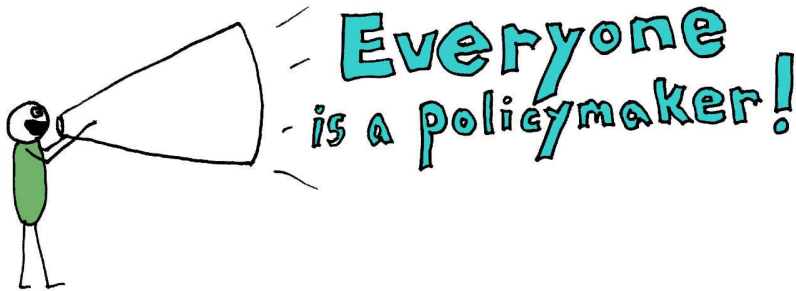




Sustainable
Economies
Law Center

Host Your Own Soil Policy Party



Advocacy takes many shapes and requires a range of activities and skills. It may involve learning, problem-solving, communicating, or organizing people. It could involve quiet letter-writing or loud protest. No matter what shape it takes, there's room and a need for everyone to participate.

The following “Soil Policy Party” curriculum offers suggested ways to you can dig in, learn, and take action with soil avengers in your community.

Joining with others and taking action

Organizing local advocates and making it fun!

For more than a year, the Sustainable Economies Law Center organized its compost policy advocacy around monthly “Soil Policy Parties” for local farmers, composters, gardeners, and concerned citizens. At each “party,” the goal was to learn about and take action in a variety of policy arenas impacting composting and soil. It was highly effective in engaging people, gaining insights, raising awareness, and promoting action. Since composting laws are highly localized, we’d encourage people in every community to consider organizing in a similar fashion. The pages that follow are suggested activities for local groups.

Organizing coalitions

It can be challenging for one composter or one farmer to get the ear of legislators and regulators, so it’s important to organize larger groups and coalitions that bring together leaders and organizations impacted by compost policy. In California, a group of four compost enterprises and six nonprofits established the California Alliance for Community Composting, and that Alliance has registered its support, input, and opposition in various policy arenas. As the Alliance grows, the vision is to become a strong voice on behalf of composters that legislators will find hard to ignore.



Story Policy Party Formula

This is a model agenda for a monthly, two-hour policy meeting.



The goal of “Soil Policy Teams” or “Soil Policy Parties” is to grow community members’ understanding of and engagement with relevant compost law and policy issues. Here’s how we normally break down a 2-hour meeting.

1. **People + Food:** Invite people over, organize food and drink.
2. **Soil Storytime:** Go around so that people can introduce themselves. Everyone shares a brief story or anecdote related to soil, compost, farming, life, anything. This part is usually a delight.
3. **Dig in:** Get into some research, a discussion topic, or advocacy project. **The following pages offer 12 potential activities, and you may think of others!**
4. **Make something:** Try to finish the party by creating something or taking some kind of action.
5. **Repeat:** Invite those people and more to convene again next week or month!

Story Collection

Learn about the various ways that people in your community are composting and building soil.

Goal: Compile and share a list or collection of stories to make visible the ways that composting is happening in your community.

It's Fun! You may never cease to be amazed at the variety of ways that people in your community compost, where they get their feedstock (elephant poo from the zoo??), how they haul it, what methods they use to compost it, and how their compost is helping build a rich and healthier environment.

How to: Gather stories from people in the room and do outreach to local farms, gardens, landscapers, residents, and food enterprises to collect more anecdotes.

Example: [The Life of Organic Materials in Oakland](#) (stories we collected in our Soil Policy Parties)

Resources: Institute for Local Self Reliance's [composting publications](#) and their [podcasts about community composting](#).



Get In The Zone

Take out your laptops and dig in to your local zoning code together!

Goal: Determine and share what composting activities are allowed in your city and where.

It's Fun! Zoning codes are full of odd things. Much fun can be had as people share facts, like “Did you know our city has a Mattress District?” or “Did you know households in Residential Zone 1 are limited to two goats and one pig?”

