



## Agenda Item 5.1

### Minutes of November 20, 2013 Meeting

The Sonoma County Waste Management Agency met on November 20, 2013, at the City of Santa Rosa Council Chambers, 100 Santa Rosa Avenue, Santa Rosa, California

#### **Present:**

City of Cloverdale	Bob Cox
City of Cotati	Susan Harvey, Chair
City of Petaluma	Dan St. John
City of Rohnert Park	John McArthur
City of Sebastopol	Sue Kelly
City of Sonoma	Steve Barbose
County of Sonoma	Shirlee Zane
Town of Windsor	Debora Fudge

#### **Absent:**

City of Santa Rosa  
City of Healdsburg

#### **Staff Present:**

Counsel	Janet Coleson
Staff	Patrick Carter
	Karina Chilcott
	Henry Mikus
Clerk	Rebecca Lankford

#### **1. Call to Order**

The meeting was called to order at 9:05 a.m. Board Members, Agency staff, and the audience introduced themselves.

#### **2. Agenda Approval**

There were no changes to the agenda.

#### **3. Public Comments (items not on the agenda)**

Pam Davis, Sonoma Compost Company, reported that for the fall season Sonoma Compost posted record sales for finished products as well as sales of future production.

#### **Consent** (w/attachments)

4.1 Minutes of October 16, 2013  
4.2 Carryout Bag Ordinance Report

**Approval of the Consent Calendar was moved by Sue Kelly, City of Sebastopol, and seconded by Bob Cox, City of Cloverdale. The motion passed unanimously. City of Santa Rosa and City of Healdsburg absent.**

## **Regular Calendar**

### **5. Compost Site Discussion**

Henry Mikus, Agency Executive Director, provided a staff report regarding the status of the Compost Site Discussion. There have been several on-going issues which updates were provided for.

Mr. Mikus noted that the owners of Site 40 are in the process of having the property appraised as a compost site.

Mr. Mikus reported that the landfill pipeline and County issues remain unresolved. The Agency has had a water analysis completed; a preliminary report has been included in the packet. A "normal" season of rainfall at the Central Landfill would require 14 million gallons of storage capacity, a "significant" rainfall season was estimated to require up to 29 million gallons. SCS Engineers were contracted to complete the water analysis; they have intimate knowledge of the property, as they helped with the permitting process for the County and Republic Services. It was noted in the analysis that SCS does not believe conventional storage ponds that would hold 14 – 29 million gallons would fit at the Central Landfill; exploring viable options will be the next step.

Mr. Mikus reported the Agency has also conducted a cost analysis for treating the water at the Laguna Waste Water Treatment Plant; without the inclusion of connection fees or the fee to use the leachate pipeline, the estimated treatment cost is \$750,000 per year, or, a \$5 per ton increase.

Mr. Mikus discussed the on-going issue of site capacity at the current compost facility site. The permit for the current site allows for the processing of 108,000 tons per year, currently the operator is processing about 100,000 tons per year. The Agency is working on modifying the current permit as there are constraints on pile sizes and processing time which are more stringent than what has been codified by the state.

### **Board Questions**

Shirlee Zane, County of Sonoma, requested that the landowners of Site 40, the County and Sonoma Compost Company provide a report or presentation to the Board regarding: expansion, issues, limitations, etc.

Dan St. John, City of Petaluma, expressed his appreciation for the completion of the water cost analysis; however, he also pointed out that it does not consider all potential costs, such as a connection fee; it also does not address the quality of water treated.

Mr. Mikus concurred with Mr. St. John's statement, noting that the cost is variable as there are still unknown factors affecting the use of the leachate line. He also reported that he has spoken with individuals from the LWWTP who have indicated the cost estimate provided to the Agency is higher than what they charge for the leachate, erring on the side of caution.

Susan Harvey, City of Cotati, expressed concern that despite the cost the Agency would incur to utilize the services of the LWWTP, there would be no guarantee that the waste water could be taken to the plant if they are at maximum capacity with their own waste water.

