



## Meeting of the Board of Directors

June 24, 2015  
SPECIAL MEETING

Regular Meeting at 8:30 a.m.

*City of Santa Rosa Council Chambers  
100 Santa Rosa Avenue  
Santa Rosa, CA*

Meeting Agenda and Documents

**SONOMA COUNTY WASTE MANAGEMENT AGENCY**

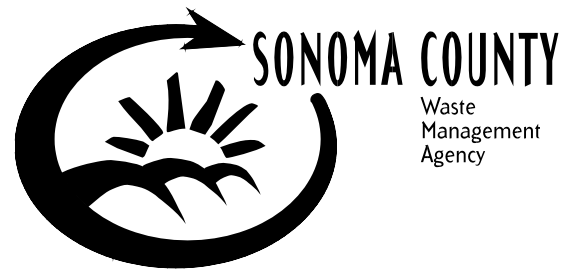
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*Note: This packet is 216 pages total*



## **SONOMA COUNTY WASTE MANAGEMENT AGENCY**

### **Meeting of the Board of Directors**

**June 24, 2015  
SPECIAL MEETING**

**Regular Meeting at 8:30 a.m.**

***Please note the early start time!***

**Estimated Ending Time 11:30 a.m.**

City of Santa Rosa Council Chambers  
100 Santa Rosa Avenue  
Santa Rosa, CA

## **Agenda**

**\*\*\* UNANIMOUS VOTE ON ITEM # 7\*\*\***

<u>Item</u>	<u>Action</u>
1. Call to Order Regular Meeting	
2. Agenda Approval	
3. Public Comments (items not on the agenda)	
<b><u>Consent</u></b> (w/attachments)	Discussion/Action
4.1 Minutes of May 20, 2015 Regular Meeting	
4.2 Compost Zero Discharge Plan Update Report	
4.3 The Ratto Group Agreement 1 <sup>st</sup> Amendment	

### **Regular Calendar**

- |     |   |                                      |
|-----|---|--------------------------------------|
| 5.  | New Compost EIR Certification<br>[Mikus, Carter](Attachments)   | Discussion/Action<br><b>Organics</b> |
| 6.  | New Compost Site Selection<br>[Mikus, Carter](Attachments)  | Discussion/Action<br><b>Organics</b> |
| 7.  | New Compost Site Permits Preparation<br>[Mikus](Attachments)  | <b>Unanimous Vote<br/>Organics</b>   |
| 8.  | Wood Waste and Yard Debris Tipping Fee Adjustment<br>[Carter](Attachments)  | Discussion/Action<br><b>Organics</b> |
| 9.  | JPA Renewal Status Report<br>[Mikus](Attachments)   | Discussion/Action<br><b>All</b>      |
| 10. | Do-it-Yourself Composting Education Outreach Ideas<br>[Chilcott](Attachments)   | Discussion/Action<br><b>All</b>      |
| 11. | <u>Attachments/Correspondence:</u><br>11.1 Reports by Staff and Others:<br>11.1.a June and July 2015 Outreach Events<br>11.1.b 2 <sup>nd</sup> Letter of Support for AB 1159<br>11.1.c CPSC Press Release-Alameda Ordinance<br>11.1.d Call2Recycle Leaders in Sustainability Letter |                                      |
| 12. | Boardmember Comments  |                                      |
| 13. | Staff Comments  |                                      |
| 14. | Next SCWMA meeting: July 15, 2015 or August 19, 2015  |                                      |
| 15. | Adjourn   |                                      |

**Consent Calendar:** These matters include routine financial and administrative actions and are usually approved by a single majority vote. Any Boardmember may remove an item from the consent calendar.

**Regular Calendar:** These items include significant and administrative actions of special interest and are classified by program area. The regular calendar also includes "Set Matters," which are noticed hearings, work sessions and public hearings.

**Public Comments:** Pursuant to Rule 6, Rules of Governance of the Sonoma County Waste Management Agency, members of the public desiring to speak on items that are within the jurisdiction of the Agency shall have an opportunity at the beginning and during each regular meeting of the Agency. When recognized by the Chair, each person should give his/her name and address and limit comments to 3 minutes. Public comments will follow the staff report and subsequent Boardmember questions on that Agenda item and before Boardmembers propose a motion to vote on any item.

**Disabled Accommodation:** If you have a disability that requires the agenda materials to be in an alternative format or requires an interpreter or other person to assist you while attending this meeting, please contact the Sonoma County

Waste Management Agency Office at 2300 County Center Drive, Suite B100, Santa Rosa, (707) 565-3579, at least 72 hours prior to the meeting, to ensure arrangements for accommodation by the Agency.

**Noticing:** This notice is posted 72 hours prior to the meeting at The Board of Supervisors, 575 Administration Drive, Santa Rosa, and at the meeting site the City of Santa Rosa Council Chambers, 100 Santa Rosa Avenue, Santa Rosa. It is also available on the internet at [www.recyclenow.org](http://www.recyclenow.org)



Date: May 21, 2015

To: SCWMA Board Members

From: Henry J. Mikus, SCWMA Executive Director

**Executive Summary Report for the SCWMA Board Meeting of May 20, 2015**

**Item 6: Consent Items Approved:** Items 6.1 April 15, 2015 regular monthly Meeting Minutes, 6.2 Compost Zero Discharge Plan Update Report, 6.3 3<sup>rd</sup> Quarter financial Report, 6.4 Load Check Agreement, and 6.45 E-Waste Collection Agreement were approved by the Board.

**Item 7, FY 15-16 Final Budget:** The proposed budget was approved without changes. With some of the issues pending with the Board, resolution of which might have financial impacts, the budget was crafted to be flexible and accommodate numerous situations as efficiently as practical.

**Item 8: New Compost Site Report:** The report from last month's meeting on work towards building a new compost site was revised per Board suggestions and reviewed again. ***The Board voted to have the discussions for certifying the new compost site EIR and making a new site selection scheduled for the June meeting.***

**Item 9: JPA Renewal Status Report:** The members' progress towards reviewing and giving each of their perspectives on the items contained in the "Matrix of Issues" was reported. Cotati, Petaluma, Rohnert Park, and Windsor have had their discussions and have shared a completed "Matrix of Issues" with staff; their filled in matrices were attached to the item's written report. Healdsburg and Cloverdale had an initial discussion and appointed sub-committees from their Councils to further study the matrix. The County, Santa Rosa, Sebastopol, and Sonoma have scheduled their discussions for June.

**Item 10: City County Payment Program Grant:** This grant, more commonly known as the Beverage Container Grant, has some funds available. Board members were asked to check with their home jurisdiction for any needs that the grant could be used to help pay for.

**Item 11: Attachments/Correspondence:** The attachments/correspondence were the May/June 2015 Outreach Calendar, an EPR update report, a letter of support for pending sharps and batteries disposal legislation, and numerous correspondences received on behalf of Sonoma Compost.



**To:** Sonoma County Waste Management Agency Board Members

**From:** Henry Mikus, Executive Director

**Subject:** June 24, 2015 Board Meeting Agenda Notes

***Also note: although there is no "Closed Session" discussion scheduled, the regular meeting is to begin a half-hour early, at 8:30 AM.***

## **Consent Calendar**

These items include routine financial and administrative items and **staff recommends that they be approved en masse by a single vote.** Any Board member may remove an item from the consent calendar for further discussion or a separate vote by bringing it to the attention of the Chair.

- 4.1 **Minutes of the May 20, 2015 Board Meeting:** regular acceptance.
- 4.2 **Compost Zero Discharge Plan Update:** The plan adherence has continued. The shut-down schedule for compost is discussed; the site must be cleaned and vacant by October 15, 2015.
- 4.3 **Ratto Group Agreement 1<sup>st</sup> Amendment:** As a result of the July 11, 2014 Zero Discharge Plan, SCWMA and the Ratto Group entered into an agreement for overhaul services for compost in case site shutdown became necessary. Because shutdown is now going to occur, Ratto has been working with staff to expand the number of facilities available for overhaul in order to realize some overhaul cost savings. The 1<sup>st</sup> amendment to the Ratto Agreement adds the facilities and results in savings.

## **Regular Calendar**

- 5. **New compost EIR Certification:** The documentation for formal certification of the new compost site Final EIR has been completed and is being presented to the Board for approval.
- 6. **New Compost Site Selection:** upon certification of the new compost site Final EIR, the next step would be selecting the preferred site. As part of this decision process, a "Statement of Overriding Considerations" was prepared for Board approval.
- 7. **New compost Site Permits Preparation:** The next step after site selection for developing a new compost site would be to prepare various permit application submittals to obtain the required regulatory and environmental permits. Tetra Tech BAS, the firm that has done much of the preliminary design and cost estimate work for the new site, is recommended for Board approval to do this work. The price is \$73,113 which requires a Unanimous vote by the Board. Because of the efficiency gained by using Tetra Tech BAS with their previous involvement on the project it is estimated that a 15 to 20% cost savings will be realized.

8. **Wood Waste and Yard Debris Tipping Fee Adjustment:** Due to the much greater direct cost for outhaul of compost materials, a tip fee increase is being proposed to offset these costs.
9. **JPA Renewal Staff Report:** SCWMA Member jurisdictions' governing bodies have used the "Matrix of Issues" to weigh in on their particular opinions on the issues. To date nine of ten members have had these discussions and have returned the matrix with their comments. The County is the last jurisdiction to have this discussion which is currently set for June 23, the day prior to our Board meeting. A master matrix showing the various members' replies, and a matrix summary are presented for Board discussion and to provide a basis for crafting a new JPA Agreement amendment.
10. **Do-It-Yourself Composting Education Outreach:** With the impending compost site shutdown, there have been concerns regarding the loss of quality and easily accessible compost materials to our community. Staff has been working to find ways to help citizens and commercial enterprises learn to compost themselves, and has had discussions with numerous people to develop ideas and a plan. The efforts so far and some possible efforts are presented to solicit Board input and guidance.
11. **Attachments/Correspondence:** The items this month are the Outreach Events Calendar, and some miscellaneous correspondence.





## **Minutes of May 20, 2015 Special Meeting**

The Sonoma County Waste Management Agency met on May 20, 2015, at the City of Santa Rosa Council Chambers, 100 Santa Rosa Avenue, Santa Rosa, California.

### **Present:**

City of Cloverdale  
City of Cotati  
City of Healdsburg  
City of Petaluma  
City of Rohnert Park  
City of Santa Rosa  
City of Sebastopol  
City of Sonoma  
County of Sonoma  
Town of Windsor

Bob Cox  
Susan Harvey  
Brent Salmi  
Dan St. John  
Don Schwartz  
John Sawyer  
Larry McLaughlin  
Madolyn Agrimonti  
Susan Gorin  
Deb Fudge

### **Staff Present:**

Counsel  
Staff

Agency Clerk

Ethan Walsh  
Henry Mikus  
Patrick Carter  
Lisa Steinman  
Sally Evans

### **1. Call to Order Regular Meeting**

The meeting was called to order at 9:00 a.m.

### **2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION GOVERNMENT CODE SECTION 54956.9(d)(1)**

Renewed Efforts of Neighbors Against Landfill Expansion vs. County of Sonoma, Sonoma Compost Company, Sonoma County Waste Management Agency  
Case 3:14-cv-03804-THE

### **3. Adjourn Closed Session**

### **4. Agenda Approval**

No changes to the agenda.

**John Sawyer, City of Santa Rosa, motioned to approve the agenda and Bob Cox, City of Cloverdale, seconded the motion.**

### **Vote Count:**

Cloverdale	Aye	Cotati	Aye
County	Aye	Healdsburg	Aye
Petaluma	Aye	Rohnert Park	Aye
Santa Rosa	Aye	Sebastopol	Aye
Sonoma	Aye	Windsor	Aye

AYES -10- NOES -0- ABSENT -0- ABSTAIN -0-

**Motion passed unanimously.**

Chair St. John reported the Board has continued closed session, and will resume closed session after the regular meeting. Chair St. John added the Board has anticipated a number of public comments at this meeting, and did not want to make any final decisions on the closed session matter without having first heard public comment. Chair St. John explained that public comment on matters not on the agenda, including the closed session issue on the landfill litigation, is appropriate at this time, and asked that those wishing to comment on the regular or consent calendar wait until that item is called.

**5. Public Comments (items not on the agenda)**

Paul Kaiser, Singing Frogs Farm in Sebastopol, stated they produce high quality vegetables sold only in Sonoma County, and added they keep their food and composting local. Mr. Kaiser expressed his support for Sonoma Compost to remain local, operational, and meeting all environmental guidelines. Mr. Kaiser stated Sonoma Compost supports hundreds of local businesses, and thousands of local people in landscaping and food production, and added they are a large part of helping keep the County's greenhouse gas emissions down as well as the quality of food and life up.

Tiffany Renee, Petaluma Grange, thanked the Board for waiting to hear public comment, and added she believes this is a very important issue for the County. Ms. Renee stated she is representing the Petaluma Grange and their members, and added they have several farmer members who utilize Sonoma Compost products, whose growing productions and cost of doing business would be affected without Sonoma Compost. Ms. Renee expressed that importing compost from other areas would be an unfortunate circumstance for farmers in the County. Ms. Renee stated Sonoma Compost provides an excellent product, and shared that she purchased over 10 yards for her small 1/8<sup>th</sup> acre in Petaluma, and finds that it creates the best food she's ever had.

Ms. Renee expressed she also sees this as a water issue, as biomass in the form of green waste going to Sonoma Compost has quite a bit of water in it. Ms. Renee added that to export green waste out of the area means water is being exported, and it's a ridiculous mistake given the drought circumstances. Ms. Renee asked the Board to consider all the issues, including the County's food cycle and food economy, and added that the bottom line for the farmers is that it's the best possible grow through Sonoma Compost's product. Ms. Renee asked for the continued expansion of Sonoma Compost to the greatest possible extent until a new facility is created.

Ursula Schnell, Santa Rosa Resident, stated she has been a Sonoma County resident for 3-4 years, and chose to live here due to all the progressive ideas and wonderful things happening. Ms. Schnell shared she recently filled in her pool to help with the drought and build a garden, and chose Sonoma Compost fill and soil. Ms. Schnell shared that after a lot of research, Sonoma

Compost was the only choice due to their high quality, as soil scientist Will Bakx is passionate about the business and what he does.

Ms. Schnell shared that when she first moved to Sonoma County, her spouse was recovering from cancer, and they were supported by Ceres food and touched by Sonoma Compost before they realized they existed. Ms. Schnell added that Sonoma Compost helped create the garden that Ceres grew their food on. Ms. Schnell shared the life expectancy of her spouse was two years and they now are going on five years, and she believes it's due to the food they eat, provided by Ceres and due to Sonoma Compost.

Ms. Schnell explained that famous basketball player Will Allen has created composting in Chicago, Milwaukee, and other areas and getting awards, grants, and honorary doctorate degrees for the work he is doing in the urban composting and gardening movement. Ms. Schnell asked why Sonoma Compost is being sued instead of receiving awards and support.

Randy Stephens, Sonoma County Resident, stated it's been claimed that proximity to the Central Landfill and Sonoma Compost are detrimental to property values, and he lives exactly two miles from there and assures that nothing is detrimental to property values in his neighborhood. Mr. Stephens stated he believes being close to Sonoma Compost increases the value of his property, as he doesn't have to travel far to remove his yard waste and obtain their materials.

Ron Bartholomew, Sebastopol Resident, stated he has been a volunteer with Ceres Community Project for the last seven years, and explained Ceres is an organization that had 500 youth volunteers last year and provided 85,000 meals to 600 families in Sonoma County. Mr. Bartholomew added that Sonoma Compost donated all their compost for their organic garden behind O'Reilly Publishing in Sebastopol, and it's a community company that should be commended for the work they do in the community. Mr. Bartholomew implored the Board to find a way to keep Sonoma Compost in the county.

Reuben Weinzveg, 25 year Sonoma Compost Customer, expressed he is pleased with the efficiency of being able to take his trailer full of yard waste, and at the same time fill it up and bring it home to compost his garden. Mr. Weinzveg stated that this issue has been on the table for three years, and compared what is happening today to that of rearranging the deck chairs on the Titanic. Mr. Weinzveg added that he feels the bickering and lack of leadership that goes on between the large and small Cities in the County has resulted in this tragedy.

Caitlin Hachmyer, owner of Red H. Farm, a diversified vegetable production in Sebastopol, shared that each year she uses over 100 yards of Sonoma Compost product. Ms. Hachmyer stated the success of her business relies directly on the hard work of the Sonoma Compost team and the countywide organic waste system, and added she knows this to be true of many of her small scale grower and large scale grape grower colleagues as well.

Ms. Hachmyer stated she holds a Masters Degree in Urban and Environmental Policy and Planning from Tufts University in Boston Massachusetts, and cities like Boston are just beginning to think about and implement the earlier stages of municipal organic waste system. Ms. Hachmyer added that Massachusetts is in constant competition with California regarding progressive policy, and pointed out that mandated organic waste composting only began in late 2014, and only applies to commercial facilities. Ms. Hachmyer highlighted that the waste system of the San Francisco Bay

Area and the North Coast are absolutely the leaders in the field, and the innovators being looked to as an example from across the country.

Ms. Hachmyer stated that among international dialogue concerned with greenhouse gas emissions, hunger, and food waste, Sonoma County leads in functioning policy and infrastructure. Ms. Hachmyer added that shutting down Sonoma Compost would be a little step backwards, and as leaders in sustainability, this would not just hurt the agricultural community, it will reflect negatively on the entire community and on those who lead it. Ms. Hachmyer asked that Sonoma County continue to be a national leader in sustainability, and encouraged the Board to do whatever possible to keep Sonoma Compost open.

Mike Mc Morrow, Santa Rosa Resident, stated that since the County's Landfill filled up, the County has been outhauling all the trash at a cost of what he believes to be close to \$200 per ton. Mr. Mc Morrow stated there's a hundred tons of waste that goes into Sonoma Compost each year, which is going to add to what's being outhauled, making the cost enormous. Mr. Mc Morrow highlighted that Sonoma Compost is a gem and a model, and asked the Board not cave.

Steven Anderson, independent landscaper and gardener in Sonoma County, stated he has spread countless yards of compost for vegetable and flower gardens, and added that it's the single most important supplement you can put into the soil. Mr. Anderson shared he had a client last year who was starting a garden very late in the year, yet with the use of Sonoma Compost products, her garden surpassed others in the area. Mr. Anderson stated Sonoma Compost is a great facility to have locally, and added that Will Bakx is a passionate soil scientist. Mr. Anderson highlighted that the compost helps maintain the soil moisture, therefore helping the drought situation and producing the finest quality vegetables. Mr. Anderson added it would be a real tragedy if anything happened to Sonoma Compost, because it maintains itself and has excellent products. Mr. Anderson recommended that everything possible be done to keep Sonoma Compost.

Sheila Baker, Petaluma Resident, shared she is currently gardening with Arroyo Community Garden, and added that they are amongst other gardens who use and depend on Sonoma Compost in this County. Ms. Baker shared that the senior housing unit she lives in has a couple garden boxes, one of which is their best box and donated by the Master Gardener's Program with Sonoma Compost material, and they are successfully growing vegetables. Ms. Baker added she has volunteered with other community gardens in the county, and there is no community garden success without Sonoma Compost.

Doug Bosco, Santa Rosa Resident, shared he has been using Sonoma Compost for decades and uses it for the community garden where he lives. Mr. Bosco stated he has attended countless meetings on the subject of garbage and compost, most sponsored by the Climate Action Campaign, and commented that if talk could solve this problem it would've been solved a long time ago. Mr. Bosco added that every aspect of this has been repeatedly hashed over and the Board is faced with the reality to change the equation, as there's neighbors in lawsuits and a water quality issue. Mr. Bosco shared that for a while he thought perhaps the freight train could be used to export yard waste, as it would at least cut down on the greenhouse gas emissions of trucks, but after some research found out it's not a possible solution, as there are no places on the rail to take that quantity of compost.

Mr. Bosco shared that while he was in Europe this summer he visited a site near the Frankfurt Airport, where there is a brand new facility called an In-vessel facility. Mr. Bosco explained that it

takes over 100,000 tons of yard waste, similar to this county's situation, and in twenty-one days process it into high quality compost, without a drop of water being emitted from that facility and every ounce of water is recycled. Mr. Bosco added there are no odors from that facility, it's energy self-sufficient, and produces five megawatts of power. Mr. Bosco stated there are fifty of these facilities in Europe, and questioned why technology has not been looked at as a solution to this problem. Mr. Bosco shared that a chief engineer of the facility in Europe visited the Central Landfill when she was in the USA and thought Sonoma Compost did an excellent job, but it was her feeling that the Central Facility is technologically outdated. Mr. Bosco stated that this facility could be built on three and a half acres in one and a half years, and could be done with the same people from Sonoma Compost. Mr. Bosco stated that he believes there are other solutions the Board could look at.

Naomi Bosch, Sonoma County Resident, stated she grew up attending the Oak Grove Union School District, where a dedicated team of educators have created an innovative program of early grade environmental education, supported in part by Sonoma Compost. Ms. Bosch added that Sonoma Compost contributes rich material for school gardens. Ms. Bosch shared that her early grade experiences engaging with topics like gardening, soil water quality, and waste management are part of the reason she decided to pursue a degree in environmental analysis in college; with the specific intent of becoming an environmental educator advocate to help connect more schools to the kind of resources that made her education so rich and meaningful.

Ms. Bosch shared she is 22 years old and has not known this county without the presence of Sonoma Compost. She added that the services they provide represent an integral and irreplaceable part of Sonoma County's infrastructure. Ms. Bosch stated she believes that their presence in her life has helped make her a more informed, politically active and socially conscious citizen, and added that Sonoma Compost represents the kind of resource she wants to see more of in the world as an educator and resident of Sonoma County. Ms. Bosch added that through their business innovation, creativity, and strong environmental and social responsibility, they provide valuable material goods and model sound environmental life principals for the people of Sonoma County.

Bob Besso, Santa Rosa Resident, stated he has been a Santa Rosa resident for about a year and a half, and lived in San Francisco prior to that. Mr. Besso shared he worked for the San Francisco Waste Collection Company Recology in San Francisco for thirty years as the recycling program manager. Mr. Besso explained he was responsible for both the recycling and the composting operations for the entire city. Mr. Besso shared that it's not easy to run a composting program, and added that Sonoma Compost started at about the same time he began his employment with Recology. Mr. Besso added that Sonoma Compost has operated under some very difficult conditions, yet they have been successful in producing a quality product that's certified by OMRI.

Mr. Besso expressed the importance of keeping organic material out of the landfill, as it creates methane, as well as the importance of composting in the sequestration of carbon in the soil. Mr. Besso highlighted the importance of compost in providing the ability to meet State mandated waste diversion goals, and added that Sonoma Compost has earned the right to continue their operation, as they know what they are doing and are doing it well. Mr. Besso added that Sonoma Compost is needed in the county to help with local organic, and Sonoma Compost needs the Board's support to continue their operation.

Pam Davis, Sonoma County Compost, acknowledged those present in support of Sonoma Compost, and added that many Board members have been taking an active role in trying to find solutions and have been working closely with Sonoma Compost. Ms. Davis stated the Board and staff have been amazing, and together have come up with a lot of outside the box ideas. Ms. Davis added that some have been viable, and others have not. Ms. Davis shared that many Board members have worked hard to help identify some positive solutions regarding ponds, and have worked together and developed a Zero Discharge Plan that the Water Board has accepted, which included shrinking the site, outhaul, and pumping of water. Ms. Davis added that there's been talk about use of the pipeline, and some of the things have turned out to be feasible, and some not so much. Ms. Davis stated the people in the room have really worked hard to come up with some solutions, and she wanted to acknowledge and thank them for their work on that.

Ms. Davis cautioned that there are some unintended consequences of having to shut down the compost program, and added there is an economic impact, as there are tens of thousands of customers who use the products. Ms. Davis stated some are small backyard farmers who buy one or ten yards per year, and others buy thousands of yards every year. Ms. Davis stated that there could potentially be the loss of an important local resource, and added she concurs that it takes something to produce this product. Ms. Davis stated garbage companies and landfill operators are not necessarily going to be looking at this as a resource, but more as a waste management problem. Ms. Davis highlighted that they have created a successful business that's producing 90,000 cubic yards of compost every year, and added there's a market for that material, and not many other compost operations can claim that.

Ms. Davis stated there is a large cost for outhaul to be faced, and added that if this was a water quality issue it would've been worked out by now, as there is a Zero Discharge Plan before the Water Board. Ms. Davis stated she believes it runs a little deeper than that, and urged the Board to continue to work with the County and Sonoma Compost to find a solution to keep compost in the county and move forward with identifying the site selection and completing the EIR for the new facility. Ms. Davis asked that a group of naysayers not be allowed to dictate policy and shut down this important resource. Ms. Davis added that Sonoma Compost helped identify the new site, and added that the Central Disposal Site was not even considered in the EIR, and they were able to identify the site and pay for engineering to show that site was feasible. Ms. Davis added that part of that had to do with new technology and looking at aerated static piles. Ms. Davis added that Sonoma Compost has looked at the technology, and added it's an issue of permitting and moving forward.

Wendy Krupnik, Northcoast Chapter of Community Alliance with Family Farmers, urged the Board to find a solution that will maintain in-county composting contracted by Sonoma Compost. Ms. Krupnik highlighted that Sonoma Compost has always gone above and beyond to provide an outstanding product and a service to the community in many ways. Ms. Krupnik stated that Sonoma County cannot afford to lose this precious asset, and added they have filled a critical need to the local food and farming community and food system. Ms. Krupnik questioned where the food is going to come from if Sonoma County does not grow its own food. She questioned what it will do to the local economy and to the big picture if it's imported from places like Chile and Mexico. Ms. Krupnik stated that Sonoma Compost produces certified organic products which boosts soil fertility, water holding capacity, and reduce erosion. Ms. Krupnik added that local composting plays a critical role in moderating climate change and losing local composting would be a devastating set back, increasing greenhouse gas emissions, while reducing carbon uptake in the soils. Ms. Krupnik asked that Sonoma Compost remain open.

Tim Schaible, Canvas Ranch, shared they have a forty acre ranch and farm, and produce ten acres of organic vegetables and about twenty acres of ancient wheats. Mr. Schaible highlighted that agriculture in Sonoma County is the biggest draw for visitors outside the County, and added that losing Sonoma Compost would be a major mistake. Mr. Schaible stated he hopes the Board will understand that Sonoma Compost needs to remain, and added that his ranch uses 150 yards of compost every year, which goes into their fields to replenish their pastures and into their ten acres of produce to produce wonderful vegetables. Mr. Schaible asked the Board to reconsider keeping Sonoma Compost here.

Christine Condon, stated she's a Sustainability in Green Building Consultant for a firm located in Santa Rosa, and is aware of the carbon footprint from hauling anything out of the County. Ms. Condon stated that her perspective in speaking today is as having worked as a biodynamic consultant for Sonoma Compost, helping them through the rigorous certification process to meet the demands of the local vineyards that need local sources to be certified as biodynamic vineyards.

Ms. Condon added that in walking around the Sonoma Compost site with a representative from Demeter, which is the certifying organization for biodynamics, the representative continuously commented on how meticulously clean and beautiful the Sonoma Compost facility was kept. Ms. Condon stated she understands there are challenges and a lot of technologies and options available, but she doesn't think the county can afford to lose this resource and the expertise of Sonoma Compost. Ms. Condon added that Sonoma Compost has a lot of local connections and a local perspective at this point in time, as the county moves towards a sustainable Sonoma County. Ms. Condon urged the Board to find a solution and to not allow there to be a gap in service.

Ms. Condon shared she personally uses the products, and added they meet the rigorous OMRI and Demeter certification standards, and produce a beautiful product. Ms. Condon stated many people all over the county and in the region use Sonoma Compost products. Ms. Condon stated there is a high level of demand they have met, and they have used innovated approaches to experiment with new technologies, including aerated compost piles, and pilot studies for working with food waste. Ms. Condon stated that working as partners with Sonoma Compost can only get better, and urged the Board to work with Sonoma Compost to find solutions to continue their operation without a gap.

Joy Ambra, Petaluma Resident, shared she recently attended a free event held at the Petaluma Seed Bank, to learn about the importance of compost and what it takes to make it. Ms. Ambra added that she has been using it for fifteen years and didn't understand all the intricacies of how it's produced. Ms. Ambra shared that Will Bakx from Sonoma Compost spoke regarding the depleting soils of the world and what an impact this is. Ms. Ambra shared she believes the company should be commended for their continuing education and forward innovated methods, and hopes it continues to say instead of being reprimanded.

Evan Wigg, Farmers Guild, Sonoma County Food Systems Alliance, said he is also representing approximately 2,800 people who signed the petition put out about a week and a half ago. Mr. Wigg stated the petition is simply asking to find solutions to keep Sonoma Compost alive and the county's green waste stream sustainable. Mr. Wigg stated keeping compost local in Sonoma County is imperative not simply to the sustainability and the viability of local agriculture, gardeners, and landscapers but also to maintain the spirit of Sonoma County. Mr. Wigg shared he

is lucky to work with farmers and sustainability advocates across the state and hopes Sonoma County remains an example of something other counties and communities can look to as an example of something they can strive towards. Mr. Wigg stated if he has to say Sonoma County imports compost to grow local food, he would see that as a hard hit and a sad point when it comes to Sonoma County remaining a leader.

Mr. Wigg urged the Board to read the petition, which is not only to keep Sonoma Compost, but suggests a viable option to maintain the production of Sonoma Compost on a reduced level until they can find a new space. Mr. Wigg asked the Board to take into account the many credible people who have shown up and those who have signed their petition but are unable to attend because it's a workday, and added that the number of people who signed their petition rises by dozens every day.

Anna Simson, Sonoma County Resident, stated she's a mother who is interested in doing things she can be proud of for her son when he gets older. Ms. Simson shared she lived in Oakland, and it's not that easy to grow a tomato in Oakland. Ms. Simson shared she moved to Sonoma County approximately five and a half years ago, went to Sonoma Compost and had a lot of compost put in her yard. She added that while she's not a fantastic gardener, her tomatoes grew seven feet tall. Ms. Simpson stated that Sonoma Compost has an amazing product, and added that she doesn't know about the other issues, but wanted it to be noted she is in support of the great product they are making.

Leandra Swent, former officer manager for Sonoma Compost, shared she held that position twenty-five years ago, when it was a very small operation. Ms. Swent highlighted Will Bakx built the compost facility from scratch, to the successful business it is today. Ms. Swent added it's not only due to his extensive soil science knowledge, but also because he has a key role in the community. Ms. Swent stated that Mr. Bakx is loved throughout this county due to his countless hours of volunteer work and giving back to the community.

Ms. Swent shared that while she no longer works with Mr. Bakx, she has remained a close friend of his over the years, and has personally seen the time and dedication he has put into the business, and added he is becoming one of the most knowledgeable soil scientist about the state of our composting facilities. Ms. Swent stated that Will Bakx is a leader in this community to be proud of and a person the community wishes to see stay active and representing Sonoma County and moving forward in the next generation of composting facilities. Mr. Swent added that it's believed that Mr. Bakx and his team at Sonoma Compost are the best people to move this project forward and continue to put Sonoma County on the map for a truly successful composting program. Ms. Swent asked that Sonoma Compost be kept working through this transition time and to support Will Bakx in bringing an improved facility.

Hillary Smith, Penngrove Resident, stated Sonoma County is filled with home gardeners, small farmers, and landscapers. Ms. Smith stated she happens to be all three, and added she has a small gardening business called Earthly Delights Gardening in Petaluma, works for The Cyper School, which has the community's autistic children, and they have a small farm on Park Service Land on Casa Grande Road. Ms. Smith added she gardens at home and has been using products from Sonoma Compost for fifteen years, and as many in the room, can speak to how amazing it is. Ms. Smith shared she has been stuck using other products on a few occasions, and it's like sawdust in comparison.



Ms. Smith shared it's an emotional issue for her, and stated she thinks of community service when she thinks of Sonoma Compost. Ms. Smith shared she took a soil science class at the Junior College and toured the facility with her class, and added that Sonoma Compost provides free compost all over the county. Ms. Smith stated the county's food and wine also benefit from Sonoma Compost, and added that the soil, water, resources, and people need Sonoma Compost. Ms. Smith asked the Board to do everything they can to save Sonoma Compost.

Erin Axelrod, 27 year resident of Sonoma County, stated she's a long time gardener and farmer, and she can't imagine a place where the county's green waste gets shipped out. Ms. Axelrod added it's only a waste if you waste it. Ms. Axelrod shared she wanted to call attention as a long time advocate of compost and recipient of countless yards of compost, that the amount of compost disbursed is protecting the water ways at a regional level, increasing the soil water holding capacity, and increasing organic content. Ms. Axelrod added the benefit is so much larger across the communities and actually decreasing the potential for nutrient and sediment loads in the water ways.

Ms. Axelrod called attention to the Marin Carbon Project, which has verifiably hard data that shows that compost application on rangelands in the communities can actually draw down and sequester carbon. Ms. Axelrod stated that compost is actually a solution to some of our climate crises.

Ms. Axelrod shared that earlier this month she led a group of forty-five business leaders on a tour of compost application on rangeland solution, and added that business leaders like Nutiva, the three hundred million dollar super foods company, are looking to use compost application as a solution to mitigate their greenhouse gas emissions. Ms. Axelrod added that the limiting factor is access to high quality compost. Ms. Axelrod stated that if institutions like Sonoma Compost are lost, the opportunity to actually help address one of the biggest ecological challenges and crises is lost. Ms. Axelrod recommended keeping Sonoma Compost as a keystone business in the community and a key solution to some environmental challenges.

Barry Vesser, Center for Climate Protection, thanked the Board for patiently listening to all the comments, and pointed out that it's clear from so many people's comments that Sonoma Compost is a precious resource in the community no one wants to lose. Mr. Vesser stated that Sonoma Compost contributes to the local economy and environment, and added that additional greenhouse gases that would be generated by having to outhaul compost would be moving in the opposite direction, and not in accord with the County's climate goals. Mr. Vesser stated he recognizes that the Waste Management Agency is between a rock and a hard place. Mr. Vesser pointed out that there's State compliance, legitimate pond discharge issues, and there is a fabulous business gem that is doing a real service for the community.

Mr. Vesser expressed he hopes the Board will consider all means necessary to keep Sonoma Compost open, and hopes the Board will consider the following: A reduction in the scale of the operation to keep the facility open. Allow the current pond to be able to meet the discharge requirements. Give Sonoma Compost more time to either expand the pond or to find new facilities, as the operation reduction would allow meeting current discharge requirements.

Mr. Vesser encouraged the Board to negotiate as aggressively as possible with the State Water Board and let the Center for Climate Protection know how they can help to allow the composting

operation to go forward, as it provides a lot of benefits in the community. Mr. Vesser commented that it seems like there should be a way to find the win-win.

Roger Larsen, Happy Acres Resident, stated he has been at these meetings for over two years, trying to get an economically and environmentally appropriate composting facility built in this County. Mr. Larsen stated he believes composting is important and should be done locally, and disagrees it should be done at the top of the hill and at the expense of Stemple Creek.

Kathy Ferrando, Happy Acres Resident, thanked the Board for all the listening they have done over the past two years, and added she agrees with Mr. Larsen, and really believes in composting, in local sourcing, in an environmentally sensitive and appropriate place. Ms. Ferrando stated it would be great to have a brand new state of the art composting center, but in the meantime they have to live with the current situation, and the situation is not environmentally okay. Ms. Ferrando stated that the water at Stemple Creek and into Tamales Bay cannot continue to be polluted, and as a neighbor it's very difficult to live with the odor that's there. Ms. Ferrando stated they appreciate the Board's consideration of their request, and added that they very much support local composting and love the fact that all the people have turned out as democracy in action.

Dennis Rosatti, Executive Director of Sonoma County Conservation Action, stated his organization sent a letter dated May 6<sup>th</sup>, encouraging the Board to continue their leadership in keeping the green waste stream in Sonoma County. Mr. Rosatti added it's recognized that this issue is very complex, and added that no one wants to see county or state water ways polluted, but he's reassured that Sonoma Compost is working with the State Regional Quality Control Board on their discharge issues and hopes a solution can be found for a more permanent temporary solution until the new site is built.

Mr. Rosatti stated his organization wants to encourage the Agency to do whatever possible to finish the EIR process and find a new site for the compost operations going forward. Mr. Rosatti stated it's hoped that Sonoma Compost is the operator, as they have been a good community partner and a local business. Mr. Rosatti added that Sonoma Compost is working really hard to deliver a high quality compost product, and shared that a number of people he's talked to at meetings the last few weeks have said they are in the landscaping business and can't find another product anywhere near as equal to Sonoma Compost for what they can provide and deliver the cost of.

Mr. Rosatti encouraged the Agency to finish the work and select a new site, as it will alleviate a lot of the problems going forward, and most importantly keeping the green waste stream locally, as there's definite absolute environmental cost to outhaul. Mr. Rosatti encouraged the Agency to enable the current permit for composting to stay active in the interim, and added he believes Sonoma Compost is willing to get creative in order to accommodate the many different forces acting upon them. Mr. Rosatti highlighted that most importantly, the Agency has the support of a wide variety of community organizations, agencies, and people in this process to keep the green waste stream in Sonoma County. Mr. Rosatti stated he recognizes how complicated and challenging the issue is with all kind of lawyers and sides, and want to support and find a way to keep the green waste stream in Sonoma County.

Mattie Bosch, Bosch Landscapes in Sebastopol, stated she's a compostaholic and this issue affects her very deeply, as she can't imagine being without the green waste composting program. Ms.

Bosch stated that the projects built for their landscape clients depend on the quality Sonoma Compost provides. Ms. Bosch said she would be in dismay if they were reduced to using inconsistently smelly alternatives. Ms. Bosch stated that as a creatives consultant and a small business owner, she's learned the hard way that when her head is down in the trenches, she can sometimes lose the big picture and end up solving for the wrong problem. Ms. Bosch added that she is present at this meeting because she's concerned that Sonoma Compost, an irreplaceable natural resource, could be wasted simply for the sake of a quick fix.

Ms. Bosch shared she remembers back before Sonoma County began the composting program, there were several quick fix proposals for diverting the debris from the landfill, but Sonoma Compost solved for the longer view and didn't see it as a waste problem but as a valuable resource. Ms. Bosch stated that their plan proposed local value benefits and a high quality finished product that generates revenue rather than incurring cost for disposal. Ms. Bosch commented that it's now taken for granted, but back then it took wise leadership to go where no county had gone before. Ms. Bosch added these are the kinds of solutions that make the name Sonoma County synonymous with natural beauty and quality of life. Ms. Bosch stated she remembers the pride she felt back then, when Sonoma County chose to work with Sonoma Compost, and time has proven it was a wise decision.

Ms. Bosch stated that sustainable solutions like this are now becoming more accepted as healthy strategies that add muscle to the County's infrastructure, build a local economy, and respect valuable resources. Ms. Bosch explained that when most people think of gardens they think of pretty flowers and plants, but a wise gardener understands that what goes on below the surface is crucial to success. Ms. Bosch added that building good soil helps increase the garden's ability to thrive and endure and survive under stressful conditions. Ms. Bosch stated that it is unknown what the future will bring, but one can be assured that growth and change will bring the County more challenges and more problems to solve. Ms. Bosch suggested that in order to thrive during growth, it would be wisest to begin, dig in, and continue building on the strength and resilience already gained from valuing resources and solving for the right problem. Ms. Bosch stated that Sonoma Compost is a proven asset, and their expertise, experience, and commitment is irreplaceable. Ms. Bosch added that they are much too valuable of a resource to be wasted for a quick fix.

Chair St. John thanked the twenty-seven individuals who shared their comments and those in attendance. Chair St. John acknowledged the Board has to make a very difficult decision, and added that closed session was continued so the Board could hear the public comments before having to make a decision in closed session on the legal matter.