How to:

- **Word search!** Most local zoning (aka land use and planning) codes are online, making it easy to do a word search for things like “compost.” However, most zoning codes don’t mention compost, so you have to do detective work.
- **Read the uses and definitions:** Many codes begin with a section called “Definitions” or “Uses,” where a variety of activities are defined. Many codes define “agricultural activity” and/or “community gardens,” and it’s often (but not always) safe to assume that at least some composting is allowed as an “accessory use” to agriculture, meaning that composting is customarily associated with agriculture even if it’s not specifically mentioned in the zoning code. Standalone composting facilities, particularly those that bring material from off-site and/or use the resulting compost off-site, may be categorized as some form of industrial activity. Read the definitions of various industrial activities and see which is closest to composting.
- **Read about the zones and districts:** After you’ve identified “uses” that may correlate with composting, look at your zoning map and see how your city is broken into zones. Each zone usually has a list of uses that are permitted or prohibited, as well as many conditional uses that may be allowed if you complete a permit application.

Example: [Info on zoning for compost in Alameda County, CA](#)

Resources: Most codes can be found by searching [this database](#) by state and city. Here’s a resource with sample zoning language: [Urban Agriculture, Composting and Zoning: A zoning code model for promoting composting and organic waste diversion through sustainable urban agriculture](#), Ohio EPA, Nov. 2018.



Haul Monitor

Learn all about rules and systems of “waste” hauling in your city.

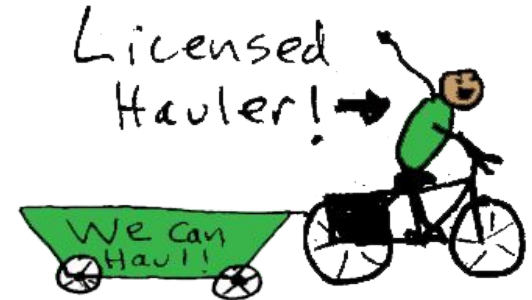
Goal: Summarize the rules and process for hauling organic matter in your city, find out whether the city has contracts with specific haulers, and what is the process the city uses to seek bids for such contracts.

It's Fun! It's a bit like detective work, because you'll likely have to look in many places: your local codes, city department websites, news articles, maybe even city council meeting minutes! By the time you discover the legal barriers and layers of bureaucracy involved in hauling, it may evoke some unusually snarky comments from people at the party.

How to:

- Read your local laws and other online municipal resources to determine what rules apply to people who haul or transport organic matter in your city.
- Can people “self-haul” their organic waste? If so, do they need a permit?
- Can small businesses get licensed to haul waste?
- Are there any haulers with exclusive contracts, meaning that other haulers cannot operate in their territory?
- What haulers have contracts, for what areas, and for how long?
- What city department manages the contracts and what is the process and timeline for seeking bids?

Example: In Oakland, obtaining a “self-haul” permit means that a generator is responsible for properly disposing of ALL their waste materials, and cannot be issued for managing only one section of the waste stream, such as food scraps.



Fun Facts

Create materials to share facts and data about compost and soil.

Goal: Gather and share compelling information about compost and soil, particularly to help educate yourselves, the public, and policymakers.

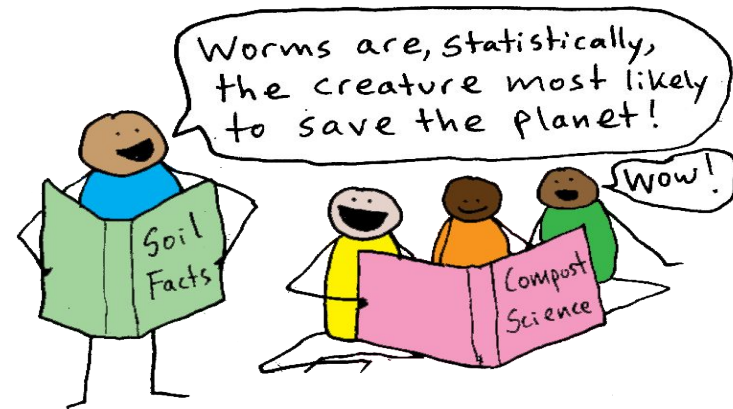
It's Fun! So much new information is being generated about soil and compost through studies from around the world! You may come across some exciting new data. And while you could just make a fact sheet, you can also get creative or artsy in how you present the facts. Make a collage of facts. Decorate a Christmas tree with soil data!

