper products including janitorial supplies, shop towels, hand towels, facial tissue, toilet paper, seat covers, corrugated boxes, file boxes, hanging file folders, and other products composed largely of paper.
- 5.1.3 Remanufactured laser printer toner cartridges and remanufactured or refillable inkjet cartridges.
- 5.1.4 Re-refined antifreeze including on-site antifreeze recycling.
- 5.1.5 Re-refined lubricating and hydraulic oils.
- 5.1.6 Recycled content construction, building and maintenance products, including plastic, lumber, carpet, tiles, and insulation.
- 5.1.7 Recrushed cement concrete aggregates and asphalt. When specifying aggregate base for some road section layers, reground cement concrete may not be practical with regards to workability and durability.
- 5.1.8 Cement and asphalt concrete containing tire rubber, glass cullet, recycled fiber, plastic, fly ash, or other alternative products.

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- 5.1.9 Retreaded tires and products made from recycled tire rubber including rubberized asphalt, playground surfaces, and fatigue mats.
- 5.1.10 Compost, mulch, and other organics including recycled biosolids products.
- 5.1.11 Remanufactured paint.
- 5.1.12 Janitorial cleaning supplies.
- 5.1.13 Other products that may be designated by the General Services Agency.

6.0 IMPLEMENTATION

- 6.1 The Purchasing Agent shall implement this policy in coordination with other appropriate Mendocino County personnel.
- 6.2 As applicable, successful bidders shall certify in writing that the environmental attributes claimed in competitive bids are accurate. In compliance with State law, vendors shall be required to specify the minimum or actual percentage of recovered and postconsumer material in their products, even when such percentages are zero.
- 6.3 Upon request, buyers making the selection from competitive bids shall be able to provide justification for product choices that do not meet the environmentally preferable purchasing criteria in this policy.
- 6.4 Vendors, contractors and grantees shall be encouraged to comply with applicable sections of this policy for products and services provided to the Mendocino County, where practicable.

7.0 RESPONSIBILITIES

7.1 Responsibilities of the General Services Agency

The General Services Agency shall be responsible for the coordination and implementation of this policy. This includes the following:

- 7.1.1 Develop and maintain information about environmentally preferable products and recycled content products containing the maximum practicable amount of recycled materials to be purchased by agencies, departments and divisions.
- 7.1.2 Develop and implement a monitoring and reporting system as a tool to confirm compliance with this policy.
- 7.1.3 Inform other agencies, departments and divisions of their responsibilities under this policy and provide agencies, departments and divisions with information about recycled

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products and environmental procurement opportunities.

- 7.1.4 Develop and implement an ongoing promotional program to educate and inspire County of Mendocino staff to implement this policy. Information concerning this policy will be added to the new employee orientation process.
 - 7.1.5 Inform vendors of the County’s Sustainable Practices Policy.
 - 7.1.6 Restrict contracts to only recycled-content products whenever possible (e.g., office supplies, lubricating oils, and janitorial supplies).
 - 7.1.7 Review specifications used in public bidding to eliminate barriers to recycled-content products such as outdated or overly stringent product specifications and specifications not related to product performance. All requests for proposals shall require vendors to use recycled products whenever possible.
 - 7.1.8 Develop and conduct training practices that reduce waste generation.
 - 7.1.9 Encourage the set-up of all computers and printers to promote this policy including the removal of banner pages and setting the default to two-sided copying.
 - 7.1.10 Develop internal procedures dealing with the following categories: Purchasing and Procurement, Recycling, Energy, Water and Green Building. The General Services Agency shall be granted full authority to enforce this Policy as well as their developed procedures once approved by the County Executive Officer and Board of Supervisors.
 - 7.1.11 Keep records and compile reports on procurement of Recovered Organic Waste Products and Recycled-Content Paper Products in accordance with Section 7.3 of this Policy.
- 7.2 Responsibilities of All County Agencies, Departments and Divisions
- Each agency, department, and division shall:
- 7.2.1 Practice waste prevention.
 - 7.2.2 Continue to utilize recycling programs and expand where possible.
 - 7.2.3 Procure products in compliance with the Sustainable Practices Policy.
 - 7.2.4 Evaluate each designated product to determine the extent to which agencies, departments and divisions may practicably use it.
 - 7.2.5 All County Agencies, Departments and Divisions shall be encouraged to use recycled products for their business cards, letterhead stationery, envelopes, business forms, and

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pertinent documents.