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

- 6.1 Minutes of April 15, 2015 Regular Meeting
- 6.2 Compost Zero Discharge Plan Update Report
- 6.3 3<sup>rd</sup> Quarter Financial Report
- 6.4 Load Check Agreement
- 6.5 E-Waste Collection Agreement

## **Public Comment**

None.

**Susan Harvey, City of Cotati, motioned to approve the consent calendar and Bob Cox, City of Cloverdale, seconded the motion.**

**Vote Count:**

Cloverdale	Aye	Cotati	Aye
County	Aye	Healdsburg	Aye
Petaluma	Aye	Rohnert Park	Aye
Santa Rosa	Aye	Sebastopol	Aye
Sonoma	Aye	Windsor	Aye

AYES -10- NOES -0- ABSENT -0- ABSTAIN -0-

**Motion passed unanimously.**

**Regular Calendar**

**7. FY 15-16 Final Budget**

Patrick Cater, Agency staff, stated not much has changed from the draft budget presented to the Board last month. Mr. Carter added that Staff has looked at different costs related to the composting program; being a hundred percent outhaul or continuing the existing program. Mr. Carter explained that staff has looked at those costs and what revenues would be necessary to cover those costs and have a balanced budget without structural deficits. Mr. Carter added that staff has taken the worst case solution and put that into this budget, so the Board has flexibility to make whatever decisions it needs to regarding that program, and not have to amend the budget significantly.

Mr. Carter stated it's a flexible budget and added that if the revenue is not needed or if there's a solution that doesn't incur as many costs as included in the budget, staff will not use those funds and there will not be a need to increase the tip fees for the yard waste and wood waste cost centers to account for those extra costs. Mr. Carter stated the budget reflects the direction given by the Board, and staff can answer any Board questions.

Mr. Schwartz asked if there's money in the budget for hiring an outside construction manager should it be decided to add that resource if a new facility were to be constructed.

Mr. Carter replied that was not put into this budget but it could easily be amended, as there are funds in the Organics Reserve to cover those costs.

**Public Comment**

None.

**Mr. Sawyer motioned to approve the FY 15-16 Final Budget and Ms. Harvey seconded the motion.**

**Vote Count:**

Cloverdale	Aye	Cotati	Aye
County	Aye	Healdsburg	Aye
Petaluma	Aye	Rohnert Park	Aye
Santa Rosa	Aye	Sebastopol	Aye
Sonoma	Aye	Windsor	Aye

AYES -10- NOES -0- ABSENT -0- ABSTAIN -0-

**Motion passed unanimously.**

## 8. New Compost Site Report

Mr. Mikus stated this report is similar to what was presented to the Board in April, but it was requested the report be cleaned up, simplified, and brought back before the Board. Mr. Mikus referenced the chart on page 102 of the agenda packet and explained it was the chart staff presented at the prior meetings, and added the chart has been adjusted to try and get the cost analysis a little clearer. Mr. Mikus shared there was concern last time that some of the numbers didn't match exactly with the construction cost estimates prepared by the engineer, and added it makes sense, because the cost estimate presented by the engineer is a onetime lump sum to build a site.

Mr. Mikus explained the revised chart looks at how that total cost would affect the annual expenses, which means the annual fees to be paid to an operator, which is the revenue needed from tip fees, and is somewhat of a different matter. Mr. Mikus explained that analysis has to take into account amortizing cost constructional growth for a fixed period of time, in this case, twenty-five years. Mr. Mikus added that it has to recognize that there are annual operating expenses such as diesel fuel, labor expenses, and utilities. Mr. Mikus further added that it also has to recognize that there are other items such as certain categories of capital equipment that cannot be amortized over twenty-five years, and needs to be amortized over a much shorter period of time.

Mr. Mikus explained that in order to make the chart match the cost estimates, staff started with the all inclusive total cost estimate, took out the upfront equipment cost, because it would be amortized differently, and came up with a net construction and development cost. Mr. Mikus stated that the construction and development cost for Central to full build-out would be \$41.8 million dollars, which would then have to be amortized over twenty-five years. Mr. Mikus added that amortization at 6 or 6 ½ percent over twenty-five years was \$3.2 million dollars per year. Mr. Mikus stated that the equipment cost amortized over ten years as opposed to twenty-five was just under half a million dollars, and added that the estimate for the annual operations cost was \$2.7 million, giving an annual operating cost of almost \$6.5 million dollars.

Mr. Mikus highlighted that the annual cost or operating cost per ton at over 200,000 tons is \$32.34, and pointed out that is somewhat higher than the fee the Agency is currently being charged by Sonoma Compost for them to process the Agency's materials. Mr. Mikus stated that subsequent to that, the county per ton land lease fee of \$1.50 per ton and the MOA fees have been added to give what a net per ton fee might be for building the full build-out. Mr. Mikus stated that is compared to the current situation of approximately \$35 per ton at the gate.

Mr. Mikus stated the Board asked that staff be a little more defined on how phasing is shown, and added that last time cost estimates were presented for a four phase build-out. Mr. Mikus added that in order to make an equivalent comparison as far as what costs would be on day one, Staff used what it would cost if Central were built, and it were phase one only. Mr. Mikus stated that a similar analysis was done starting with the engineers cost estimate of \$28 million, less the same upfront equipment cost, and it gave a construction development cost of approximately \$25 million dollars, which would have to be amortized. Mr. Mikus stated that would be \$1.9 million per year. Mr. Mikus added the equipment is the same, which is approximately \$449,000.

Mr. Mikus stated that the yearly operations would be somewhat less, because it would be processing less material initially, and added that based on 100,000 tons at start up, that came out to \$46.64 per ton. Mr. Mikus further added that adding the County land lease fee and the MOA would be \$67.24. Mr. Mikus stated he hopes that has made a little more sense as to how the cost estimate drove the analysis of the per ton cost and what might be expected to have to pay to an operator if a design build operate scenario was done.

Ms. Harvey pointed out these are per ton figures, and doesn't see anywhere where it says at the rate payer level how much that generally means at the can.

Mr. Mikus replied this would represent a net raise of approximately \$20 per ton over what's being paid now, making it a \$1.00 to \$1.75 range, if he remembers the chart correctly.

Mr. Schwartz thanked Mr. Mikus for improving the report since the last time. Mr. Schwartz stated his understanding is the Board has expressed considerable interest in doing the phased approach over the long run, and the total cost for that is on page 103, which is \$52 million. Mr. Schwartz asked for confirmation that the approach that seems most likely, which is a full phase approach, is not reflected in the original chart on page 102.

Mr. Mikus replied that the reason for that is because this is a snapshot in time and comparing two scenarios. Mr. Mikus added that the common point where you have that is day one start up, and as time goes on that changes and they tend to divert from each other, and you can no longer make a real easy comparison.

Mr. Schwartz asked which line on the chart is the most comparable to the \$52 million dollar number.

Mr. Mikus replied the chart just looks at full build-out, which is the engineers estimate, and added that the comparison is how it would work if you only built phase one. Mr. Mikus stated that's what needs to be discussed, what it's going to cost; what the contractor is going to charge when you start the process.

Mr. Schwartz replied he would hesitate to agree with that statement, that the Board would just look at what you're going to start at, when talking about a twenty-five year commitment. Mr. Schwartz added that for his city that's not an accurate statement.

Ms. Fudge stated she wished to clarify Mr. Schwartz assumption, and added that the \$52 million dollar figure was dropped \$10 million at the last meeting, so when June estimates were revised, it showed to be lower, at \$42 or \$44 million.

Mr. Schwartz asked why it says \$52 million on the chart.

Mr. Mikus apologized for disagreeing with Ms. Fudge and explained that the \$54 million was from October; which was the estimate before some of the double counting was reconciled. Mr. Mikus explained that the \$52 million is the summary of all four phase build-outs, and pointed out that there are four sheets in the packet that show each phase at a time. Mr. Mikus added that there's clearly a loss of efficiency with phasing. Mr. Mikus stated that when staff first got the numbers a month ago, there was a concern about them, and there was a conversation with the engineer and the numbers were looked at.

Mr. Mikus stated that to obtain a quick sense if the numbers made sense or not, he looked at four basic categories. Mr. Mikus said he looked at some of the concrete work, asphalt work, engineering design, and construction management. Mr. Mikus stated he could see those were the places where things might change if a phase were done rather than a full build-out. Mr. Mikus explained that if you look at the asphalt numbers, there's a lot more money in asphalt when you phase than when you do it once, because as you build a piece of the site, you have to take some out and add some back in as is the case with concrete, construction management, and design, therefore there's a big difference in cost in phasing due to the loss of efficiency.

Mr. Schwartz inquired if phase one costs would handle all the green waste that's currently coming to the facility.

Mr. Mikus replied affirmatively.

Mr. Schwartz stated that in comparison to the number on page 103, not including increased MOA fees, operator profit, and administrative costs, it's \$9.00 per ton more to compost in the county as opposed to outhaul. Mr. Schwartz stated that page 103 says it's \$58.00 per ton to cover the cost of out-hauling, in comparison to the \$67.00 per ton on page 1, which both match currently, so it's a \$9.00 per ton difference, not including increased MOA fees or other county fees, and the charges from the operator. Mr. Schwartz noted that the cost is \$9.00 per ton plus to compost as opposed to outhaul.

Mr. Mikus replied that is the case if it's built as a phased approach.

Mr. Schwartz acknowledged that the dynamics change if it's all built at once; making it \$58 million in comparison to \$53 million. Mr. Schwartz noted that the \$53 million estimate does not include the higher rent cost over time, any profit, or administrative costs. Mr. Schwartz inquired regarding the assumptions as to what the increase in volume would be from 100,000 to 200,000 tons over time, and asked Mr. Mikus to explain how those numbers are reached.

Mr. Mikus replied there is no way to be sure, and added that when the analysis was done last month, staff divided the 25 years into quarters based on building another phase every six years. Mr. Mikus added that is one of the variables that makes it difficult to predict twenty-five years in the future, as it's unknown if phase two would be built in two or ten years. Mr. Mikus added that staff tried to have a discussion with some of the people involved, and added he spoke with Rick Downey about how they anticipated the Materials Recovery Facility (MRF) generating more green waste, and how they would meet some of the diversion needs. Mr. Mikus added that staff tried to use some of Mr. Downey's input to look at how the phase build-out might be offered. Mr. Mikus

added that it seemed like the easiest and most sensible way is just to assume it would happen in progress over time and equal time increments.

Mr. Schwartz stated that in the absence of that information that seems reasonable as anything else, and added that if this is going to be built in phases it should be done consciously knowing more is being paid to compost than to haul by over \$9 per ton at least during the first phase, if the numbers are reasonably accurate.

Mr. Mikus replied that it indicates that phase construction has some disadvantages the Board would have to consider.

Chair St. John stated that a cost for 200,000 tons for the full build-out needs to be considered, which is appropriate at the end of twenty-five years, but there are not 200,000 tons in the early years. Chair St. John stated it needs be pointed out that the estimating cost per ton under the build out scenario would be much higher in the early years, when you don't have 200,000 tons. Chair St. John pointed out that the Agency is not even at 100,000 tons now, but if the Agency were to be at 100,000 tons on day one with full build-out, that cost would be \$64.00 plus the County overhead, which would put that cost over \$84 per ton, if build-out were to take place on day one. Chair St. John pointed out there is a reason for phasing and where you start to reduce those cost because you're trying to spread those initial costs over a smaller volume in the earlier years, until you grown and get to your 200,000 tons, where you start seeing the efficiency in the build-out option. Chair St. John cautioned that they need to be a little careful on that one.

Chair St. John stated he heard Mr. Mikus say he estimated 6-6 ½ percent on the assumption that most of the \$45 million will be borrowed to build the facility.

Mr. Mikus replied he wasn't assuming it was the Agency borrowing, it's whoever would finance it.

Chair St. John acknowledged and added the interest rate seems high for public sector.

Mr. Mikus replied he tends to assume to be conservative.

Chair St. John stated that's a significant assumption in terms of the operating cost, therefore the cost per ton is a very sensitive number.

Mr. Mikus replied he ran it at 5 ½, 6, and 6 ½ percent, and the difference wasn't that significant.

Ms. Harvey stated she wants to understand what Mr. Schwartz was alluding to regarding that it may be closer to haul, but as the Board heard this morning, there is a strong desire in the community to have local composting and also technology that will deal with water and odor. Ms. Harvey added there's a cost associated with that, and while it may ultimately be more expensive to have a facility, it comes down to the desire of the people to have composting local in the county, in a regional solution, or just haul it somewhere else because it costs less. Ms. Harvey added that haul has other unintended consequences like the greenhouse gases and not having the availability of compost.

Mr. Mikus replied that there are also a lot of things you know may happen, but you can't really put a finger on. Mr. Mikus stated that for example, when comparing haul figures to construction cost, you're looking at today's numbers. Mr. Mikus added that if you talk about out-



hauling for a length of time, there's no guarantee those numbers are going to stay the same. Mr. Mikus pointed out that he would expect trucking costs to go up over time, and added it's impossible to put all that together and try to have it make some sense.

Susan Gorin, County of Sonoma, agreed there is significant community expression about maintaining the local company. Ms. Gorin stated she thinks it's really important the Board understand the difference between out-hauling and local composting, because the elected need to be able to explain to the rate payers if it makes sense. Ms. Gorin stated that if it's a small incremental cost for local composting, that is easier to explain. Ms. Gorin added that if it's a large increment, and even acknowledging Mr. Mikus comments, it's unknown if the sites to outhaul to are going to stay in operation over twenty-five years. Ms. Gorin stated there's a lot of uncertainty, and added that it has been agreed repeatedly as to the value of local composting and have all agreed that they don't want to transfer that responsibility and assume an increase in greenhouse gases. Ms. Gorin stated that the county should deal with what it generate here, but the can rate dollar figure or the total cost per tonnage needs to be reached.

Mr. Carter added that the \$58 dollars per ton to outhaul is with the lowest cost figures and using the closest facilities at the lowest price. Mr. Carter added that when talking about out-hauling more than 100,000 tons per year, further facilities will need to be used that have a longer haul distance, for more cost and more expensive disposal fees once you get there. Mr. Carter added that if it were just 100,000 tons that's one number, but if they wanted to look at all the green waste and food waste and composting that, that involves much higher numbers. Mr. Carter added that it is stated in the report potentially as high as \$98 per ton.

Mr. Schwartz stated he appreciates the number is likely to go up, but he is concerned there are no good predictions about what that might be. Mr. Schwartz added that the last five to ten year growth is unknown, which might be a reasonable way of projecting growth in the future. Mr. Schwartz agreed that outhaul costs could go up, but disagrees with staff's comment that there's not a way to run the \$52 million dollar scenario through the same kind of chart provided. Ms. Schwartz stated staff is essentially saying there is a choice of the full build-out, which doesn't make sense economically, and there is the phase one option, which also based on the current numbers doesn't make sense from just the economic perspective. Mr. Schwartz stated there's an unknown, and added he thinks staff should be capable of filling that gap. Mr. Schwartz added it's concerning to him that the Agency is not able to be transparent because they don't have even best estimate numbers about what the full \$52 million dollar cost would mean over time.

Mr. Schwartz added he agrees very much that there's absolutely an astronomical cost of out-hauling and there's a desire to keep composting, but added he hopes that decision is made with eyes open and conscious of what the rate payers are being asked to pay as opposed to just because it sounds like a good thing to do.

Mr. Sawyer inquired what staff time or consultant time it would take to tighten those figures and come up with some scenarios. Mr. Sawyer acknowledged the difficulty in looking out twenty-five years.

Mr. Mikus replied it can be done, but you start getting into exponential curve assumptions and the reality or accuracy is lost with additional assumptions.

Mr. Sawyer stated everyone's goal is to make an informed decision, and he's not sure if everything has been done to provide the kind of information necessary for the Agency Board to make the decision they can justify to the ratepayers. Mr. Sawyer added that it's beyond the ratepayers, the can rate, and they need to be sensitive to that, because this is not the only cost involved in composting. Mr. Sawyer added there are many factors, many which were heard during public comment. Mr. Sawyer asked if it's possible to get a little tighter in the numbers to be able to justify them to the community, and added the Board needs to be able to make that kind of decision. Mr. Sawyer stated that if there's some ambiguity to the numbers, even based on projections, he is looking for a way to get tighter numbers.

Chair St. John stated consultants do a great job providing estimates, but the estimate that matters is the proposal from a future operator. Chair St. John stated he believes the Agency is still talking about a term key kind of contract, whether it would be with Republic or someone else. Chair St. John added that operator is going to detail the design as they best feel it fits the needs the Agency Board establishes for air, water, and compost quality. Chair St. John added the Board would set those needs, and the operator will come in with a proposal and tell the Agency what they need to do in order to meet those quality requirements the Agency Board sets, and provide a price. Chair St. John added that's the price that matters, as that's the price that would actually be paid to an entity to do this work. Chair St. John added that point will not be reached until the Agency can get into the proposal process.

Chair St. John stated the numbers he's seeing are costs per ton, and asked for confirmation that these numbers are in the ballpark of what is seen in the market.

Mr. Mikus confirmed.

Chair St. John stated this convinces him that there is a solution that's in the ballpark, and they are not double market or ten times over market. Chair St. John pointed out the Agency has a project that is likely to provide a very market-cost product for the customers, and therefore he is ready to go to that next step and get those numbers, but not from the consultant or staff. Chair St. John stated he's ready to get those numbers from the entity that will really know what it will take and cost, and is willing to put that number on the table as a proposal for the Board's consideration for a term key contract.

Madolyn Agrimonti, City of Sonoma, stated she thinks there is some value of a snapshot, and feels that's what the Board has gotten. Ms. Agrimonti added that it's a place to start, provides the best they can at this moment, and added she's satisfied with that.

Ms. Harvey stated she believes that whichever method taken regarding the different phases, the Agency also needs to be transparent about the bumps in the per can rate. Ms. Harvey stated she keeps coming back to that because she thinks people need to know that it's \$1.00-\$1.75 today, but every five years it's going to continue to go up. Ms. Harvey added that the public needs to have an understanding of part of the picture.

Ms. Fudge stated she agrees with what was said by Chair St. John, Ms. Agrimonti, and Ms. Harvey, and added that all the bumps in the can to need to be put together. Ms. Fudge added they are going to have to start defining to the public what the increases are per can, even the ones the Board is not in control of. Ms. Fudge further added that they need to put all the increases together so the whole price can be seen.

Chair St. John stated that detailed information would be made available at the time proposals of the real cost were received of building and operating a phased facility. Chair St. John stated he doesn't believe any operator is going to want to build the full facility day one, and added they know they need to build it over time, to match the growth in compost as it comes in and done in logically economical phases.

Mr. Schwartz stated he would like to move the requested action and added he does not believe continuing to debate the numbers provided is going to make much of a difference in the short run. Mr. Schwartz added that he would like to add two caveats. That future cost proposals provided to the Board be presented fully flushed out with the most likely scenarios, which would be a phased approach over time, as opposed to two scenarios that are not likely to be supported. Mr. Schwartz also requested that reports presented to the Board with per ton costs have an attachment, a table, or something that clearly provides the range of per can costs are. Mr. Schwartz suggested a one page with standard information attached so the Board can make that conversion readily.

### **Public Comment**

Mr. Larsen stated the Board's options are to spend \$45 million dollars all at once over time, break it up into smaller bits, or outhaul for the next twenty years. Mr. Larsen added the Board has not certified the EIR or selected a site, and he has again not seen the chart that includes any information on Site 40 since the Chair took it off the table last May. Mr. Larsen suggested that according to numbers provided by the Agency, a site could be built for \$18 million dollars at Site 40. Mr. Larsen stated that Mr. Mikus saved the Agency \$10 million, therefore a site could now be built with \$8 million dollars and if it were to be amortized over twenty-five years, a site could be built for \$4 million dollars.

Mr. Larsen stated it should be explained to ratepayers that rates are going to increase because a site needs to be built at \$50 million dollars, when a site could be built at \$40 million dollars. Mr. Larsen added that ratepayers will hear about that loudly. Mr. Larsen stated the Board stopped looking at any scenario except Central Landfill, without a reason not to build at Site 40, other than a Supervisor doesn't want to. Mr. Larsen suggested the Board should not be asking to see a modified report next month, but rather ask to see the numbers on Site 40. Mr. Larsen added that if the Board would have spent the same money on consultants comparing Site 40 to Central Landfill, these numbers would be so far apart you couldn't do anything but select Site 40. Mr. Larsen stated he is sure the Board knows that, and added he does not believe any Board members are foolish, but choose to go down this path because when the information on Zero Discharge was not available, it was the preferred site. Mr. Larsen added it's crazy to spend this kind of money on a composting site, added that an economically and environmentally feasible one needs to be built, and asked that the Board stop closing their eyes.

Eric Koenigshofer, The Ratto Group, stated he had not intended to speak, but chose to after listening to the discussion about the tons per year, phasing, impacts on per ton projections, issues raised about the rates at the curb, and the 200,000 tons per year of green waste assumption. Mr. Koenigshofer pointed out that Sonoma County has a half million population, at under 100,000 tons of green waste a year, and questioned what circumstances take the community to 200,000 tons a year. Mr. Koenigshofer stated that when you look at twenty-five years, the population is not going to double, so he questioned where that material would come from. Mr. Koenigshofer

added that there is a higher degree of awareness for less water use, and intensive landscaping, and it's becoming something jurisdictions are entering into in the regulatory sense.

Mr. Koenigshofer added that in looking at food waste, as with recycling and diversion in general, when you pick the low hanging fruit, that's the easy part that comes first and costs the least. Mr. Koenigshofer added that as those opportunities are exhausted, more challenging components of the diversion waste stream are reached and it gets more difficult, into the regulatory realm, and more extensive.

Mr. Koenigshofer suggested it might be time to look at the assumptions about the 200,000 tons in more detail, and what kind of programs the Agency's franchise haulers might be presenting to achieve an incremental increase in diversion that reflects what kind of new program would be necessary, before signing off on the assumptions about 200,000 tons a year.

Rick Downey, Republic Services, stated he believes a compost facility needs to be in Sonoma County, and Sonoma Compost creates a great product. Mr. Downey added that it's to be decided if Sonoma Compost should be running the compost, and expressed that what he's concerned about are several things which are at the Board's level. Mr. Downey stated that right now there is no extension of the JPA, and while that is being worked on, as of February 2017, the Agency is sunsetting. Mr. Downey highlighted that every month that goes by makes it very hard to get something accomplished by February 2017, which is the time there is supposed to be a new compost facility by. Mr. Downey added that in looking at the negotiated MOA, the current site where compost sits is no longer viable. Mr. Downey added that even if the Board decided today to keep that running, take the risk of the lawsuits and everything of that nature, it is clearly stated in the MOA that in February of 2017, compost will not be on the current footprint. Mr. Downey added that something needs to be done and things need to get moving. Mr. Downey stated that he believes that no decisions can be made past 2017 until the Board chooses to find out whether the Agency is going to exist beyond that. Mr. Downey asked if he is accurate about that, it's his understanding that you cannot choose something that's going to be twenty-five years out if you don't have a charter.

Chair St. John replied there is no discussion during public comment, but that he believes there are scenarios that would work either way.

Mr. Downey replied it would be nice to know those types of things, because in the process Republic has been at for several years, it's how he understood it from being at a lot of the meetings. Mr. Downey added that if the February 2017 date exists, Republic is hard pressed no matter who will be building the facility in that amount of time. Mr. Downey added that's the honest fact due to the amount of time it's going to take to get it permitted, and the amount of time it's going to take to build through probable CEQA challenges.

Martin Mileck, Cold Creek Compost, stated the cost of the long term commitment on a project is being compared with a very short term cost of outhaul. Mr. Mileck added he believes staff just called a place and asked what the fee to outhaul green waste is today. Mr. Mileck suggested that if there are conversations about longer commitments and guaranteed flows, you are able to get the cost of outhaul down. Mr. Mileck also added that comparisons need to take place.

Allan Tose, Site 40 Representative, stated Site 40 is no longer mentioned, and referenced a copy of the Original Draft EIR dated December 2011, where Site 40 is designed as the environmentally

preferred site. Mr. Tose added that on the subject of outhaul, the Original Draft EIR states that no countywide composting facility—no project alternative considers the removal of the existing compost facility at the Central Disposal Site, and no relocation at the Central Disposal Site. Under the alternative there would be no countywide composting facility in Sonoma County for the current collected green materials. Mr. Tose went on to read that this alternative would fail to meet all the project objectives, as composting operations would be discontinued in Sonoma County. Mr. Tose stated that outhaul is not an option or the million dollar EIR is useless.

Margaret Kullberg, Stage Gulch Road, stated there are many reasons she is in support of the Central Site location for the new ASP facility. Ms. Kullberg stated that no matter where the facility is built, it will cost the same, because everything has to be covered, has to meet Zero Discharge, and it will not cost less at Site 40. Ms. Kullberg added the current location is at a central location, with road access and lights. Ms. Kullberg stated she believes the Board of Supervisors would not accept changing the General Plan, and added that Site 40 is under the Williamson Act and the federal farm plan. Ms. Mullberg recommended that composting remain in a new area on the Central Site.

Stu Clark, DEI, stated he strongly supports the motion that has been made, added that time is of the essence and it's time to take action in June to select a site and certify the EIR. Mr. Clark agreed it's key in getting a lot of the answers the Agency is struggling with today. Mr. Clark stated he agrees with the comment about the numbers that have been presented. Mr. Clark added that from his experience he believes the numbers are in the ballpark, relative to the new site. Mr. Clark added that the real way to find out the cost and how many tons should be planned for is through a real proposal that can't be obtained until there is actually a site selected to design the facility at. Mr. Clark thanked the Board for all the effort over the years with the project and encouraged the Board to move forward diligently on selecting the site.

Kathy Ferrando, Happy Acres, stated she agrees that a site needs to be selected, and added that has to come before anything else. Ms. Ferrando urged the Board to consider more than Central, as Central has a very small area that can actually be utilized. Ms. Ferrando added that the original EIR did ask for Site 40. Ms. Ferrando stated that she doesn't care if it's Site 40, and added she wants it to be the best environmentally sensitive site with the best program possible. Ms. Ferrando added she thinks ten years from now they may find entirely different ways of handling compost and doing a great job. Ms. Ferrando added that the cost needs to be looked at, and as a taxpayer she's concerned about that. She added that as an environmentalist, teacher and former principal she's very concerned about that for students and the community. Ms. Ferrando asked that the Board keep their minds open, and shared that in Los Angeles they constructed a phenomenal site in an industrial park, and added there are other options to be looked at again.

### **Board Discussion (continued)**

Ms. Agrimonti recommended that Mr. Schwartz and Mr. Mikus get together before the next meeting if time permits to go through some of the numbers so that Mr. Schwartz feels more comfortable with the numbers. Ms. Agrimonti added that if that's not the case, at least there would have been an effort to do that. Ms. Agrimonti added that she realizes they are busy and it is unknown if that's possible.

Mr. Schwartz replied he is willing to meet with Mr. Mikus and try to do that if that's the desire of the Board. Mr. Schwartz stated he appreciates Mr. Sawyer's point regarding trying to come up

with a better way to do this and also concurs with Chair St. John's point about best numbers would be obtained through proposals, assuming site selection.

Mr. Salmi commented he thinks a meeting between Mr. Schwartz and Mr. Mikus is not going to be as valuable as obtaining a bid and real costs.

Ms. Agrimonti concurred, and added that was just a suggestion on her part.

**Mr. Schwartz motioned to plan for certification of the Final EIR, make the site selection at the upcoming June Board meeting and that in the future documents on site selection include the most likely scenario fully costed out over time, and that any future documents around site selection or costs include a per can rate as part of the materials coming forward. Ms. Agrimonti seconded the motion.**

**Vote Count:**

Cloverdale	Aye	Cotati	Aye
County	Aye	Healdsburg	Aye
Petaluma	Aye	Rohnert Park	Aye
Santa Rosa	Aye	Sebastopol	Aye
Sonoma	Aye	Windsor	Aye

AYES -10- NOES -0- ABSENT -0- ABSTAIN -0-

**The motion passed unanimously.**

**9. JPA Renewal Status Report**

Mr. Mikus stated that when there was discussion about bringing this item back a month ago, the hope was that all member jurisdictions would have had an opportunity to weigh in on the matrix issues over the JPA renewal. Mr. Mikus added the plan was to look at everyone's input at this meeting, and start trying to reach consensus and address some of the serious issues. Mr. Mikus added that unfortunately despite everyone's efforts to try and schedule this level of serious and lengthy discussion, not everyone was able to do that in the last month. Mr. Mikus reported that Windsor, Cotati, Rohnert Park, Petaluma, and Healdsburg have had conversations of some sort about the matrix, and added that staff has received the matrix with the comments from Windsor, Cotati, Rohnert Park, and Petaluma. Mr. Mikus stated Healdsburg made an ad hoc committee to formulate the recommended responses, but the return date is unknown.

Mr. Mikus stated that some of the other cities have had to reschedule, and as of right now the meetings scheduled are as follows:

Sonoma, June 1

County of Sonoma, June 9

Sebastopol, June 18

Santa Rosa, June 9

Mr. Mikus pointed out that the actual responses received are included in the packet, and the plan is to put a matrix together with all the answers. Mr. Mikus added that staff felt it was important to provide the actual returns today to give everyone a sense of not only what is being said, but how it's said. Mr. Mikus added that if these dates are met, it will be possible for the Board to hold a discussion.

Mr. Cox stated Cloverdale also formed an ad hoc and met on May 19<sup>th</sup>, and their recommendations should be presented to the council at their next meeting on May 27<sup>th</sup>.

### **Public Comment**

None.

### **Board Discussion**

Mr. Schwartz asked Mr. Salmi if he has an estimate on dates his council will review the matrix.

Mr. Salmi replied the ad hoc met earlier during the week, and he suspects the response from the full council will be at their first meeting in June. Mr. Salmi added that he thinks it's the 6<sup>th</sup>.

Mr. McLaughlin clarified that the Sebastopol meeting is actually June 16<sup>th</sup>.

Mr. Schwartz stated he presumes the results from the other cities will be shared with the other cities if that's an interest to them. Mr. Schwartz inquired if it would be helpful for the remaining cities in responding to the matrix, to have a list of the showstopper issues in one place. Mr. Schwartz added that those tend to be the issues to be wrestled with the most. Mr. Schwartz stated that knowing where the other cities stand might be of interest, and if so, staff can be asked to consolidate the information in one place.

Mr. Sawyer asked Mr. Schwartz to repeat what he's suggesting.

Mr. Schwartz replied that some of the cities, including Rohnert Park for example, have said there are core showstopper issues for them that would possible make them not renew the JPA if they are not addressed to their satisfaction. Mr. Schwartz added that they are probably not the only city that has those sorts of issues, and it seems that getting those identified for the cities coming up might be a way to help focus the conversation on what would be the most difficult points, and therefore advance the speed in which the cities are able to address and identify the issues as part of their conversations. Mr. Schwartz said if it's not helpful the thought could be ignored.

Mr. Sawyer replied that it would be helpful for the City of Santa Rosa to get a sense of the other Cities responses as far as the showstoppers.

**Mr. Schwartz asked for Board direction to make that a motion to direct staff to compile and maintain a list of the showstopper issues and to update it as each council goes through their conversations, and to provide it to the city staff as well as the Board member of that city, prior to city consideration. Mr. Sawyer motioned the recommendation, and Mr. Cox seconded the motion.**

### **Public Comment**

None.

### **Board Discussion (continued)**

**Vote Count:**

Cloverdale	Aye	Cotati	Aye
County	Aye	Healdsburg	Aye
Petaluma	Aye	Rohnert Park	Aye
Santa Rosa	Aye	Sebastopol	Aye
Sonoma	Aye	Windsor	Aye

AYES -10- NOES -0- ABSENT -0- ABSTAIN -0-

**Motion passed unanimously.**

## **10. City-County Payment Program Grant**

Mr. Carter explained the City-County Payment Program is a grant program Agency staff has been pulling funds from since the year 2000 to promote recycling of beverage containers. Mr. Carter added there's a deposit that goes in on beverage containers, and these funds are used to promote their recycling. Mr. Carter stated staff received information from CalRecycle, who administers the grant, that they were going to be changing the structure of the grant going forward, and that it will be a two year cycle. Mr. Carter explained the Agency will receive the money and have two years to spend it. Mr. Carter reported there is some backlog of funding available, and staff wanted to bring that to the Board's attention. Mr. Carter added that if there are projects the Board has such as recycling containers needed for downtown or park, the Agency can purchase the containers with these funds. Mr. Carter added that staff can be contacted and can also reach out to the cities public works and parks to see if there is a need. Mr. Carter stated there is about \$225,000 of funding staff believes should be spent before getting into the next cycle of grants, as it makes the accounting of it easier.

Mr. Carter added that if there's not enough need for recycling containers in parks and downtown areas, they could look at other ways to fund that money. Mr. Carter shared that an option is to potentially add a part-time or time limited Staff member to increase the education about mandatory commercial recycling, which is what has been happening for the past several years, and then went back down to one staff member. Mr. Carter added that is about the amount of grant funding received every year, and it covers the cost.

## **11. Attachments/Correspondence:**

- 11.1 Reports by Staff and Others:
  - 11.1.a May and June 2015 Outreach Events
  - 11.1.b EPR update report
  - 11.1.c Batteries and sharps letter of support
  - 11.1.d Compost letters of support

## **12. Boardmember Comments**

Ms. Harvey asked that Mr. Carter contact Cotati's Public Works Department to see if they could utilize more recycling containers.

## **13. Staff Comments**

None.



- 14.** Next SCWMA meeting: June 17, 2015, to take place elsewhere, as it will not take place at the City of Santa Rosa Council Chambers due to City budget purposes.

Ms. Gorin stated that week is when the City of Santa Rosa and the County hold budget hearings, and the County may have to rearrange their schedule to allow for a Supervisor to attend the June Board meeting. Ms. Gorin acknowledged it will be a really important meeting, and stated she does not offer it lightly, but inquired if other cities are in a similar situation and if there is a need to consider a different date.

Chair St. John asked that a survey be conducted as to what the situation is on June 17<sup>th</sup> in terms of availability, and that decision could be made within a week or so.

**15. Adjourned to Closed Session**

The Board adjourned to closed session at 11:00 a.m.

**Resumed Closed Session**

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
GOVERNMENT CODE SECTION 54956.9(d)(1)

Renewed Efforts of Neighbors Against Landfill Expansion vs. County of Sonoma, Sonoma Compost Company, Sonoma County Waste Management Agency  
Case 3:14-cv-03804-THE

**Resumed Open Session**

**The Board resumed open session at 11:20 a.m.**

*Mr. Cox, Mr. Sawyer, and Ms. Agrimonti left at 11:20 a.m.*

Chair St. John stated there was no reportable action out of closed session.

**Ms. Harvey motioned to adjourn the meeting and Ms. Gorin seconded the motion.**

**Adjourn**

The meeting was adjourned at 11:21 a.m.

Submitted by  
Sally Evans



Agenda Item #: 4.2  
Cost Center: Organics  
Staff Contact: Mikus  
Agenda Date: 6/24/2015

ITEM: **Compost Zero Discharge Plan Update**

**I. BACKGROUND**

At the August 20, 2014 meeting the Board decided to continue with implementation work on the Compost Wastewater Zero Discharge Plan that was submitted to the NCRWQCB July 11, 2014, and to not completely shut down the compost facility by beginning total outhaul of organic materials.

**II. DISCUSSION**

Rain: Since the last report (May 20, 2015) less than a tenth of an inch of rain fell on site.

**No discharge of compost storm contact water occurred in April or thus far in May.**

For this rain season, about 7.3 MG have been collected, hauled, and treated. Barring an unlikely rain event over the summer dry season, this will be the final total for the recent winter rain season

Due to the recent clean water act lawsuit settlement, the compost facility must be shut down, vacated, and cleaned by October 15, 2015. All incoming raw materials will have to be outhauled to alternate out of county composting facilities. Agency staff has been working with Sonoma compost to develop a shut down plan, which is attached. To summarize, beginning July 1 all incoming collection truck route green waste will no longer be accepted by Sonoma compost for processing. This allows time for the on-site materials to finish their cycle and be sold or removed in time for cleanup and closure. Some materials such as wood waste and self haul, which are made into mulch and have a much shorter process time than compost, will continue to be accepted until September 1.

Staff has also worked with the Ratto Group to expand the outside sites that can accept our material, with a significant anticipated outhaul cost reduction. Ratto will be gradually increasing the amount of outhauled materials so that by July 1 all materials are outhauled.

**III. FUNDING IMPACT**

Funding for this project is drawn from the Organics Reserve. Costs for pumping, hauling, and disposal of compost contact water this fiscal year, are \$403,908.


**IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION**

No action required.

**V. ATTACHMENTS**

June 2015 Monthly Zero Discharge Report to NCRWQCB  
Compost shut down schedule

Approved by:

  
Henry J. Mikus, Executive Director, SCWMA

6/19/2015



Agenda Item #: 4.3  
Cost Center: Organics  
Staff Contact: Carter  
Agenda Date: 6/24/2015

ITEM: **The Ratto Group Agreement 1<sup>st</sup> Amendment**

**I. BACKGROUND**

The Agency entered into an agreement with the Ratto Group for transport of compostable materials on September 17, 2014. This agreement allows for the transport of materials from the County-owned transfer stations to the Central Compost Site and from the County-owned transfer stations and Central directly to out-of-county compost facilities.

**II. DISCUSSION**

With the impending closure of the Central Compost Site, staff discussions with Ratto Group representatives to secure sufficient compost facility capacity resulted in the Ratto Group agreeing to include hauling to three additional compost facilities. These facilities include the City of Napa Compost Facility near Napa, Cold Creek Compost near Ukiah, and the Northern Recycling Compost Facility near Zamora. All three sites offered competitive pricing when considering the cost of transport and disposal, in addition to providing a capacity buffer.

**III. FUNDING IMPACT**

Previous costs for 100% outhaul were estimated at \$5.2 million per year. The inclusion of these three new facilities has allowed staff to revise the estimated annual cost to approximately \$4.5 million.

**IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION**

Staff recommends approval of the First Amendment to the Agreement with the Ratto Group for Compostable Materials Hauling.

**V. ATTACHMENTS**

First Amendment to Agreement with the Ratto Group for Compostable Material Hauling Resolution

Approved by:  6/19/2015  
Henry J. Mikus, Executive Director, SCWMA



Date: June 19, 2015

To: North Coast Regional Water Quality Control Board

From: Henry J. Mikus, SCWMA Executive Director

### **Monthly Progress Report for the SCWMA Compost Facility Zero Discharge Plan June 2015**

As delineated in the "Compost Wastewater Zero Discharge Plan" (the Plan) submitted to the North Coast Regional Water Quality Control Board (NCRWQCB) on July 11, 2014, SCWMA will submit monthly progress reports about work accomplished in accordance with the Plan.

#### **Section 2 New Compost Site Selection & Development:**

- Further design and project cost information has been developed for the SCWMA Board.
- As a result, the next steps are certifying the Final EIR and selecting the new site. It is planned that the SCWMA Board will address these actions at the June 2015 meeting via certifying the Final EIR and selecting a site for a new facility.

#### **Section 3 Interim Component: Footprint Reduction Measures:**

- The compost facility has been operating with the 18% working footprint reduction, as detailed in the Plan. This has reduced the amount of compost contact storm water generated by the facility.
- Partial overhaul of incoming raw materials to accommodate the lowered throughput capacity from the footprint reconfiguration has been ongoing during the past month.

#### **Section 4 Interim Component: Increased Interim Storage – Expand Existing Ponds:**

- Over the most recent 30-day period, less than a tenth of an inch of rainfall occurred.
- No discharge of compost site storm contact water occurred.

#### **Section 5 Interim Component: Pump and Truck Measures:**

- Over the past month no water has had to be hauled for treatment.
- The total for this rain season collected, hauled, and treated is about 7.3 MG.