Mr. Mikus noted that the water analysis addressed the possibility of not being able to utilize the LWWTP by looking at what capacity might be available for the pipeline. The pipeline is able to carry 400 gallons per minute which is about 280,000 gallons per day, or, 2 million gallons per

week. Assuming we were to experience a “typical” storm, which produces about 4 million gallons, we would have to pump out water for two weeks to completely drain the pond - historical analysis shows that it is unlikely to consistently have 2 weeks between storms Mr. Mikus continued that the analysis established the needed storage capacity by using data to figure the average frequency of storms, the amount of rain water generated and then applied our suggested plans for draining the pipeline.

Ms. Harvey asked what the repercussions would be if during a rain event the suggested storage would not meet capacity needs. Mr. Mikus responded that exceeding capacity is a concern; however, that is why the recommendation ranges from 14 million gallons to 29 million gallons.

Ms. Harvey inquired if there had been any progress on a lease agreement for the Central Site Alternative. She noted that at the October meeting there was a “promise” that there would be the ability to remain at the Central Landfill; however, there was no formal agreement or known cost associated with the location. Mr. Mikus reported that no progress had been made on the Central Site Alternative agreement.

Sue Kelly, City of Sebastopol, asked to clarify that the \$750,000 estimated is strictly the fee for treatment, it does not include conveyance, hook up, etc. Mr. Mikus responded affirmatively.

Mr. St. John asked if there was a known timeline for resolving some of the issues discussed. Mr. Mikus responded that he hopes to have some clarity on the Site 40 land value issue by January and cannot offer a timeline for the resolution of the pipeline issues as it is not something under the control of the Agency.

Mr. St. John expressed that it is unclear whether the pipeline issues make moving forward a go/ no go. He noted his understanding of the financial issue associated with the pipeline but does not believe it should inhibit the Agency from moving forward while the County works to resolve their issues.

### **Public Comment**

None

### **Board Discussion**

None

### **Direction**

Have the County, Site 40 representatives, and Sonoma Compost prepare a report to be presented to the Board at a future meeting.

## **6. Compost “Zero Discharge” Project Status**

Mr. Mikus provided a status update regarding the Zero Discharge Project. Mr. Mikus reported that when the County received its new permit through the North Coast Regional Water Quality Board a new waste water discharge requirement was imposed. The requirement asked for a detailed plan in which the Agency’s compost operation would achieve zero-discharge. The plan was submitted in May 2013, with correspondences taking place throughout the summer.

Mr. Mikus reported that several options have and continue to be explored for achieving zero discharge. The Agency, in conjunction with the County and Republic Services established that there were originally several storage sites proposed at the Central Landfill, however, additional

studies indicate these sites are impractical or unavailable. The Agency had also proposed treating the water, however, the NCRWQCB informed the Agency this would be prohibited per their policy. The feasibility of using the leachate pipeline has also been investigated; however, this is when the capacity constraints were identified.

Mr. Mikus reported that as a reply to the initial plan submittal the NCRWQCB requested the Agency employ some measure to reduce the contact water impacts for the upcoming rainy season. In response to the NCRWQCB request additional sediment traps have been placed.

In addition to the zero-discharge requirement, Mr. Mikus noted that the Agency was asked by the NCRWQCB to capture the first flush of contact water from each storm, with the assumption it would have the highest amount of sediment. The Agency's plan to achieve this goal is to employ storage tanks capable of holding the first 200,000 gallons of contact water, having it hauled to the LWWTP and then treated. Dependant on the amount of rainfall Agency staff estimate that the total cost for dealing with the first flush contact water would be about \$200,000. At this time Mr. Mikus noted he hopes to have something in place by February or March to deal with the first flush.

### **Board Questions**

Debora Fudge, Town of Windsor, noted that she has a long history of working with the NCRWQCB and that they are stricter than the SFBRWQCB. Also noted concern that the NCRWQCB may issue a notice of violation because it is raining now and the Agency has no formal letter or documentation stating they are in approval of our current plan and actions taken. Ms. Fudge would like the Agency to obtain written documentation from the NCRWQCB stating they understand and approve of the Agency's plans and actions.

Mr. St. John asked if in addition to Agency staff whether a consultant was working on this project.

Mr. Mikus responded affirmatively, that SCS Engineers is working with the Agency.

John McArthur, City of Rohnert Park, noted that he shared Ms. Fudge's concerns.

Ms. Kelly expressed her concern that SCS Engineers may not know or understand workings of the NCRWQCB as the Agency is asking questions of the NCRWQCB which the consultants should already have answers to.