How to:

- Pull from or add to [this existing fact sheet](#).
- Find journal articles about compost and soil, try to make sense of them, and share what you learn.
- Invite your scientist friends to come help you understand all the stuff.
- Learn about organizations and institutions that study compost and find out what they are currently working on.

Example: Watch Kiss the Ground's [Soil Story](#) video!

Resources: The Institute for Local Self Reliance has created [these super cool infographics](#) for you to share!



Compost Pile Outlaws

Research laws that apply to compost piles and compost facilities.

Goal: Find out what rules and licensing requirements apply to compost piles and facilities. What kinds and sizes of compost facilities are exempt from regulation and licensure? What are the requirements to comply with the laws? Specific practices? Inspections? Testing & monitoring? Recordkeeping?

It's Fun! Inevitably, you'll feel like detectives trying to sort through the different definitions and exemptions. You'll also likely find weird words in the law that you would rarely use in real life, like "putrescible" and "vegetative."

How to: These laws are often created at the state level, so you'll probably want to start with your state's legislative code. However, since most legislators are not experts on compost, they usually delegate the specifics of rulemaking to an agency with the relevant expertise. The agency then makes rules through a formal proceeding that seeks public input. The resulting rules usually live in a different set of laws called "regulations" or "administrative code." Be sure to check both the legislative and regulatory codes.

Example: California's state agency, CalRecycle, and local enforcement agencies [administer a program to register and license compost facilities](#) in the state. But some facilities are exempt from regulation, including compost facilities no larger than 100 cubic yards and vermicomposting facilities.



Resources: The US Composting Council has [an interactive state map](#) for compost regulations!

Bill Watching

Find and read about current state bills related to compost and soil.

Goal: Identify all current state-level legislation that could impact composting, and share the information with the farming and composting community so that relevant stakeholders' voices will be heard. Consider tracking the most relevant bills throughout the legislative process.

It's Fun! Kinda like bird watching? You'll find out that there is a LOT of colorful legislation introduced each year on so many topics and things you've probably never even thought about. It's also fun to hone in on key bills and track their progress. All kinds of wacky things can happen along the way....you know, politics! It's a bit like a sport, particularly when you get involved and root for or oppose a bill.

How to:

- Particularly near the beginning of a state legislative session, go online and do a word search for “compost” and related terms. You may get a long list of bills that mention compost. Some will have nothing to do with compost, but some will!
- For bills that may have the most impact on compost, read the details, find out who introduced it and why, and read the analyses written by legislative staff.
- Send out an email and share your thoughts on the bills with farmers and composters. What are key issues and potential impacts of the bill?

Example: In California, information on all new bills is located [here](#). Do a word search for “compost” and then read the paragraphs that says “This bill would...”

Resources: The National Conference of State Legislators hosts [a searchable database](#) of all pending and active bills that they update weekly. Composting is included under the categories of “Environmental Health,” “Energy,” and “Environment.”



Secret Agencies

Determine what local and state agencies have a role in shaping compost and what are they doing right now?

Goal: Understand the landscape of public agencies that are shaping the current compost sector in your area. Determine whether there are any current or upcoming regulatory proceedings, which are administrative (non-legislative) processes where public agencies make rules and develop programs. There are usually opportunities for the public to weigh in. It's a powerful way to make your voice heard and make a real difference.

It's Fun! Wait, but IS it actually fun? Well, you will interact with government bureaucrats in the waste management sector, which possibly attracts more fun and quirky personalities than other sectors of government. We have only anecdotal data to prove this, so go see for yourselves!

How to: Look at:

- Local public works departments
- Local and state waste management and recycling agencies
- Health and safety departments
- Environmental health departments
- Departments of food and agriculture
- Air quality agencies
- Water quality agencies



Methane...It's a Gas!