#### **Section 8 Outhaul Plan:**

- The July 2011 Zero discharge Plan also included provision for full out haul of compost materials, and site shut down, as a fail-safe option for a number of possible difficult circumstances.
- Recently, an ongoing lawsuit involving the compost operation was settled. One direct consequence of the settlement agreement was that the compost facility would shut down completely prior to the next winter rain season, with all raw materials out hauled to alternate processing facilities
- A schedule has been developed to facilitate an orderly cessation of compost operations at Central.
- All collection truck route materials will cease to be accepted July 1, 2015
- A gradual increase of materials out hauled will occur through June to achieve the July 1 date.
- Some shorter processing time materials such as wood waste and self haul green waste will be accepted through September 1, 2015.
- The site will be vacated and cleaned by October 1, 2015.

## Closing Schedule

Shut down schedule for sonoma compost 4-Jun-15

1-Jul	Last Chicken Feather
1-Jul	Stop accepting material
1-Aug	Last Grape leese
15-Aug	Last Rice Hull
1-Sep	Stop accepting self-haul
15-Sep	All material done
30-Sep	All material gone
	Clean
15-Oct	Leave Site



Agenda Item #: 4.3  
Cost Center: Organics  
Staff Contact: Carter  
Agenda Date: 6/24/2015

**ITEM: The Ratto Group Agreement 1<sup>st</sup> Amendment**

**I. BACKGROUND**

The Agency entered into an agreement with the Ratto Group for transport of compostable materials on September 17, 2014. This agreement allows for the transport of materials from the County-owned transfer stations to the Central Compost Site and from the County-owned transfer stations and Central directly to out-of-county compost facilities.

**II. DISCUSSION**

With the impending closure of the Central Compost Site, staff discussions with Ratto Group representatives to secure sufficient compost facility capacity resulted in the Ratto Group agreeing to include hauling to three additional compost facilities. These facilities include the City of Napa Compost Facility near Napa, Cold Creek Compost near Ukiah, and the Northern Recycling Compost Facility near Zamora. All three sites offered competitive pricing when considering the cost of transport and disposal, in addition to providing a capacity buffer.

**III. FUNDING IMPACT**


Previous costs for 100% outhaul were estimated at \$5.2 million per year. The inclusion of these three new facilities has allowed staff to revise the estimated annual cost to approximately \$4.5 million.

**IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION**

Staff recommends approval of the First Amendment to the Agreement with the Ratto Group for Compostable Materials Hauling.

**V. ATTACHMENTS**

First Amendment to Agreement with the Ratto Group for Compostable Material Hauling Resolution

Approved by:   
Henry J. Mikus, Executive Director, SCWMA

6/19/2015

FIRST AMENDMENT TO AGREEMENT FOR COMPOSTABLE MATERIALS TRANSPORT SERVICES BY AND BETWEEN THE SONOMA COUNTY WASTE MANAGEMENT AGENCY AND THE RATTO GROUP OF COMPANIES

This First Amendment to Agreement for Compostable Materials Transport Services ("Agreement"), dated 24th day of June, 2015, is by and between the SONOMA COUNTY WASTE MANAGEMENT AGENCY, a joint powers agency, and THE RATTO GROUP OF COMPANIES, a Delaware Corporation. All capitalized terms used herein shall, unless otherwise defined, have the meaning ascribed to those terms in the existing Agreement, as amended.

RECITALS

WHEREAS, it has become necessary to amend the above described Agreement, originally entered into on September 17, 2014 to include additional facilities listed in Exhibits B and C; and

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

AGREEMENT

Exhibits B and C are hereby replaced in their entirety with Exhibit B and C attached hereto.

The first sentence of Section 3.1 is hereby amended as follows:

3.1 Contractor's Specified Services: Compostable Materials Collection and Transportation. This Agreement is entered into for the purpose of Collecting all of the Compostable Materials from County of Sonoma Transfer Stations and the Central Compost Site and Transporting such Materials to the Agency-approved Disposal Site(s).

In all other respects, the Agreement shall remain as originally adopted.



IN WITNESS WHEREOF, this Second Amendment has been executed by the duly authorized representatives of all parties.

“Agency”: SONOMA COUNTY WASTE MANAGEMENT AGENCY

By: \_\_\_\_\_  
Chairperson, SCWMA Board of Directors

“Contractor”: The Ratto Group of Companies  
a Delaware Corporation

By: \_\_\_\_\_

APPROVED AS TO FORM FOR AGENCY:

\_\_\_\_\_  
Agency Counsel

APPROVED AS TO SUBSTANCE FOR AGENCY:

\_\_\_\_\_  
Agency Executive Director

## Exhibit B

### Hauling of Green and Wood Waste Per Ton Hauling Cost

#### Total Fee/Ton

	Redwood	WCC Republic	Jepson Prairie	Central	City of Napa	Cold Creek	Zamora
Annapolis	\$ 14.60	\$ 50.70	\$ 26.47	\$ 11.28	-	-	-
Guerneville	\$ 14.60	\$ 21.70	\$ 26.47	\$ 11.28	-	-	-
Healdsburg	\$ 14.60	\$ 19.99	\$ 26.47	\$ 11.28	-	\$ 22.16	-
Sonoma	\$ 14.60	\$ 13.70	\$ 26.47	\$ 11.28	\$ 11.44	-	\$ 30.38
Central	\$ 7.42	\$ 14.28	\$ 25.12	\$ -	\$ 19.30	-	\$ 36.82

#### Fuel Component

	Redwood	WCC Republic	Jepson Prairie	Central	City of Napa	Cold Creek	Zamora
Annapolis	\$ 3.62	\$ 13.87	\$ 8.84	\$ 3.97	-	-	-
Guerneville	\$ 3.62	\$ 6.63	\$ 8.84	\$ 3.97	-	-	-
Healdsburg	\$ 3.62	\$ 6.03	\$ 8.84	\$ 3.97	-	\$ 6.20	-
Sonoma	\$ 3.62	\$ 3.82	\$ 8.84	\$ 3.97	\$ 3.20	-	\$ 8.50
Central	\$ 2.61	\$ 4.02	\$ 8.84	\$ -	\$ 5.40	-	\$ 10.00

#### Transport Component

	Redwood	WCC Republic	Jepson Prairie	Central	City of Napa	Cold Creek	Zamora
Annapolis	\$ 10.98	\$ 36.83	\$ 17.63	\$ 7.31	-	-	-
Guerneville	\$ 10.98	\$ 15.07	\$ 17.63	\$ 7.31	-	-	-
Healdsburg	\$ 10.98	\$ 13.96	\$ 17.63	\$ 7.31	-	\$ 15.96	-
Sonoma	\$ 10.98	\$ 9.88	\$ 17.63	\$ 7.31	\$ 8.24	-	\$ 21.88
Central	\$ 4.81	\$ 10.26	\$ 16.28	\$ -	\$ 13.90	-	\$ 26.82

## EXHIBIT C

### LIST OF APPROVED DISPOSAL SITES

Facility	SWIS ID	Address	City
Redwood Landfill	21-AA-0001	8950 Redwood Highway	Novato, CA 94945
Jepson Prairie Organics Compost Facility	48-AA-0048	6424 Hay Road	Vacaville, CA 95687
West Contra Costa County Sanitary Landfill Organic Material Processing	07-AA-0044	Foot of Parr Blvd	Richmond, CA 94806
Central Compost Site	49-AA-0260	550 Mecham Road	Petaluma, CA 94952
City of Napa Composting Facility	28-AA-0030	820 Levitin Way	Napa, CA 94558
Cold Creek Compost	23-AA-0029	6000 Potter Valley Road	Ukiah, CA 95482
Northern Recycling Compost - Zamora	57-AA-0029	11220 County Road 94	Zamora, CA 95698

RESOLUTION NO.: 2015-

DATED: June 24, 2015

RESOLUTION OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY APPROVING THE FIRST  
AMENDMENT TO THE AGREEMENT FOR COMPOSTABLE MATERIALS TRANSPORT SERVICES BY  
AND BETWEEN THE SONOMA COUNTY WASTE MANAGEMENT AGENCY AND THE RATTO GROUP  
OF COMPANIES

WHEREAS, the Sonoma County Waste Management Agency entered into a certain agreement with the Ratto Group of Companies for the purpose of transporting compostable materials on September 17, 2014; and

WHEREAS, it has become necessary to amend Exhibits B and C of the agreement to include additional facilities to potentially accept compostable materials.

NOW, THEREFORE BE IT RESOLVED that the Sonoma County Waste Management Agency Board of Directors hereby approves of this First Amendment to the agreement with the Ratto Group for the purpose of transporting Compostable Materials.

MEMBERS:

_____ Cloverdale	_____ Cotati	_____ County	_____ Healdsburg	_____ Petaluma
_____ Rohnert Park	_____ Santa Rosa	_____ Sebastopol	_____ Sonoma	_____ Windsor

AYES -- NOES -- ABSENT -- ABSTAIN --

SO ORDERED

The within instrument is a correct copy  
of the original on file with this office.

ATTEST: DATE: June 24, 2015

\_\_\_\_\_  
Sally Evans,  
Clerk of the Sonoma County Waste Management Agency  
Agency of the State of California in and for the  
County of Sonoma



Agenda Item #: 5  
Cost Center: Organics  
Staff Contact: Mikus  
Agenda Date: 6/24/2015

ITEM: **New Compost Site Certification of the Final EIR**

**I. BACKGROUND**

The Board has been engaged in the site selection process for a new compost facility. It identified the following Project Objectives for this endeavor when it undertook environmental review pursuant to the California Environmental Quality Act (CEQA):

- Objective 1: Relocate SCWMA's composting operations from its current location at the County's existing Central Disposal Site.
- Objective 2: Establish a permanent composting facility in Sonoma County with sufficient capacity for current and future quantities.
- Objective 3: Provide a facility to assist jurisdictions within SCWMA's service area in meeting the goals and objectives for waste diversion as set forth in the California Integrated Waste Management Act of 1989 (AB 939).

The Draft EIR (DEIR) considered "Site 5A" as the Project site because it was the highest ranked site (from a site identification study) available at the time the DEIR analysis was begun; however, "Site 40" east of Petaluma at the intersection of Adobe and Stage Gulch Roads, "Site 13" southeast of the City of Petaluma, adjacent to the San Pablo Bay, and the "Central Site Alternative," which is on land not planned for landfill use at the County-owned Central Disposal Site were also fully analyzed at a Project level in the DEIR. The EIR is now in final form but not yet certified.

The SCWMA released the DEIR on December 21, 2011 and circulated it to the public and to other interested persons for public comment for a sixty-two (62) day comment period that closed on February 21, 2012, as required by the CEQA Guidelines §§ 15086, 15087, and 15105. During the DEIR comment period, the SCWMA held a duly noticed public hearing on January 18, 2012 in the City of Santa Rosa Council Chambers, to solicit public input and comment on the DEIR, at which time the SCWMA received oral and documentary evidence from the public regarding the Project and the DEIR.

Based on valid comments received concerning the throughput capacity of the Central site, the DEIR was revised. On October 4, 2012, the SCWMA released a Recirculated DEIR ("RDEIR") to evaluate, at a project-level of detail, the potential environmental impacts of revisions to the Central Site Alternative, whose design had been revised to compost 200,000 tons per year. The SCWMA circulated the RDEIR to the public and to other interested persons for public comment for a forty-five (45) day comment period that closed on November 19, 2012, as required by the CEQA Guidelines §§ 15086, 15087, and 15105. During the forty five day comment period, the SCWMA held a duly noticed public hearing on October 24, 2012 in the Ray Miller Community Center in Cotati, to solicit public input and comment on the RDEIR, at which time the SCWMA received oral and documentary evidence from the public regarding the Project and the RDEIR.

The SCWMA prepared written responses for each of the 47 comments, letters, and e-mails presented to the SCWMA during the public comment periods that raised a significant

environmental issue. Additionally, the SCWMA made revisions to the DEIR and RDEIR, as appropriate, in response to those comments. After reviewing the responses to comments and the revisions to the DEIR and the RDEIR made in response to comments, the SCWMA concluded that the information and issues raised by the comments and the responses thereto did not constitute new information requiring recirculation of the RDEIR, and proceeded to prepare a Final EIR. The Final EIR consists of written and oral comments received by the SCWMA on the DEIR and the RDEIR; responses to those comments; and revisions to the DEIR and RDEIR prompted by those comments and including all appendices thereto and referenced materials therein.

The FEIR was presented for the first time to the SCWMA Board on April 17, 2013. The Board directed staff to prepare analyses concerning the financial, practical, and technical factors that would bear on selecting the best possible new compost site.

Both staff time and work by consultants were employed to present the requested information to the Board. A fairly detailed preliminary design, together with a construction cost estimate, were prepared by Tetra Tech BAS. Because the preliminary design included some new elements aimed at addressing storm water management and odor concerns (roofed work area plus enclosed processing building), a further review of the EIR by CH2M HILL entitled "Review of Changes to Central Site Alternative for SCWMA," was performed in March of 2015, looking at effect of the potential environmental enhancements. This report concluded that further revisions to the Central Site Alternative would not result in new significant impacts, a substantial increase in the severity of any impact or the need for any new mitigation measures.

## II. DISCUSSION

CEQA requires that an EIR identify the environmentally superior alternative of a project other than the No Project Alternative (CEQA Guidelines § 15126.6(e)(2)). The lead agency is not required to choose the "environmentally superior" alternative identified in the EIR if the alternative specific legal, social, economic, technological or other considerations make the alternative infeasible. (Pub. Rec. Code § 21080(a)(3); CEQA Guidelines 15091(a)(3).) Public Resources Code section 21081 provides that if one or more significant impacts will not be avoided or substantially lessened by adopting mitigation measures, environmentally superior alternatives described in the EIR must be adopted unless it is infeasible.

Site 40 and the Central Site Alternative each meet the three project objectives. While the DEIR found that the Site 40 Alternative would be the environmentally superior alternative, and the Central Site Alternative would not meet Project Objectives, when the scope of the Central Site Alternative was revised in the RDEIR, the picture changed. The Central Site Alternative now fully meets all of the Project Objectives, and when compared with the Site 40 Alternative, has fewer significant and unavoidable impacts. Specifically, the Site 40 Alternative would result in the following significant and unavoidable impacts (none of which are found with the Central Site Alternative):

- Construction of the Site 40 Alternative (associated with either windrow or ASP option) would generate significant and unavoidable generate short-term emissions of criteria air pollutants: ROG, NOx, CO, PM10, and PM2.5 that could contribute to existing nonattainment conditions and further degrade air quality.

- Implementation of the Site 40 Alternative (windrow composting option) may lead to significant and unavoidable increases in chronic exposure of sensitive receptors in the vicinity to certain toxic air contaminants from various stationary and mobile sources.
- The Site 40 Alternative (windrow composting together with anticipated cumulative development in the Bay Area Air Basin, would contribute to significant and unavoidable regional criteria pollutants.
- The Site 40 Alternative (ASP composting option), together with anticipated cumulative development in the Bay Area Air Basin, would contribute to significant and unavoidable regional criteria pollutants.

As modified in the RDEIR, and per clarifications to mitigation measures relating to operational noise, the Central Site Alternative would result in just one significant and unavoidable impact:

- The Central Site Alternative would contribute to significant and unavoidable Long-Term Cumulative traffic volumes at the study intersection during the weekday a.m. and weekend peak hour.

Given this, the Central Site Alternative is the environmentally superior alternative.

The next required steps in finding a new site would be for the Board to certify the EIR, then make a selection of a preferred site. The Certification of the EIR, via a Resolution (attached), formally states that:

1. The Board finds that agencies and interested members of the public have been afforded notice and opportunity to comment on the DEIR, RDEIR, and Final EIR (collectively, the "EIR").
2. The Board has independently reviewed and considered the contents of the Final EIR prior to deciding whether to approve the Project or some alternative to the Project. The Board hereby finds that the Final EIR reflects the independent judgment of the SCWMA.
3. The Board finds that the comments received regarding the DEIR and the RDEIR, and the responses to those comments have been received by the Board, that the Board received public testimony regarding the adequacy of the EIR, and that the Board, as the final decision-making body for the lead agency, has reviewed and considered in its independent judgment, all such documents and testimony prior to acting.
4. Pursuant to CEQA Guidelines § 15090, the Board certifies that the Final EIR has been completed in compliance with CEQA.

### **III. FUNDING IMPACT**

None at this time.

### **IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION**


Staff recommends the Board certify the EIR by adopting Resolution 2015-\_\_\_\_\_.

## V. ATTACHMENTS

Resolution Of The Sonoma County Waste Management Agency Certifying The Environmental Impact Report For Construction Of The Central Disposal Site Compost Facility Pursuant To The California Environmental Quality Act

Approved by: \_\_\_\_\_

Henry J. Mikus, Executive Director, SCWMA

 6/19/2015



**RESOLUTION NO. 2015-\_\_\_\_\_**

**RESOLUTION OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY  
CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR CONSTRUCTION  
OF THE CENTRAL DISPOSAL SITE COMPOST FACILITY PURSUANT TO THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

THE SONOMA COUNTY WASTE MANAGEMENT AGENCY HEREBY FINDS,  
DECLARES, AND RESOLVES AS FOLLOWS:

**WHEREAS**, the Sonoma County Waste Management Agency (“SCWMA”) is a joint powers authority of the nine (9) incorporated cities and the County of Sonoma, as authorized under Government Code §§ 6500, *et seq.*, formed for the purpose of waste management and diversion; and

**WHEREAS**, SCWMA proposes to construct new compost facility to replace the existing composting facility at the Central Disposal Site, a facility that would (either through windrow or aerated static pile [ASP] methods) process up to 200,000 tons of compost materials per year (“Project”) to be located at Site 5A, a 70-acre compost facility located on 100 acres in unincorporated Sonoma County, approximately 6 miles southeast of the City of Petaluma, between Lakeville Road and the Petaluma River (“Project Site”); and

**WHEREAS**, for purposes of the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, and Guidelines for the California Environmental Quality Act, 14 Cal. Code of Regs. §§ 15000, *et seq.*, the “CEQA Guidelines,” collectively referred to as “CEQA”) SCWMA, as lead agency, determined that an Environmental Impact Report (“EIR”) was required for the Project, pursuant to CEQA; and

**WHEREAS**, in addition to project-level analysis of the environmental impacts of the Project (Site 5A), SCWMA decided to also include in the EIR project-level environmental review of the “Site 40 Alternative” (a 48-acre compost facility located on 390 acres in unincorporated Sonoma County, located approximately 2.5 miles east of the City of Petaluma at the intersection of Adobe Road and Stage Gulch Road (State Route 116)) and the “Central Site Alternative” (a 38-acre compost facility to be located on the 400-acre Central Disposal Site, approximately 1.5 miles southwest of the City of Cotati, off of Mecham Road); and

**WHEREAS**, on November 26, 2008, the SCWMA prepared and sent a Notice of Preparation of the EIR to responsible, trustee, and other interested agencies and persons in accordance with CEQA Guidelines §§ 15082(a) and 15375; and

**WHEREAS**, the SCWMA hosted a public meeting concerning the proposed scope of the Draft EIR (“DEIR”) in Petaluma on December 11, 2008; and

**WHEREAS**, in December 2011, the SCWMA completed a DEIR, including certain technical appendices (collectively, the “DEIR,” SCH #2008122007), so as to disclose potential environmental impacts associated with the proposed Project and the various Project alternatives considered in accordance with CEQA Guidelines § 15084.

**WHEREAS**, the SCWMA released the DEIR on December 21, 2011 and circulated it to the public and to other interested persons for public comment for a sixty-two (62) day comment period that closed on February 21, 2012, as required by the CEQA Guidelines §§ 15086, 15087, and 15105; and

**WHEREAS**, during the DEIR comment period, the SCWMA held a duly noticed public hearing on January 18, 2012 in the City of Santa Rosa Council Chambers, to solicit public input and comment on the DEIR, at which time the SCWMA received oral and documentary evidence from the public regarding the Project and the DEIR; and

**WHEREAS**, on October 4, 2012, the SCWMA released a Recirculated DEIR (“RDEIR”) to evaluate, at a project-level of detail, the potential environmental impacts of revisions to the Central Site Alternative, whose design had been revised to compost 200,000 tons per year; and

**WHEREAS**, the SCWMA circulated the RDEIR to the public and to other interested persons for public comment for a forty-five (45) day comment period that closed on November 19, 2012, as required by the CEQA Guidelines §§ 15086, 15087, and 15105; and

**WHEREAS**, during the forty-five day comment period, the SCWMA held a duly noticed public hearing on October 24, 2012 in the Ray Miller Community Center in Cotati, to solicit public input and comment on the RDEIR, at which time the SCWMA received oral and documentary evidence from the public regarding the Project and the RDEIR; and

**WHEREAS**, copies of the RDEIR were available for public review at the SCWMA office located at 2300 County Center Drive, Suite B-100, in Santa Rosa, California, and available for review at local libraries throughout the County, as well as online at: <http://www.recyclenow.org/agency/reports/asp> during the public comment period; and

**WHEREAS**, the SCWMA prepared written responses for each of the 47 comments, letters, and e-mails presented to the SCWMA during the public comment periods that raised a significant environmental issue. Additionally, the SCWMA made revisions to the DEIR and RDEIR, as appropriate, in response to those comments; and

**WHEREAS**, after reviewing the responses to comments and the revisions to the DEIR and the RDEIR made in response to comments, the SCWMA concluded that the information and issues raised by the comments and the responses thereto did not constitute new information requiring recirculation of the RDEIR, and proceeded to prepare a Final EIR; and

**WHEREAS**, the Final EIR consists of written and oral comments received by the SCWMA on the DEIR and the RDEIR; responses to those comments; and revisions to the DEIR and RDEIR prompted by those comments and including all appendices thereto and referenced materials therein; and

**WHEREAS**, on May 6, 2015, the SCWMA provided public agencies that commented on the DEIR and RDEIR with the Final EIR, including the written responses to the respective agencies' comments; and

**WHEREAS**, the Final EIR was made available to the public on the SCWMA’s website and at the SCWMA’s office in advance of the SCWMA’s action certifying the Final EIR; and

**WHEREAS**, during its deliberation, the Board considered a further revised version of the Central Site Alternative. As detailed in a March 2015 Report authored by CH2MHill and entitled “*Review of Changes to Central Site Alternative for SCWMA*,” those further revisions to the Central Site Alternative would not result in new significant impacts, a substantial increase in the severity of any impact or the need for any new mitigation measures; and

**WHEREAS**, the SCWMA’s Board of Directors (the “Board”) held a duly noticed public hearing to consider the Final EIR and the Project on June 24, 2015; and

**WHEREAS**, the findings in this Resolution No. 2015-\_\_\_\_\_ are based upon the information and evidence set forth in the Final EIR and upon other substantial evidence which has been presented to the Board in the record of the proceedings. The documents, staff reports, technical studies, appendices, plans, specifications, and other materials that constitute the record of proceedings upon which this Resolution is based are on file and available for public examination during normal business hours in the SCWMA’s offices.

**NOW, THEREFORE, THE SONOMA COUNTY WASTE MANAGEMENT AGENCY HEREBY FINDS, DECLARES, AND RESOLVES AS FOLLOWS:**

#### **CERTIFICATION**

**Section 1:** The foregoing recitals are incorporated into this Resolution by this reference, and constitute a material part of this Resolution.

**Section 2:** The Board finds that agencies and interested members of the public have been afforded notice and opportunity to comment on the DEIR, RDEIR, and Final EIR (collectively, the “EIR”).

**Section 3:** The Board has independently reviewed and considered the contents of the Final EIR prior to deciding whether to approve the Project or some alternative to the Project. The Board hereby finds that the Final EIR reflects the independent judgment of the SCWMA. The Board further finds that the additional information provided in the staff reports, in the response to comments received after circulation of the DEIR and the RDEIR, and in the evidence presented in written and oral testimony presented at the public meeting held on June 24, 2015, does not constitute new information requiring recirculation of the EIR under CEQA. None of the information presented to the Board after circulation of the DEIR and the RDEIR has deprived the public of a meaningful opportunity to comment upon a substantial environmental impact of the Project or a feasible mitigation measure or alternative that the Board has declined to implement.

**Section 4:** The Board finds that the comments received regarding the DEIR and the RDEIR, and the responses to those comments have been received by the Board, that the Board received public testimony regarding the adequacy of the EIR, and that the Board, as the final decision-making body for the lead agency, has reviewed and considered in its independent judgment, all such documents and testimony prior to acting on the Central Site Alternative. Pursuant to CEQA Guidelines § 15090, the Board hereby certifies that the Final EIR has been completed in compliance with CEQA.

**ADOPTED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Executive Director  
Sonoma County Waste Management Agency

ATTEST:

\_\_\_\_\_  
City Clerk  
Sonoma County Waste Management Agency

APPROVED AS TO FORM:

\_\_\_\_\_  
General Counsel  
Sonoma County Waste Management Agency



Agenda Item #: 6  
Cost Center: Organics  
Staff Contact: Mikus  
Agenda Date: 6/24/2015

ITEM: **New Compost Site Selection**

**I. BACKGROUND**

The Board has been engaged in the site selection process for a new compost facility. It identified the following Project Objectives for this endeavor when it undertook environmental review pursuant to the California Environmental Quality Act (CEQA):

- Objective 1: Relocate SCWMA's composting operations from its current location at the County's existing Central Disposal Site.
- Objective 2: Establish a permanent composting facility in Sonoma County with sufficient capacity for current and future quantities.
- Objective 3: Provide a facility to assist jurisdictions within SCWMA's service area in meeting the goals and objectives for waste diversion as set forth in the California Integrated Waste Management Act of 1989 (AB 939).

Two prospective sites are currently under serious discussion: "Site 40" east of Petaluma at the intersection of Adobe and Stage Gulch Roads, and the "Central Site Alternative" which is on land not planned for landfill use at the County-owned Central Disposal Site. Both locations have undergone analysis pursuant to CEQA via an Environmental Impact Report ("EIR") that is currently proposed for certification. Staff have also presented the Board with information required for making the site selection related to financial, technical, and practical considerations that have impact on each site's viability.

Given the likelihood that the Board will have Certified the Final EIR prior to this discussion, the next step would be for the Board to formally choose a new compost site.

**II. DISCUSSION**

Site 40 and the Central Site Alternative each meet the three project objectives. While the DEIR found that the Site 40 Alternative would be the environmentally superior alternative, and the Central Site Alternative would not meet Project Objectives, when the scope of the Central Site Alternative was revised in the RDEIR, the picture changed. The Central Site Alternative now fully meets all of the Project Objectives, and, when compared with the Site 40 Alternative, has fewer significant and unavoidable impacts. Specifically, the Site 40 Alternative would result in the following significant and unavoidable impacts (none of which are found with the Central Site Alternative):

- Construction of the Site 40 Alternative (associated with either windrow or ASP option) would generate significant and unavoidable generate short-term emissions of criteria air pollutants: ROG, NOx, CO, PM10, and PM2.5 that could contribute to existing nonattainment conditions and further degrade air quality.

- Implementation of the Site 40 Alternative (windrow composting option) may lead to significant and unavoidable increases in chronic exposure of sensitive receptors in the vicinity to certain toxic air contaminants from various stationary and mobile sources.
- The Site 40 Alternative (windrow composting together with anticipated cumulative development in the Bay Area Air Basin, would contribute to significant and unavoidable regional criteria pollutants.
- The Site 40 Alternative (ASP composting option), together with anticipated cumulative development in the Bay Area Air Basin, would contribute to significant and unavoidable regional criteria pollutants.

As modified in the RDEIR, and per clarifications to mitigation measures relating to operational noise, the Central Site Alternative would result in just one significant and unavoidable impact:

- The Central Site Alternative would contribute to significant and unavoidable Long-Term Cumulative traffic volumes at the study intersection during the weekday a.m. and weekend peak hour.

Given this, the Central Site Alternative is the environmentally superior alternative.

Through the work presented by our consultant, Tetra Tech BAS, Central was confirmed to have the space to process the required 200,000 tons per year. Tetra Tech BAS completed a fairly detailed preliminary compost facility design together with a construction cost estimate. Although the total cost is steep, at approximately \$45M, when this cost is amortized over 25 years it is affordable. Further, the holder of the majority of the cities' franchise agreements, the Ratto Group, provided SCWMA with estimates of these costs' impact on the curbside collection rate payers and it was found to be relatively low in a range from between a dollar to five dollars per location per month.

The preliminary site design did include several environmental enhancements meant to address several concerns, particularly roofing the site work areas to better manage storm water, and use of an enclosed processing building to control odors.

However, utilizing the Central Site would require continued tenancy with the County on their landfill property (rather than SCWMA owning the property for Site 40), would introduce another party via the landfill MOA between the County and Republic Services, and would require a greater level of effort to adhere to compost contact water requirements when compared to Site 40. The County has also indicated their expectation that use of space at the Central landfill property would no longer be free and would require payment of rent. The County's initial requirement for rent is \$1.50 per ton of inbound raw compost materials, with an increase of \$.25 per ton every 5 years. Although future amounts of material handled cannot be predicted other than in very general terms, a gradual increase from current tons to the ultimate site capacity of 200,000 tons per year was used to estimate the total rent to be paid under the County requirement; this figure over 25 years would be nearly \$8M.

In contrast, because of its location, and the organics collection routes and hauling infrastructure

that are already in place, Site 40 would require added hauling expense, with added greenhouse gas emissions from the additional trucking miles.

Because the Central Site Alternative is the environmentally superior alternative and is practically, technically, and financially feasible, Central is the best site for a new compost facility.

### **III. FUNDING IMPACT**

None at this time.

### **IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION**

Staff recommends the Board adoption Resolution 2015-\_\_\_\_ and approve the Central Site alternative as the preferred location for a new compost facility.

Adoption of this Resolution would include the following findings and actions:

1. The Board determination that, based on all of the evidence presented, including but not limited to the EIR, written and oral testimony given at meetings and hearings, and the submission of testimony from the public, organizations and regulatory agencies, the environmental impacts associated with the Central Site Alternative are: (1) less than significant and do not require mitigation; or (2) potentially significant but will be avoided or reduced to a level of insignificance through the identified Mitigation Measures; or (3) significant and cannot be fully mitigated to a level of less than significant but will be substantially lessened to the extent feasible by the identified Mitigation Measures.
2. Pursuant to Public Resources Code section 21081.6, the Board adopts the Mitigation Monitoring and Reporting Program, which is attached to the Resolution as Exhibit A.
3. The Board finds that the Central Site Alternative is consistent with the Sonoma County General Plan.
4. The Board finds that all significant environmental impacts from the implementation of the Project have been identified in the EIR and, with implementation of the Mitigation Measures identified, will be mitigated to a less than significant level, except for the transportation impact.
5. The Board finds that the Environmentally Superior Alternative (the Central Site Alternative) has been found feasible and thus is being adopted.
6. The Board finds that the environmental, economic, social and other considerations and benefits derived from the development of the Environmentally Superior Alternative override the significant and unavoidable impact of the Environmentally Superior Alternative.
7. The Board adopts a Statement of Overriding Considerations

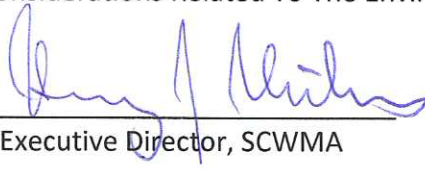
### **V. ATTACHMENTS**

Resolution Of The Sonoma County Waste Management Agency Making Environmental Findings Pursuant To The California Environmental Quality Act Regarding The Construction Of The Central Disposal Site Compost Facility; Adopting A Mitigation Measure Reporting Program And Statement

Of Overriding Considerations Related To The Environmental Impact Report And Approving The Project

Approved by:

Henry J. Mikus, Executive Director, SCWMA

 6/19/2015



**RESOLUTION NO. 2015-\_\_\_\_\_**

**RESOLUTION OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY  
MAKING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT REGARDING THE CONSTRUCTION OF THE  
CENTRAL DISPOSAL SITE COMPOST FACILITY; ADOPTING A MITIGATION  
MEASURE REPORTING PROGRAM AND STATEMENT OF OVERRIDING  
CONSIDERATIONS RELATED TO THE ENVIRONMENTAL IMPACT REPORT AND  
APPROVING THE CENTRAL SITE ALTERNATIVE AS THE PROJECT**

THE SONOMA COUNTY WASTE MANAGEMENT AGENCY HEREBY FINDS,  
DECLARES, AND RESOLVES AS FOLLOWS:

**WHEREAS**, the Sonoma County Waste Management Agency (“SCWMA”) is a joint powers authority of the nine (9) incorporated cities and the County of Sonoma, as authorized under Government Code §§ 6500, *et seq.*, formed for the purpose of waste management and diversion; and

**WHEREAS**, SCWMA proposed to construct new compost facility to replace the existing composting facility at the Central Disposal Site, a facility that would (either through windrow or aerated static pile [ASP] methods) process up to 200,000 tons of compost materials per year (“Project”) to be located at Site 5A, a 70-acre compost facility located on 100 acres in unincorporated Sonoma County, approximately 6 miles southeast of the City of Petaluma, between Lakeville Road and the Petaluma River (“Site 5A”); and

**WHEREAS**, for purposes of the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, and Guidelines for the California Environmental Quality Act, 14 Cal. Code of Regs. §§ 15000, *et seq.*, the “CEQA Guidelines,” collectively referred to as “CEQA”) SCWMA, as lead agency, determined that an Environmental Impact Report (“EIR”) was required for the Project, pursuant to CEQA; and

**WHEREAS**, in addition to project-level analysis of the environmental impacts of the Project (Site 5A), SCWMA decided to also include in the EIR project-level environmental review of the “Site 40 Alternative” (a 48-acre compost facility located on 390 acres in unincorporated Sonoma County, located approximately 2.5 miles east of the City of Petaluma at the intersection of Adobe Road and Stage Gulch Road (State Route 116)) and the “Central Site Alternative” (a 38-acre compost facility to be located on the 400-acre Central Disposal Site, approximately 1.5 miles southwest of the City of Cotati, off of Mecham Road); and

**WHEREAS**, on November 26, 2008, the SCWMA prepared and sent a Notice of Preparation of the EIR to responsible, trustee, and other interested agencies and persons in accordance with CEQA Guidelines §§ 15082(a) and 15375; and

**WHEREAS**, the SCWMA hosted a public meeting concerning the proposed scope of the Draft EIR (“DEIR”) in Petaluma on December 11, 2008; and

**WHEREAS**, in December 2011, the SCWMA completed a DEIR, including certain technical appendices (collectively, the “DEIR,” SCH #2008122007), so as to disclose potential

environmental impacts associated with the proposed Project and the various Project alternatives considered in accordance with CEQA Guidelines § 15084.

**WHEREAS**, the SCWMA released the DEIR on December 21, 2011 and circulated it to the public and to other interested persons for public comment for a sixty-two (62) day comment period that closed on February 21, 2012, as required by the CEQA Guidelines §§ 15086, 15087, and 15105; and

**WHEREAS**, during the DEIR comment period, the SCWMA held a duly noticed public hearing on January 18, 2012 in the City of Santa Rosa Council Chambers, to solicit public input and comment on the DEIR, at which time the SCWMA received oral and documentary evidence from the public regarding the Project and the DEIR; and

**WHEREAS**, on October 4, 2012, the SCWMA released a Recirculated DEIR (“RDEIR”) to evaluate, at a project-level of detail, the potential environmental impacts of revisions to the Central Site Alternative, whose design had been revised to compost 200,000 tons per year; and

**WHEREAS**, the SCWMA circulated the RDEIR to the public and to other interested persons for public comment for a forty-five (45) day comment period that closed on November 19, 2012, as required by the CEQA Guidelines §§ 15086, 15087, and 15105; and

**WHEREAS**, during the forty-five day comment period, the SCWMA held a duly noticed public hearing on October 24, 2012 in the Ray Miller Community Center in Cotati, to solicit public input and comment on the RDEIR, at which time the SCWMA received oral and documentary evidence from the public regarding the Project and the RDEIR; and

**WHEREAS**, copies of the RDEIR were available for public review at the SCWMA office located at 2300 County Center Drive, Suite B-100, in Santa Rosa, California, and available for review at local libraries throughout the County, as well as online at: <http://www.recyclenow.org/agency/reports/asp> during the public comment period; and

**WHEREAS**, the SCWMA prepared written responses for each of the 47 comments, letters, and e-mails presented to the SCWMA during the public comment periods that raised a significant environmental issue. Additionally, the SCWMA made revisions to the DEIR and RDEIR, as appropriate, in response to those comments; and

**WHEREAS**, after reviewing the responses to comments and the revisions to the DEIR and the RDEIR made in response to comments, the SCWMA concluded that the information and issues raised by the comments and the responses thereto did not constitute new information requiring recirculation of the RDEIR, and proceeded to prepare a Final EIR; and

**WHEREAS**, the Final EIR consists of written and oral comments received by the SCWMA on the DEIR and the RDEIR; responses to those comments; and revisions to the DEIR and RDEIR prompted by those comments and including all appendices thereto and referenced materials therein; and

**WHEREAS**, on May 6, 2015, the SCWMA provided public agencies that commented on the DEIR and RDEIR with the Final EIR, including the written responses to the respective agencies' comments; and

**WHEREAS**, the Final EIR was made available to the public on the SCWMA's website and at the SCWMA's office in advance of the SCWMA's action certifying the Final EIR; and

**WHEREAS**, during its deliberation, the Board considered a further revised version of the Central Site Alternative. As detailed in a March 2015 Report authored by CH2M Hill and entitled "*Review of Changes to Central Site Alternative for SCWMA*," those further revisions to the Central Site Alternative would not result in new significant impacts, a substantial increase in the severity of any impact or the need for any new mitigation measures; and

**WHEREAS**, the SCWMA's Board of Directors (the "Board") held a duly noticed public hearing to consider the Final EIR and the Project on June 24, 2015; and

**WHEREAS**, via Resolution 2015-\_\_\_\_ and pursuant to Public Resources Code section 21081 and CEQA Guidelines section 15090 and 15091, the Board certified the Final EIR as having been prepared in compliance with CEQA; and

**WHEREAS**, the findings in this Resolution No. 2015-\_\_\_\_ are based upon the information and evidence set forth in the Final EIR and upon other substantial evidence which has been presented to the Board in the record of the proceedings. The documents, staff reports, technical studies, appendices, plans, specifications, and other materials that constitute the record of proceedings upon which this Resolution is based are on file and available for public examination during normal business hours in the SCWMA's offices.

**NOW, THEREFORE, THE SONOMA COUNTY WASTE MANAGEMENT AGENCY HEREBY FINDS, DECLARES, AND RESOLVES AS FOLLOWS:**

**ENVIRONMENTAL IMPACTS AND MITIGATION**

At a session assembled on June 24, 2015, the Board determined that, based on all of the evidence presented, including but not limited to the EIR, written and oral testimony given at meetings and hearings, and the submission of testimony from the public, organizations and regulatory agencies, the following environmental impacts associated with the Central Site Alternative are: (1) less than significant and do not require mitigation; or (2) potentially significant but will be avoided or reduced to a level of insignificance through the identified Mitigation Measures; or (3) significant and cannot be fully mitigated to a level of less than significant but will be substantially lessened to the extent feasible by the identified Mitigation Measures.

**Section 1: Resolution Regarding Environmental Impacts Not Requiring Mitigation.**

As reflected in the NOP, prior to publication of the DEIR, the following environmental impacts associated with the Central Site Alternative were determined to not be significant at the Central Site Alternative, Geology and Soils; Hazards and Hazardous Materials; Mineral Resources; Population and Housing; Recreation. (RDEIR, p. 4-26—31.)