- 7.2.6 Keep and provide records of procurement of Recovered Organic Waste Products and Recycled-Content Paper Products in accordance with Sections 3.8.2.3, 3.8.3.3, 3.9.1.3, and 3.9.2.1.
- 7.3 Recordkeeping Responsibilities for Procurement of Recovered Organic Waste Products and Recycled-Content Paper Products
 - 7.3.1 The General Services Agency will be the responsible department and will select an employee to act as the Recordkeeping Designee that will be responsible for obtaining records pertaining to Procurement of Recovered Organic Waste Products and Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper.
 - 7.3.2 The Recordkeeping Designee will do the following to track Procurement of Recovered Organic Waste Products, Recycled-Content Paper Products, and Recycled-Content Printing and Writing Paper:
 - 7.3.2.1 Collect and collate copies of invoices or receipts (paper or electronic) or other proof of purchase that describe the procurement of Printing and Writing Paper and Paper Products, including the volume and type of all paper purchases; and, copies of certifications and other required verifications from all departments and/or divisions procuring Paper Products and Printing and Writing Paper (whether or not they contain recycled content) and/or from the vendors providing Printing and Writing Paper and Paper Products. These records must be kept as part of the County's documentation of its compliance with 14 CCR Section 18993.3.
 - 7.3.2.2 Collect and collate copies of invoices or receipts or documentation evidencing procurement from all departments and divisions procuring Recovered Organic Waste Products and invoices or similar records from vendors/contractors/ others procuring Recovered Organic Waste Products on behalf of the County to develop evidence of County meeting its Annual Recovered Organic Waste Product Procurement Target. These records must be kept as part of the County's documentation of its compliance with 14 CCR Section 18993.1.
 - 7.3.2.3 Collect, collate, and maintain documentation submitted by the County, Direct Service Providers, and/or vendors, including the information reported to the Recordkeeping Designee in accordance with Sections 3.8.2.3, 3.8.3.3, 3.9.1.3, and 3.9.2.1.

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7.3.2.4 Compile an annual report on the County’s direct procurement, and vendor/other procurement on behalf of the County, of Recovered Organic Waste Products, Recycled-Content Paper Products, and Recycled-Content Printing and Writing Paper, consistent with the recordkeeping requirements contained in 14 CCR Section 18993.2 for the Annual Recovered Organic Waste Product Procurement Target and 14 CCR Section 18993.4 for Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper procurement. This report shall be made available to the County’s responsible entity for compiling the annual report to be submitted to CalRecycle (which will include a description of compliance on many other SB 1383 regulatory requirements) pursuant to 14 CCR Division 7, Chapter 12, Article 13. The procurement report shall also be shared with the Board of Supervisors annually as evidence of implementing this Policy.

8.0 EXEMPTION

Nothing in this policy shall be construed as requiring the purchase of products that do not perform adequately or are not available at a reasonable price.

9.0 PROGRAM EVALUATION

9.1 The Purchasing Agent shall evaluate on a quarterly basis the success of this policy’s implementation.

9.2 Monitoring and Reporting Requirements

9.2.1 The General Services Agency shall prepare and deliver to the County Executive Officer an annual status report on the implementation of this policy and a formal recycled products list to aid in purchasing and monitoring goals.

9.2.2 The General Services Agency shall prepare and deliver to the County Executive officer an annual status report on the trainings and education provided to County departments regarding recycling. This report shall also contain results of an annual waste and recycle audit on County departments.