Find out what laws and public agencies are working to reduce methane emissions and what is the role of or impact on composting.

Goal: Determine how methane reduction efforts can be a leverage point for encouraging local composting. Methane is a particularly potent (i.e. bad) greenhouse gas, so it's likely that we'll see a growing number of states and localities passing laws and creating programs aimed at reducing methane emissions. Organic matter that rots in landfills (and other low-oxygen environments) will produce methane, so diverting organics from landfills and composting is a key strategy for reducing GHGs.

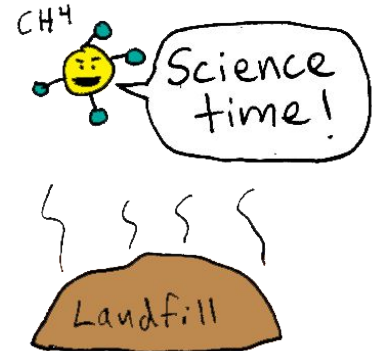
It's Fun! Hey, how did those four hydrogen atoms get stuck to that carbon atom? Learn just a little about methane production and you'll feel like a scientist!

How to:

- Find out whether any legislation has been passed at a state or local level to reduce methane emissions
- Look to local, regional, or state air quality management agencies

Example: [Senate Bill 1383](#) in California

Resources: The National Conference of State Legislatures lists [methane related laws and programs state-by-state](#)



Dumpster Dive

Research local and state laws on dumpsters, waste containers, and rules regarding source-separation of organic matter.

Goal: Find out and share what rules govern the type, size, placement, and collection of materials from dumpsters, trash cans, and other containers in your community. Are there rules requiring that waste generators (like homes, restaurants, and other businesses) separate out organic matter? This helps to determine how, where, and from whom we can collect organic matter.

It's Fun! At least, it will later make for intriguing cocktail party conversation: "So, yesterday I was reading about garbage can laws, and here's a fun fact...."

How to:

- Look at the health code and other local codes for rules about dumpsters and outdoor garbage containers. Do the containers or dumpsters need to be licensed?
- Read about health & safety rules for restaurants and food manufactures. What are the rules about where they put food waste in the kitchen?
- Are there rules about when containers may be placed on or near the street?
- Look at vector control laws or vector control departments (or other laws designed to prevent pests and rats) to see if there are other rules about the type of containers used.
- Look at building and zoning codes. Is it mandatory for certain kinds of buildings to include space for dumpsters and trash cans? Are there rules about where they are kept, how close they can be to buildings, etc?



Resources: Most codes can be found by word searching [this database](#) by state/ city.

Soil Makers Wanted: Apply Within

Research the federal and state laws for both manufacturing and distributing fertilizing materials and/or soil amendments.

Goal: Discover what licences and regulations govern the creation of compost. Research what you legally can or cannot claim about your locally made compost. Learn about how to test the quality of compost, and what usage applications are permitted based on the quality of the inputs and outputs.

It's Fun! Getting your driver's license was awesome, right?! Well, so is getting a soil making license!

How to:

- Do you have to register with your city or state to manufacture compost? Do you have to apply for a license? Do you have to be a formal business entity to qualify for registration and/or licensing? Do you have to carry business insurance to qualify for licensing?
- Are there regulations for compost quality assurance? Are you required to test samples of your compost prior to distribution? Which state agency oversees compost quality testing and approved application uses?
- Can you call your compost "organic"? How do you certify that it is in fact "organic"? Can you use your compost for food production? What fees and testing rules apply for your level of annual production and distribution?

Example: The California Department of Food and Agriculture runs [an inspection program](#) that administers all licences and label claims for fertilizers and/or soil amendments created and sold in CA.

Resources: The [Association of American Plant Food Control Officials](#) sets standards for what can and cannot be claimed about the benefits of compost.



Best in Show

Identify best management practices (BMPs) for community composting that are measurable, verifiable, and reportable.

Goal: Discuss baseline standards for small-scale composting in terms of size and volume of material. Research best management practices by type of material and composting method. Brainstorm metrics that could help to build confidence from local regulators for your community compost vision.