Further, as detailed in the DEIR and RDEIR, the following environmental impacts associated with the Central Site Alternative are less than significant and do not require mitigation:

**A. Air Quality**

- **Impact 24.2:** Operation of the Central Site Alternative would result in less than significant emissions of criteria air pollutants at levels that would substantially contribute to a potential violation of applicable air quality standards or to nonattainment conditions. (RDEIR, p. 24-4.)
- **Impact 24.3:** Central Site Alternative traffic would generate less than significant localized CO emissions on roadways and at intersections in the site vicinity. (RDEIR, p. 24-6.)
- **Impact 24.5:** Implementation of the Central Site Alternative may lead to less than significant increases in chronic exposure of sensitive receptors in the vicinity to certain toxic air contaminants from various stationary and mobile sources. (RDEIR, p. 24-7.)
- **Impact 24.6:** Construction and operation of the Central Site Alternative would not result in a cumulatively considerable increase in greenhouse gas emissions. (RDEIR, p. 24-9.)
- **Impact 24.8:** Cumulative risk from all past, present and reasonably foreseeable sources within 1,000 feet of the Central Site Alternative would expose sensitive receptors to PM<sub>2.5</sub> and TACs which may lead to less than significant adverse health effects. (RDEIR, p. 24-11.)

**B. Land Use and Agriculture**

- **Impact 28.1:** The Central Site Alternative has no potential to physically divide an established community. (RDEIR, p. 28-4.)
- **Impact 28.3:** The Central Site Alternative would result in no conversion of agricultural land, specifically Grazing Land. (RDEIR, p. 28-6.)
- **Impact 28.4:** The Central Site Alternative would not conflict with an existing Williamson Act Contract. (RDEIR, p. 28-7.)

**C. Noise**

- **Impact 29.3:** Traffic associated with operation of the Central Site Alternative could result in a less than significant increase in ambient noise levels on nearby roadways used to access the project site. (RDEIR, p. 29-9.)
- **Impact 29.5:** Increases in traffic from the Central Site Alternative in combination with other development would result in less than significant cumulative noise increases. (RDEIR, p. 29-13.)

**D. Public Services and Utilities**

- **Impact 30.1:** The Central Site Alternative would generate solid waste which would require disposal at a landfill. (RDEIR, p. 30-3.)

- **Impact 30.2:** The Central Site Alternative and implementation of certain mitigations, would result in less than significant increase energy demands. (RDEIR, p. 30-3.)
- **Impact 30.3:** The Central Site Alternative would require less than significant law enforcement services from the Sonoma County Sheriff's Office. (RDEIR, p. 30-4.)
- **Impact 30.4:** The Central Site Alternative would result in a less than significant increase demand for fire protection and emergency medical services including response to wildland fires. (RDEIR, p. 30-4.)
- **Impact 30.6:** The Central Site Alternative could require or result in the construction of new wastewater treatment facilities, the construction of which could cause less than significant environmental effects. (RDEIR, p. 30-6.)

**E. Traffic and Transportation (Near-Term Cumulative)**

- **Impact 31.1:** The Central Site Alternative would contribute to less than significant Near-Term Cumulative traffic volumes at the study intersection during the weekday a.m. and weekend peak hour. (RDEIR, p. 31-10.)
- **Impact 31.2:** The Central Site Alternative would result in less than significant traffic safety impacts due to design features or incompatible uses. (RDEIR, p. 31-11.)
- **Impact 31.4:** The Central Site Alternative would generate turning movements by heavy vehicles to and from Mecham Road, and would result in less than significant impacts relating to conflicts between Central Site Alternative traffic and through traffic. (RDEIR, p. 31-12.)

**F. Traffic and Transportation (Long-Term Cumulative)**

- **Impact 31.6:** The Central Site Alternative would result in less than significant traffic safety impacts due to design features or incompatible uses. (RDEIR, p. 31-14.)
- **Impact 31.7:** The Central Site Alternative would generate turning movements by heavy vehicles to and from Mecham Road, and would result in a less than significant increase in the potential for conflicts between Central Site Alternative traffic and through traffic. (RDEIR, p. 31-14.)
- **Impact 31.8:** The Central Site Alternative would contribute to a less than significant degradation of pavement on public roads. (RDEIR, p. 31-14.)

**Section 2: Resolution Regarding Environmental Impacts Mitigated To A Level Of Less Than Significant.**

The SCWMA hereby finds that Mitigation Measures have been identified in the EIR and this Resolution which will avoid or substantially lessen the following potentially significant environmental impacts of the Central Site Alternative to a less than significant level. The

potentially significant impacts and the Mitigation Measures which will reduce them to a less than significant level are as follows:

**A. Air Quality**

**1. Short-Term Emissions of Criteria Air Pollutants**

Impact: Construction of the Central Site Alternative could generate short-term emissions of criteria air pollutants: ROG, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> that could contribute to existing nonattainment conditions and further degrade air quality. However, with mitigation this impact would be less than significant. (RDEIR, p. R2-6.)

Finding: The following Mitigation Measure will be incorporated into the Central Site Alternative and will mitigate the impacts of short-term emissions of criteria air pollutants to a less than significant level.

**Mitigation Measure 24.1:** Implement the ‘Basic Control Measures’ and ‘Additional Control Measures’ specified in Mitigation Measure 5.1 (Construction Emission Controls) during construction (2011 Draft EIR). [Mitigation Measure 5.1] During construction, the SCWMA shall require the construction contractor to implement the measures that are specified under BAAQMD’s basic and additional construction mitigation procedures. These include:

- Basic Control Measures. These measures are required for all construction projects in the BAAQMD jurisdiction:
  - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
  - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
  - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
  - All vehicle speeds on unpaved roads shall be limited to 15 mph. Signage with this speed restriction shall be imposed where appropriate and applicable.
  - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
  - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- Additional Control Measures. Since unmitigated construction emissions would exceed the BAAQMD thresholds, the SCWMA and its contractors shall implement the following additional control measures during project construction:
  - All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content shall be verified by lab samples or moisture probe once per week, or at greater intervals if testing shows moisture content greater than 12 percent.
  - All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
  - Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Vegetative wind breaks should be established with mature trees or thick hedges in multiple staggered rows. Wind breaks shall have at maximum 50 percent air porosity.
  - Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
  - The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
  - All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
  - Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.
  - Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.

- Minimizing the idling time of diesel powered construction equipment to two minutes.
- The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOx reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.
- Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).
- Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NOx and PM.
- Requiring all contractors use equipment that meets CARB's most recent certification standard for off-road heavy duty diesel engines. (FEIR, p. 3-2 to 3-4)

Supporting Explanation: Among other things, the use of water for street sweepers and to dampen exposed surfaces will decrease the amount of PM10 caused by project construction. Covering haul trucks, removing visible track-out several times per day, limiting vehicle speeds on unpaved roads, paving roadways as soon as possible, installing wood chips, mulch, or gravel 100 feet from the paved road, instituting stop-work wind restrictions, and installing wind breaks and vegetative ground cover will also reduce the amount of project dust on-site and will thus decrease the amount of PM10. Moreover, signage regarding dust complaints will help maintain awareness of air quality impact concerns and will encourage the reporting of adverse conditions that may otherwise go unnoticed. This, combined with a 48 hour response time for dust complaints, should decrease the amount of dust caused by project construction and therefore reduce the PM10 impacts.

Other criteria air pollutants such as ROG, NOx, CO, and PM2.5 will be reduced by minimizing vehicle idling time which will reduce the length of time pollutants are emitted from project vehicles. Maintaining project equipment in proper condition (e.g. tune-ups), requiring off-road equipment to achieve a project wide fleet average NOx and PM reduction that is less than the most recent ARB fleet average will also help decrease project-related criteria air pollutants because said equipment will emit fewer pollutants. In addition, requiring that all construction equipment be equipped with specific technology for emissions reduction and/or adhere to CARB standards will also aid in reducing the air quality impacts of the project.

Thus, with the implementation of these mitigation measures, project related impacts to air quality will be reduced to less than significant levels.

## **2. Objectionable Odors**



**Impact:** Operation of the Central Site Alternative could create objectionable odors affecting a substantial number of people. However, with mitigation this impact would be less than significant. (RDEIR, p. R2-6.)

**Finding:** The following Mitigation Measure will be incorporated into the Central Site Alternative and will mitigate the impacts of objectionable odors to a less than significant level.

**Mitigation Measure 24.4:** The SCWMA shall develop and comply with an Odor Impact Minimization Plan (OIMP) pursuant to the requirements of the California Code of Regulations, Title 14, Division 7, Chapter 3.1, Article 3, Section 17863.4.(RDEIR, p. 24-7).

**Supporting Explanation:** There are a few factors that would affect odors in the area compared to the existing compost operation at the Central Disposal Site. The main factor potentially increasing odors would be the increase of feedstock up to 200,000 tons per year. Factors that would decrease odors in the area are the use of a food pre-processing building and the use of covered aerated static piles (because, in both cases, the odor-emitting materials would be housed, enclosed, or covered) (Site Report,<sup>1</sup> p. 3-2). Further, the location of the site would be to the west of the current compost operation and farther from the Happy Acres subdivision. Thus, receptors would be further away from the project site and less likely to be impacted by odors. (see RDEIR, p. 24-7.) In addition, the OIMP includes two major components, a Complaint Response Protocol and an Odor Complaint Reporting Format, with procedures to follow upon receiving a complaint. The protocol includes measures to identify the odor and requires appropriate adjustments to storage, process control, and facility improvements to reduce odors. The OIMP protocol will help maintain awareness of odors and will encourage the reporting of adverse conditions that may otherwise go unnoticed. Therefore, these mitigation measures, combined with the required adjustment procedures to further reduce odors upon receiving an odor complaint, will decrease the impacts of odors associated with project operation to less than significant levels.

### **3. Regional Criteria Pollutants**

**Impact:** The Central Site Alternative, together with anticipated cumulative development in the Bay Area Basin, would contribute to regional criteria pollutants. However, with mitigation this impact would be less than significant. (RDEIR, p. R2-6.)

**Finding:** The following Mitigation Measure will be incorporated into the Central Site Alternative and will mitigate the impacts of regional criteria pollutants to a less than significant level.

**Mitigation Measure 24.7:** Implement Mitigation Measure 24.1 described above. (RDEIR, p. R2-6.)

**Supporting Explanation:** Among other things, the use of water for street sweepers and to dampen exposed surfaces will decrease the amount of PM10 caused by project construction. Covering haul trucks, removing visible track-out several times per day, limiting vehicle speeds on unpaved roads, paving roadways as soon as possible, installing wood chips, mulch, or gravel 100 feet from the paved road, instituting stop-work wind restrictions, and

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<sup>1</sup>This citation is to the March 2015 report prepared for the SCWMA and entitled, *Review of Changes to Central Site Alternative for Sonoma County Waste Management Agency Compost Facility*.

installing wind breaks and vegetative ground cover will also reduce the amount of project dust on-site and will thus decrease the amount of PM10. Moreover, signage regarding dust complaints will help maintain awareness of air quality impact concerns and will encourage the reporting of adverse conditions that may otherwise go unnoticed. This, combined with a 48 hour response time for dust complaints, should decrease the amount of dust caused by project construction and therefore reduce the PM10 impacts.

Other criteria air pollutants such as ROG, NOx, CO, and PM2.5 will be reduced by minimizing vehicle idling time which will reduce the length of time pollutants are emitted from project vehicles. Maintaining project equipment in proper condition (e.g. tune-ups), requiring off-road equipment to achieve a project wide fleet average NOx and PM reduction that is less than the most recent ARB fleet average will also help decrease project-related criteria air pollutants because said equipment will emit fewer pollutants. In addition, requiring that all construction equipment be equipped with specific technology for emissions reduction and/or adhere to CARB standards will also aid in reducing the air quality impacts of the project.

Thus, with the implementation of these mitigation measures, project related impacts to air quality will be reduced to less than significant levels.

## **B. Land Use And Agriculture**

### **1. Conflict with County's General Plan or Zoning Ordinance**

Impact: With mitigation, the Central Site Alternative will not expose persons to or generate noise levels in excess of standards in the General Plan. The Central Site Alternative has a General Plan Land Use Designation of PQP and Zoning of PF which allows for the existing County compost operations and would allow for future similar uses. As the Central Site Alternative does not propose a subdivision, it is consistent with the B7 zoning combining district. (RDEIR, p. 28-4.) The Sonoma County Permit and Resource Management Department ("PRMD") conducted a General Plan consistency analysis (2011) and the Central Site Alternative was found to be consistent with most policies of the General Plan. Monitoring of the groundwater well supplying the Central Site Alternative in compliance with PRMD Policy 8-3—1 would be required as a condition of approval of any use permit to comply with this policy. The consistency analysis also discusses Objective OSRC-13.1 of the Open Space and Resource Conservation Element which relates to aggregate production. It is assumed that the Central Site Alternative would not sell aggregate and would not constitute a mining operation. Thus, the Central Site Alternative would be consistent with the policy and objective discussed. (RDEIR, p. 28-6.)

Finding: The following Mitigation Measures, as clarified after publication of the FEIR, will lessen the impact of Central Site Alternative noise to a less than significant level.

**Mitigation Measure 28.2:** Implement Mitigation Measures 29.2a through 29.2e to reduce operational noise impacts. (RDEIR, p. 28-6.)

Supporting Explanation: Attenuation of noise levels, installing sound insulating features to block sight lines, muffling and shielding project equipment, positioning the noisiest equipment away from the nearest residences, and funding insulation upgrades to the nearest residences will help to decrease the amount of noise created by the project as well as the amount of noise heard by sensitive receptors. Therefore, these mitigation measures ensure consistency

with the General Plan and will lessen the impact of Central Site Alternative noise to a less than significant level.

**C. Biological Resources**

**1. Impacts to the California Red-Legged Frog, Northwestern Pond Turtle, White-Tailed Kite, Hoary Bat, and Showy Rancheria Clover**

Impact: Implementation of the Central Site Alternative would result in the removal of freshwater pond habitat, which could result in adverse permanent and temporary impacts to the red-legged frog and northwestern pond turtle. Removal of blue gum (eucalyptus) trees may result in the removal of nesting and roosting habitat for white-tailed kite and hoary bat; this would be considered a potential adverse permanent impact. Grading activities and the removal of annual grassland habitat may result in adverse permanent impacts to showy Rancheria clover. (RDEIR, p. 25-11.) The project site is within the Santa Rosa Plains Conservation Strategy area designated as “Likely to adversely affect CTS” and may contain aestivation habitat for CTS. (FEIR, p. 2-48.)

Finding: Implementation of the following Mitigation Measures, as clarified after publication of the FEIR, would reduce the Central Site Alternative’s impacts to biological resources to a less than significant level.

**Mitigation Measure 25.1:** To reduce potential impacts to California red-legged frog, California Tiger Salamander, northwestern pond turtle, white-tailed kite, hoary bat, and showy Rancheria clover, SCWMA shall implement the following mitigation measures:

**California Red-Legged Frog**

A qualified biologist shall conduct a protocol-level habitat assessment in accordance with the USFWS’ 2005 “Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog” or the most current guidance. If it is determined, based on the results of the habitat assessment and the USFWS, that the pond does not support CRLF habitat, no additional measures would be required.

Based on the results of the protocol-level habitat assessment, the USFWS may require protocol-level field surveys, which shall be conducted in accordance with the most current guidelines. The results of these surveys will document use by CRLFs in the freshwater pond habitat. If it is determined, based on the results of the field surveys that the pond does not support CRLFs, no additional mitigation would be required.

If the freshwater pond does support CRLF, the SCWMA shall consult with the USFWS and obtain the incidental take permit prior to the commencement of any construction activities that could affect CRLF habitat. In consultation with the USFWS, SCWMA may be required to prepare a habitat conservation plan (HCP) that documents how effects of the authorized incidental take would be adequately minimized and mitigated. The HCP shall detail approved mitigation measures including, but not be limited to, preconstruction clearance surveys conducted by a qualified biologist, installation of exclusionary fencing, mitigation for loss of CRLF habitat as approved by USFWS, and implementation of a worker

~~environmental awareness training program. U.S. Army Corps of Engineers (USACE) to take jurisdiction and request a formal consultation with the USFWS under Section 7 of the Federal Endangered Species Act. Once the USFWS has prepared a biological opinion on whether the proposed project will jeopardize the continued existence of CRLFs, the USFWS may prepare an incidental take statement (permit) for the proposed project, which provides the Corps and SCWMA reasonable and prudent alternative actions. The SCWMA shall be responsible for obtaining an incidental take permit from the USFWS pursuant to Section 10 of the Federal Endangered Species Act. The consult with the USFWS and obtain the incidental take permit shall be acquired prior to the commencement of any construction activities that could affect CRLF habitat. In consultation with the USFWS, SCWMA may be required to prepare a habitat conservation plan (HCP) shall also be prepared that documents how effects of the authorized incidental take would be adequately minimized and mitigated. The HCP shall detail approved mitigation measures, including but not be limited to preconstruction clearance surveys conducted by a qualified biologist, installation of exclusionary fencing, mitigation for loss of CRLF habitat as approved by USFWS, and implementation of a worker environmental awareness training program. (RDEIR, p. 25-12—13 as modified.)~~

#### California Tiger Salamander

All areas that would be disturbed by the project (permanent and temporary) shall be mitigated according to the Santa Rosa Plains Conservation Strategy. Alternatively, USFWS approved protocol surveys for CTS shall be conducted in order to demonstrate presence or absence of CTS onsite. If no CTS are found during the protocol surveys, then no additional mitigation would be required. If CTS are found, the mitigation ratios would be determined in consultation with the USFWS and CDFW.

#### Northwestern Pond Turtle

A survey shall be performed 24 hours prior to the start of construction activities near the freshwater pond located on the Central Site. If a turtle is found in the freshwater pond, the CDFW -approved biologist shall try to passively move the turtle out of the area. If a turtle becomes trapped during construction activities in the freshwater pond, a biologist shall remove the turtle from the work area and place it in a suitable habitat in the vicinity of the project. If a turtle is discovered in the construction area during active operations, the equipment operator or equivalent will temporarily cease operations per the biologist's direction until the biologist has moved the turtle away from the construction area and/or out of harm's way. (RDEIR, p. 25-13.)

#### White-Tailed Kite and Other Raptors

A survey shall be conducted two weeks prior to the start of construction activities in suitable nesting habitats such as trees and tall shrubs. If an active nest is found in the construction area, the SCWMA shall consult with the California Department of Fish and Wildlife (CDFW ) to implement appropriate measures to reduce impacts to the nesting effort. The SCWMA shall ensure the following

measures are implemented to reduce impacts to white-tailed kites and other raptor species:

1. Maintain a 500-foot buffer or a buffer distance agreed to with CDFW around each active raptor nest; no construction activities shall be permitted within this buffer except as a result of consultation with CDFW.
2. Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined in consultation with CDFW), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor, the project would impact the nest, the biologist shall immediately inform the construction manager and CDFW. The construction manager shall stop construction activities within the buffer until either the nest is no longer active or the project receives approval to continue from CDFW.
3. If tree removal is necessary, it shall be conducted outside of the breeding season (between February and October). Loss of a nest tree shall be compensated according to CDFW guidance. (RDEIR, p. 25-13.)

#### Hoary Bat and Other Sensitive Bat Species

1. A survey shall be conducted two calendar weeks prior to initiation of construction activity in suitable bat roosting habitat (e.g. abandoned buildings, rock crevices, under tree bark, hollow trees, culverts, under bridges, or other dark crevices). The pre-construction bat survey shall be performed by a CDFW approved wildlife biologist or other qualified professional.
2. If a female or maternity colony of bats are found on the project site and the project can be constructed without the elimination or disturbance of the roosting colony (e.g., if the colony roosts in an area not planned for removal), a qualified wildlife biologist shall determine what physical and timed buffer zones shall be employed to ensure the continued success of the colony. Such buffer zones may include a construction-free barrier of 250 feet from the roost and/or the timing of the construction activities outside of the maternity roost season (typically May to August).
3. If an active nursery roost is known to occur on site and the project cannot be conducted outside of the maternity roosting season, bats shall be excluded from the site after August and before May to prevent the formation of maternity colonies. If a non-breeding pallid bat is found in a tree scheduled to be removed, the applicant will apply for a memorandum of understanding (MOU) with CDFW. The bats shall be safely evicted within the guidelines of the MOU under the direction of a qualified bat biologist by opening the roosting area at dusk to allow air flow through the cavity, or by an alternative measure that does not result in adverse impacts. Tree removal shall then follow no later than the following day (i.e. there would be not less than one night between the initial disturbance for airflow and the removal). This action should allow bats to leave during the dark

hours, thus increasing their chance of finding roots with a minimum of potential predation during daylight. (RDEIR, p. 25-13—14.)

#### Showy Rancheria Clover

Prior to project implementation, the SCWMA shall hire a qualified botanist to perform a preconstruction surveys for showy Rancheria clover during the appropriate season, typically between April and June, and within suitable habitat prior to construction. ~~rare plant species listed in that have any potential to occur within the project site. The qualified botanist shall conduct preconstruction surveys for rare plants during the appropriate season, according to CDFG guidelines for rare plant surveys, and within suitable habitat prior to construction.~~

If rare plant species are found during this ~~these~~ surveys, the project would propose avoidance, minimization, and/or compensation measures to CDFW and USFWS for their approval. These measures may include, but are not restricted, to the following:

1. Minimizing impacts by restricting removal of plants to a few individuals of a relatively large population;
2. Transplanting plants to suitable habitat outside the project site, either within SCWMA-owned land or off-site. SCWMA shall coordinate with the appropriate resource agencies and local experts to determine whether transplantation is feasible. If the agencies concur that transplantation is a feasible mitigation measure, a qualified botanist shall develop and implement a transplantation plan through coordination with the appropriate agencies. The special-status plant transplantation plan shall involve identifying a suitable transplant site; moving the plant material and seed bank to the transplant site; collecting seed material and propagating it in a nursery; and monitoring the transplant sites to document recruitment and survival rates.
3. Monitoring affected populations or relocated populations to document potential project-related impacts;
4. Restoring or enhancing occupied habitat on-site or at another location; and/or
5. Protecting occupied habitat for the species on-site or at another regional location. If special-status plants are protected on site, environmentally sensitive area fencing (orange construction barrier fencing) shall be installed around special-status plant populations. The environmentally sensitive area fencing shall be installed at least 20 feet from the edge of the population. The location of the fencing shall be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications shall contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive area. (RDEIR, p. 25-14 *as modified*.)

Supporting Explanation: Preconstruction surveys to determine whether a particular resource exists on the project site will aid in decreasing impacts to biological resources, because if a resource is found on-site, appropriate measures can then be taken to protect it. Additional measures such as the installation of protective fencing and maintaining buffers will aid in keeping biological resources off of the project site, therefore reducing impacts

to biological resources by keeping them off-site. If resources are found on-site, measures to transport or transplant them will also aid in decreasing impacts to biological resources by removing those resources safely (and in a minimally impactful way) from the project site. Therefore, these mitigation measures will reduce project related impacts to biological resources to less than significant levels.

#### **D. Cultural Resources**

##### **1. Inadvertent Discovery of Archeological Resources**

Impact: It does not appear that the Central Site Alternative contains archeological resources; however this possibility cannot be entirely discounted. (DEIR, p. 26-3.) The County landfill operator will be performing the initial excavation activities and completing most of the excavation volume as part of landfill operations under separate permits and authorizations. Any potential for inadvertent discovery of archeological resources would occur primarily during the landfill operator excavation. Once this excavation activity is done, the potential for encountering these resources is even lower. (Site Report, p. 5-1.)

Finding: Implementation of the following Mitigation Measure would reduce the impact of inadvertent discovery of archeological resources to a less than significant level.

**Mitigation Measure 26.1:** The SCWMA shall halt work if cultural resources are discovered during ground-disturbing activities. If cultural resources are encountered, all activity in the vicinity of the find shall cease until it can be evaluated by a qualified archaeologist and a Native American representative. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (“midden”) containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones.

Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the archaeologist and Native American representative determine that the resources may be significant, they shall notify the SCWMA and shall develop an appropriate treatment plan for the resources. The archaeologist shall consult with Native American representatives in determining appropriate treatment for prehistoric or Native American cultural resources.

In considering any suggested mitigation proposed by the archaeologist and Native American representative, SCWMA shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed in other parts of the project area while mitigation for cultural resources is being carried out. (RDEIR, p. 26-4.)

Supporting Explanation: The implementation of Mitigation Measure 26.1 will ensure that any potential impacts related to unexpected discoveries are archeological resources are reduced to a less than significant level through avoidance and/or data recovery and other appropriate measures.

## **2. Inadvertent Discovery of Human Remains**

Impact: It does not appear that the Central Site Alternative contains human remains; however this possibility cannot be entirely discounted. (DEIR, p. 26-4.) The County landfill operator will be performing the initial excavation activities and completing most of the excavation volume as part of landfill operations under separate permits and authorizations. Any potential for inadvertent discovery of human remains would occur primarily during the landfill operator excavation. Once this excavation activity is done, the potential for encountering these resources is even lower. (Site Report, p. 5-1.)

Finding: Implementation of the following Mitigation Measure would reduce the impact of inadvertent discovery of human remains to a less than significant level.

**Mitigation Measure 26.2:** Halt work if human skeletal remains are identified during construction. If human skeletal remains are uncovered during project construction, work should immediately halt within 50 feet of the find. SCWMA shall contact the Sonoma County coroner to evaluate the remains and follow the procedures and protocols set forth in Section 15064.5 (e)(1) of the CEQA Guidelines. If the County coroner determines that the remains are Native American, SCWMA would contact the Native American Heritage Commission (NAHC), in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641). The NAHC would then identify the person(s) thought to be the Most Likely Descendent of the deceased Native American, who would then help determine what course of action should be taken in dealing with the remains. (RDEIR, p. 26-4.)

Supporting Explanation: Implementation of Mitigation Measure 26.2 will, per se, reduce potential impacts related to the inadvertent discovery of human remains to a less than significant level.

## **3. Inadvertent Discovery of Paleontological Resources**

Impact: Excavation at the Central Site Alternative will cut into previous fills and bedrock composed of the Franciscan Complex. No known fossil sites are present in the Central Site Alternative area, and the Franciscan Complex is not a fossil-bearing geological unit. Nevertheless, there is still a slight possibility fossils could be uncovered. (DEIR, p. 26-4.) The County landfill operator will be performing the initial excavation activities and completing most of the excavation volume as part of landfill operations under separate permits and authorizations. Any potential for inadvertent discovery of paleontological resources would occur primarily during the landfill operator excavation. Once this excavation activity is done, the potential for encountering these resources is even lower. (Site Report, p. 5-1.)

Finding: Implementation of the following Mitigation Measure would reduce the impact of inadvertent discovery of paleontological resources to a less than significant level.

**Mitigation Measure 26.3:** The paleontologist shall halt work if paleontological resources are identified during construction. If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, all ground disturbing activities within 50 feet of the find shall be halted until a qualified paleontologist can assess the significance of the find and, if necessary, develop appropriate salvage



measures in consultation with the project sponsor and in conformance with Society of Vertebrate Paleontology Guidelines (SVP, 1995; SVP, 1996). If the paleontologist determines the fossil find is unique or significant, and worthy of salvage, measures would focus on identifying an institution willing and able to accept the specimen, plaster jacketing the specimen, and promptly removing the specimen from the construction site for study in a paleontology lab.(RDEIR, p. 26-4)

Supporting Explanation: Implementation of Mitigation Measure 26.3 will reduce the impact related to the unexpected discovery of paleontological resources to a less than significant level by ensuring that qualified paleontologist implements appropriate salvage measures and recover specimens for study in a paleontology lab.

## **E. Hydrology And Water Quality**

### **1. Degradation of Water Quality**

Impact: Central Site Alternative construction and operations could result in the release of water quality pollutants, including sediment, into natural waters. Potential impacts to water quality could occur during both Phase 1 and Phase 2 construction, which would involve substantial grading and earth moving activities, including disturbance to soils and surface sediments. (RDEIR, p. 27-11—12.) With respect to groundwater quality during construction, the use of nitrogen-based explosives has shown, in a handful of cases, to potentially result in a net increase in the concentration of nitrates in groundwater. Evidence for such effects is, however, limited, and increases in nitrate concentration have not been documented at the vast majority of blasting sites. (RDEIR, p. 27-12.) Pursuant to Waste Discharge Requirements Order No. R-1-2013-0003, the Central Site Alternative may not discharge wastewater from the composting area to receiving waters. Accordingly, roofing over the aerated static piles and enclosures of the pre-processing facilities will eliminate compost contact stormwater and reduce pollutants in stormwater. (Site Report, p. 6-1.)

Finding: Implementation of the following Mitigation Measures, as clarified after publication of the FEIR, would reduce the impact of the degradation of water quality to a less than significant level.

**Mitigation Measure 27.1a:** To control and manage shallow groundwater that is pumped during temporary construction activities, as well as stormwater runoff, the construction contractor SCWMA shall prepare and implement SWPPP as required under the General Construction Permit for Discharges of Storm Water Associated with Construction Activities, for all construction phases of the project. The SWPPP shall identify pollutant sources that may affect the quality of stormwater discharge and shall require the implementation of BMPs to reduce pollutants in storm water discharges.

BMPs may include, but would not be limited to:

- Excavation and grading activities in areas with steep slopes or directly adjacent to open water shall be scheduled for the dry season only (April 30 to October 15), to the extent possible. This will reduce the chance of severe erosion from intense rainfall and surface runoff.

- If excavation occurs during the rainy season, storm runoff from the construction area shall be regulated through a storm water management/erosion control plan that shall include temporary onsite silt traps and/or basins with multiple discharge points to natural drainages and energy dissipaters. Stockpiles of loose material shall be covered and runoff diverted away from exposed soil material. If work stops due to rain, a positive grading away from slopes shall be provided to carry the surface runoff to areas where flow would be controlled, such as the temporary silt basins. Sediment basins/traps shall be located and operated to minimize the amount of offsite sediment transport. Any trapped sediment shall be removed from the basin or trap and placed at a suitable location onsite, away from concentrated flows, or removed to an approved disposal site.
- Temporary erosion control measures (such as fiber rolls, staked straw bales, detention basins, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) shall be provided until perennial revegetation or landscaping is established and can minimize discharge of sediment into nearby waterways. For construction within 500 feet of a water body, appropriate erosion control measures, including fiber rolls and other erosion control measures listed above, shall be placed between the potential source of sediment and the water body.
- Sediment shall be retained onsite by a system of sediment basins, traps, or other appropriate measures.
- No disturbed surfaces will be left without erosion control measures in place during the rainy season, from October 15th through April 30th.
- Erosion protection shall be provided on all cut-and-fill slopes. Revegetation shall be facilitated by mulching, hydroseeding, or other methods and shall be initiated as soon as possible after completion of grading and prior to the onset of the rainy season (by October 15).
- A vegetation and/or engineered buffer shall be maintained, to the extent feasible, between the construction zone and all surface water drainages including riparian zones.
- Vegetative cover shall be established on the construction site as soon as possible after disturbance.
- BMPs selected and implemented for the project shall be in place and operational prior to the onset of major earthwork on the site. The construction phase facilities shall be maintained regularly and cleared of accumulated sediment as necessary. Effective

mechanical and structural BMPs that will be implemented at the project site include the following:

- Mechanical storm water filtration measures, including oil and sediment separators or absorbent filter systems such as the Stormceptor® system, can be installed within the storm drainage system to provide filtration of storm water prior to discharge.
- Vegetative strips, high infiltration substrates, and grassy swales can be used where feasible throughout the development to reduce runoff and provide initial storm water treatment.
- Roof drains shall discharge to natural surfaces or swales where possible to avoid excessive concentration and channelizing storm water.
- Permanent energy dissipaters can be included for drainage outlets.
- The water quality detention basins shall be designed to provide effective water quality control measures including the following:
  - Maximize detention time for settling of fine particles
  - Establish maintenance schedules for periodic removal of sedimentation, excessive vegetation, and debris that may clog basin inlets and outlets
  - Maximize the detention basin elevation to allow the highest amount of infiltration and settling prior to discharge.
- Hazardous materials such as fuels and solvents used on the construction sites shall be stored in covered containers and protected from rainfall, runoff, vandalism, and accidental release to the environment. All stored fuels and solvents will be contained in an area of impervious surface with containment capacity equal to the volume of materials stored. A stockpile of spill cleanup materials shall be readily available at all construction sites. Employees shall be trained in spill prevention and cleanup, and individuals shall be designated as responsible for prevention and cleanup activities.
- Equipment shall be properly maintained in designated areas with runoff and erosion control measures to minimize accidental release of pollutants.

The SWPPP shall also specify measures for removing sediment from water pumped for trench dewatering before the water is released to waterways. Specific sediment removal techniques shall include as warranted, but not limited to:

- Use of settling ponds or large storage tanks (Baker tanks) to allow the settling out of entrained sediments;
- Use of physical filters to remove sediment, such as a sand or screen filter, or other filtration method
- Use of chemical flocculants, to facilitate the settling out of suspended sediments.

To ensure that accidental releases of fuels and other potentially water quality pollutants during project operations do not result in water quality degradation, SCWMA shall, prior to commencement of project operation, complete and adhere to the recommendations provided in a spill prevention and control plan. The plan shall provide for compliance with local, state, and federal regulations regarding storage and use of fluids on site, and shall include, but not be limited to:

- Storage and handling criteria for fuels, oils, lubricants, antifreeze, and other fluids that minimize fluid release
- Operational spill prevention measures including staff training for the recognition and proper handling of potentially hazardous fluids
- Cleanup procedures that, in the event of a spill, provide for identification and response procedures to contain spills, and properly dispose of contaminated soils or other materials, so as to minimize water quality effects. (RDEIR, p. 27—13, *as modified*.)

**Mitigation Measure 27.1b:** In order to ensure that construction related blasting does not result in the degradation of groundwater quality on site, the following blasting best management practices shall be implemented by the project proponent for all blasting during proposed compost facility construction:

- Blasting shall only be employed where ripping operations with a D8 bulldozer or larger cannot adequately loosen the rock to be removed;
- Blasting shall only be conducted by a licensed, certified professional consistent with federal, state, and local regulations;
- Explosive products shall be selected that are appropriate for site conditions and safe blast execution;
- Loaded explosives shall be detonated as soon as possible and shall not be left in the blastholes overnight, unless weather or other safety concerns reasonably dictate that detonation should be postponed;
- Explosive products shall be managed on -site so that they are either used in the borehole, returned to the delivery vehicle, or placed in secure containers for off-site disposal;

- Spillage around the borehole shall either be placed in the borehole or cleaned up and returned to an appropriate vehicle for handling or placement in secured containers for off-site disposal;
- Explosives shall be loaded to maintain good continuity in the column load to promote complete detonation. Industry accepted loading practices for priming, stemming, decking and column rise need to be attended to. (RDEIR, p. 27-13.)

Supporting Explanation: Multiple mitigation measures noted above will aid in decreasing the release of pollutants into natural waters by capturing runoff and sediments and retaining them on-site, thereby preventing them from entering into natural waters. These measures include, but are not limited to: implementation of a stormwater management erosion control plan, covering stockpiles of loose materials, diverting runoff away from exposed soils, replacement of trapped sediments to an on-site location, implementation of temporary erosion control measures (e.g. fiber rolls and sandbag dikes) to keep soils in place until permanent vegetation can be installed, installation of vegetative buffers between construction areas and all surface water drainages to trap runoff and sediments, and installation of vegetation cover on the construction site as soon as possible after a disturbance. In addition, limiting construction activities during the rainy season, when erosion of soils is most likely to occur, will also help diminish the amount of water quality pollutants being released into natural waters. Moreover, the proposed roofing over the aerated static piles will also eliminate compost contact stormwater and reduce pollutants in stormwater, thereby reducing the impact of water quality pollutants released into natural waters.

Removing sediments from waters pumped for trench dewatering before releasing that water to waterways as part of the SWPPP will also aid in decreasing the amount of water quality pollutants released into natural waterways by preventing those sediments from reaching natural waterways. Physical filters, settling ponds, storage tanks, and chemical flocculants are some of the methods that's will be employed to assist in separating sediment from waters to be released into natural waterways.

A spill prevention and control plan, instituted prior to project operation, will address storage and handling of water quality pollutants (e.g. fuels), spill prevention measures, proper handling methods, and cleanup procedures in the event of a spill. This plan will increase staff awareness and competence with regard to safe storage and handling practices of water quality pollutants, thereby decreasing the amount of pollutants released into natural waterways and consequently the project's water quality impacts.

Specific blasting protocol will also be instituted to ensure that construction related blasting does not result in the degradation of on-site groundwater. By limiting the use of blasting in general, requiring that blasting is conducted by a licensed professional, and selecting site-appropriate explosives, the on-site use of pollutants associated with blasting will be regulated and used as sparingly as feasible, thereby decreasing the amount of groundwater pollutants released on-site.

Thus, project related degradation of water quality impacts will be mitigated to a less than significant level.

## **2. Depletion of Groundwater Supplies/Interference with Groundwater Recharge**

Impact: The Central Site Alternative could substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table or conflict with Sonoma County General Plan policies regarding groundwater. (RDEIR, p. 27-14.) Although the Central Site Alternative is not anticipated to result in reduced groundwater levels, implementation of Mitigation Measures would be required in order to remain consistent with Sonoma County General Plan Policy WR-2d, WR-4b, WR-4g, and WR-4k. (RDEIR, p. 27-15.)

Finding: Implementation of the following Mitigation Measure would reduce the impact of the Central Site Alternative on groundwater to a less than significant level.

**Mitigation Measure 27.2:** Sonoma County General Plan Policy WR-2d requires that all large scale commercial and industrial groundwater users implement a groundwater monitoring program. The project operator shall implement a groundwater level monitoring program to evaluate drawdown of groundwater in accordance with County groundwater monitoring standards.

Prior to construction, SCWMA shall complete a study assessing the potential for implementation of the following water conservation measures on site:

1. Use of water-conserving design measures that incorporate green building principles and water conserving fixtures.
2. Use of stormwater retained in the stormwater detention pond to supplement groundwater supplies in support of composting operations.
3. Potential for use of graywater produced on site as a supplemental water source for composting operations.
4. Potential for use of additional process water from other industrial sources such as wineries.
5. Potential for use of a positive pressure ASP composting system design as a potential water conservation measure.

Recommendations from the study, including but not limited to the implementation of the five measures listed above, shall be incorporated into project design, in order to reduce groundwater consumption and pumping, and maintain consistency with the Sonoma County General Plan.(FEIR, p.3-6—7)

Supporting Explanation: Adherence to the Sonoma County General Plan policies would ensure the project's compliance with the General Plan. Therefore, project related impacts in this area will be diminished to less than significant levels.

## **3. Alteration of Existing Drainage Pattern**

Impact: Construction of the Central Site Alternative and associated grading activities could substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site, or result in flooding on- or off-site. (RDEIR, p. 27-15.)

Finding: Implementation of the following Mitigation Measure would reduce the Central Site Alternative's impact on the existing drainage pattern to a less than significant level.

**Mitigation Measure 27.3:** Prior to construction, a grading and drainage plan for the project site shall be completed, and SCMWA shall ensure that the recommendations from that document are incorporated into the project design. The plan shall quantitatively evaluate anticipated stormwater flows that would occur on site, and provide for the implementation of grading and stormwater management features that would minimize flooding, unintentional ponding, erosion, and sedimentation. Additionally, the plan shall quantify anticipated discharges from the Project site, up to the 100-year storm event (plus an extra 10 percent volume capacity to account for the effects of climate change), and ensure that stormwater management infrastructure would be sized appropriately so as to safely convey anticipated discharges to surface waters and/or the landfill's leachate management system. The plan shall include anticipated sizings including engineering diagrams and maps for all stormwater management infrastructure. (RDEIR, p. 27-15—16.)

Supporting Explanation: Implementation of Mitigation Measure 27.3 will ensure that impacts related to the existing drainage pattern are reduced to a less than significant level by following a grading and drainage plan for the project site that quantitatively evaluates anticipated stormwater flows that would occur on site, and provides for the implementation of grading and stormwater management features that would minimize flooding, unintentional ponding, erosion, and sedimentation.