Mr. Mikus noted Ms. Kelly's concern and responded that SCS was selected for the project because they were involved with establishing the operating permit with the NCRWQCB.

### **Public Comments**

Roger Larson, citizen, addressed the Board stating that he has been following the Zero Discharge Project since it began. Mr. Larson noted his belief that when the Agency received the notification of the Zero Discharge requirement they did nothing to move it forward as the Board did not meet for 2 months. Mr. Larson stated that today is it raining; today the water is being polluted. Mr. Larson encouraged the Board to move forward with the project at Site 40 and to forget spending more money and time on the Central Landfill Site Alternative.

### **Board Discussion**

Ms. Harvey asked for confirmation that the Agency is in compliance with what the NCRWQCB has asked for in the time allotted.

Mr. Mikus responded affirmatively.

### **Direction**

The Board asked staff to prepare a letter to the NCRWQCB for the Agency Chair's signature confirming the discussions and conclusions between Agency and NCRWQCB staff.

## **7. JPA Agreement Amendment Update**

Mr. Mikus provided an update regarding the Amendment of the JPA Agreement. He reported that as of November 19<sup>th</sup> Healdsburg, Sebastopol, Cotati, Sonoma and Windsor all had affirmative votes. Rohnert Park, Petaluma, Santa Rosa, Cloverdale and the County are all scheduled to address the Amendment in the following weeks. Mr. Mikus noted he anticipates the Amendment being approved by all member jurisdictions with the first reading taking place at the January Board meeting.

### **Board Questions**

Ms. Zane expressed her concern that the Board needs to consider the serious implications of a carve out. She noted that if Santa Rosa and Petaluma opt out of participating in the ordinance that impacts nearly 50% of the Sonoma County population. Ms. Zane would like to know how the ordinance will be effective if it doesn't apply to nearly 50% of the citizens.

Mr. Mikus explained that the Amendment is what was asked for and agreed upon by the Board. It has been on good faith that the Agency believes the cities stating they will pass their own ordinance, identical to the Agency's, will in fact do so. By allowing cities to opt of the Agency's ordinance we are allowing the member who wish to participate the opportunity to do so and move forward.

Mr. St. John expressed his frustration at the process which has ensued in passing the ordinance; noting it seems as though everybody wants it, it is just unclear how to achieve it. Mr. St. John noted that there are currently a lot of "what if's" but conversations about them cannot take place until certain factors, such as the Amendment, have fallen into place. It was noted that he is confident the issues being dealt with currently are simply legalities and that regionally consistent ordinances will be passed.

Mr. McArthur stated he did not have any new information or indication regarding Rohnert Park's vote. At this time the issues have only been discussed with the sub-committee and will not be taken to the full Council until existing issues are settled and it is time for a vote. Mr. McArthur noted his belief that the Board was presented with two options: propose an Amendment and hope that would appeal to the cities that had concerns or do nothing and have the ordinance die immediately.

Ms. Zane continued expressing her concern that the Amendment provided an exit strategy that will ultimately make the ordinance unsuccessful. Ms. Zane would like to have to vote called and the cities who are unwilling to vote affirmatively would be left to answer to their citizens.

Ms. Fudge agreed with Ms. Zane that ultimately an ordinance that is not regionally consistent would fall onto the individual jurisdiction not willing to participate.

Steve Barbose, City of Sonoma, stated he believed that the Agency has been held hostage by the unanimous vote requirement; the Amendment will allow the cities that want to participate to do so. He noted that he believe those who do not participate with the Agency will indeed pass their own ordinance due to political pressure.

## **Public Comments**

None

## **Board Discussion**

None

### **8. Attachments/Correspondence:**

8.1 Director's Agenda Notes

8.2 Reports by Staff and Others:

8.2.a November, December 2013 and January 2014 Outreach Events

8.2.b Agenda Plan Worksheet

### **9. On File w/Clerk**

Resolutions approved in October 2013

### **10. Board member Comments**

### **11. Staff Comments**

Mr. Mikus noted that the Household Hazardous Waste Facility would be closed from December 19, 2013 through January 2, 2014.

### **12. Adjourn**

The meeting was adjourned at 10:03 A.M.

Submitted by  
Rebecca Lankford