It's Fun! Nerd Alert! Knowing what you need to measure and why gets you one step closer to becoming the best and most trusted soil maker on the block.

How to: Discuss and research:

- What limitations (if any) in terms of size, volume, or feedstock makes most sense for your community?
- What quality assurance data is required for you to report? How do you plan to collect that data, and by whom?
- What are the best ways to control nuisances, such as vectors, waste water, and foul odors?
- What signage on-site would help volunteers adhere to BMPs?
- What tools would help you stay on track with measuring, verifying, and reporting your BMPs?

Example: Alameda County published a [manual for businesses](#) to help them evaluate, plan, and launch an on-site composting program.

Resources: ILSR's Neighborhood Soil Rebuilders composters training program has a draft manual for [community composting BMPs](#).



Vision Board

Envision a decentralized/localized system for recycling organic materials.

Goal: Give big waste management companies a run for their money! Imagine what it would take for communities to organize and handle recycling their own organic material.

It's Fun! Let the ideas [*and maybe even the chocolate and wine*] flow! Who knows ideas will surface!

How to:

- Identify the farmer's markets, grocery stores, restaurants, and residents that may be interested in participating in community composting. How will you get the material they generate to a local compost pile and not a landfill or a centralized anaerobic digester?
- Identify the community gardens, urban farms, and landscapers that might like to use your finished compost. How can you generate revenue from your hard work?
- Compile a list of regulations, ordinances, zones, and codes in your city from your earlier research, and identify the greatest barriers to realizing your vision.
- Compile a list of the agencies responsible for overseeing any part of your compost vision, from generation through the distribution of final compost, and identify the contacts you'll need to engage with personally.
- Go out and share your vision with others!

Example: Both [L.A. Compost](#) of Los Angeles and [Food2Soil](#) of San Diego have been able to co-create their full vision in connection with city and county agencies.

Resources: ILSR hosts an annual [Cultivating Community Composting Workshop and Forum](#), where practitioners convene to share lesson learned and best practices for small-medium scale operations. The next event is scheduled for May 2019 in NYC.



Other Potential Activities:

The list of organizing and advocacy activities goes on and on....

1. **Legal research:** Investigate state and local laws on:
 - a. Air quality (GHGs, VOCs, dust, odors)
 - b. Water quality (leachate, runoff)
2. **Science:** Learn the soil food web and the carbon cycle
3. **Go bananas:** Organize a direct action to raise awareness
4. **Map it out:** Map stakeholders, agencies, regulations
5. **Be heard:** Send letters, make phone calls, write blogs
6. **Field trip:** Visit a local compost facility
7. **Dinner:** Invite a regulator over for dinner



How Compost Policy Is Made



Public policy impacting the composting industry is made at local, state, and federal levels, and it is created through a variety of processes.

The following pages describe a few ways in which compost policy is made, providing examples of how local composters have gotten involved.



Example: California's SB 1383 mandated that state agencies like CalRecycle create programs and adopt rules to reduce emission of methane and other climate pollutants. The rulemaking process is taking almost two years, with multiple drafts and rounds of feedback gathering in writing and in meetings.. The CA Alliance for Community Composting and Sustainable Economies Law Center both attended hearings and submitted written comments.

A. Regulatory Proceedings

What are regulatory or rulemaking proceedings?

Laws aren't made only by legislators. Often, legislators require public agencies to make rules, and the agencies follow a special process that involves publishing a draft, then gathering and incorporating public input. Some agencies do multiple rounds of this until they adopt a final rule. **Rulemaking proceedings are where some of the most critical details of compost law will be sorted out**, so it's important for composters to get involved and give input.

How to get involved

Getting involved is sometimes as easy as writing a letter with recommended changes to a draft rule. In some cases, agencies require that comments be submitted using a special process or format. Most of the time, the instructions for getting involved are published online, so it's a good idea to frequently visit the websites or get on an email list of any state or local agency that deals with agriculture, waste, air, water, or the environment. However, you can be proactive by cultivating a relationship with staff of those agencies and making them aware of the needs and interests of community composters. In this way, you'll have an influence on regulatory proceedings even before they begin.