#### **4. Runoff Water**

Impact: The Central Site Alternative could create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. (RDEIR, p. 27-16.) Pursuant to Waste Discharge Requirements Order No. R-1-2013-0003, the Central Site Alternative may not discharge wastewater from the composting area to receiving waters. Accordingly, roofing over the aerated static piles and enclosures of the pre-processing facilities will eliminate compost contact stormwater and reduce pollutants in stormwater. (Site Report, p. 6-2.)

Finding: Implementation of the following Mitigation Measures would reduce the Central Site Alternative's impact on runoff water to a less than significant level.

**Mitigation Measure 27.4a:** Prior to construction, a grading and drainage plan for the Central Site shall be completed, and the SCWMA shall ensure that recommendations from that document are incorporated into project design. The study shall include the following:

- Engineering diagrams and maps of all proposed drainage facilities, sized so as to convey all stormwater flows from the composting site, up to 100-year storm conditions plus an extra 10 percent volume capacity to accommodate potential climate change conditions.
- Facilities shall include ditches, swales, stormwater retention ponds, and other stormwater conveyances, as needed to ensure that stormwater can be

conveyed off site without causing additional flooding, erosion, or sedimentation on -site or downstream.

- Discharges from the site shall be routed into waterways or other stormwater management facilities that have sufficient capacity to contain anticipated stormwater flows without causing additional flooding, erosion, or sedimentation downstream.(RDEIR, p. 27-17—18.)

**Mitigation Measure 27.4b:** In order to further reduce potential effects on natural waterways downstream, the following additional measures for stormwater management shall be implemented where possible:

1. Management of stormwater stored in the on-site retention pond for use as dust suppressant or for other uses at the landfill. Land application of water stored in the retention pond onto the landfill area would be subject to applicable state and local permitting.
2. Management of stormwater and compost leachate stored in the on-site retention pond for use as agricultural irrigation water. Water could be applied to an adjacent or nearby property in support of agricultural activities. Application of water for agricultural use would be subject to federal, state, and local requirements regarding the quality and use of discharged water.(RDEIR, p. 27-18.)

Supporting Explanation: The required grading and drainage plan anticipates extreme conditions, with plans to convey all stormwater flows from the composting site up to 100-year storm conditions plus an extra 10 percent volume capacity. Given that these conditions are not likely to occur with frequency, if at all, a grading and drainage plan designed to accommodate this increased capacity will decrease the project's likelihood of exceeding the capacity of existing or planned stormwater drainage systems or adding additional sources of polluted runoff. Further, roofing over the aerated static piles and enclosures of the pre-processing facilities will eliminate compost contact stormwater, thereby reducing pollutants in stormwater and decreasing project impacts to stormwater drainage systems and runoff. Therefore, project related impacts to stormwater drainage systems or runoff will be decreased to less than significant levels.

## **F. Noise**

### **1. Construction Noise**

Impact: Construction of the Central Site Alternative could expose persons to or generate excessive noise levels. (RDEIR, p. 29-6.)

Finding: Implementation of the following Mitigation Measure would reduce the Central Site Alternative's construction noise impact to a less than significant level.

**Mitigation Measure 29.1:** Construction of the new facility shall occur only during daytime between the hours of 7 a.m. – 7 p.m. Monday thru Friday, 9 a.m. – 5 p.m. Saturday, and no construction on Sunday. (RDEIR, p. 29-7.)

Supporting Explanation: Given that construction noise will be is temporary and based on the reduction in noise impacts due to limitations on daily construction operations,



construction noise impacts would be minimized. (*See* RDEIR, p. 29-7.) Therefore, this mitigation measure will reduce project related impacts in this area to less than significant levels.

## **2. Temporary Airborne And Groundborne Noise And Vibration**

Impact: Blasting that would occur under the Central Site Alternative would generate temporary airborne and groundborne noise and vibration. (RDEIR, p. 29-12.)

Finding: Implementation of the following Mitigation Measures would reduce the Central Site Alternative's airborne and groundborne noise and vibration impacts to a less than significant level.

**Mitigation Measure 29.4a:** A site specific blasting plan shall be prepared. The blasting plan shall ensure that ground motions do not exceed 0.5 in/s at the nearest residence and determine the appropriate vibration threshold for nearby structures at the time of the blasting. (RDEIR, p. 29-12.)

**Mitigation Measure 29.4b:** The blasting plan shall require monitoring of ground vibration and air-overpressure at a minimum of two locations to ensure these effects remain under threshold levels. One location should be close to the nearest residential property. The second monitoring point should be the adjacent landfill property. (RDEIR, p. 29-12.)

**Mitigation Measure 29.4c:** Blasting shall be limited to the same daytime restrictions that apply to the Central Disposal Site Landfill (the permitted blasting times are between 4:30 and 5:30 p.m.). (RDEIR, p. 29-12.)

**Mitigation Measure 29.4d:** A blasting permit shall be obtained from the Sonoma County Sheriff's Department prior to any **blasting**. (RDEIR, p. 29-12.)

**Mitigation Measure 29.4e:** Discuss the blast monitoring program with the stakeholders in the Project area that could be affected by blasting vibration. Educate property owners as to what is being done and why. Obtain information on time periods that are sensitive to blast activity. (RDEIR, p. 29-12.)

**Mitigation Measure 29.4f:** Conduct a pre-blast survey to determine the condition of existing structures, and to alert homeowners that some rattling may be expected but damage is not expected. Contacts should be provided so that damage claims and complaints can be monitored and responded to quickly. (RDEIR, p. 29-12.)

**Mitigation Measure 29.4g:** Schedule blasts to occur at approximately the same time on each blast day. Include this information in public announcements. (RDEIR, p. 29-12.)

**Mitigation Measure 29.4h:** The blast plan shall require sequential detonating of charges to minimize potential noise from blasting. (RDEIR, p. 29-12.)

**Mitigation Measure 29.4i:** Implement Hydrology and Water Quality Mitigation Measure 27.1b, which limits blasting to situations where a D8 bulldozer cannot loosen the rock to be removed and requires blasting to be conducted by licensed certified personnel. (RDEIR, p. 29-12.)

Supporting Explanation: By ensuring that ground motions do not exceed 0.5 in/s at the nearest residence and determining the appropriate vibration threshold for nearby structures, and then monitoring locations to ensure that vibrations do not exceed threshold limits, the proposed mitigation measures will maintain ground vibrations at or below threshold levels. In addition, limiting the situations in which blasting may be used will also decrease the number of blasting events. Therefore, the temporary vibration impacts will be reduced to less than significant.

Sequential detonation is a recognized industry practice used to reduce the noise and vibrations associated with blasting. Therefore, implementation of a sequential detonation protocol will decrease the airborne and groundborne noise and vibration impacts.

Thus, airborne and groundborne noise and vibration impacts associated with the project will be reduced to less than significant levels.

### **3. Operational Noise In Excess Of Local And Other Applicable Standards**

Impact: Even with mitigation, operation of the Central Site Alternative could expose persons to or generate noise levels in excess of standards established in the local general plans or noise ordinances, or applicable standards of other agencies. (RDEIR, p. 29-8.) However, some of the noise sources (in particular, the grinders) that were previously proposed as unenclosed, will now be enclosed inside of buildings thus reducing operational noise. (Site Report, p. 8-1.)

Finding: The following Mitigation Measures, as clarified after publication of the FEIR, will lessen the impact of Central Site Alternative noise.

**Mitigation Measure 29.2a:** Aerated static pile (ASP) equipment that would operate at night shall be required to be attenuated to a level that does not exceed 45 dBA at the nearest residences. If post-construction monitoring indicates higher nighttime noise levels from the ASP equipment at sensitive receptor locations, then additional noise barriers (such as fences or walls that block any direct line of site to receptors) or sound insulated equipment enclosures would be required to attenuate operations noise to acceptable levels. (RDEIR, p. 29-9.)

**Mitigation Measure 29.2b:** The site design shall include sound walls or earthen berms and/or other sound insulating features (i.e., sound blankets or curtains) that would block the line of sight to the nearest sensitive residences to the northeast and the south. (RDEIR, p. 29-9.)

**Mitigation Measure 29.2c:** Operational equipment noise shall be minimized by muffling and shielding intakes and exhaust on equipment (per the manufacturer's specifications). (RDEIR, p. 29-9.)

**Mitigation Measure 29.2d:** The applicant shall keep the noisiest equipment operations away from the nearest residence as much as feasible. (RDEIR, p. 29-9.)

**Mitigation Measure 29.2e:** The applicant shall fund appropriate sound insulation upgrades to the nearest residences, if residents are amenable to installing window/wall and/or door upgrades. (RDEIR, p. 29-9.)

SCWMA shall implement a combination of equipment selection, design measures, and noise reduction strategies that meet the County's General Plan noise standards (Maximum Allowable Exterior Noise Exposures for Non-transportation Noise Sources).

Supporting Explanation: Attenuation of noise levels, installing sound insulating features to block sight lines, muffling and shielding project equipment, positioning the noisiest equipment away from the nearest residences, and funding insulation upgrades to the nearest residences will help to decrease the amount of noise created by the project as well as the amount of noise heard by sensitive receptors and will meet the General Plan standards. Therefore, these mitigation measures will lessen the impact of Central Site Alternative noise to a less than significant level.

## **G. Public Services And Utilities**

### **1. Construction of New Stormwater Drainage Facilities**

Impact: The Central Site Alternative would include new stormwater drainage facilities, the construction of which could create impacts. (RDEIR, p. 30-5.) Pursuant to Waste Discharge Requirements Order No. R-1-2013-0003, the Central Site Alternative may not discharge wastewater from the composting area to receiving waters. Accordingly, roofing over the aerated static piles and enclosures of the pre-processing facilities will improve the quality of stormwater runoff from the site. (Site Report, p. 9-2.)

Finding: Implementation of the following Mitigation Measure would reduce the Central Site Alternative's construction of new stormwater drainage facilities impact to a less than significant level.

**Mitigation Measure 30.5:** Implement Mitigation Measure 27.3 (RDEIR, p. 30-6.)

Supporting Explanation: As included in the Central Site Alternative project description, the new on-site storm water drainage facilities will include an on-site retention pond and associated facilities. Implementation of Mitigation Measure 30.5 will reduce impacts related to construction of stormwater drainage facilities to a less than significant level by quantifying anticipated stormwater flows and determining the required size, placement and design of the stormwater facilities to address anticipated flows, and incorporating this information into project design. This will minimize stormwater related issues such as flooding and erosion and avoid the need for future additional stormwater infrastructure. Therefore, this mitigation measure will lessen the impact of construction of new stormwater drainage facilities for the Central Site Alternative to a less than significant level.

## **H. Traffic And Transportation**

### **1. Potential Conflicts with Alternative Transportation Policies, Plans, and Programs**

Impact: The Central Site Alternative would create potential conflicts with adopted policies, plans, or programs supporting alternative transportation. Pursuant to the *2010 Sonoma County Bicycle and Pedestrian Master Plan*, Mecham Road and Pepper Road are proposed as bikeways. Although no official bikeways exist on these facilities, week-long traffic counts documented between 20 and 50 bicyclists on Mecham Road, and over 100 bicyclists on

Stony Point Road, in May 2010. Although the Central Site Alternative would not prevent the County from implementing bicycle improvements, Central Site Alternative-generated increase in traffic volumes on Meham Road and Pepper Road would create potential conflicts with the plan to provide Class II bike lanes and a Class III bike route. In addition, debris falling from Central Site Alternative vehicles could cause safety issues for bicyclists along the haul route. (RDEIR, p. 31-11.)

Finding: Implementation of the following Mitigation Measures would reduce the Central Site Alternative's potential conflicts with alternative transportation policies, plans, and programs to a less than significant level.

**Mitigation Measure 31.3a:** The operator of the facility shall ensure that all contract haul trucks are covered to prevent spillage of materials onto haul routes. (RDEIR, p. 31-11.)

**Mitigation Measure 31.3b:** The operator shall be required to conduct regular sweeping of the intersection of Meham Road at the Central Site access road so that the intersection remains free of debris and dirt that may accumulate from exiting trucks. (RDEIR, p. 31-11.)

Supporting Explanation: Covering haul trucks will help prevent debris from falling off of haul trucks and onto routes used by bicyclists. Moreover, if debris still falls from haul trucks despite being covered, regular sweeping of the access road intersection will decrease the amount of debris that could potentially affect bicyclists in the area. Thus, these mitigation measures will reduce impacts caused by the project's potential conflict with alternative transportation policies to less than significant levels.

## **2. Temporary Increases in Truck and Construction Worker Traffic**

Impact: Central Site Alternative construction would result in temporary increases in truck traffic and construction worker traffic. Construction traffic would include the initial delivery of construction vehicles and equipment to the Central Site Alternative, the daily arrival and departure of construction workers, the delivery of materials throughout construction, and the removal of construction debris. Although the impact from the number of vehicles would be less than significant, truck movements could have an adverse effect on traffic flow in the area caused by the slower speeds of these trucks and longer turning maneuvers. (RDEIR, p. 31-16.) The Central Site Alternative would require additional vehicle trips to move the soil than those analyzed in the RDEIR. However, excess soils will be stockpiled and used on the landfill property and all associated vehicle trips will occur on the landfill site, not offsite. The delivery of the roofing and pre-processing building materials and the workers to construct them could result in up to an additional five (5) truck trips per day over an approximately one month period. This is a minor increase in the construction traffic evaluated in the RDEIR. (Site Report, p. 10-1—2.)

Finding: Implementation of the following Mitigation Measure would reduce the Central Site Alternative's temporary increases in truck and construction worker traffic impact to a less than significant level.

**Mitigation Measure 31.9:** The construction contractor(s) shall develop a construction management plan for review and approval by the Sonoma County Department of Transportation and Public Works. The plan shall include at least the following items and requirements to reduce, to the maximum extent feasible,

traffic congestion during construction of this project and other nearby projects that could be simultaneously under construction:

A set of comprehensive traffic control measures that include designating construction access routes and scheduling of major truck trips and deliveries to avoid peak traffic hours and designated construction access routes; and

Notification of adjacent property owners and public safety personnel regarding scheduled major deliveries.(RDEIR, p. 31-17.)

Supporting Explanation: Designating construction access routes, scheduling major truck trips to avoid peak traffic hours, and notifying adjacent property owners when project-related traffic will likely occur, among other things, will decrease the potential of project vehicles to interrupt area traffic flow. Therefore, this mitigation measure will reduce traffic flow impacts due to the slower movements of project vehicles to a less than significant level.

## **I. Aesthetics**

### **1. Alteration of the Visual Character of the Central Site Alternative**

Impact: The Central Site Alternative would alter the visual character of the Site. However, as revised, aesthetic impacts for the Central Site Alternative would be less than the impacts described in the RDEIR. Review of the cross-sections indicate that in the views from Viewpoints 2 through 6, the line of sight to the tallest roofline, passes through a portion of a hillside. This pattern makes it very clear that the topography will completely block the view toward the proposed structures. Viewpoint 1 is the only view in which there would be some potential to see the Central Site Alternative structures. The cross-section for Viewpoint 1 indicates that the intervening topography would block most of the Central Site Alternative features from view, but that the top portion of the roof of the southernmost of the roof structures may be visible. The extent to which a portion of this roofline would be visible is limited because most of it would be screened by existing trees. The only portion of the roof that may be visible is a small area located 1.4 miles from the viewpoint. Because of the distance, it would appear to be small in scale and would constitute a very minor element of the overall view. (Site Report, p. 11-2.)

Finding: Implementation of the following Mitigation Measure would reduce the Central Site Alternative's alteration of the visual character of the Central Site Alternative impact to a less than significant level.

**Mitigation Measure 32.1:** The alternative shall incorporate landscaping or other screening measures, such as the use of native trees and/or a vegetated berm, along the northern and southern boundaries of the project Site composting area. The proposed screening measures along the northern boundary of the composting area shall be sufficient in height to screen views of composting facilities from Roblar Road. (RDEIR, p. 32-6.)

Supporting Explanation: Given that only a small portion of roofline will be visible from Viewpoint 1, 1.4 miles from the viewpoint, the use of sufficiently tall native trees and/or a vegetated berm along the northern and southern boundaries will therefore reduce any project related impacts to aesthetics to less than significant levels.

### **2. Production of New Sources of Light and Glare**

**Impact:** The Central Site Alternative could result in the production of new sources of light and/or glare. The Central Site Alternative does not contain components which are anticipated to create a substantial amount of glare such as metal or glass; however, mitigation measures would aid in reducing day-time glare. (RDEIR, p. 32-7.) As revised, the Central Site Alternative will require installation of lighting on the site for operations and security; and may include additional exterior lighting for the pre-processing buildings. Because operation of the compost facility will, for the most part, be limited to the hours of 7:00 a.m. to 4:00 p.m., the operational lighting will be used only for special activities such as temperature monitoring and for security. (Site Report, p. 11-2.) As the cross-sections indicate, views into the site from the roadways around the block of rural land on which the Central Site Alternative is located are almost completely obstructed by intervening topography. Because of these conditions, the lighting on the site will not be directly visible from the surrounding area and there is no potential either for glare effects or for light spill onto sensitive properties. The potential for the lights on the site to contribute to sky glow will be limited through implementation of mitigation measures, in particular by the use of hooded fixtures and the fact that much of the lighting is expected to be located under the roof structures that will shelter the aerated static piles. Since the Central Site Alternative structures will be nearly completely hidden from view from the surrounding area, there will be little potential for daytime reflection of light off of Central Site Alternative features to create adverse glare effects at the viewpoints used for analysis of the Central Site Alternative's visual effects. (Site Report, p. 11-3.)

**Finding:** Implementation of the following Mitigation Measure would reduce the Central Site Alternative's light and glare impacts to a less than significant level.

**Mitigation Measure 32.2:** The following measures are based on recommendations within Sonoma County's Visual Assessment Guidelines and the Sonoma County General Plan. These measures shall be incorporated into the project design:

- Exterior lighting shall be downward casting and fully shielded to prevent glare.
- Lighting shall not wash out structures or any portions of the site.
- Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the sky.
- Flood lights shall not be used.
- Parking lot fixtures should be limited in height (20-feet).
- All parking lot and/or street light fixtures shall use full cut-off fixtures.
- Lighting shall shut off automatically after closing and security lighting shall be motion-sensor activated.
- Night time lighting shall be limited to the minimum necessary to provide for security and safety. (RDEIR, p. 32—7.)

**Supporting Explanation:** By limiting the use of lights on the periphery of the property, limiting the height of parking lot fixtures, requiring motion sensors for security lighting, prohibiting the use of flood lights, and shielding and positioning exterior lighting to

prevent glare, these mitigation measures will contain and control the reach of light emitted from and used on the project site. Therefore, this mitigation measure will decrease any project related impacts to aesthetics caused by lighting to less than significant levels.

### **Section 3: Resolution Regarding Environmental Impacts Not Fully Mitigated To A Level Of Less Than Significant.**

The SCWMA hereby finds that, despite the incorporation of Mitigation Measures outlined in the EIR and in this Resolution, the following impact from the Central Site Alternative and related approvals cannot be fully mitigated to a less than significant level and a Statement of Overriding Considerations is therefore included herein:

#### **A. Traffic And Transportation**

##### **1. Contribution To Long-Term Cumulative Traffic Volumes**

Impact: The Central Site Alternative would contribute to Long-Term Cumulative traffic volumes at the intersection of Gravenstein Highway (SR 116) and Stony Point Road during the weekday a.m. and weekend peak hour.(RDEIR, p. 31-12.)

Finding: Implementation of the following Mitigation Measure would reduce the Central Site Alternative’s impacts to traffic and transportation to a less than significant level. However, if Caltrans (the jurisdiction responsible for SR 116) does not approve the implementation of this Mitigation Measure, the impact would be significant and unavoidable. In such case, the adoption of a Statement of Overriding Considerations would be required for Central Site Alternative approval.

**Mitigation Measure 31.5:** Prior to Year 2030, SCWMA shall modify the traffic signal timing settings at the intersection of Gravenstein Highway (SR 116) and Stony Point Road to better accommodate traffic volumes during the a.m. peak hour.

Specific timing changes shall be established based on actual traffic volumes under the future-year conditions, but as an example of the delay reduction that can be achieved based on the estimated 2030 traffic volumes, increasing the cycle length from 60 seconds to 65 seconds would reduce the average vehicle delay by more than the five-second threshold of significance, and would mitigate the project’s impact on cumulative traffic conditions.(RDEIR, p. 31-13—14.)

Supporting Explanation: By modifying traffic cycle lengths in a manner that will reduce the average vehicle delay, this mitigation measure will decrease Long-Term Cumulative Traffic volume impacts of the project.

### **Section 4: Resolution Regarding Cumulative Environmental Impacts.**

The SCWMA hereby finds as follows:

#### **A. Air Quality**

According to the Bay Area Air Quality Management District (“BAAQMD”), no single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project’s individual emissions contribute to existing cumulatively significant adverse

air quality impacts. In addition, according to the BAAQMD CEQA Air Quality Guidelines, if a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions (BAAQMD, 2010). Alternatively, if a project does not exceed the identified significance thresholds, then the project would not be considered cumulatively considerable and would result in less-than-significant air quality impacts. Accordingly, the Central Site Alternative, together with anticipated cumulative development in the Bay Area Air Basin, would contribute to regional criteria pollutants. (RDEIR, p. 24-10—11.) However, with Mitigation Measure 24.7 considerable contribution to cumulative air quality (criteria air pollutants) during construction or operations would be considered less than significant. (Site Report p. 3-3.)

Based on the BAAQMD's criteria, Central Site-Alternative-related traffic would not lead to violations of the carbon monoxide standards and therefore would not result in any cumulatively considerable increases in carbon monoxide emissions. (RDEIR, p. 24-6.) Likewise, greenhouse gas emissions that would result from the Project would not exceed the 1,100 metric tons per year threshold established by BAAQMD for Phase 1 or Phase 2 operations. Thus, construction and operation of the Project would not result in a cumulatively considerable increase in greenhouse gas emissions. (RDEIR, p.24-9.) In addition, the BAAQMD CEQA Air Quality Guidelines (2010) provides estimated impacts of exposure to PM<sub>2.5</sub> and TACs which may lead to adverse health effects from significant roadways within Sonoma County (e.g. Routes 1, 12, 37, 101, 116, 121, and 128). Given that the Central Site Alternative is not located within 1,000 feet of any of these roadways, the impact from these roadways is not expected to significantly contribute to the overall impact or cumulative risk at the receptors of interest in the vicinity of the Central Site Alternative. (RDEIR, p. 24-11.)

## **B. Biological Resources**

Impact 25.1 (RDEIR, p. 25-11) describes potential direct and indirect impacts of the Central Site Alternative to special status species, including the California red-legged frog, northwestern pond turtle, white-tailed kite, hoary bat, and showy Ranunculus clover. The County of Sonoma Permit and Resource Management Agency noted in its comment letter (FEIR, p. 2-48) that the Central Site Alternative is located in an area designated within the Santa Rosa Plains Conservation Strategy as "Likely to adversely affect CTS." The Central Site Alternative, in combination with other reasonably foreseeable projects in the Santa Rosa Plain, could result in direct mortality and loss of habitat for these special-status species, a potentially cumulative considerable impact.

Implementation of Mitigation Measure 25.1 will reduce the Central Site Alternative's impacts to these resources to a less than significant level through either resource avoidance or replacement measures such as exclusion fencing during construction, buffers around active nesting sites, and replacement or preservation of compensatory habitat. Therefore, the Central Site Alternative's incremental contribution to impacts on these resources would be reduced to a less than cumulatively considerable level.

## **C. Cultural Resources**

As described in the RDEIR (p. 26-3), no cultural resources have been found on the Central Site in past surveys, and Native American consultation with the Graton Rancheria indicated that the Tribe does not have concerns regarding the Central Site project area. In addition, the geologic unit underlying the Central Site is unlikely to contain paleontological



resources (RDEIR, p. 26.2). Implementation of Mitigation Measures 26.1, 26.2 and 26.3 would avoid impacts to inadvertent discovery of unknown cultural or paleontological resources. Therefore, the Central Site Alternative's incremental contribution to impacts on cultural resources, when considered with other reasonably foreseeable projects, would be less than cumulatively considerable.

**D. Hydrology and Water Quality**

Construction of the Central Site alternative would change existing drainage patterns on site and increase impervious surfaces (RDEIR, p. 27-15). However, implementation of Mitigation Measures 27.3 and 27.4 would result in stormwater facilities of the needed size and design to manage stormwater on the modified site. Construction activities and compost operations could result in release of water pollutants. However, the pre-processing facilities will be enclosed and the compost piles will be covered and roofed, eliminated compost contact stormwater and improving operational water quality (Site Report, p. 6-1). Leachate would be managed onsite and not discharged (RDEIR, p. 27-12). Implementation of Mitigation Measures 27.1, 27.2, 27.3 and 27.4, including construction erosion control best management practices, adherence to the Stormwater Pollution Prevention Plan (SWPPP) as required under the General Construction Permit for Discharges of Storm Water Associated with Construction Activities, and other standard measures, would further protect water quality. Therefore, no onsite or downstream flooding, erosion, sedimentation, or other water quality issues would be expected as a result of the Central Site alternative. Therefore, the Central Site Alternative's incremental contribution to impacts on hydrology and water quality, when considered with other reasonably foreseeable projects, would be less than cumulatively considerable.

**E. Land Use and Agriculture**

The Central Site Alternative does not divide an established community (RDEIR, p. 28-4); with implementation of Mitigation Measure 29.2 for noise, it does not conflict with the Sonoma County General Plan or Zoning Ordinance. The Central Site Alternative would represent a conversion of approximately 0.004% of County Grazing Land to non-agriculture use (RDEIR, p. 28-6). Therefore, the Central Site Alternative's incremental contribution to impacts on land use and agriculture, when considered with other reasonably foreseeable projects, would be less than cumulatively considerable.

**F. Noise**

The cumulative impacts of the Central Site Alternative's traffic on roadside noise levels were assessed using the Federal Highway Administration's Traffic Noise Prediction Model ("FHWA TNM") Version 2.5 (2007). Without development of the Central Site Alternative the cumulative traffic alone will produce a significant increase in traffic noise levels. The contribution of traffic from the Central Site Alternative would have a minimal effect on the future conditions. Thus, the incremental noise increases from the Central Site Alternative would not be cumulatively considerable and would have a less than significant cumulative impact on noise. (RDEIR, p. 29-13.)

**G. Public Service and Utilities**

As discussed in Section 8.D., the Central Site Alternative's cumulative contribution to impacts on hydrology and related stormwater facilities would be less than cumulatively considerable. No significant impacts to other public services or utilities would occur with the

Central Site Alternative; existing services and utilities are sufficient to meet the project needs and no mitigation would be required (RDEIR, pp. 30-3 to 30-5). Therefore, the Central Site Alternative's incremental contribution to impacts on public services and utilities, when considered with other reasonably foreseeable projects, would be less than cumulatively considerable.

#### **H. Traffic And Transportation**

With the implementation of the Central Site Alternative, traffic would not increase delays above Near-Term Cumulative Conditions. Therefore, the project's contribution to Near-Term Cumulative traffic volumes during the weekday a.m. and weekend peak hours would be less than significant. (RDEIR, p. 31-10.) Because truck traffic under the Central Site Alternative would be less than under the existing operating conditions at the project site, cumulative impacts to traffic safety are expected to be less than significant. (RDEIR, p. 31-11.) The service level of the Gravenstein Highway (SR 116) and Stony Point Road intersection would remain at level of service ("LOS") F during the weekday a.m. peak hour, but the average vehicle delay would increase by more than the five-second threshold of significance. While mitigation could reduce these cumulative impacts to a less than significant level, if implementation of Mitigation Measure 31.5 is not approved by Caltrans (the jurisdiction responsible for SR 116), the cumulative impact on Long-Term Cumulative Conditions would be significant and unavoidable. (RDEIR, p. 31-13—14.)

#### **I. Aesthetics**

The Central Site Alternative would not be visible from most viewpoints due to design and intervening topography (Site Report, p. 11-2). The roofline of the structures over the compost piles may be visible from some locations; where it may be visible, because of the distance, the rooflines would appear to be small in scale and would constitute a very minor element of the overall view (Site Report, p. 11-2). Implementation of Mitigation Measure 32.1 would further reduce any effects on views. Implementation of Mitigation Measure 32.2 would reduce effects of new sources of light and glare and maintain consistency with Sonoma County's Visual Assessment Guidelines and the Sonoma County General Plan. Therefore, the Central Site Alternative's incremental contribution to impacts on aesthetics, when considered with other reasonably foreseeable projects, would be less than cumulatively considerable.

#### **Section 5: Resolution Regarding Significant Irreversible Environmental Changes.**

CEQA Guidelines section 15126.2(c) states that significant irreversible environmental changes are those that would be caused by the Central Site Alternative if developed. Implementation of the Central Site Alternative will result in the consumption of non-renewable energy resources and other impacts, which are considered irreversible effects, even though the effects are not potentially significant. The irreversible environmental changes may include:

- **Biological Resources.** Implementation of the Central Site Alternative would result in the removal of freshwater pond habitat, which could result in adverse permanent and temporary impacts to the red-legged frog and northwestern pond turtle. Removal of blue gum (eucalyptus) trees may result in the removal of nesting and roosting habitat for white-tailed kite and hoary bat; this would be considered a potential permanent impact. Grading activities and the removal of

annual grassland habitat may result in permanent impacts to showy Rancheria clover. (RDEIR, p. 25-11.)

- **Public Services and Utilities.** Construction of the Central Site Alternative will consume fossil fuels, a non-renewable resource to generate energy for vehicles during construction. The use of energy to enhance reliability of water supply is not a wasteful use of irretrievable resources but rather justified.

## **Section 6: Resolution Regarding Growth-Inducing Impacts.**

The SCWMA hereby finds as follows:

The Central Site Alternative would not result in a substantial increase in employment, and correspondingly, would not result in an increase in population and associated demand for housing in the area. The purpose of the proposed transportation improvements is to respond to the Project's contribution to near-term and/or long-term cumulative deficiencies at the Central Site Alternative location, and not to provide excess capacity for the purpose of accommodating future growth anticipated in the region. For these reasons, the Central Site Alternative is not anticipated to result in substantial growth inducement. (DEIR, p. 33-4.)

## **Section 7: Resolution Regarding Alternatives.**

### **A. Alternatives Selected For Analysis**

The CEQA Guidelines indicate that an EIR must describe a range of reasonable alternatives to the Project, or to the location of the Project, which could feasibly attain most of the basic objectives of the Project but would avoid or substantially lessen any of the significant effects of the Project, and evaluate the comparative merits of the alternatives. (See Guidelines § 15126(f).) Accordingly, the alternatives selected for review pursuant to the EIR focus on: (a) the specific General Plan policies pertaining to the Project site, and (b) alternatives that could eliminate or reduce significant environmental impacts to a level of insignificance, consistent with the Project objectives (i.e. the alternatives could impede some degree the attainment of Project objectives). The alternatives analyzed in the following sections include:

- No Project Alternative A
- No Project Alternative B
- Site 5A Alternative (proposed and analyzed as the Project site)
- Site 40 Alternative
- Site 13 Alternative
- Limited Public Access Alternative

In addition, the Project Objectives are as follows:

- Objective 1: Relocate SCWMA's composting operations from its current location at the County's existing Central Disposal Site.
- Objective 2: Establish a permanent composting facility in Sonoma County with sufficient capacity for current and future quantities.
- Objective 3: Provide a facility to assist jurisdictions within SCWMA's service area in meeting the goals and objectives for waste diversion as set forth in the California Integrated Waste Management Act of 1989 (AB 939). (RDEIR, p. R3-2.)

## **1. No Project Alternative A**

Description: Under the No Project Alternative A, development of the Project would not occur. No composting facility would be developed and there would be no impacts from the Project (DEIR, p. 4-5.)

Under the No Project Alternative A, the composting facilities would remain at their current location at the existing Central Disposal Site in the short-term, until a new site is developed. This alternative could also be shortened due to permitting restrictions or other regulatory constraints at the existing compost facility. It is assumed that over the timeframe of the analysis for the project (through 2030) many changes in operation could also be required at the existing compost facility to be able to process up to 200,000 tons per year of compostable materials. Although the tonnage would double in comparison to existing operations, this analysis does not analyze in detail how the operations might change. It is possible that No Project A would expand the use of aerated static pile (“ASP”) composting at the site to increase material throughput. Sonoma Compost Company has been conducting a pilot ASP project at the existing facility to determine if ASP would (1) meet Sonoma Compost Company quality standards (2) increase material throughput, and (3) result in any new environmental issues that would need to be addressed if ASP is used on a larger scale. (DEIR, p.4-5.)

Impacts: Under the No Project Alternative A, no new development is proposed either on the Project site or at the existing compost operations; however this alternative could require incremental changes in operations at the existing compost facility. Such changes would result in an intensification of compost operations at the existing facility but would not change the overall character of the existing compost facility, which currently handles approximately 100,000 tons of green material (including wood waste). Recent changes identified on the Sonoma Compost Company website include adding more area for composting and a pilot ASP project to determine if ASP could increase material throughput. (DEIR, p.4-5—5.)

### **a. Aesthetics**

The No Project Alternative A would have less impact to aesthetics than the proposed Project because, instead of expanding the facility at the existing Central Disposal Site, this alternative would only result in minor changes in the aesthetics at Central Site. The existing compost facility is visually isolated with no viewpoints from public roadways. (DEIR, p. 4-6.)

### **b. Air Quality**

The No Project Alternative A would have similar air quality impacts as development at a new site. The No Project Alternative A would have less impact from construction because the existing compost facility would not require the extensive construction that would be required to develop a compost facility at a new site or to expand operations at the Central Site. The No Project Alternative A would also be centrally located in the County, resulting in less air quality impacts from traffic for this alternative. Because air quality emissions would occur at the existing compost facility and would not be generated at a new site, the localized air quality impacts (i.e., fugitive dust, odors, and toxic air contaminants) would continue to occur where they occur now, at the existing compost facility. Regional

air pollutants, such as the ozone precursors (NO<sub>x</sub> and ROG) would still be generated in Sonoma County and would have a similar effect, regardless of whether the compost facility stays at the existing site or is moved to a new site. Development of a compost facility at a new site may lead to reduced emissions (in comparison to emissions at the existing compost facility), if the compost facility at the new site incorporates an ASP composting design that reduces both local and regional air pollutant emissions. Such modifications could also occur at the existing compost facility, which is conducting pilot tests of ASP composting. Another unknown factor would be future regulations that could mandate composting controls on air emissions regardless of the location of the composting facility. Any future mandated air emission controls for composting would tend to equalize emissions, whether they occur at the existing compost site or a new compost site. (DEIR, p. 4-6.)

**c. Biological Resources**

Since no new development would occur, the No Project Alternative A would avoid all potential impacts to biological resources associated with the Project. (DEIR, p. 4-6.) Specifically, this alternative would avoid potential impacts to the California red-legged frog, northwestern pond turtle, white-tailed kite, hoary bat, and showy *Ranunculus* clover (albeit Project impacts would be less than significant with mitigation). (RDEIR, p. 25-11—14.)

**d. Cultural Resources**

The No Project Alternative A would avoid any potential impacts to cultural resources associated with the Project. (DEIR, p. 4-6—7.) Specifically, the alternative would avoid any potential, albeit unlikely, impacts to archeological resources, human remains, and paleontological resources. (RDEIR, p. 26-3—4.)

**e. Hydrology and Water Quality**

The No Project Alternative A would have less impact to hydrology and water quality than the development of the Project at Site 5A. This alternative would avoid all potential impacts associated with construction and operation on hydrology and water quality. (DEIR, p. 4-7.) Specifically, this alternative would avoid impacts to water quality due to construction activities, inconsistency with the Sonoma County General Plan, and alteration of existing drainage patterns on site (albeit project impacts would be less than significant with mitigation). (RDEIR, p. 27-11—17.) The existing composting facility already has established drainage facilities and containment in place, a system that has been developed and refined over a period of many years under the oversight of the North Coast Regional Water Quality Control Board. However, not moving or expanding the existing site could affect the capping and closure of the Central Landfill, thus having greater potential water quality impacts than the Project. (DEIR, p. 4-7.)

**f. Land Use Planning and Agriculture**

The No Project Alternative A would have less impact to land use and agriculture than the development of Site 5A. Specifically, this alternative would avoid potential conflicts with exposing persons to noise levels in excess of the County's General Plan.

**g. Noise**

The No Project Alternative A would have less impact to noise than development of Site 5A. Under this alternative, no new construction or other noise generating activities would occur and no vehicular traffic would be generated. Accordingly, this alternative would avoid significant noise impacts from construction associated with the Project (albeit project impacts would be less than significant with mitigation). Traffic noise from vehicles going to the existing compost site is part of the current noise environment at that existing compost site and continued operations of the existing compost facility would result in minimal noise increases associated with increased volumes of compost. (DEIR, p. 4-7.)

**h. Public Services and Utilities**

This alternative would not increase demands on public services or utilities. Analysis of the Project found no impacts to be significant after mitigation for this issue area. (DEIR, p. 4-7.) Specifically, this alternative would avoid potential impacts to stormwater facilities (albeit project impacts would be less than significant with mitigation). (RDEIR, p. 30-5—6.)

**i. Traffic and Transportation**

The No Project Alternative A would generally have less impact to traffic and transportation than the proposed Project. No traffic would go to the proposed new compost facility and no construction would be needed. (DEIR, p. 4-7—8.) Specifically, this alternative would avoid potential conflicts with the County's plan to provide Class II bike lanes and a Class III bike route on Mechem Road and Pepper Road. (RDEIR, p. 31-11.) This alternative would also avoid any adverse effect on traffic flow in the area caused by the slower speeds and longer turning maneuvers of trucks during construction. These project impacts would be less than significant with mitigation. (RDEIR, p. 31-11.)

Objectives and Feasibility: This alternative would have temporarily met one of the Project objectives until 2013 (Objective 3 - to provide a facility to assist jurisdictions in meeting the goals and objectives for waste diversion as set forth by AB 939) as the existing composting operations would continue. However, this alternative would not meet the other two project objectives, and would no longer Objective 3, as it is now 2015. (DEIR, p. 4-5.)

Finding: The SCWMA rejects this alternative on the basis that it fails to meet the Project objectives. (RDEIR, p. 3-1.)

**2. No Project Alternative B**

Description: No Project Alternative B considers the removal of the existing composting facility at the existing Central Disposal Site and no relocation at any other proposed Project site. Thus, under this alternative there would be no Countywide composting facility in Sonoma County for the currently collected green materials. (DEIR, p. 4-8.)

Impacts: Under the No Project Alternative B, it is uncertain what would happen to the green material that would no longer be composted at a Countywide facility in Sonoma County. The two most likely scenarios are that the majority of the collected green material would be either hauled to composting operations outside of the County or used as Alternative Daily Cover (“ADC”)<sup>2</sup> at the reopened Central Disposal Site, or at an out-of-County landfill. Private in-county composting facilities could be available in the County but they would not be anticipated to provide Countywide composting services to SCWMA, or County residents or businesses. Other than the existing composting facility at the Central Disposal Site, the capacity to compost the green material volumes generated by SCWMA members does not currently exist in Sonoma County. (DEIR, p. 4-8.)

This alternative would avoid the impacts associated with the Project as described under the No Project Alternative A and would also avoid any potential environmental impacts associated with existing composting facilities at the Central Disposal Site. This analysis considers the potential impacts from the potential alternative uses of the green material as ADC at the existing Central Disposal Site and impacts from hauling the material out of the County for composting or use as ADC. (DEIR, p. 4-8.)

a. Aesthetics

The No Project Alternative B would have less impact to aesthetics than the proposed Project, because the expansion of the existing Central Disposal Site would not occur. Any aesthetic impacts would be minimal from using the green material as ADC at the existing Central Disposal Site or as a result of out-of-County hauling of materials to an existing compost facility or for use as ADC. (DEIR, pg. 4-8—9.)

b. Air Quality

The No Project Alternative B would have the potential for less or greater overall air quality impacts depending on the air pollutants being considered and actual use of the materials that would no longer be composted in Sonoma County. Instead of expanding the existing facility at the Central Site, no site would be developed. This would eliminate all the potential localized air quality impacts (i.e., fugitive dust and odors) that would occur in the vicinity of the proposed Project or any of the proposed new sites. (DEIR, p. 4-9.)

By ceasing composting operations at the existing Central Disposal Site, all the existing localized air quality impacts would be lessened at that location. (DEIR, p. 4-9.)

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<sup>2</sup>Alternative Daily Cover: Landfill operators are required to cover the active face of the landfill at the end of every day to prevent odors and risks to public health. Soil is traditionally used, but operators have found that other materials such as processed green waste, auto shredder fluff, and tarps can also be used for this same purpose. (DEIR, pg. 4-8 fn 2.)

Depending on the ultimate use of the materials currently composted at the existing Central Disposal Site, regional air quality emissions could decrease or increase. If the currently composted materials are used as ADC (if the Central Landfill reopens), there could be a decrease in volatile organic compound VOC emissions from the No Project Alternative B (compared to the existing windrow composting at the site). If the currently composted materials are hauled out of Sonoma County for composting or use as ADC, the haul length would be important and the operations of the receiving facility would greatly affect the air emissions. Further analysis of any out-of-County hauling is speculative except to acknowledge that out-of-County hauling would increase transportation air quality emissions compared to similar operations (composting or ADC) occurring in the County. (DEIR, p. 4-9.)

It is assumed that greenhouse gases (“GHGs”) would increase with this alternative. Composting out of Sonoma County would have the same impacts as in Sonoma County but there would be increased GHGs from the transportation fuel used. ADC would increase methane production somewhat in any receiving landfill (as opposed to using soil for the landfill cover). Most of the methane would be captured and used for energy generation or flared, but some methane would escape as fugitive emissions. Because of the high potency of methane as a GHG (methane is approximately 23 times more potent than CO<sub>2</sub> as a GHG); the fugitive emissions of methane would probably result in an increase in GHGs in comparison to the amount of GHG emissions that would result from the same amount of material being used to make compost. (DEIR, p. 4-9.)

c. Biological Resources

The No Project Alternative B would have less impact to biological resources than the proposed Project because no site would be developed. Any biological resource impacts would be minimal from using the green material as ADC at the existing Central Disposal Site or as a result of out-of-County hauling of materials to an existing compost facility or for use as ADC. (DEIR, p. 4-9.)

d. Cultural Resources

The No Project Alternative B would have less impact to cultural resources than the proposed Project because no site would be developed. There are no anticipated cultural resource impacts from using the green material as ADC at the existing Central Disposal Site or as a result of out-of-County hauling of materials to an existing compost facility or for use as ADC. (DEIR, p. 4-9—10.)

e. Hydrology and Water Quality

The No Project Alternative B would have less impact to hydrology and water quality than the proposed Project because no site would be developed. Any hydrology and water quality impacts would be minimal from using the green material as ADC at the existing Central Disposal Site or as a result of out-of-County hauling of materials to an existing compost facility or for use as ADC. (DEIR, p. 4-10.)

f. Land Use Planning and Agriculture



The No Project Alternative B would have less impact to land use planning and agricultural resources than the proposed Project because no site would be developed. There are no anticipated land use planning or agricultural resource impacts from using the green material as ADC at the existing Central Disposal Site or as a result of out-of-County hauling of materials to an existing compost facility or for use as ADC. It should be noted that this No Project Alternative B could result in less compost being available countywide for agricultural purposes. (DEIR, p. 4-10.)

g. Noise

The No Project Alternative B would have less impact to noise than the proposed Project. Under this alternative, no new construction or other noise generating activities would occur and no vehicular traffic would be generated. Any noise impacts would be minimal from using the green material as ADC at the existing Central Disposal Site or as a result of out-of-County hauling of materials to an existing compost facility or for use as ADC. (DEIR, p. 4-10.)

h. Public Services and Utilities

Similar to the proposed Project, the No Project Alternative B would not increase demands on public services or utilities. Analysis of the Project found no impacts to be significant after mitigation for this issue area. (DEIR, p. 4-10.)

i. Traffic and Transportation

This alternative would generally have less impact to traffic and transportation than the proposed Project. No traffic would go to the proposed new compost facility and no construction would be needed. Any traffic going to the existing Central Disposal Site to deliver green materials for ADC or potentially as a transfer location out-of-County hauling would probably be less than the current traffic environment in this area from traffic going to the existing compost site. (DEIR, p. 4-10.)

In summary, the No Project Alternative B would probably have less traffic impacts than the current setting, both at the Central Disposal Site and at the proposed new sites.

Objectives and Feasibility: This alternative would fail to meet any of the Project objectives, as composting operations would be discontinued in Sonoma County. (DEIR, p. 4-8.)

Finding: The SCWMA rejects this alternative on the basis that it fails to meet the Project objectives. (RDEIR, p. 3-1.)

3. Site 5A (analyzed as the Project site)

Description: The Site 5A Alternative includes approximately 100 acres in unincorporated Sonoma County. The site would have an initial operational footprint of approximately 70 acres which includes the levee and footprint within the project levee. The remaining 30 acres of the western portion of the site would be used as a buffer and potential expansion area. Any future site expansion would be subject to further CEQA review. The Site

5A Alternative is located near the Petaluma River, approximately 6 miles southeast of the City of Petaluma and approximately 4.5 miles northeast of the northern shore of the San Pablo Bay. The site is under private ownership, undeveloped and used for hay farming and grazing. There are no structures, paved roadways or utility infrastructure on the site. Local access to the site is provided by Twin House Ranch Road via Lakeville Road. Regional access from major population centers in Sonoma County is provided by U.S. Highway 101, State Route 116 (the Lakeville Highway) and Lakeville Road (a County Road). (DEIR, p. 3-3.)

Under the Site 5A Alternative, the 70-acre compost facility would be located on a 100-acre project site, which is part of a larger 627-acre parcel (Assessor's Parcel Number 068-120-002) that was the most highly ranked potential compost site with a willing seller at the time of the decision to proceed with the EIR. It is the intent of the site owner to continue agricultural uses on the remaining portion of the parcel not used for the compost facility. A subdivision of the property would be required to allow for the purchase of the 100-acre project site. (DEIR, p. 3-6.)

The majority of land uses in the vicinity of the Site 5A Alternative are agricultural in nature (e.g., row crops, vineyards, grazing, and dairy) including the uses immediately surrounding the project site. Two unnamed drainages cross the site, generally from east to west. To the north and west are agricultural lands. Vineyard crops are located immediately east of the project site. A fallow field is located just south of the project site. (DEIR, p. 3-6.)

Nearby businesses include the Riverside Equestrian Center located approximately 2,100 feet south of the project site, the Sleepy Hollow Dairy located approximately 2,600 feet to the east, and Whileaway Farm approximately 2,900 feet south of the project site. The nearest residences are east of Lakeville Road approximately 3,600 feet and 3,700 feet from the project site. The Marin County Airport (Gnoss Field) is located approximately 2 miles west of the project site, on the west side of the Petaluma River. (DEIR, p. 3-6.)

Under the Site 5A Alternative, facility development would occur on the eastern portion of the parcel due to site access, runoff/drainage and flooding avoidance considerations. The project would include an outdoor composting system, similar to the system currently used at the existing composting operations at the existing Central Disposal Site. The new site would include windrows, aerated static piles, or a combination of the two systems. The project would also include an entrance/exit scale, material sorting and processing areas, composting operations, wood chipping and grinding areas, on-site access roads, buffer zones, a sales area for wood and compost, a single-story administrative and maintenance building, a food pre-processing building, compost curing areas, storage areas, and a stormwater detention pond. Access to the site would continue to be provided by Twin House Ranch Road via Lakeville Road. (DEIR, p. 3-6.)

Impacts:

a. Aesthetics

The Project (Site 5A) is considered of moderate visual sensitivity. The visual dominance of the project is dependent on many elements or characteristics. Building structures would be single-story and neutral in color. The visual dominance with these project elements would be subordinate or co-dominant. (DEIR, p. 13-7.)

The levee surrounding the project at Site 5A would prevent significant glare impacts to off-site areas. Typical hours of operation for the project would be

between 7:00 a.m. and 4:00 p.m., Monday through Sunday. The site could operate infrequently during the permitted evening hours, for activities such as temperature monitoring. Within the project area, existing nighttime lighting is associated with farm structures, residences, and automobiles traveling along nearby roadways. This lighting is of low-intensity and dispersed. The project would introduce new nighttime lighting sources on the project site for security and operational purposes. Nighttime lighting can contribute to light pollution of the nighttime sky and light trespass onto adjacent properties. Additionally, excessive lighting in rural areas could affect the natural character of the area. (DEIR, p. 13-8.)

b. Air Quality

Construction activities would be similar for the windrow or ASP options and would include site preparation, earthmoving and general construction. Site preparation includes activities such as general land clearing and grubbing. Earthmoving activities include cut-and-fill operations, soil compaction and grading. General construction includes adding improvements such as roadway surfaces, structures, and facilities. The emissions generated from these construction activities include:

- Dust (including PM10 and PM2.5), primarily from fugitive sources such as soil disturbance and vehicle travel over unpaved surfaces.
- Combustion emissions of criteria air pollutants (including ROG, NOx, CO, PM10, and PM2.5), primarily from the operation of heavy construction machinery (primarily diesel operated), portable auxiliary equipment, and construction worker automobile and haul truck trips.
- Evaporative emissions (ROG) from asphalt paving.
- Combustion emissions of greenhouse gases, discussed in Cumulative Impacts 5.8 and 5.9 below. (DEIR, p. 5-25—26.)

Construction-related fugitive dust emissions at the Site 5A Alternative would vary from day to day, depending on the level and type of activity, silt content of the soil and the weather. Without mitigation, construction activities would result in significant quantities of dust and as a result, local visibility and PM10 and PM2.5 concentrations would be adversely affected, temporarily and intermittently, during the construction period. In addition, the fugitive dust generated by construction would include not only PM10, but also larger particles, which would fall out of the atmosphere, potentially as far as several hundred feet from the site and could result in nuisance impacts. Construction activities would also result in the emission of other criteria pollutants from equipment exhaust, construction-related vehicular activity and construction worker automobile trips. Emission levels for construction activities would vary depending on the number and type of equipment, duration of use, operation schedules, and the number of construction workers and haul trucks. Criteria pollutant emissions of ROG and NOx from these emission sources would incrementally add to the regional atmospheric loading of ozone precursors during project construction. NOx emissions would exceed the

BAAQMD thresholds, even after implementation of mitigation. This impact would be significant and unavoidable. (DEIR, p. 5-26.)

Project-related operational air quality impacts fall into two categories: fugitive dust impacts (re-entrainment on local roadways and on-site disturbed areas) and criteria pollutant impacts due to off-road equipment, on-road vehicles, area sources (natural gas combustion, landscaping equipment, architectural coatings), and composting off-gas emissions. Using the windrows composting method, the estimated unmitigated net emissions (project minus Existing emissions) of all pollutants would not exceed the applicable BAAQMD significance thresholds during operations starting in 2011. For operations in 2030, unmitigated net emissions of ROG and PM10 would exceed the BAAQMD thresholds. (DEIR, p. 5-28—29.) Using the ASP composting method, the estimated net emissions (project minus Existing emissions) of all pollutants would not exceed the applicable BAAQMD significance thresholds during operations starting in 2011. For operations in 2030, unmitigated net emissions of PM10 would exceed the BAAQMD threshold. (DEIR, p. 5-31.)

Project-generated CO emissions were determined based on the amount of peak daily traffic that would be generated by the project for either the windrow or ASP composting option. A conservative average trip distance of 56 miles (roundtrip) for Mixed Organic Material (MOM) trucks and 44 miles (roundtrip) for all other traffic (employees, haul trucks, self-haul vehicles, bio fuel/agricultural use vehicles, and compost sales) were used. Project-generated CO emissions from peak daily traffic, which would be associated with Saturday operations, would be approximately 55 pounds per day in 2011, and 24 pounds per day in 2030. Under the Site 5A Alternative, the project would not conflict with the Sonoma County Comprehensive Transportation Plan established by the Sonoma County Transportation Authority. The estimated increase in traffic volumes caused by project-related traffic would not be substantial relative to background traffic conditions, nor would project traffic significantly disrupt daily traffic flow on area roadways. Based on the BAAQMD's criteria, project-related traffic would not lead to violations of the carbon monoxide standards. This impact would be considered less than significant on a project-level and cumulative basis. (DEIR, p. 5-32—33.)

With regard to odors, under the Site 5A Alternative, the project would locate composting operations in the vicinity of different receptors, as well as increase the permitted maximum tonnage of processed compost from 100,000 tons per year (under existing) up to 200,000 tons per year for the project. Thus, odors associated with the project would be potentially significant without processes in place to mitigate odor. The BAAQMD also has several rules regarding odors (Regulation 1-301 (Public Nuisance) and Regulation 7 (Odorous Substances)) that the project must meet. The SCWMA would be required to implement an Odor Impact Minimization Plan (OIMP) as required by law and codified in the California Code of Regulations, Title 14 (Natural Resources), Division 7 (CIWMB), Chapter 3.1 (Compostable Materials Handling Operations and Facilities Regulatory Requirements), Article 3 (Report of Facility Information), Section 17863.4 (Odor Impact Minimization Plan) for either composting option

(windrow or ASP). The OIMP includes two major components, a Complaint Response Protocol and an Odor Complaint Reporting Format. The Odor Complaint Response Protocol describes the procedures to follow upon receiving a complaint. The protocol includes measures to identify the odor and requires appropriate adjustments to storage, process control, and facility improvements to reduce odors. (DEIR, p. 5-34.)

With regard to acute and chronic risk from exposure to TACs generated by operation of the Site 5A Alternative, under the windrows composting option, the maximum hazard index (“HI”) would target the eyes. For the maximum exposed worker, the acute HI under the windrow option would be 1.59, which would exceed the BAAQMD threshold of 1. For the maximum exposed residence, the acute HI under the windrow option would be 0.15, which is well below the BAAQMD threshold of 1. The maximum chronic HI would target the respiratory system. For the maximum exposed worker, the chronic HI under the windrow option would be 0.031. For the maximum exposed residence, the chronic HI under the windrow option would be 0.0047. The chronic risk for the maximum exposed worker and residential receptors are well below the BAAQMD threshold of 1. (DEIR, p. 5-35.) The following five carcinogens would be emitted under the Site 5A Alternative under the windrows composting option: (1) DPM; (2) methylene chloride; (3) benzyl chloride; (4) formaldehyde; and (5) acetaldehyde. The maximum cancer risk for the worker and residential receptors would be 4.9 and 3.8 per million, respectively, which would not exceed the BAAQMD threshold of 10 in one million. (DEIR, p. 5-36.) The maximum annual PM<sub>2.5</sub> concentration as a result of the project construction and operations would not exceed the BAAQMD threshold of 0.3 µg/m<sup>3</sup>. (DEIR, p. 5-36.) The acute risk for the maximum exposed residential receptor, the chronic risk for the worker and residential receptors, and the cancer risk for the worker and residential receptors would be less-than-significant under the windrow option. (DEIR, p. 5-36—37.)

With regard to acute and chronic risk from exposure to TACs generated by operation of the Site 5A Alternative, under the ASP composting option, the maximum HI would target the eyes. For the maximum exposed worker, the acute HI under the ASP option would be 0.085. For the maximum exposed residence, the acute HI under the ASP option would be 0.0079. The acute risk for the maximum exposed worker and residential receptors are well below the BAAQMD threshold of 1. The maximum chronic HI would target the respiratory system. For the maximum exposed worker, the chronic HI under the ASP option would be 0.0029. For the maximum exposed residence, the chronic HI under the ASP option would be 0.00056. The chronic risk for the maximum exposed worker and residential receptors are well below the BAAQMD threshold of 1. The same five carcinogens would be emitted under the ASP composting option as under the windrows composting option, and the maximum cancer risk under the ASP option for the worker and residential receptors would be 0.68 and 0.70 per million, respectively, which would not exceed the BAAQMD threshold of 10 in one million. (DEIR, p. 5-37.) The maximum annual PM<sub>2.5</sub> concentration as a result of the project construction and operation would not exceed the BAAQMD threshold of 0.3 µg/m<sup>3</sup>. (DEIR, p. 5-37—38.)

Under the windrows option of the Site 5A Site Alternative, GHG emissions that would result from operations of the project would exceed the 1,100 metric tons per year threshold established by BAAQMD by 2,126 metric tons of CO<sub>2</sub>e per year. This would represent a cumulatively significant impact without mitigation. (DEIR, p. 5-38—39.) Under the ASP option, GHG emissions that would result from the operation of the project would exceed the 1,100 metric tons per year threshold established by BAAQMD by 2,236 metric tons of CO<sub>2</sub>e per year. This would represent a cumulatively significant impact. (DEIR, p. 5-41.) With regard to any potential conflict with applicable Sonoma County plans, policies, or regulations adopted to reduce GHGs, Sonoma County has established a *Sonoma County Community Climate Protection Action Plan* (Climate Protection Campaign, 2008), which incorporates the target reduction goal of 25 percent below the 1990 level by the year 2015. Both the windrows and the ASP options would comply with the strategies presented in the Plan to reduce GHGs through increased recycling of organic materials via composting processes. Therefore, the project would not conflict with any local regulations pertaining to GHGs. (DEIR, p. 5-40, 5-42—43.)

The BAAQMD's *CEQA Air Quality Guidelines* (BAAQMD, 2010b) provides estimated impacts from significant roadway within Sonoma County such as Routes 1, 12, 37, 101, 116, 121, and 128. Estimated impacts within a distance of 1,000 feet were developed for each of these roadways. The project is not located within 1,000 feet of any of these roadways. Thus, the impact from these roadways is not expected to significantly contribute to the overall impact at the receptors of interest in the project vicinity. (DEIR, p. 5-44—45.)

c. Biological Resources

Sensitive habitats located in the vicinity of the Site 5A Alternative include coastal salt and brackish marshlands located along the Petaluma River and the Petaluma River itself as it provides habitat for several state and federally listed fish species and essential fish habitat for Central California Coast steelhead ESU (CDFG, 2009d). Water from canals within the site is pumped into the Petaluma River by a mechanical pump. Construction activities associated with the project could result in the sedimentation and degradation of water quality in those canals which in turn could degrade the water quality of the Petaluma River and quality of the surrounding marshlands. Because coastal brackish marshlands and the Petaluma River provide important habitat functions and are subject to regulation by the Corps, Regional Water Quality Control Board ("RWQCB"), California Department of Fish and Game ("CDFG") and the U.S. Fish and Wildlife Service ("USFWS"). (DEIR, p. 6-18.)

The Site 5A Alternative would involve relocating all agricultural canals around the site perimeter, resulting in the potential loss of waters of the U.S., including wetlands. The project could potentially fill the entire 0.55 acres of agricultural canals, as identified by a qualified biologist during the site visit. Any agricultural canals filled would result in adverse permanent and temporary impacts to potentially jurisdictional wetlands and waters of the U.S. State and federal

regulations require that the project avoid or minimize impacts to wetlands and waters and develop appropriate protection for wetlands. Wetlands that cannot be avoided must be compensated to result in “no net loss” of wetlands. If the Corps determines that wetlands or other waters of the U.S. are isolated waters and not subject to Corps regulations under the Clean Water Act, the RWQCB may choose to exert jurisdiction over these waters under the Porter-Cologne Act as waters of the state. (DEIR, p. 6-19—20.)

Under the Site 5A Alternative, prior to construction the project would be required to conduct and have verified a formal wetland delineation and obtain and comply with a Section 404 permit from the Corps, a Section 401 Water Quality Certification from the RWQCB, and a Section 1600 Streambed Alteration Agreement from the CDFG. If the Corps determines the wetlands are isolated, then the project would be required to obtain a report of waste discharge, instead of Section 404 and 401 permits. Because wetlands and drainages provide important habitat and water quality functions, and are subject to regulation by the Corps, CDFG, and the RWQCB. (DEIR, p. 6-20.)

Implementation of the project under the Site 5A Alternative would result in the removal of wetland and canal habitat and may degrade the quality of coastal brackish marsh habitat. This could result in adverse permanent and temporary impacts to the tricolored blackbird, Point Reyes bird’s-beak, soft bird’s-beak, and Marin knotweed. (DEIR, p. 6-21.)

d. Cultural Resources

Under the Site 5A alternative, the project could have an adverse effect on a potentially-significant archaeological resource. Site CA-SON-202/H is located on the 5A site. The site contains both prehistoric and historic-period elements and should be evaluated for its eligibility to the National and California Registers. (DEIR, p. 7-10.) It does not appear that the remaining project area contains cultural resources or human remains; however this possibility cannot be entirely discounted. (DEIR, p. 7-11, 7-12.)

Under the Site 5A Alternative, excavations would encounter San Francisco Bay Mud deposits and potentially Holocene alluvium (if the bay mud is thinner than 8 feet at the project site). These are geologic units that have a low potential to yield significant paleontological resources. However unlikely, disturbance or destruction of a paleontological resource could still occur and therefore represents a significant impact. (DEIR, p. 7-12.)

e. Hydrology and Water Quality

Under the Site 5A Alternative, during project construction, the operation of heavy equipment, excavation, stockpiling of soils, grading, installation of facilities, realignment of waterways, installation of buildings and roadways, and other activities associated with project construction could result in the release of fuels, oils, antifreeze, coolants, hydraulic fluid, and other potential water quality pollutants into the environment. These substances could then be transported, via surface runoff, into receiving waterways including on-site drainages and the

Petaluma River, resulting in potentially significant reduction of water quality on site and downstream. Additionally, if improperly managed, sediments disturbed during the realignment procedure for the onsite drainages (e.g., Canals A and B) could migrate offsite and result in offsite sedimentation. Releases of these pollutants could result in a significant impact associated with degradation of water quality. (DEIR, p. 8-18.)

During the operation phase of the project, routine use of compost feedstock delivery trucks, bulldozers and other on-site heavy machinery, and automobiles on site could also result in the accumulation and release of fuels, oils, greases, coolants, brake dust, and other potential water quality pollutants on site. Water applied to compost piles during normal compost operations would be managed in order to minimize runoff from compost piles. During storm events, all surface runoff emanating from composting operations and associated facilities would be contained onsite, and channeled, as needed, into a 19.27 AF stormwater detention pond. Therefore, pollutants would not be released to surface waters, and natural waters would not be degraded. (DEIR, p. 8-18.)

During project operation, wastewater from toilet flushes, hand washing, and other graywater would be managed according to one of the four wastewater management options discussed in the EIR. The selected wastewater treatment and disposal system would comply with all County, State, and Federal permit conditions and requirements, including Gravenstein Highway (SR 116) / Stony Point Road graywater standards as relevant, and would not discharge to surface waters. Therefore, disposal of graywater and/or treated wastewater on site would not result in a significant impact to water quality. (DEIR, p. 8-18.)

Storage and use of fuels (diesel and gasoline), oils, greases, and other potentially hazardous liquids would occur during project operations. If managed improperly, accidental spills or other releases of these fluids could result in the fluids becoming entrained in surface water or groundwater. As a result, surface water quality or groundwater quality could become degraded, resulting in a potentially significant reduction in water quality. (DEIR, p. 8-18.)

Under the Site 5A Alternative, implementation of the project would result in the installation of a groundwater well on site, in order to provide water supply to the proposed compost facility. A review of groundwater levels in the vicinity of the project site indicated that groundwater levels are likely to be approximately at sea level, and no trends of decline or reduction in historic and recent groundwater level data were observed. Water use in support of the project would be equivalent to, at most, approximately 130 AF/yr of water, in order to supply composting operations, as well as water use associated with landscape use, toilet flushes, hand washing, and other on site uses. (DEIR, p. 8-21.) Although additional studies will be required, the withdrawal of approximately 130 AF/yr of water at the project site is expected to be less than current/existing agricultural water use on site. Therefore, implementation of the proposed project is not anticipated to result in an increase in groundwater use at the project site, and would not result in a net increase in groundwater withdrawals. As a result, the proposed composting project is not anticipated to cause additional drawdown of the local or regional aquifer, and is not



anticipated to result in significant reductions in the level of water in other nearby wells. Additionally, because no net increase in groundwater withdrawal is anticipated, the project is not expected to significantly contribute to land subsidence or migration of saline groundwater in the subsurface. (DEIR, p. 8-21.)

Under the Site 5A Alternative, installation of the project would result in the construction of impervious surfaces to support composting operations. Pervious surfaces account for approximately 100 percent of the existing 100-acre site. As most of the project site would remain as pervious surfaces, and adjacent areas would also remain pervious, there would not be an impact to groundwater recharge. Additionally, stormwater emanating from constructed impervious surfaces would be contained in detention basin on site, which could be lined to prevent percolation, depending on final site design and permitting. Therefore, the project is not anticipated to significantly alter groundwater levels on site or in adjacent areas. However, mitigation measures would be required to maintain compliance with Sonoma County General Plan Policies WR-2d, WR-4b, WR-4g, and WR-4k. According to the Sonoma County Permit and Resources Management Department (PRMD), the project may also require completion of a groundwater study and a saltwater intrusion analysis, in order to meet County procedural requirements for a project that would withdraw groundwater in a low lying area. (DEIR, p. 8-22.)

Under the Site 5A Alternative, installation of the project could result in alteration of the course of the two unnamed drainages located on site. Specifically, these drainages would be re-routed to flow around the outer edge of the compost facility, in order to enable conveyance of stormwater flows around the compost site during project operation. If improperly engineered, the realignment of these waterways could result changes in drainage patterns or stormwater conveyance, such that flooding could result, on site or downstream. Additionally, if improperly managed, changes in flow patterns associated with the realignment of these two drainages could result in increased erosion and sedimentation on site or downstream. The project would include installation of a protective levee around the project site. Installation of this levee could result in the alteration of stormwater flows and surface drainages, such that localized flooding could result, or such that increased rates of on-site erosion could occur, potentially resulting in sedimentation on site or downstream. (DEIR, p. 8-23.)

The proposed composting facility at the Site 5A Alternative would be located entirely within an area that has been identified by FEMA as being within a 100-year floodplain. In order to protect the compost facility from flood damage, a combination of fill importation and construction of flood control levees around the proposed facility would be included in the project design and implemented at the time of project construction. Flood control levees and fill would be sufficient to elevate the facility and/or prevent inundation during flooding. However, importation of fill would conflict with the Sonoma County General Plan's Policy PS-2e, requiring expansion of the County's zero net fill requirements to all areas of the unincorporated County that are located within a 100-year floodplain. Additionally, installation of fill and levees at the project site would result in the

displacement of flood waters from the project site and into adjacent/surrounding areas: installation of levees/fill would eliminate floodplain storage capacity at the project site, and result in the backing up of floodwaters onto adjacent parcels. This situation could result in increased flood depths along adjacent properties, and could also result in additional land areas becoming subject to 100-year flooding, which are not currently subject to 100-year flooding, as a result of project implementation. No feasible mitigation is available to reduce such increases in flood extent and depth. Therefore, this impact is considered significant and unavoidable. (DEIR, p. 8-25.)

Under the Site 5A Alternative, the project would be installed within a low-lying area less than 1 mile from the tidally-influenced portion of the lower Petaluma River, and less than four miles from San Pablo Bay. However, the project site would not be located within a potential tsunami inundation area. Seiche, which is defined as potential resonance waves within an enclosed body of water resulting from geologic movement or other mass movements, has not been documented in San Pablo Bay, and is not anticipated to occur. Smaller scale seiche, such as that produced by ship wakes, would not occur within San Pablo Bay due to its large size. Mudflows result when upstream soil conditions are such that, as a result of large rain events and/or geologic activity, surface sediments become destabilized and flow downhill, or as a result of volcanic activity. Sediments upstream of the project are not considered to be amenable to mudflow. Therefore, potential impacts associated with tsunami, seiche, and mudflow would be less than significant. (DEIR, p. 8-26.)

f. Land Use Planning and Architecture

The Site 5A Alternative is located in a largely undeveloped area of Sonoma County. The majority of land uses in the vicinity of the project site are agricultural in nature with few residences in the area. The project would not result in any physical barriers to traffic and circulation or otherwise divide an established community. (DEIR, p. 9-10.)

The 5A project site is located on a larger parcel which would be subdivided into two parcels (an approximately 527-acre parcel and a 100-acre parcel). It is expected that the larger parcel would remain in private ownership, under a Williamson Act contract and that current agricultural operations would continue. Operation of the project would not stimulate growth or residential development, nor would it encourage a shift to more urban, commercial, or industrial uses that would result in indirect impacts to agricultural lands or operations outside of the project site. (DEIR, p. 9-11.)

The Site 5A Alternative does not appear to be consistent with the existing LEA land use designation/zoning. While Sonoma County Permit and Resource Management Department has not completed a General Plan consistency analysis for the site, it has completed one for Site 40 and the Central Site. Given the similar land use designations and zoning for Site 5A and Site 40, analysis of the General Plan consistency findings for Site 40 is applicable to Site 5A. (DEIR, p. 9-11.) The potential project-related impacts to the floodplain are

inconsistent with the F2 Combining District and General Plan policies. The inconsistency has significant impacts related to flooding. As no feasible mitigation is available, this impact is significant and unavoidable. (DEIR, p. 9-13.)

Implementation of the Site 5A Alternative would not result in any temporary or permanent conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as they are not located on the project site, and thus LESA analysis was not conducted for this site. The project would result in the conversion of approximately 100 acres of Farmland of Local Importance to non-agricultural use. The project site would be developed for composting facilities including a buffer area. The project site represents a small portion (i.e., approximately 0.1%) of the area available for hayland production and would support agricultural uses through the production of high-quality compost. Although the project would reduce Farmland of Local Importance within Sonoma County by approximately 0.1%, it would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. (DEIR, p. 9-13.)

Site 5A is currently restricted to agricultural use under a Williamson Act contract. The County would not be able to permit the project until the Williamson Act contract governing the property is terminated. While this impact does not have ramifications on the physical environment, the project could not proceed on land with a Williamson Act Contract and thus this impact is considered significant. (DEIR, p. 9-13—14.)

Under the Site 5A Alternative, project composting operations have the potential to conflict with operations at Gness Field Airport, as identified in FAA Advisory Circular 150/5200-33B. Composting throughput containing food materials could result in increased numbers of gulls or other scavenging birds at the site, thus increasing the risk of bird strikes for aircraft departing or approaching the airport. Additionally, stormwater detention ponds can attract birds. It should be noted that both the Petaluma River and Redwood Landfill are located at closer distances to the airport than the 5A project site. (DEIR, p. 9-14.)

g. Noise

Site 5A construction activity noise levels at and near the construction areas would fluctuate depending on the particular type, number, and duration of uses of various pieces of construction equipment. Construction-related material haul trips would raise ambient noise levels along haul routes, depending on the number of haul trips made and types of vehicles used. Noise from construction activities generally attenuates at a rate of 6 to 7.5 dBA per doubling distance. Based on the Site 5A layout and terrain, an attenuation of 7.5 dBA will be assumed because the site is consistent with the characteristics of a “soft site.” The closest sensitive receptor would be approximately 2,100 feet from project construction. Residences along haul routes would also be exposed to increased traffic levels due to trucks hauling 80,000 – 100,000 cubic yards of soils/fill to construct a levee around the project site. However, the construction haul trips (approximately 24 per day)

would be temporary (approximately one year) and the construction haul trips would not be expected to double traffic on the main haul route (Lakeville Road). The doubling of a moving noise source produces a 3 dBA increase in sound pressure level which is barely detectable by the human ear (ICF, 2009). Noise levels at residences along Lakeville Road would increase by less than 3 dBA and would not be a significant increase in noise levels. (DEIR, p. 10-15.) Sonoma County generally decides upon daytime construction hours on a case-by-case basis. No construction noise thresholds exist as long as the construction is temporary. Further, after it is constructed, the levee around the project site would further reduce any off-site noise effects of construction. Without hourly restrictions on construction activities, noise from construction activities would be considered significant. (DEIR, p. 10-16.)

Under the Site 5A Alternative, daytime operations equipment would not exceed the 50 decibel daytime limit as set by the Sonoma County General Plan. Given that the maximum levels would be below 50 decibels, no other daytime standards (L25, L8, or L2) would be exceeded. In the case of ASP composting, large blowers (fans) would push and/or pull the air through the piles. These fans may operate 24 hours per day. A ducting system would be used to direct air flows. Accurate noise levels during operation are unknown as the ASP details are conceptual and several types of systems by different vendors could be selected. A study documenting an ASP system contends that generation of noise is not a major issue as small 3 horse-power aeration blowers, a shop-sized air compressor, and a 15 horse-power exhaust fan were components of the aeration system (Carter & Burgess, 2004). The ASP blowers are not expected to be as loud as the grinder or bulldozers, but they would operate 24 hours a day and would be subject to the lower nighttime standards of 45 dBA. Depending on various factors the blowers could exceed 45 dBA at night at the nearest receptor if not adequately attenuated. (DEIR, p. 10-17.)

The Site 5A Alternative would generate new motor vehicle trips on the local road network. Truck trips could begin as early as 7:00 a.m. These trips would be distributed over the local road network and would affect roadside noise levels at sensitive receptor locations. Project traffic would cause a minimal noise impact to surrounding receptors in all areas with the project compared to without the project. No roadway segments would experience increases greater than 3 dBA during the peak hour as a result of the project. (DEIR, p. 10-18.)

#### h. Public Services and Utilities

Under the Site 5A Alternative, the primary source of solid waste requiring disposal at the project would be residual waste within arriving feedstocks which could not be composted. These materials are currently sent to landfills and thus they do not represent a new waste stream. Employees and general administrative functions would generate a minor amount of trash which would require disposal. However, the project overall would result in a net reduction in the amount of solid waste sent to landfill due to the removal of compostable materials from the existing waste stream. This would result in additional capacity at landfills utilized by Sonoma County. (DEIR, p. 11-5.)

At Site 5A, the project would generate energy demands primarily in the form of electricity, natural gas or propane, and petroleum based fuels (i.e., diesel and gasoline) from operation of buildings (e.g., lighting and heating/cooling), stationary processing equipment (e.g., grinders, blowers, etc.), and portable equipment (e.g., loaders, water trucks, forklifts, haul trucks, etc.). The specific electricity and/or natural gas requirements of the project would be determined by PG&E after the project operator submits a formal application for service. At that time, PG&E would review the project and identify what additional on- and/or off-site requirements would be needed to deliver electrical and/or gas service to the site. If natural gas services are not available the project would utilize electric appliances or propane gas for heating. (DEIR, p. 11-6.)

It is estimated that by 2030 the project would require an increase in annual electrical demand between approximately 350 megawatt-hours (MW-hrs) and 1,000 MW-hrs (depending on the methods used to operate the project; e.g., windrow composting versus ASP composting) compared to the current demand of the existing facility, and any use of natural gas or propane would be negligible on a regional basis. The precise amount of petroleum fuel demand that would be required under the project is uncertain; however, based on estimated greenhouse gas emission estimates for the project and U.S. Energy Information Administration fuel coefficient data (USEIA, 2011), by year 2030, it is expected that the project could require the use of between approximately 200,000 and 220,000 combined gallons of diesel and gasoline each year. (DEIR, p. 11-6.)

The project would not include activities that would be considered to result in inefficient, wasteful, or unnecessary consumption of energy. In addition, the project would not reduce or interrupt existing electrical or natural gas services due to insufficient supply. It should also be noted, the project would be inherently energy efficient by providing a local source of soil enrichment materials and reducing the export of waste out of the County and import of conventional fertilizer and soil conditioning products into the County. Also, because the project would merely shift the location of the fuel consumption associated with off-road equipment and trucks from landfills to the project site, there would not likely be a net increase of fuel consumption in the region. Because the project would be inherently energy efficient, it would not substantially increase fuel consumption in the region, and the operator of the facility would pay improvement and operating costs for available electricity and/or natural gas. (DEIR, p. 11-6.)

Law enforcement services for the project at Site 5A would be provided by the Sonoma County Sheriff's Office. Calls for service to the project site would be typical of existing calls for service in the vicinity such as trespassing or vandalism. Calls for service from the existing composting facilities are rare. Typically criminal trespassing is associated with the adjacent landfill (Bakx, pers. comm., 2009). As with existing operations, the project is not anticipated to create a volume of calls which would affect the ability of the Department to provide adequate law enforcement services to the general area, or require the construction or alteration of police facilities. Fire protection services and emergency medical services at Site 5A would be provided by the Lakeville Volunteer Fire

Department. The City of Petaluma Ambulance provides emergency ambulance service for the area. Response by the Lakeville Volunteer Fire Department to the project site would be primarily associated with potential structural or compost fires, medical emergencies, on-or off-site vehicular accidents and off-site wildland fires. As with existing operations, the project is not anticipated to create a volume of calls which would affect the ability of the fire departments to provide adequate services to the general area, or require the construction or alteration of fire protection facilities. (DEIR, p. 11-7.)

Under the Site 5A Alternative, the project would incorporate new on-site storm water drainage facilities which would route storm water to an on-site detention pond. The construction and operational impacts of the on-site drainage system are incorporated into the project description and thus analyzed throughout the EIR. However, impacts could occur as a result of construction and operation of the on-site drainage system. The construction of on-site detention ponds and stormwater drainage facilities would reduce any impact on off-site public stormwater drainage facilities. Thus, the project's impact related to construction of new stormwater drainage facilities would be less than significant. (DEIR, p. 11-8.)

i. Traffic and Transportation

Under the Site 5A Alternative, estimated vehicle trip generation is based on existing compost facility at 352 weekday trips and 484 weekend trips. (DEIR, p. 12-9.) Year 2030 projections indicate a more than 100% increase to 803 weekday trips and 1,116 weekend trips. (DEIR, p. 12-10.) Based on traffic studies performed by ESA, the intersection analysis assumes 90 percent of project traffic would be distributed to the project site to and from the north (on Lakeville Highway), and the other 10 percent to and from the south off SR 37 to Lakeville Road. (DEIR, p. 12-10.) LOS analysis for Near-Term Cumulative Base plus Project conditions are projected to continue to operate at an acceptable LOS D or better during both peak hours. The peak-hour traffic volume signal warrant is not met under any of the near-term plus Site 5A Alternative peak-hour conditions. (DEIR, p. 12-13.)

The existing conditions of access roadway at the Site 5A Alternative would not meet the needs of the project traffic in terms of capacity or safety. The roadway would need to be reconstructed to adequately accommodate two-way truck traffic with sufficient space at the intersection with Lakeville Road to allow incoming and outbound vehicles to maneuver without adversely affecting traffic operation in the public right-of-way. (DEIR, p. 12-14.)

Implementation of the project at Site 5A would cause a substantial increase in vehicle and truck traffic on Lakeville Road and would increase the opportunity for conflicts between project traffic and bicyclists and/or pedestrians. The potential for conflicts would be considered greatest in circumstances where Lakeville Road would be regularly used by bicyclists or pedestrians and/or is a designated proposed bikeway, and the road does not meet current County roadway design standards (including paved shoulders of sufficient width for use by bicycles). In addition, project haul trucks could lose debris from their trailers which could end up on

shoulders and in bike lanes, potentially creating a hazard for bicyclists. The *2010 Sonoma County Bicycle and Pedestrian Master Plan* classifies Lakeville Road (south of SR 116 and north of SR 37) as proposed Class II bike lanes (low priority). While no bicyclists or pedestrians were observed during the peak period (two-hour) weekday and weekend traffic counts in February 2009, week-long machine counts taken in late July – early August 2009 documented that Lakeville Road was, in fact, used by as many as 200 to 300 bicyclists per day. Bicycle trips on any given day throughout the year could be higher or lower than those counted in July 2009, depending on season, weather conditions, size of bicycling groups, and other factors. Although the project would not prevent the County from implementing bicycle improvements included in the Bicycle and Pedestrian Master Plan, project-generated increase in traffic volumes on Lakeville Road between SR 116 and SR 37 could create potential conflicts with the plan to provide Class II bike lanes. (DEIR, p. 12-15—16.)