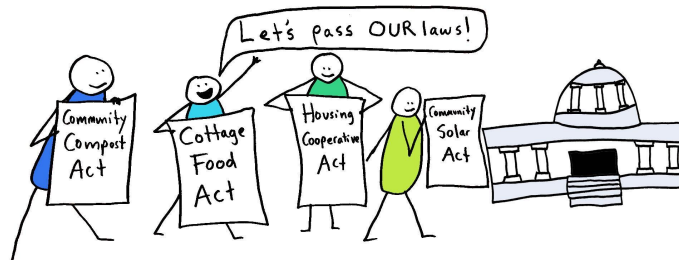
Example: In 2018, SB 71, a bill supported by dozens of waste haulers make it most of the way through the CA legislative process. The bill would have increased penalties for people who haul waste without a permit. Before the bill died, community groups demanded and secured an amendment to exempt hauling to small compost facilities.

Example: In 2016, ILSR partnered with local groups in Maryland and passed the “Strategic Plan to Advance Composting, Compost Use, and Food Waste Diversion in Montgomery County,” which incorporated a diverse range of composting strategies into local planning. Read more about the [process and details of the legislation here](#).

B. Legislation

Giving input on or introducing legislation

Every year, a growing number of state bills and local ordinances are introduced that mention composting. Many will have very little impact on community composters, but some do, so it's important to track such legislation and give input through letter writing, phone calls, and attending hearings. In some cases, community composters may want to spearhead legislation to proactively address their needs. For example, in 2017, a loose coalition of compost groups sought to introduce a bill in California called the Community Composting Act. The bill would have prohibited cities from giving waste haulers a monopoly over all organic matter. Ultimately, the group decided not to move forward with the bill, instead focusing on participation in regulatory proceedings.





Example: In New York City, local composters gave input as the Department of Sanitation developed a [plan to reform waste hauling](#). As a result of community input, the plan acknowledges the need to consider and include “microhaulers” and other community-based groups in the planning process.

C. Bidding and Contracting

Giving input on local bidding and processes

When cities establish systems for collecting and hauling organic waste, they often seek bids from and contract with private companies. Whether or not you want to secure such a contract, it’s important to give input in the bidding and contracting processes, because the process can still have an impact on whether you can independently collect organic matter. The contracting process, itself, can result in changes to local hauling laws, so it’s effectively a legislative process in some cases. In general, bid-seeking and contracting processes should be transparent and invite input from the public, but it’s not always the case. It’s good to be proactive and ask local municipalities what their process is and how you can give input.

Positioning local composters to secure contracts

With adequate planning, you could position local composters to seek bids and secure contracts for collection and hauling in part of your city. We suggest you start the conversation with the city early to find out what will be required. You may also consider lobbying your city council to give special preferences for contracting with locally-owned compost enterprises.

D. Where Else Is Policy Shaped?

Organizations of industry leaders and regulators

While they are not legislative bodies, organizations like the Assoc. of American Plant Food Control Officials (AAPFCO), Solid Waste Assoc. of North America, and the U.S. Composting Council publish sample legislation and regulations that tend to be highly influential in shaping actual legislation. Asking such organizations to adopt sample rules to support small-scale composting could be an effective way to influence policy nationally.

Government commissions

At every level of government, there are special commissions, boards, and committees that generally consist of appointed individuals drawn from all walks of life. The purpose of such commissions is often advisory, providing input and expertise to government agencies that make and administer regulations and programs. While such commissions may not make policy, per se, they can have a lot of influence over policy making and government expenditures.

Ballot initiatives

Ballot initiatives are laws that are voted on by the general public. If passed, they operate just like a law passed by a legislative body.

Example: To influence funding for compost research and education, local composters in California have considered seeking appointment on the CA Dept. of Food and Ag's Fertilizer Research and Education Program's Technical Advisory Subcommittee, which reviews and recommends fertilizer research and education proposals for funding and implementation.