The Site 5A Alternative would cause an increase in traffic including heavy trucks on Lakeville Road. The majority of the project traffic would travel to and from the north on Lakeville Road. This distribution pattern of project traffic would result in increased numbers of southbound vehicles slowing to turn right onto Twin House Ranch Road to access the project site and likewise an increase in traffic turning left from Twin House Ranch Road across two through lanes of traffic onto Lakeville Road. Currently, both of these movements are relatively infrequent on a daily basis. A review of the stopping sight distance requirements for Lakeville Road at Twin House Ranch Road found the available sight distance to be adequate in both directions. The analysis of near-term traffic impacts at Site 5A indicated that the intersection of Lakeville Road / Twin House Ranch Road would continue to operate at acceptable LOS C or better with project traffic. However, the introduction of increased turning movements to and from Lakeville Road at Twin House Ranch Road would increase the potential for vehicle conflicts and collisions in the project area. (DEIR, p 12-16.)

The results of the LOS analysis for Long-Term Cumulative Base conditions plus traffic added by the project show that under the Site 5A Alternative, the eastbound approach (Twin House Ranch Road) of the study intersection would degrade from an acceptable LOS C to an unacceptable LOS F during the weekday a.m. peak hour. The service level would remain at LOS E during the weekend peak hour, but the average vehicle delay would increase by more than the five-second threshold of significance. The peak-hour traffic volume signal warrant is not met under any of the long-term plus project peak hour conditions. Because intersection traffic volumes at the Lakeville Road / Twin House Ranch Road intersection would not meet the threshold for signalization under near-term or long-term conditions, intersection modifications would be needed to improve peak hour intersection operations to acceptable (LOS D or better) levels. In addition, project-generated trips would cause the westbound approach (Stage Gulch Road) of the intersection of Stage Gulch Road / Lakeville Highway – Lakeville Road to degrade from LOS E to LOS F during the weekday a.m. peak hour, and the average vehicle delay would increase by more than the five-second threshold of significance. Because intersection traffic volumes at the Stage Gulch

Road / Lakeville Highway – Lakeville Road intersection would not meet the threshold for signalization under near-term or long-term conditions, intersection modifications would be needed to improve peak hour intersection operations to acceptable (LOS D or better) levels. Without the intersection modifications, these would be a significant impacts. (DEIR, p. 12-18.)

The truck trips generated by the project under the Site 5A Alternative would cause incremental damage and wear to roadway pavement surfaces along the haul route. The degree to which this impact would occur depends on the roadway's design (pavement type and thickness) and its current condition. Freeways and state routes, such as U.S. 101 and SR 116, are designed to handle a mix of vehicle types, including heavy trucks, and thus, the project's impact on those facilities would be negligible. Local roadways, such as Twin House Ranch Road (the project access road) are generally not designed to accommodate heavy vehicles, and truck travel on this road would have the potential to adversely affect the pavement condition. Roadway damage can include conditions such as loose asphalt and potholes that have the potential to make driving conditions less safe. Roadways significantly affected from project truck traffic would have to be upgraded to support heavy trucks. (DEIR, p. 12-20.) The existing roadway traffic index ("TI") for Lakeville Road in the vicinity of the project is 11.8. The addition of project daily truck traffic would increase the TI to 11.9. This increase falls below the 1.5 significance criteria TI increase threshold for roadways built to accommodate heavy truck traffic. The existing TI for Twin House Ranch Road is 7.8 and the project would increase the estimated TI to 9.1. This would be considered a significant impact because the increase in TI would exceed the threshold of 0.5 for roadways not designed to accommodate heavy truck traffic. (DEIR, p. 12-21.)

Under the Site 5A Alternative, Project construction activities would generate offsite traffic that would include the initial delivery of construction vehicles and equipment to the Project site, the daily arrival and departure of construction workers, the delivery of materials throughout construction, and the removal of construction debris. Construction of the levee would require a total of approximately 11,100 truckloads of imported fill assuming the use of a nine cubic yard truck. On average over the five month construction period, 220 one-way truck trips (or 110 round-trips) would occur on a daily basis. This also equates to approximately 28 one-way truck trips per hour during a typical workday. Construction-generated traffic would be temporary, and therefore, would not result in any long-term degradation in operating conditions on any roadways in the project locale. The impact of construction-related traffic would be a temporary, intermittent lessening of the capacities of study area roadways because of the slower movements and larger turning radii of construction trucks compared to passenger vehicles. However, given the proximity of the plan area to regional roadways (i.e., U.S. 101 and SR 37), construction trucks would have relatively direct routes. Most construction traffic would be dispersed throughout the day. Thus, the temporary increase would not significantly disrupt daily traffic flow on any of the project area roadways. Although the impact from the number of vehicles would be less than significant, truck movements could have an adverse effect on traffic flow in the area



caused by the slower speeds of these trucks and longer turning maneuvers. (DEIR, p. 12-22.)

Objectives and Feasibility: This alternative would meet all of the Project objectives. (RDEIR, p. 3-1.)

Finding: However, because the environmentally superior alternative – the Central Site Alternative – is feasible as discussed below, SCWMA is required to adopt that alternative. CEQA gives an agency authority, consistent with its available powers, to adopt a project alternative rather than the proposed project, where the agency finds that the alternative will be less environmentally damaging than the project as proposed. (Public Resources Code §§21002–21002.1, 21004.)

#### 4. Site 40 Alternative

Description: The Site 40 Alternative proposes the construction of a new central compost facility on Site 40. The Site 40 Alternative would replace the existing compost facility at the Central Disposal Site and would have the capacity to process approximately 200,000 tons of incoming feedstock materials per year. Processing would include green material, food material and agricultural materials. The compost facility would use an outdoor windrow system, ASP technology, or a combination of both systems. Under this alternative, no development is proposed on the Project site. (DEIR, p. 4-11.)

Site 40 (Assessor's Parcel Number 068-040-015) includes 390 acres in unincorporated Sonoma County. Site 40 is located approximately 2.5 miles east of the City of Petaluma at the intersection of Adobe Road and Stage Gulch Road (State Route 116). The operational footprint or composting area would occupy approximately 48 acres in the western corner of Site 40.

Site 40 is under private ownership and is currently used for grazing of dairy cows and reclaimed water irrigation. The central portion of the site contains structures associated with dairy and livestock operations, a main residence, and a duplex. An unused dairy milking barn, several large livestock barns and associated equipment building are located west and south of the residence (dairy operations ceased in 2006). A narrow paved road on site provides access from Stage Gulch Road to the existing structures on Site 40. Regional access from major population centers in Sonoma County is provided by U.S. Highway 101.

Site 40 was the top ranking site in the siting study prepared for SCWMA (HDR Engineering, Inc., 2008), which is discussed in Chapter 2 of the DEIR. At the time of the study, the site was noted as having a pending sale and thus the site was not analyzed as the Project site due to its potential unavailability.

The majority of land uses surrounding Site 40 are agricultural in nature with areas of open space. A vineyard is located just east of Site 40. Single-family rural residences are scattered in the surrounding area and often present on sites with agricultural operations. Livestock operations such as dairy farming and grazing are located just north and south of Site 40. The closest residence to the Site 40 composting area is approximately 1,750 feet to the west. Other residences are approximately 1,835 feet to the east and 2,450 feet to the north. Urban development associated with the City of Petaluma is located approximately 2.5 miles west of Site 40. The Petaluma Municipal Airport is located approximately 3.25 miles west of Site 40.

The two processing options for Site 40 are open windrows (Option 1) and ASP (Option 2). It is also possible that the ultimate system may be a combination of open windrow and ASP. Facility development would occur on the western portion of the parcel due to topography and would include construction cut and fill of 350,000 cubic yards and 200,000 cubic yards of soil, respectively. The compost-related facilities would include an entrance/exit scale, material sorting and processing areas, composting operations, wood chipping and grinding areas, on-site access roads, buffer zones, a sales area for wood and compost, an administrative and maintenance building, a food pre-processing building, compost curing areas, storage areas, and a stormwater detention pond. Access to the site would continue to be provided by Stage Gulch Road via Adobe Road and Lakeville Highway.

Under Option 1 (open windrows) at Site 40, the open windrow area would occupy approximately 16.52 acres. In the proposed layout for Option 2 (ASP), the ASP windrow and biofilter areas would occupy approximately 11 acres and 1.79 acres, respectively, with a total composting area of 14.74 acres. For either Option 1 or 2, the storm water detention pond would hold approximately 24 acre-feet. Depending on operational features, feedstocks and regulatory requirements the layout could combine windrows and ASP technology. A description of operations associated with each option is included in Chapter 3 of the DEIR. In addition, the Site 40 Alternative would also be subject to the entitlements, permits, and approvals described therein. (DEIR, p. 4-11—12.)

Impacts:

a. Aesthetics

The Site 40 Alternative is considered of moderate visual sensitivity. Its visual dominance is dependent on many elements or characteristics of the development. Building structures would be single-story and neutral in color. Without screening, the visual dominance of the Site 40 Alternative would be co-dominant or dominant. In terms of significance, under the County Visual Assessment Guidelines, a co-dominant project would not be considered significant in an area of moderate sensitivity, however, a dominant project would be considered significant in the same area. This assessment is subjective. (DEIR, p. 23-6.)

The Site 40 Alternative does not contain components which are anticipated to create a substantial amount of glare such as metal or glass; however, mitigation measures would help reduce day-time glare. Typical hours of operation for the Site 40 Alternative would be between 7:00 a.m. and 4:00 p.m., Monday through Sunday. The site could operate infrequently during the permitted evening hours, for activities such as temperature monitoring. Within the Site 40 composting area, existing nighttime lighting is associated with farm structures, residences, and automobiles traveling along nearby roadways. This lighting is of low-intensity and dispersed. The Site 40 Alternative would introduce new nighttime lighting sources for security and operational purposes. (DEIR, p. 23-6.)

b. Air Quality

Construction of the Site 40 Alternative, under either option (windrow or ASP), would result in significant and unavoidable air quality impacts because NO<sub>x</sub> emissions would exceed the BAAQMD thresholds even after mitigation.

(DEIR, p. 15-2.) The operational air quality impacts associated with the Site 40 Alternative fall into two categories: 1) fugitive dust impacts (re-entrainment on local roadways and on-site disturbed areas); and 2) criteria pollutant impacts due to off-road equipment, on-road vehicles, area sources (natural gas combustion, landscaping equipment, architectural coatings), and composting off-gas emissions. (DEIR, p. 15-3.) The estimated unmitigated net emissions (Site 40 minus Existing emissions) of all pollutants would not exceed the applicable BAAQMD significance thresholds during operations starting in 2011. (DEIR, p. 15-3—4.) However, for operations in 2030, unmitigated net emissions of ROG and PM10 would exceed the BAAQMD thresholds. This would be a significant impact without mitigation. (DEIR, p. 15-4.)

Site 40 Alternative Project-related traffic would not conflict with the Sonoma County Comprehensive Transportation Plan established by the Sonoma County Transportation Authority because the estimated increase in traffic volumes caused by Project-related traffic would not be substantial relative to background traffic conditions, nor would Project traffic significantly disrupt daily traffic flow on area roadways. The Site 40 Alternative would not lead to violations of BAAQMD's carbon monoxide standards and therefore, no further analysis was conducted for carbon monoxide impacts of the Project at this location. (DEIR, p.15-7.)

Construction of the Site 40 Alternative, under either option (windrow or ASP), would expose sensitive receptors in the vicinity to toxic air contaminant ("TAC") emissions. TAC emissions sources at Site 40 would include heavy duty equipment used on-site, haul trucks used to transport material to and from the site and fugitive emissions associated with composting activities. (DEIR, p.15-7.) Under the windrow option, for the maximum exposed worker and residence, the acute hazard index would exceed the BAAQMD threshold and therefore constitute a significant impact. (DEIR, p. 15-8—9.) On the other hand, the chronic risk for the maximum exposed worker and residential receptor measured well below the BAAQMD threshold and would therefore constitute a less than significant impact. (DEIR, p. 15-9.) Under the ASP option, all of these measurements fell below the BAAQMD thresholds and therefore constituted a less than significant impact. (DEIR, p. 15-10.)

With regard to carcinogen exposure, the following five carcinogens would be emitted under the Site 40 Alternative: (1) DPM; (2) methylene chloride; (3) benzyl chloride; (4) formaldehyde; and (5) acetaldehyde. (DEIR, p. 15-9.) Under both options, the maximum cancer risk for worker receptors would not exceed BAAQMD thresholds. (DEIR, p. 15-9—10.) Similarly, under the ASP option, residential receptors also would not exceed the BAAQMD thresholds. (DEIR, p. 15-10.) However, under the windrow option, the maximum cancer risk for residential receptors would be 60.0 cancers in one million which exceeds the BAAQMD threshold of 10 in one million. (DEIR, p. 15-9.) Thus, under the windrow option, the cancer risk for the maximum exposed resident would constitute a significant impact, even after mitigation. (DEIR, p. 15-9—10.)

Construction and operations of the Site 40 Alternative, under either option (windrow or ASP), would result in maximum annual PM2.5 concentrations which

would not exceed the BAAQMD threshold of 0.3 j.tg/m<sup>3</sup> and would therefore constitute a less than significant impact. (DEIR, p. 15-9—11.)

Construction and operations of the Site 40 Alternative, under both options (windrow and ASP) would result in a maximum annual generation of GHG emissions in excess of BAAQMD thresholds. Specifically, the windrow option would exceed the 1,100 metric tons per year threshold by 1,925 metric tons of CO<sub>2e</sub> per year. (DEIR, p. 15-11.) And the ASP option would exceed the threshold by 3,341 metric tons of CO<sub>2e</sub> per year. (DEIR, p. 15-14.) Thus, both options would have impacts representing cumulatively significant impacts. However, both options would comply with the strategies presented in the *Sonoma County Community Climate Protection Action Plan* and would therefore not conflict with any local regulations pertaining to GHGs. (DEIR, p. 15-12.) For both options, NOx emissions during construction would be cumulatively considerable with significant impact. (DEIR, p. 15-16—17.) However, with mitigation, the operational impacts related to the Site 40 Alternative would not have a considerable contribution to cumulative air quality (criteria air pollutants) and would therefore be less than significant. (DEIR, p. 15-16—17.)

c. Biological Resources

The Site 40 Alternative could have an impact on federally-protected wetlands, waters of the U.S., and special status species, as described in the DEIR. Through implementation of mitigation measures, the project would not conflict with any local policies or ordinances protecting biological resources. The project would not substantially reduce the habitat of a fish and wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of an endangered, rare or threatened species. (DEIR, p. 16-9.)

d. Cultural Resources

One structure within the Site 40 Alternative Project area, a single family residence, was determined to be more than 50 years old and therefore potentially eligible as a historical resource under CEQA. The residence, originally constructed in the 1950s, has been extensively modified due to remodeling and an addition constructed in the 1970s. The building lacks integrity, overall historical significance, does not meet the criteria for listing in the California Register, and therefore does not appear to be eligible for designation as a historical resource. The residence is not within the footprint of the area that would be used for composting, but it would be near the entrance road leading from Stage Gulch Road to the Site 40 composting area. The impact would be less than significant. (DEIR, p.17-5.)

While it does not appear that Site 40 contains archaeological resources or human remains, this possibility cannot be entirely discounted. Without mitigation, this could be a significant impact. (DEIR, p. 17-5—6.)

However, the Petaluma Formation underlying Site 40 has yielded several vertebrate fossils within two miles and qualifies under the Society of Vertebrate Paleontology

(“SVP”) guidelines as a unit of high paleontological potential. While no information exists to refute or confirm specific fossil occurrences beneath the site, the Petaluma Formation has a high potential to yield fossils and subsurface excavations beyond previously disturbed soils or natural topsoil could potential unearth, disturb or destroy a paleontological resource. Site 40 would grade numerous natural slopes to prepare the site for active composting, build the process and administrative buildings and create a stormwater detention pond. Due to the moderately hilly nature of the site, significant cuts (potentially as deep as 30 feet) into the Petaluma Formation are likely. Without proper prevention measures, this activity would constitute a *potentially significant* impact to paleontological resources. Mitigation measures are available that could reduce this impact to a less than significant level by educating earth moving crews on the appearance of fossils, establishing procedures to follow if any are discovered, and ensuring that a paleontologist assess the significance of any fossil find, and recovers it, if appropriate. Without mitigation this could be a significant impact. (DEIR, p. 17-6.)

e. Hydrology and Water Quality

Implementation of the Site 40 Alternative would not result in the installation or construction of housing facilities or other residences, and would not result in the installation of any facilities within a 100-year flood zone. Also, the Site 40 Alternative would not disturb or otherwise increase the risk of failure of any levee or dam, and would not place facilities in an area that would be subject to inundation as a result of levee or dam failure. Finally, no large water bodies are located near the Site 40 Alternative site that would cause the Site 40 Alternative to be susceptible to seiche, and the site is located well above sea level, such that it would not be affected in the event of a tsunami. No impact would occur under any of these categories, and therefore these impacts are not discussed further within the DEIR. (DEIR, p. 18-6—7.)

During construction of the Site 40 Alternative, the operation of heavy equipment, and other construction related activities could result in the release of water quality pollutants into natural waters. During the operation phase of the Site 40 Alternative, routine operations could also result in the accumulation and release pollutants to natural waters. Water applied to compost piles would be managed such that no runoff would occur. Releases of these pollutants could result in a significant impact associated with degradation of water quality. Sanitary wastewater would be treated via an approved, Class A on-site septic system. Use of this system would comply with County, State, and Federal standards, and is not anticipated to result in a significant degradation of water quality. (DEIR, p. 18-7.)

The Site 40 Alternative would use groundwater on site, in order to provide potable water to the Project site. Groundwater could also be used to supply some portion of composting operations; however, the total volume of groundwater used to supply potable water would be approximately 0.8 acre-feet per year, as discussed in the DEIR. This proposed use rate would be similar to existing and historic groundwater use on site (estimated 0.75 acre-feet per year). Therefore, project-related groundwater usage is not anticipated to significantly draw down the local or

regional aquifer, in comparison to existing conditions, and is not anticipated to result in significant reduction in the level of water in other nearby wells. (DEIR, p. 18-7—8.)

Installation of the Project at the Site 40 Alternative would result in the construction of impervious surfaces to support composting operations. However, most of the Project site would remain as pervious surfaces, and adjacent areas would also remain pervious. Additionally, stormwater emanating from constructed impervious surfaces would be contained in detention basin on site, which could be lined to prevent percolation, depending on final site design and permitting. Therefore, the project is not anticipated to significantly alter groundwater levels on site or in adjacent areas. However, mitigation measures would be required in order to remain consistent with Sonoma County General Plan Policies WR-2d, WR-4b, WR-4g, and WR-4k. (DEIR, p. 18-8.)

Installation of the Site 40 Alternative would not alter the course of the unnamed drainages located on site. Potential expansion of the Pinheiro Reservoir was previously evaluated for environmental impact, and underwent analysis in compliance with CEQA, during the approval process for Permit for Diversion of Water Use 21217. However, the Site 40 Alternative could result in changes in localized flow patterns or runoff such that localized flooding could result, or increases in erosion or sedimentation on site or downstream. Without mitigation this impact would be significant. (DEIR, p. 18-8.)

f. Land Use Planning and Architecture

The Site 40 Alternative is located in a largely undeveloped area of Sonoma County. The majority of land uses in the vicinity of the site are agricultural in nature with scattered residences in the area. The Site 40 Alternative would not result in any physical barriers to traffic and circulation or otherwise divide an established community; thus, impacts would be less than significant. (DEIR, p. 19-4.) Further, operation of this alternative would not stimulate growth or residential development, nor would it encourage a shift to more urban, commercial, or industrial uses that would result in indirect impacts to agricultural lands or operations outside of the Project site. (DEIR, p. 19-4.)

The Site 40 Alternative does not appear to be consistent with the site's existing Land Extensive Agriculture land use designation/zoning because it does not fit the requirements of an agricultural supporting use. (DEIR, p. 19-4.) Inconsistency with public plans creates significant impacts under CEQA only when an adverse physical effect would result from the inconsistency. Relevant General Plan policies are discussed in the various technical sections of the DEIR and were reviewed for inconsistency after implementation of mitigation. However, even after mitigation, the Site 40 Alternative is potentially inconsistent with General Plan Policies LU-9d and OSRC-16i. (DEIR, p. 19-4—5.)

In addition, after conducting the Land Evaluation and Site Assessment Model (LESA), it was determined that the Site 40 Alternative would have a Land Evaluation (LE) subscore of 21.64 and a Site Assessment (SA) subscore of

46.50, which is considered significant under the California Agricultural LESA Model. The availability of water, abundance of surrounding agricultural land and the fact that the Site 40 Alternative and a majority of surrounding properties are currently under Williamson Act contracts lead to the significant Final LESA Score. Therefore, the Site 40 Alternative impact on these resources would be significant. (DEIR, p. 19-6.) Further, Site 40 is currently restricted to agricultural use under a Williamson Act contract. But the County would not be able to permit this alternative until the Williamson Act contract governing the property is terminated, thus this impact is considered significant. (DEIR, p. 19-6—7.)

Composting operations have the potential to conflict with operations at Petaluma Municipal Airport, as identified in FAA Advisory Circular 150/5200-33B, because composting throughput containing food materials can result in increased numbers of gulls or other scavenging birds at the site, thus increasing the risk of bird strikes for aircraft departing or approaching the airport. (DEIR, p. 19-7.) Additionally, stormwater detention ponds can attract birds. It should be noted that the Petaluma Municipal Airport is located near existing water sources such as the Petaluma River (less than 2.5 miles south of the airport), Shollenberger Park (165 acre park with extensive wetlands located 2 miles to the south of the airport) and Lucchesi Park (community park with pond located one mile to the southwest of the airport). These sites are located at closer distances to the Petaluma Municipal Airport than Site 40. As the composting operations associated with the alternative and the stormwater detention pond could potentially create a hazardous wildlife attractant within 5 miles of the public airport, this impact is significant. (DEIR, p. 19-7.)

g. Noise

Construction activity noise levels at and near the construction areas would fluctuate depending on the particular type, number, and duration of uses of various pieces of construction equipment. Construction-related material haul trips would raise ambient noise levels along haul routes, depending on the number of haul trips made and types of vehicles used. Noise from construction activities generally attenuates at a rate of 6 to 7.5 dBA per doubling distance. Based on the proposed Site 40 layout and terrain, an attenuation of 7.5 dBA will be assumed because the site is consistent with the characteristics of a “soft site.” The closest residence would be approximately 1,750 feet from the main construction areas. Residences along haul routes would also be exposed to increased traffic levels due to trucks around the project site. A small amount of truck traffic would increase on the haul routes (approximately 35 trips per day). Construction would be temporary; approximately one year. The doubling of a moving noise source produces only a 3 dBA increase in sound pressure level which is barely detectable by the human ear (Caltrans, 2009). Construction traffic would not double the existing traffic in the area of Site 40. (DEIR, p. 20-7.)

Excavation and finishing are the loudest phases of construction; the noise from these phases of construction would be up to 89 dBA at a reference distance of 50 feet. If attenuated out to 1,750 feet, this receptor would experience noise levels of

approximately 50 dBA during finishing and excavation, the loudest of construction activities that would occur. Sonoma County generally decides upon daytime construction hours on a case-by-case basis. No construction noise thresholds exist as long as the construction is temporary. Without hourly restrictions on construction activities, noise from construction activities would be considered significant. (DEIR, p. 20-7.)

With regard to operations at the Site 40 Alternative, after accounting for proposed shielding, the noise levels at the nearest property line are predicted to be approximately 42-44 dB Leq. None of the daytime operations equipment would exceed the 50 decibel daytime limit as set by the Sonoma County General Plan. Given that the maximum levels would be below 50 decibels, no other daytime standards would be exceeded. (DEIR, p. 20-9.) However, in the case of aerated static piles (“ASP”), large blowers would push and/or pull the air through the piles. These blowers may operate 24 hours per day and would therefore be subject to the lower nighttime standards of 45 dBA. Depending on various factors the blowers could exceed 45 dBA at night at the nearest receptor if not adequately attenuated. This would be a significant impact without mitigation. (DEIR, p. 20-9.)

The Site 40 Alternative would generate new motor vehicle trips on the local road network. Truck trips could begin as early as 7:00 a.m. These trips would be distributed over the local road network and would affect roadside noise levels at sensitive receptor locations. (DEIR, p. 20-10.) To assess the impact of Project traffic on roadside noise levels, noise level projections were made using the Federal Highway Administration TNM Lookup 2.5 model for those road segments that would be used by the haul trucks and other vehicles that would pass by sensitive receptors. Stage Gulch Road north of the Site 40 entrance road would receive a weekend 2030 incremental increase of 3.4 dBA. However, the residence on Stage Gulch Road actually lies over 150 feet from the center of the road. This distance would attenuate traffic noise to less than 60 dBA, deeming it less than significant. Exterior noise levels less than 60 dBA are also compatible with the County Noise Element compatibility guidelines for residences. (DEIR, p. 20-12.) Adobe Road and Frates Road would also receive an estimated 80 percent of the traffic from the composting facility at Site 40. Given their average daily traffic (“ADT”) rates, the traffic increase from the 2030 plus project scenario would result in an insignificant increase of less than 1 dBA when compared to the existing traffic levels. (DEIR, p. 20-10.) Further, the incremental increase from Project traffic would also be less than 3 dBA for the cumulative scenarios on all of the segments. Thus, the incremental noise increases from the Site 40 Alternative would not be cumulatively considerable and would have a less than significant cumulative impact on noise. (DEIR, p. 20-12.)

#### h. Public Services and Utilities

The Site 40 Alternative would not be served by municipal providers for potable water or wastewater service or affect existing providers of these services, thus there would be no impact to potable water or wastewater service providers related



to the construction of new water or wastewater infrastructure. Site 40 could continue to receive treated effluent from the City of Petaluma should it remain available, which would be negotiated by a contract with the City as discussed in the DEIR. Since the project does not propose to add schools, parks or libraries and the project would not increase demands on these kinds of facilities, there would be no impacts to public schools, parks or libraries. The compost facility would be required to comply with CalRecycle regulations regarding composting operations found at Title 14, Chapter 3.1. Thus, the Site 40 Alternative would comply with regulations related to solid waste. As the project would have no effect on these issues, they are not discussed further in the DEIR. (DEIR, p. 21-2.)

The primary source of solid waste requiring disposal at the Site 40 Alternative would be residual waste within arriving feedstocks which could not be composted. These materials are currently sent to landfills and thus they do not represent a new waste stream. Employees and general administrative functions would generate a minor amount of trash which would require disposal. However, the Project overall would result in a net reduction in the amount of solid waste sent to landfill due to the removal of compostable materials from the existing waste stream. This would result in additional capacity at landfills utilized by Sonoma County and thus would be less than significant. (DEIR, p. 21-3.)

The Site 40 Alternative would generate energy demands primarily in the form of electricity, propane, and petroleum based fuels (i.e., diesel and gasoline) from operation of buildings (e.g., lighting and heating/cooling), stationary processing equipment (e.g., grinders, blowers, etc.), and portable equipment (e.g., loaders, water trucks, forklifts, haul trucks, etc.). This alternative would likely also utilize electric appliances or propane gas for heating. The specific electricity requirements of this alternative would be determined by PG&E after the operator submits a formal application for service. (DEIR, p. 21-3.)

It is estimated that by 2030 the Project would require an increase in annual electrical demand between approximately 350 megawatt-hours (MW-hrs) and 1,000 MW-hrs (depending on the methods used to operate the Project; e.g., windrow composting versus ASP composting) compared to the current demand of the existing facility, and any use of propane would be negligible on a regional basis. The precise amount of petroleum fuel demand that would be required under this alternative is uncertain; however, based on estimated greenhouse gas emission estimates, by year 2030, it is expected that this alternative could require the use of between approximately 180,000 and 200,000 combined gallons of diesel and gasoline each year. (DEIR, p. 21-3.)

The Site 40 Alternative would be inherently energy efficient by providing a local source of soil enrichment materials and reducing the export of waste out of the County and import of conventional fertilizer and soil conditioning products into the County. Also, because the Site 40 Alternative would merely shift the location of the fuel consumption associated with off-road equipment and trucks from landfills to the project site, there would not likely be a net increase of fuel consumption in the region. Because the Site 40 Alternative would be inherently energy efficient, would not substantially increase fuel consumption in the region, and the operator of the

facility would pay improvement and operating costs for available electricity and/or natural gas, this impact would be less than significant. (DEIR, p. 21-4.)

Law enforcement services for this alternative would be provided by the Sonoma County Sheriff's Office. Calls for service to Site 40 would be typical of existing calls for service in the vicinity such as trespassing or vandalism. Calls for service from the existing composting facilities are rare. Typically criminal trespassing is associated with the adjacent landfill (Bakx, pers. comm., 2009). As with existing operations, Site 40 is not anticipated to create a volume of calls which would affect the ability of the Department to provide adequate law enforcement services to the general area, or require the construction or alteration of police facilities. Thus, effects to police protection services would be less than significant. (DEIR, p. 21-4.)

Fire protection services and emergency medical services would be provided by the Lakeville Volunteer Fire Department. The City of Petaluma Ambulance provides emergency ambulance service for the area. Response by the Lakeville Volunteer Fire Department to Site 40 would be primarily associated with potential structural or compost fires, medical emergencies, on-or off-site vehicular accidents and off-site wildland fires. The composting process creates heat which can cause fires. Other fire causes such as smoking, arson and lightning are rare but could occur. Composting facilities in California are required to comply with CCR Title 14 composting regulations (Title 14, Chapter 3.1. Article 6, §17867(8)) which requires operations to provide fire prevention, protection and control measures. (DEIR, p. 21-4.) this alternative is not anticipated to create a volume of calls which would affect the ability of the fire departments to provide adequate services to the general area, or require the construction or alteration of fire protection facilities. Thus, effects to fire protection and emergency medical services would be less than significant. Fire prevention controls incorporated into the project would also reduce risks from wildland fire to a less-than-significant level. (DEIR, p. 21-5.)

The Site 40 Alternative would incorporate new on-site storm water drainage facilities which would route storm water to an on-site detention pond. The construction and operational impacts of the on-site drainage system are analyzed throughout the DEIR. However, impacts could occur as a result of construction and operation of the on-site drainage system. The construction of on-site detention ponds and stormwater drainage facilities would reduce any impact on off-site public stormwater drainage facilities. Thus, the impact of this alternative related to construction of new stormwater drainage facilities would be less than significant. (DEIR, p. 21-5.)

#### i. Traffic and Transportation

Under the Site 40 Alternative, estimated vehicle trip generation is based on existing compost facility at 352 weekday trips and 484 weekend trips. (DEIR, p. 22-9.) Year 2030 projections indicate a more than 100% increase to 803

weekday trips and 1,116 weekend trips. (DEIR, p. 22-9.) LOS analysis for Near-Term Cumulative Base plus Project conditions are projected to continue to operate at an acceptable LOS C or better during both peak hours. The peak-hour traffic volume signal warrant is not met under any of the near-term plus Site 40 Alternative peak-hour conditions. (DEIR, p. 22-10.)

The existing conditions of the access roadway at the Site 40 Alternative would not meet the needs of Project traffic in terms of capacity or safety. The roadway would need to be reconstructed to adequately accommodate two-way truck traffic with sufficient space at the intersection with Stage Gulch Road to allow incoming and outbound vehicles to maneuver without adversely affecting traffic operation in the public right-of-way. (DEIR, p. 22-11.)

The Site 40 Alternative would cause a substantial increase in vehicle and truck traffic on Stage Gulch Road and would increase the opportunity for conflicts between Project traffic and bicyclists and/or pedestrians. The potential for conflicts would be considered greatest in circumstances where the identified haul roads would be regularly used by bicyclists or pedestrians and/or is a designated proposed bikeway, and the road does not meet current County roadway design standards (including paved shoulders of sufficient width for use by bicycles). In addition, Site 40 Alternative haul trucks could lose debris from their trailers which could end up on shoulders and in bike lanes, potentially creating a hazard for bicyclists. The *2010 Sonoma County Bicycle and Pedestrian Master Plan* classifies Lakeville Road (south of SR 116 and north of SR 37), Adobe Road and Stage Gulch Road as proposed Class II bike lanes. Frates Road currently provides Class II bike lanes and sidewalks between Lakeville Highway and Ely Boulevard. While no bicyclists or pedestrians were observed using Stage Gulch Road or Adobe Road during the peak hour weekday and weekend observations in July and August 2009, week-long machine counts taken in late July – early August 2009 documented that Stage Gulch Road was, in fact, used by between 30 and 80 bicyclists per day. It is assumed that Adobe Road is currently used by bicyclists. (DEIR, p.-22-11.) Project-generated increases in traffic volumes on Lakeville Road between U.S. 101 and SR 37, Frates Road (east of Ely Boulevard), Adobe Road (between Frates Road and Stage Gulch Road), and Stage Gulch Road (between Adobe and Lakeville Highway) would create potential conflicts with the plan to provide Class II bike lanes. (DEIR, p.-22-12.)

The Site 40 Alternative would cause an increase in traffic including heavy trucks on Stage Gulch Road. The majority of the Site 40 traffic would travel to and from Adobe Road on Stage Gulch Road. This distribution pattern of Site 40 traffic would result in increased numbers of westbound vehicles slowing to turn right onto the Site 40 access road and likewise an increase in traffic turning left from the access road across two through lanes of traffic onto Stage Gulch Road. Currently, both of these movements are very infrequent on a daily basis. A review of the stopping sight distance requirements for Stage Gulch Road at the Site 40 access road found the available sight distance to be adequate in both directions. The introduction of increased turning movements to and from Stage Gulch Road at

Site 40 Access Road would increase the potential for vehicle conflicts and collisions in the Site 40 Alternative area. (DEIR, p. 22-12.)

The results of the LOS analysis for Long-Term Cumulative Base plus Project conditions show that under the Site 40 Alternative, Project-generated traffic service level on the westbound approach (Stage Gulch Road) of the intersection of Stage Gulch Road / Lakeville Highway – Lakeville Road would remain at LOS E during the weekday a.m. peak hour, but the average vehicle delay would not increase by more than the five-second threshold of significance. The other study intersections would continue to operate at an acceptable LOS C or better during both peak hours. The peak-hour traffic volume signal warrant would not be met under any of the long-term plus Site 40 Alternative peak-hour conditions. (DEIR, p. 22-14.)

The truck trips generated by the Site 40 Alternative would cause incremental damage and wear to roadway pavement surfaces along the haul route. The degree to which this impact would occur depends on the roadway's design (pavement type and thickness) and its current condition. Freeways and state routes, such as U.S. 101 and SR 116, are designed to handle a mix of vehicle types, including heavy trucks, and thus, the Site 40 Alternative's impact on those facilities would be negligible. Local roadways, such as Frates Road and Adobe Road however, are generally not designed to accommodate heavy vehicles, and truck travel on these roads would have the potential to adversely affect the pavement condition. Roadway damage can include conditions such as loose asphalt and potholes that have the potential to make driving conditions less safe. Roadways significantly affected from Site 40 Alternative truck traffic would have to be upgraded to support heavy trucks. (DEIR, p. 22-16.) The existing roadway traffic index ("TI") for Stage Gulch Road in the vicinity of Site 40 is 9.1. The addition of Site 40 Alternative daily truck traffic would increase the TI to 9.7. This is below the 1.5 significance criteria TI increase threshold for roadways built to accommodate heavy truck traffic. (DEIR, p. 22-17.)

Construction-generated traffic would be temporary, and therefore, would not result in any long-term degradation in operating conditions on any roadways in the project locale. The impact of construction-related traffic would be a temporary, intermittent lessening of the capacities of study area roadways because of the slower movements and larger turning radii of construction trucks compared to passenger vehicles. However, given the proximity of the plan area to regional roadways (i.e., U.S. 101 and SR 37), construction trucks would have relatively direct routes. Most construction traffic would be dispersed throughout the day. Thus, the temporary increase would not significantly disrupt daily traffic flow on any of the project area roadways. However, truck movements could have an adverse effect on traffic flow in the area caused by the slower speeds of these trucks and longer turning maneuvers. (DEIR, p. 12-22.)

Objectives and Feasibility: This alternative would meet the three Project objectives. (RDEIR, p. 3-2.)

Finding: The SCWMA rejects this alternative on the basis that it would result in the following significant and unavoidable impacts:

- Construction of the Site 40 Alternative (associated with either windrow or ASP option) would generate significant and unavoidable generate short-term emissions of criteria air pollutants: ROG, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> that could contribute to existing nonattainment conditions and further degrade air quality.
- Implementation of the Site 40 Alternative (windrow composting option) may lead to significant and unavoidable increases in chronic exposure of sensitive receptors in the vicinity to certain toxic air contaminants from various stationary and mobile sources.
- The Site 40 Alternative (windrow composting together with anticipated cumulative development in the Bay Area Air Basin, would contribute to significant and unavoidable regional criteria pollutants.
- The Site 40 Alternative (ASP composting option), together with anticipated cumulative development in the Bay Area Air Basin, would contribute to significant and unavoidable regional criteria pollutants.

In summary, the Site 40 Alternative requires substantial grading during construction and would result in greater TAC health risk during operations. Further, implementation of the Site 40 Alternative would require a General Plan amendment, zoning change, dealing with the Williamson Act contract, and an aerated static pile composting system to mitigate potential air quality impacts. Windrow composting would is also likely not possible. (RDEIR, p. 3-2—3.)

## 5. Site 13 Alternative

Description: The Site 13 Alternative proposes the construction of a new central compost facility on Site 13. The Site 13 Alternative would replace the existing compost facility at the Central Disposal Site and would have the capacity to process approximately 200,000 tons of compost per year. Processing would include green material, food material and agricultural materials. The compost facility would use an outdoor windrow system, ASP technology, or a combination of both systems. (DEIR, p. 4-17.)

Site 13 (Assessor's Parcel Number 068-180-004) includes 578 acres in unincorporated Sonoma County. Site 13 is located approximately 11 miles southeast of the City of Petaluma and is adjacent to the San Pablo Bay. The operational footprint or composting area would occupy approximately 61 acres in the northern corner of the project site. The site is currently owned by Vallejo Sanitation and Flood Control District and is used for dry biosolids farming. Noble Road provides access to the site from State Route 37 (also known as Sears Point Road). (DEIR, p. 4-18.)

Site 13 ranked 5<sup>th</sup> in the Compost Facility Siting Study (HDR Engineering, Inc., 2008) and there are four other sites with high rankings (6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup>) within 0.25 miles of Site 13. All of these sites are located in what is known as the Tubbs Island Area. This area was considered potentially feasible for development of central composting facilities; however, there are significant safety concerns related to traffic as discussed below. (DEIR, p. 4-18.)

Land uses surrounding Site 13 are agricultural in nature. Immediately south of Site 13 is a portion of the San Pablo Bay which is part of the San Pablo Bay National Wildlife Refuge. There are no residences on Site 13 or adjacent parcels. (DEIR, p. 4-18.)

The Site 13 Alternative includes the same two processing options as the Site 40 Alternative, open windrows (Option 1) and ASP (Option 2). It is also possible that the ultimate system may be a combination of open windrow and ASP. Facility development would occur on the northern portion of the parcel for ease of site access. Access to the site would continue to be provided by Noble Road via State Route 37. (DEIR, p. 4-18.)

The compost-related facilities would be the same as those described for the Site 40 Alternative. In the proposed layout for Option 1, the open windrow area would occupy approximately 20.84 acres. In the proposed layout for Option 2, the ASP windrow and biofilter areas would occupy approximately 15.3 acres and 2.5 acres, respectively, with a total composting area of 20.28 acres. For either Option 1 or 2, the storm water detention pond would hold approximately 30 acre-feet. Depending on operational features, feedstocks and regulatory requirements the layout could combine windrows and ASP technology. (DEIR, p. 4-18.)

Impacts:

a. Aesthetics

Aesthetic impacts from the Site 13 Alternative would be similar to the Site 5A Alternative. Both consist of development in an agricultural area with few developed uses. The site is visible from State Route 37 and could create new sources of light and glare. (DEIR, p. 4-22.)

b. Air Quality

Impacts on air quality and greenhouse gas emissions would be similar to the Site 5A Alternative since the Site 13 Alternative includes the same facilities and thus would generate similar emissions during construction and operation. The nearest residence is located over 2,700 feet north of the Site 13 composting area. The risk for impacts from toxic air contaminants (TACs) would be potentially greater than the Site 5A Alternative; however, implementation of pseudobiofilter mitigation or use of ASP technology would reduce impacts to a less than significant level. In addition, another mitigation for Site 13 to reduce TAC exposure would be to move the planned location of composting operations further south on the parcel. (DEIR, p. 4-22.)

c. Biological Resources

Terrain within Site 13 is generally flat with the exception of agricultural canals. Vegetation communities within this site include irrigated row and field crops, seasonal freshwater emergent wetlands (within artificial canals/agricultural channels), barren, and ruderal. Site 13 is highly disturbed by the seasonal rotation of crops and tilling activities. Row and field crops are irrigated by water from agricultural channels surrounding and bisecting Site 13. These channels support seasonal wetlands and associated native plant species, including narrowleaf cattail (*Typha angustifolia*) and saltgrass (*Distichlis spicata*). The agricultural channels

and seasonal wetlands within the channels are potentially jurisdictional waters of the United States. Ruderal areas that are not actively tilled are compacted and support various non-native annual grasses and forbs of Eurasian origin. (DEIR, p. 4-22.)

Similar to the Site 5A Alternative, the Site 13 Alternative composting area does not have mature trees that would support nesting raptor species. Additionally, due to the high disturbance from farming activities, there is low potential for burrowing mammals or burrowing bird species to occupy the site. Artificial canals (agricultural channels) within the site support relatively sparse vegetation; therefore, there is a low potential for many regionally occurring bird species to nest within seasonal freshwater emergent wetland areas. Similar to the Site 5A Alternative, Site 13 provides suitable foraging habitat for raptors as well as passerines and other bird species that are normally associated with open fields, farmlands, and ruderal habitats. The Site 13 Alternative is not likely to impact regionally occurring special status species (nesting raptors and special-status birds, mammals, fish, reptiles, invertebrates, and sensitive plant species) due to the site's existing degree of disturbance. (DEIR, p. 4-22—23.)

Based on the location of the composting area it is likely that impacts to waters of the United States and/or waters of the state could be avoided and thus the Site 13 Alternative would have less impact than the Site 5A Alternative on waters of the U.S. and associated special-status species. (DEIR, p. 4-23.)

d. Cultural Resources

Site 13 is located on Tubbs Island on the north side of San Pablo Bay. The site is located in an area mapped as Holocene San Francisco Bay Mud, a geologic formation that has a moderate potential for containing paleosols (old soils) that would have once been available for human use and occupation. Historically marshland, levees were constructed by at least 1916. However, due to site disturbance from agricultural activities it is unlikely that known archaeological, historic or paleontological resources are located within the proposed composting area. In consultation with the Graton Rancheria, they believe the Site 13 area to be less significant than the Site 5A Alternative with regard to cultural resources. (DEIR, p. 4-23.)

e. Hydrology and Water Quality

The Site 13 Alternative would have less impact to hydrology and water quality than the Site 5A Alternative because drainage canal realignment, which could result in sediment migration and offsite sedimentation, would not be required for Site 13. All other hydrology and water quality impacts associated with construction and operation would be similar or equal to those of the Site 5A Alternative. (DEIR, p. 4-23.)

f. Land Use Planning and Architecture

The Site 13 Alternative would have less impact to land use planning and agriculture than the Site 5A Alternative since Site 13 is not located within the

proximity of an airport. Unlike the Site 5A Alternative (located approximately 2 miles from Gness Field Airport), the Site 13 Alternative would be approximately 7 miles east of the Gness Field Airport and 5 miles south of the Sonoma Valley Airport. All other land use planning and agriculture impacts would be similar or equal to those of the Site 5A Alternative. (DEIR, p. 4-23.)

g. Noise

The Site 13 Alternative would have less noise impacts for construction and operation than the Site 5A Alternative off Twin House Ranch Road. The nearest sensitive receptor to Site 13 is 2,700 feet away, which is slightly further than for Site 5A and would result in less noise exposure. In addition, the nearest sensitive receptor to Site 13 is located across State Route 37, which would be the primary noise source in the area and would mask much of the Site 13 construction and operational equipment noise. (DEIR, p. 4-23.)

h. Public Services and Utilities

Similar to the Site 5A Alternative, the Site 13 Alternative would not increase demands on public services or utilities. Analysis of the proposed project site found no impacts to be significant after mitigation for this issue area. (DEIR, p. 4-24.)

i. Traffic and Transportation

The Site 13 Alternative would generate traffic volumes similar or equal to the Site 5A Alternative. However, State Route 37 has much greater existing traffic volumes (average daily traffic (ADT) of 35,000 vehicles) when compared to Lakeville Road (ADT of 16,250 vehicles). Site 13 would increase the risk of traffic incidents and result in a greater traffic safety issues than the Site 5A Alternative for all vehicles turning left onto State Route 37 and heading back to Sonoma County due to the greater existing traffic and the higher traffic speeds on State Route 37, as well as the two lane configuration of State Route 37 at the intersection with Noble Road, which is the access road for the site. The ability to change State Route 37 to mitigate this impact is unlikely since the roadway is under Caltrans jurisdiction. The northbound approach (Noble Road) of the site access intersection with State Route 37 would also deteriorate substantially due to traffic queuing.

The Site 13 Alternative may result in reduced bicycle/pedestrian safety issues since State Route 37 is not a Class II bike lane. Also, in regards to site access and roadway wear, Noble Road may need to be improved to support project vehicles.

In summary, the Site 13 Alternative would result in greater traffic safety impacts than the Site 5A Alternative, but less than or similar impacts to LOS, bicycle/pedestrian safety, site access, and roadway wear. (DEIR, p. 4-24.)

Objectives and Feasibility: This alternative would meet the primary objectives of the Project. (DEIR, p. 4-17.)



Finding: The SCWMA rejects this alternative on the basis that traffic safety issues would be greatly increased under this alternative when compared to proposed project and the environmentally superior alternative (the Central Site Alternative). In addition, the Site 13 Alternative has the potential to generate greater air quality impacts than the proposed project and the Central Site Alternative. (RDEIR, p. 3-2.)

6. Limited Public Access Alternative

Description: The Limited Public Access Alternative proposes the construction of the proposed Project facilities, but would restrict public (self-haul vehicle) access to these facilities. This alternative to the facility operations could be implemented at any of the alternative sites. This limitation would apply to both delivery of materials to the compost facility and also on-site sales to the general public. While most of the sales of the finished compost are expected to be delivered by large transfer vehicles to large agricultural buyers, this limitation may require development of off-site areas for retail sales to the public. Off-site areas would be expected to be more centrally located to the high population areas of the County and such locations would be expected to reduce overall traffic and traffic-related impacts (i.e., air quality and noise). Off-site areas would need to be permitted for such retail uses, and thus would be expected to have existing infrastructure to support the retail sales. (DEIR, p. 4-31.)

Self-haul vehicles are projected to account for approximately 50 percent and 91 percent of traffic volumes for the weekday and Saturday peak hour, respectively. Since the Limited Public Access Alternative would primarily affect traffic (and subsequently air quality and noise), the majority of project information and impact analysis included in the EIR would apply to this alternative as well. (DEIR, p. 4-31.)

The following impact analysis is provided in order to compare the impacts of the proposed Project (Central Site), the Site 40 Alternative or the Site 5A Alternative to the Limited Public Access Alternative. (DEIR, p. 4-32.)

Impacts:

a. Aesthetics

The Limited Public Access Alternative would result in the same aesthetic impacts identified for the Project. (DEIR, p. 4-32.)

b. Air Quality

The Limited Public Access Alternative would result in fewer air quality impacts than the Project due to the reduction in 50 to 91 percent of vehicles at the Project site for the weekday and Saturday peak hour, respectively, from the restriction of self-haul vehicles. This reduction in traffic volumes would result in less localized and regional air pollutant emissions, including GHGs. Construction would still result in air quality significant unavoidable impacts. (DEIR, p. 4-32.)

c. Biological Resources

The Limited Public Access Alternative would result in the same biological resource impacts identified for the Project. (DEIR, p. 4-32.)

d. Cultural Resources

The Limited Public Access Alternative would result in the same cultural resources impacts identified for the Project. (DEIR, p. 4-32.)

e. Hydrology and Water Quality

The Limited Public Access Alternative would result in the same hydrology and water quality impacts identified for the Project. (DEIR, p. 4-32.)

f. Land Use Planning and Architecture

The Limited Public Access Alternative would result in the same land use planning and agriculture impacts identified for the Project. (DEIR, p. 4-32.)

g. Noise

The Limited Public Access Alternative would result in less traffic noise impacts than the Project due to the reduction in 50 to 91 percent of vehicles at the project site for the weekday and Saturday peak hour, respectively, from the restriction of self-haul vehicles. This reduction in traffic volumes would result in less noise along the roadway network. (DEIR, p. 4-32.)

h. Public Services and Utilities

The Limited Public Access Alternative would result in the same public services and utilities impacts identified for the Project. (DEIR, p. 4-32.)

i. Traffic and Transportation

The Limited Public Access Alternative would generate approximately 50 to 91 percent less traffic than the Project during the weekday and Saturday peak hours, respectively, from the restriction of self-haul vehicles. This reduction in traffic volumes would also reduce the risk of accidents and result in greater traffic and bicycle/pedestrian safety, reduce roadway wear, and improve the LOS at the Lakeville Road and Twin House Ranch Road intersection and improve the LOS at the intersections in the immediate vicinity of Site 40 and the Central Site. Traffic safety impacts would be reduced, but not to a less than significant level at the Lakeville Road and Twin House Ranch Road intersection (under the development of Site 5A). This alternative would create the same level of increased hazards due to design features or incompatible uses as the Project would at the Site 5A Alternative. (DEIR, p. 4-33.)

Objectives and Feasibility: This alternative would not meet the Project objectives for the majority of Project alternatives. (RDEIR, p. 3-1.)

Finding: The SCWMA rejects this alternative on the basis that it would not meet Project Objective #2 (establish a permanent composting facility in Sonoma County with sufficient capacity for current and future quantities) at the Central Site. (DEIR, p. 4-34.)

## **B. Environmentally Superior Alternative**

CEQA requires that an EIR identify the environmentally superior alternative of a project other than the No Project Alternative (CEQA Guidelines § 15126.6(e)(2)). The lead agency is not required to choose the “environmentally superior” alternative identified in the EIR if the alternative specific legal, social, economic, technological or other considerations make the alternative infeasible. (Pub. Rec. Code § 21080(a)(3); CEQA Guidelines 15091(a)(3).) Public Resources Code section 21081 provides that if one or more significant impacts will not be avoided or substantially lessened by adopting mitigation measures, the environmentally superior alternative must be adopted unless it is infeasible.

Finding: Site 40, Site 13, and the Central Site Alternative each meet the three project objectives (as depicted in RDEIR Table 4-2). Site 40, and Site 13, and the Central Site Alternative have some impacts that would be greater than the project (as shown in Table 4-1). Site 40 would require substantial grading during construction and would result in greater TAC health risk during operations. Site 13 would also result in potentially greater air quality impacts; however, the primary drawback for this alternative is that the traffic safety issues would be greatly increased compared to the proposed project at Site 5A. However, the Site 40 Alternative would avoid any impacts to the 100-year flood plain. The Site 40 Alternative also would avoid the need for safety improvements on Lakeville Road that would be required for the development of the proposed project at Site 5A. In contrast, the safety improvements for Highway 37 required for development of Site 13 would potentially be less feasible than the safety improvements needed on Lakeville Road for Site 5A.

While the DEIR found that the Site 40 Alternative would be the environmentally superior alternative, and the Central Site Alternative would not meet Project Objectives, when the scope of the Central Site Alternative was revised in the RDEIR, the picture changed. The Central Site Alternative now fully meets all of the Project Objectives, and, when compared with the Site 40 Alternative, has fewer significant and unavoidable impacts. Specifically, the Site 40 Alternative would result in the following significant and unavoidable impacts (none of which are found with the Central Site Alternative):

- Construction of the Site 40 Alternative (associated with either windrow or ASP option) would generate significant and unavoidable generate short-term emissions of criteria air pollutants: ROG, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> that could contribute to existing nonattainment conditions and further degrade air quality.
- Implementation of the Site 40 Alternative (windrow composting option) may lead to significant and unavoidable increases in chronic exposure of sensitive receptors in the vicinity to certain toxic air contaminants from various stationary and mobile sources.
- The Site 40 Alternative (windrow composting together with anticipated cumulative development in the Bay Area Air Basin, would contribute to significant and unavoidable regional criteria pollutants.
- The Site 40 Alternative (ASP composting option), together with anticipated cumulative development in the Bay Area Air Basin, would contribute to significant and unavoidable regional criteria pollutants.

Whereas, as modified in the RDEIR, and per the clarifications to mitigation measures above relating to operational noise, the Central Site Alternative would result in just one significant and unavoidable impact – fewer than Project Site 5A or any other Project alternative other than the “No Project” Alternatives:

- The Central Site Alternative would contribute to significant and unavoidable Long-Term Cumulative traffic volumes at the study intersection during the weekday a.m. and weekend peak hour.

Given this, the Central Site Alternative is the environmentally superior alternative.

#### **Section 8: Resolution Adopting A Statement Of Overriding Considerations.**

SCWMA hereby declares that, pursuant to the State CEQA Guidelines Section 15093, SCWMA has balanced the benefits of the Project against any unavoidable environmental impacts in determining whether to approve the Project. Pursuant to the State CEQA Guidelines, if the benefits of the Environmentally Superior Alternative outweigh the unavoidable adverse environmental impacts, those impacts may be considered “acceptable.”

SCWMA hereby declares that the EIR has identified and discussed significant effects which may occur as a result of the Environmentally Superior Alternative. With the implementation of the Mitigation Measures discussed in the EIR and adopted by this Resolution, these effects can be mitigated to a level of less than significant except for the significant and unavoidable impacts discussed in this Resolution.

SCWMA hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Environmentally Superior Alternative.

SCWMA hereby declares that, to the extent any Mitigation Measures recommended in the EIR would not be adopted, such Mitigation Measures are infeasible because they would impose restrictions on the Environmentally Superior Alternative that would prohibit the realization of specific economic, social and other benefits that SCWMA finds outweigh the unmitigated impacts.

SCWMA hereby declares that, having reduced the adverse significant environmental effect of the Environmentally Superior Alternative to the extent feasible by adopting the Mitigation Measures contained in the EIRs and this Resolution, having considered the entire administrative record on the Environmentally Superior Alternative, and having weighed the benefits of the Environmentally Superior Alternative against its unavoidable adverse impact after mitigation, SCWMA has determined that each of the following social, economic and environmental benefits of the Environmentally Superior Alternative separately and individually outweigh the potential unavoidable adverse impact and render those potential adverse environmental impacts acceptable based upon the following overriding considerations:

- The Central Site Alternative will relocate SCWMA’s composting operations from its current location at the County’s existing Central Disposal Site.
- The Central Site Alternative will establish a permanent composting facility in Sonoma County with sufficient capacity for current and future quantities. While originally, the

Central Site Alternative did not propose sufficient capacity, as revised and as reflected in the RDEIR, it does now.

- The Central Site Alternative will Provide a facility to assist jurisdictions within SCWMA's service area in meeting the goals and objectives for waste diversion as set forth in the California Integrated Waste Management Act of 1989 (AB 939).
- Existing Solid Waste System Infrastructure and the existing green/wood/yard waste collection network remains intact and does not require modification by retaining the new compost site at the Central Site Alternative.
- Use of Central Site Alternative provides the lowest greenhouse gas emissions from transportation of inbound raw materials.
- The Central Site Alternative is the most feasible site from a cost perspective.
- The Central Site Alternative is the most convenient location to serve the public because it allows for combined trips with other solid waste system usage.
- The selection of the Central Site Alternative does not require establishing a new separate location, and uses a site already committed to solid waste services.
- The use of Central Site Alternative will not require any re-zoning nor create any land use planning issues.

SCWMA hereby declares that the foregoing benefits provided to the public through the approval and implementation of the Environmentally Superior Alternative outweigh the single significant adverse environmental impact of the Environmentally Superior Alternative that cannot be mitigated to a less than significant level. SCWMA finds that each of the Environmentally Superior Alternative's benefits separately and individually outweigh the unavoidable adverse environmental effect identified in the EIR and therefore finds that impact to be acceptable.

#### **A. Conclusions**

All significant environmental impacts from the implementation of the Project have been identified in the EIR and, with implementation of the Mitigation Measures identified, will be mitigated to a less than significant level, except for the impact listed in Section 10.A above.

The Environmentally Superior Alternative (the Central Site Alternative) has been found feasible and thus is being adopted.

Environmental, economic, social and other considerations and benefits derived from the development of the Environmentally Superior Alternative override the significant and unavoidable impact of the Environmentally Superior Alternative identified above.

#### **Section 9: Resolution Adopting A Mitigation Monitoring And Reporting Program**

Pursuant to Public Resources Code section 21081.6, SCWMA hereby adopts the Mitigation Monitoring and Reporting Program attached to this Resolution as Exhibit A. Implementation of the Mitigation Measures contained in the Mitigation Monitoring and Reporting Program is hereby made a condition of approval of the Central Site Alternative. In the event of any inconsistencies between the Mitigation Measures set for herein and the Mitigation Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program shall control.

#### **Section 10: General Plan Consistency Findings.**

The SCWMA Board finds that the Central Site Alternative is consistent with the Sonoma County General Plan), and that approval of the Central Site Alternative is in the public interest and in furtherance of the public health, safety, and welfare.

**Section 11: Resolution Approving The Central Site Alternative**

Based upon the entire record before SCWMA, including the above findings and all written evidence presented, SCWMA hereby approves the Central Site Alternative.

**Section 12: Resolution Regarding Custodian Of Record**

The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at the Sonoma County Waste Management Agency, 2300 County Center Drive, Suite B-100, Santa Rosa, CA 95403. The custodian for these records is Patrick Carter. This information is provided in compliance with Public Resources Code section 21081.6.

**Section 13: Resolution Regarding Staff Direction**

A Notice of Determination shall be filed with the County of Sonoma and the State Clearinghouse within 5 (five) working days of final Project approval.

**ADOPTED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2015.

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Executive Director  
Sonoma County Waste Management Agency

ATTEST:

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Agency Clerk  
Sonoma County Waste Management Agency

APPROVED AS TO FORM:

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General Counsel  
Sonoma County Waste Management Agency

**Exhibit “A”**

**MITIGATION MONITORING AND REPORTING PROGRAM**



SONOMA COUNTY WASTE MANAGEMENT AGENCY NEW COMPOST FACILITY  
Mitigation and Monitoring Reporting Plan (Central Site Alternative)

Impact	Mitigation Measure	Responsible Party	Implementation Schedule	Additional Permit Enforcement	Documentation
24. Air Quality/Central Site					
<b>Impact 24.1:</b> Construction of the Central Site Alternative could generate short-term emissions of criteria air pollutants: ROG, NOx, CO, PM10, and PM2.5 that could contribute to existing nonattainment conditions and further degrade air quality.	<p><b>Mitigation Measure 24.1: Construction Emission Controls.</b> During construction, the SCWMA shall require the construction contractor to implement the measures that are specified under BAAQMD’s basic and additional construction mitigation procedures. These include:</p> <p><u>Basic Control Measures.</u> These measures are required for all construction projects in the BAAQMD jurisdiction:</p> <ul style="list-style-type: none"><li>• All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.</li><li>• All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</li><li>• All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</li><li>• All vehicle speeds on unpaved roads shall be limited to 15 mph. Signage with this speed restriction shall be imposed where appropriate and applicable.</li><li>• All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</li><li>• Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</li><li>• All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</li><li>• Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations.</li></ul> <p><u>Additional Control Measures.</u> Since unmitigated construction emissions would exceed the BAAQMD thresholds, the SCWMA and its contractors shall implement the following additional control measures during project construction:</p> <ul style="list-style-type: none"><li>• All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content shall be verified by lab samples or moisture probe once per week, or at greater intervals if testing shows moisture content greater than 12 percent.</li><li>• All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.</li><li>• Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Vegetative wind breaks should be established with mature trees or thick hedges in multiple staggered rows. Wind breaks shall have at maximum 50 percent air porosity.</li><li>• Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</li><li>• The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.</li><li>• All trucks and equipment, including their tires, shall be washed off prior to leaving the site.</li><li>• Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.</li><li>• Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.</li><li>• Minimizing the idling time of diesel powered construction equipment to two minutes.</li><li>• The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOx reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine</li></ul>	Construction contractor	Off-road equipment plan to be completed prior to start of construction. Measures to prevent erosion to be installed prior to ground disturbance. All other measures to be implemented during construction.	Stormwater Pollution Prevention Plan (SWPPP, per NPDES General Permit for Discharges of Stormwater Associated with Construction Activities).	Compliance with measures, including any issues and how they were resolved, to be reported in construction reports.

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Impact	Mitigation Measure	Responsible Party	Implementation Schedule	Additional Permit Enforcement	Documentation
	retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available. <ul style="list-style-type: none"><li>Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).</li><li>Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NOx and PM.</li><li>Requiring all contractors use equipment that meets CARB’s most recent certification standard for off-road heavy duty diesel engines.</li></ul>				
<b>Impact 24.4:</b> Operation of the Central Site Alternative could create objectionable odors affecting a substantial number of people.	<b>Mitigation Measure 24.4:</b> The SCWMA shall develop and comply with an Odor Impact Minimization Plan (OIMP) pursuant to the requirements of the California Code of Regulations, Title 14, Division 7, Chapter 3.1, Article 3, Section 17863.4.	SCWMA	OIMP to be completed prior to start of operations and implemented during facility operation.	Solid Waste Facilities Permit	Odor Impact Minimization Plan
<b>Impact 24.7:</b> The Central Site Alternative, together with anticipated cumulative development in the Bay Area Air Basin, would contribute to regional criteria pollutants.	<b>Mitigation Measure 24.7:</b> Implement Mitigation Measure 24.1 described above.	See MM 24.1	See MM 24.1	See MM 24.1	See MM 24.1
<b>25. Biological Resources/Central Site</b>					
<b>Impact 25.1:</b> Implementation of the Central Site Alternative could result in direct and indirect impacts to the California red-legged frog, northwestern pond turtle, white-tailed kite, hoary bat, and showy Ranheria clover.	<b>Mitigation Measure 25.1:</b> To reduce potential impacts to California red-legged frog, northwestern pond turtle, white-tailed kite, hoary bat, and showy Ranheria clover, SCWMA shall implement the following mitigation measures:  <b>California red-legged frog</b>  A qualified biologist shall conduct a protocol-level habitat assessment in accordance with the USFWS’ 2005 “Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog” or the most current guidance. If it is determined, based on the results of the habitat assessment and the USFWS, that the pond does not support CRLF habitat, no additional measures would be required.  Based on the results of the protocol-level habitat assessment, the USFWS may require protocol-level field surveys, which shall be conducted in accordance with the most current guidelines. The results of these surveys will document use by CRLFs in the freshwater pond habitat. If it is determined, based on the results of the field surveys that the pond does not support CRLFs, no additional mitigation would be required.  If the freshwater pond does support CRLF, the SCWMA shall consult with the USFWS and obtain the incidental take permit prior to the commencement of any construction activities that could affect CRLF habitat. In consultation with the USFWS, SCWMA may be required to prepare a habitat conservation plan (HCP) that documents how effects of the authorized incidental take would be adequately minimized and mitigated. The HCP shall detail approved mitigation measures including, but not be limited to, preconstruction clearance surveys conducted by a qualified biologist, installation of exclusionary fencing, mitigation for loss of CRLF habitat as approved by USFWS, and implementation of a worker environmental awareness training program.	SCWMA	The habitat assessment to be completed prior to start of construction.  Protocol-level field surveys, if needed, to be completed between January and September prior to start of construction.  If needed, USFWS consultation and preparation of HCP to be completed after surveys and prior to start of construction.	Issuance of take permit by USFWS, if CRLF determined to be present.	Site Assessment report for habitat assessment.  Protocol-level field survey report, if performed.  If needed, HCP.
	<b>California tiger salamander</b>  All areas that would be disturbed by the project (permanent and temporary) shall be mitigated according to the Santa Rosa Plains Conservation Strategy. Alternatively, USFWS approved protocol surveys for CTS shall be conducted in order to demonstrate presence or absence of CTS onsite. If no CTS are found during the protocol surveys, then no additional mitigation would be required. If CTS are found, the mitigation ratios would be determined in consultation with the USFWS and CDFW.	SCWMA	Protocol surveys, as needed, to be completed prior to start of construction.  Santa Rosa Plains Conservation Strategy mitigation, as needed, to be implemented prior to construction.	Issuance of take permit by USFWS, if CTS determined to be present.	Protocol survey report, if performed.  If needed, HCP.
	<b>Northwestern pond turtle</b>  A survey shall be performed 24 hours prior to the start of construction activities near the freshwater pond located on the Central Site. If a turtle is found in the freshwater pond, the CDFW-approved biologist shall try to passively move the turtle out of the area. If	SCWMA	Survey to be completed 24 hours prior to construction.	N/A	Biological monitoring reports

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Impact	Mitigation Measure	Responsible Party	Implementation Schedule	Additional Permit Enforcement	Documentation
	<p>a turtle becomes trapped during construction activities in the freshwater pond, a biologist shall remove the turtle from the work area and place it in a suitable habitat in the vicinity of the project. If a turtle is discovered in the construction area during active operations, the equipment operator or equivalent will temporarily cease operations per the biologist's direction until the biologist has moved the turtle away from the construction area and/or out of harm's way.</p>		Monitoring to be provided during construction until the freshwater pond has been removed.		
	<p><b>White-tailed kite and other raptors</b></p> <p>A survey shall be conducted two weeks prior to the start of construction activities in suitable nesting habitats such as trees and tall shrubs. If an active nest is found in the construction area, the SCWMA shall consult with the California Department of Fish and Wildlife (CDFW) to implement appropriate measures to reduce impacts to the nesting effort. The SCWMA shall ensure the following measures are implemented to reduce impacts to white-tailed kites and other raptor species:</p> <ol style="list-style-type: none"><li>1. Maintain a 500-foot buffer or a buffer distance agreed to with CDFW around each active raptor nest; no construction activities shall be permitted within this buffer except as a result of consultation with CDFW.</li><li>2. Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined in consultation with CDFW), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor, the project would impact the nest, the biologist shall immediately inform the construction manager and CDFW. The construction manager shall stop construction activities within the buffer until either the nest is no longer active or the project receives approval to continue from CDFW.</li><li>3. If tree removal is necessary, it shall be conducted outside of the breeding season (between February and October). Loss of a nest tree shall be compensated according to CDFW guidance.</li></ol>	SCWMA	<p>Survey to be completed within two weeks of start of construction.</p> <p>If nesting raptors are present, avoidance measures to be implemented during construction.</p>	N/A	<p>Biological monitoring reports</p> <p>Minutes of discussions(s) with CDFW</p>
	<p><b>Hoary Bat and other sensitive bat species</b></p> <ol style="list-style-type: none"><li>1. A survey shall be conducted two calendar weeks prior to initiation of construction activity in suitable bat roosting habitat (e.g. abandoned buildings, rock crevices, under tree bark, hollow trees, culverts, under bridges, or other dark crevices). The pre-construction bat survey shall be performed by a CDFW-approved wildlife biologist or other qualified professional.</li><li>2. If a female or maternity colony of bats are found on the project site and the project can be constructed without the elimination or disturbance of the roosting colony (e.g., if the colony roosts in an area not planned for removal), a qualified wildlife biologist shall determine what physical and timed buffer zones shall be employed to ensure the continued success of the colony. Such buffer zones may include a construction-free barrier of 250 feet from the roost and/or the timing of the construction activities outside of the maternity roost season (typically May to August).</li><li>3. If an active nursery roost is known to occur on site and the project cannot be conducted outside of the maternity roosting season, bats shall be excluded from the site after August and before May to prevent the formation of maternity colonies. If a non-breeding pallid bat is found in a tree scheduled to be removed, the applicant will apply for a memorandum of understanding (MOU) with CDFW. The bats shall be safely evicted within the guidelines of the MOU under the direction of a qualified bat biologist by opening the roosting area at dusk to allow air flow through the cavity, or by an alternative measure that does not result in adverse impacts. Tree removal shall then follow no later than the following day (i.e. there would be not less than one night between the initial disturbance for airflow and the removal). This action should allow bats to leave during the dark hours, thus increasing their chance of finding roots with a minimum of potential predation during daylight.</li></ol>	<p>SCWMA</p> <p>Construction contractor for implementation of construction-related measures</p>	<p>Survey to be completed within two weeks of start of construction.</p> <p>If female or maternity colony of bats are found, avoidance measures to be implemented during construction.</p>	MOU with CDFW for eviction of pallid bats from trees	<p>Biological monitoring reports</p> <p>MOU, if applicable</p>
	<p><b>Showy Rancharia clover</b></p> <p>Prior to project implementation, the SWCMA shall hire a qualified botanist to perform a preconstruction survey for showy Rancharia clover during the appropriate season, typically between April and June, and within suitable habitat prior to construction.</p> <p>If rare plant species are found during this survey, the project would propose avoidance, minimization, and/or compensation measures to CDFW and USFWS for their approval. These measures may include, but are not restricted, to the following:</p> <ol style="list-style-type: none"><li>1. Minimizing impacts by restricting removal of plants to a few individuals of a relatively large population;</li><li>2. Transplanting plants to suitable habitat outside the project site, either within SCWMA-owned land or off-site. SCWMA shall coordinate with the appropriate resource agencies and local experts to determine whether transplantation is feasible. If the agencies concur that transplantation is a feasible mitigation measure, a qualified botanist shall develop and implement a transplantation plan through coordination with the appropriate agencies. The special-status plant transplantation plan shall involve identifying a suitable transplant site; moving the plant material and seed bank to the transplant site; collecting seed</li></ol>	<p>SCWMA</p> <p>Contractor for implementation of construction-related measures</p>	<p>Pre-construction rare plant survey to be completed during the appropriate season prior to construction.</p> <p>If needed, avoidance, minimization, and compensation measures to be completed prior to and during construction.</p>	If showy Rancharia clover is determined to be present and an HCP is required for CRLF, the plant species will be included in the HCP.	<p>Rare plant survey report</p> <p>Construction and biological monitoring reports</p>

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Impact	Mitigation Measure	Responsible Party	Implementation Schedule	Additional Permit Enforcement	Documentation
	material and propagating it in a nursery; and monitoring the transplant sites to document recruitment and survival rates. 3. Monitoring affected populations or relocated populations to document potential project-related impacts; 4. Restoring or enhancing occupied habitat on-site or at another location; and/or 5. Protecting occupied habitat for the species on-site or at another regional location. If special-status plants are protected on site, environmentally sensitive area fencing (orange construction barrier fencing) shall be installed around special-status plant populations. The environmentally sensitive area fencing shall be installed at least 20 feet from the edge of the population. The location of the fencing shall be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications shall contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive area.				
26. Cultural Resources/Central Site					
<b>Impact 26.1:</b> The Central Alternative could inadvertently discover archaeological resources.	<b>Mitigation Measure 26.1:</b> The SCWMA shall halt work if cultural resources are discovered during ground-disturbing activities. If cultural resources are encountered, all activity in the vicinity of the find shall cease until it can be evaluated by a qualified archaeologist and a Native American representative. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (“midden”) containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones.  Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the archaeologist and Native American representative determine that the resources may be significant, they shall notify the SCWMA and shall develop an appropriate treatment plan for the resources. The archaeologist shall consult with Native American representatives in determining appropriate treatment for prehistoric or Native American cultural resources.  In considering any suggested mitigation proposed by the archaeologist and Native American representative, SCWMA shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed in other parts of the project area while mitigation for cultural resources is being carried out.	SCWMA	During construction	N/A	Construction reports  Archaeology report (if applicable)
<b>Impact 26.2:</b> The Central Site Alternative could inadvertently discover human remains.	<b>Mitigation Measure 26.2:</b> Halt work if human skeletal remains are identified during construction. If human skeletal remains are uncovered during project construction, work should immediately halt within 50 feet of the find. SCWMA shall contact the Sonoma County coroner to evaluate the remains and follow the procedures and protocols set forth in Section 15064.5 (e)(1) of the CEQA Guidelines. If the County coroner determines that the remains are Native American, SCWMA would contact the Native American Heritage Commission (NAHC), in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641). The NAHC would then identify the person(s) thought to be the Most Likely Descendent of the deceased Native American, who would then help determine what course of action should be taken in dealing with the remains.	SCWMA	During construction	Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641).	Construction reports  County coroner report (if applicable)
<b>Impact 26.3:</b> The Central Site Alternative could inadvertently discover paleontological resources.	<b>Mitigation Measure 26.3:</b> The paleontologist shall halt work if paleontological resources are identified during construction. If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, all ground disturbing activities within 50 feet of the find shall be halted until a qualified paleontologist can assess the significance of the find and, if necessary, develop appropriate salvage measures in consultation with the project sponsor and in conformance with Society of Vertebrate Paleontology Guidelines (SVP, 1995; SVP, 1996). If the paleontologist determines the fossil find is unique or significant, and worthy of salvage, measures would focus on identifying an institution willing and able to accept the specimen, plaster jacketing the specimen, and promptly removing the specimen from the construction site for study in a paleontology lab.	SCWMA	During construction	N/A	Construction reports  Paleontology report (if applicable)
27. Hydrology and Water Quality/Central Site					
<b>Impact 27.1:</b> The Central Site Alternative could violate a water quality standard or waste discharge requirement, or otherwise substantially degrade water quality.	<b>Mitigation Measure 27.1a:</b> To control and manage shallow groundwater that is pumped during temporary construction activities, as well as stormwater runoff, the construction contractor shall prepare and implement a SWPPP as required under the General Construction Permit for Discharges of Storm Water Associated with Construction Activities, for all construction phases of the project. The SWPPP shall identify pollutant sources that may affect the quality of stormwater discharge and shall require the implementation of BMPs to reduce pollutants in storm water discharges.  BMPs may include, but would not be limited to: <ul style="list-style-type: none"><li>Excavation and grading activities in areas with steep slopes or directly adjacent to open water shall be scheduled for the</li></ul>	Construction contractor (SWPPP)  SCWMA (Spill Prevention and Control Plan)	SWPPP to be completed prior to start of construction.  BMPs to be implemented as appropriate during construction.  Spill Prevention and	General Construction Permit for Discharges of Storm Water Associated with Construction Activities (construction)  Solid Waste Facilities	SWPPP  Construction monitoring reports  Spill Prevention and Control Plan

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Mitigation and Monitoring Reporting Plan (Central Site Alternative)

Impact	Mitigation Measure	Responsible Party	Implementation Schedule	Additional Permit Enforcement	Documentation
	<p>dry season only (April 30 to October 15), to the extent possible. This will reduce the chance of severe erosion from intense rainfall and surface runoff.</p> <ul style="list-style-type: none"><li>• If excavation occurs during the rainy season, storm runoff from the construction area shall be regulated through a storm water management/erosion control plan that shall include temporary onsite silt traps and/or basins with multiple discharge points to natural drainages and energy dissipaters. Stockpiles of loose material shall be covered and runoff diverted away from exposed soil material. If work stops due to rain, a positive grading away from slopes shall be provided to carry the surface runoff to areas where flow would be controlled, such as the temporary silt basins. Sediment basins/traps shall be located and operated to minimize the amount of offsite sediment transport. Any trapped sediment shall be removed from the basin or trap and placed at a suitable location onsite, away from concentrated flows, or removed to an approved disposal site.</li><li>• Temporary erosion control measures (such as fiber rolls, staked straw bales, detention basins, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) shall be provided until perennial revegetation or landscaping is established and can minimize discharge of sediment into nearby waterways. For construction within 500 feet of a water body, appropriate erosion control measures, including fiber rolls and other erosion control measures listed above, shall be placed between the potential source of sediment and the water body.</li><li>• Sediment shall be retained onsite by a system of sediment basins, traps, or other appropriate measures.</li><li>• No disturbed surfaces will be left without erosion control measures in place during the rainy season, from October 15th through April 30th.</li><li>• Erosion protection shall be provided on all cut-and-fill slopes. Revegetation shall be facilitated by mulching, hydroseeding, or other methods and shall be initiated as soon as possible after completion of grading and prior to the onset of the rainy season (by October 15).</li><li>• A vegetation and/or engineered buffer shall be maintained, to the extent feasible, between the construction zone and all surface water drainages including riparian zones.</li><li>• Vegetative cover shall be established on the construction site as soon as possible after disturbance.</li><li>• BMPs selected and implemented for the project shall be in place and operational prior to the onset of major earthwork on the site. The construction phase facilities shall be maintained regularly and cleared of accumulated sediment as necessary. Effective mechanical and structural BMPs that will be implemented at the project site include the following:<ul style="list-style-type: none"><li>○ Mechanical storm water filtration measures, including oil and sediment separators or absorbent filter systems such as the Stormceptor® system, can be installed within the storm drainage system to provide filtration of storm water prior to discharge.</li><li>○ Vegetative strips, high infiltration substrates, and grassy swales can be used where feasible throughout the development to reduce runoff and provide initial storm water treatment.</li><li>○ Roof drains shall discharge to natural surfaces or swales where possible to avoid excessive concentration and channelizing storm water.</li><li>○ Permanent energy dissipaters can be included for drainage outlets.</li><li>○ The water quality detention basins shall be designed to provide effective water quality control measures including the following:<ul style="list-style-type: none"><li>▪ Maximize detention time for settling of fine particles</li><li>▪ Establish maintenance schedules for periodic removal of sedimentation, excessive vegetation, and debris that may clog basin inlets and outlets</li><li>▪ Maximize the detention basin elevation to allow the highest amount of infiltration and settling prior to discharge.</li></ul></li></ul></li><li>• Hazardous materials such as fuels and solvents used on the construction sites shall be stored in covered containers and protected from rainfall, runoff, vandalism, and accidental release to the environment. All stored fuels and solvents will be contained in an area of impervious surface with containment capacity equal to the volume of materials stored. A stockpile of spill cleanup materials shall be readily available at all construction sites. Employees shall be trained in spill prevention and cleanup, and individuals shall be designated as responsible for prevention and cleanup activities.</li></ul>		Control Plan to be prepared prior to start of project operation and implemented during operation.	Permit (operation)	

SONOMA COUNTY WASTE MANAGEMENT AGENCY NEW COMPOST FACILITY  
Mitigation and Monitoring Reporting Plan (Central Site Alternative)

Impact	Mitigation Measure	Responsible Party	Implementation Schedule	Additional Permit Enforcement	Documentation
	<ul style="list-style-type: none"><li>Equipment shall be properly maintained in designated areas with runoff and erosion control measures to minimize accidental release of pollutants.</li></ul> <p>The SWPPP shall also specify measures for removing sediment from water pumped for trench dewatering before the water is released to waterways. Specific sediment removal techniques shall include as warranted, but not limited to:</p> <ul style="list-style-type: none"><li>Use of settling ponds or large storage tanks (Baker tanks) to allow the settling out of entrained sediments;</li><li>Use of physical filters to remove sediment, such as a sand or screen filter, or other filtration method</li><li>Use of chemical flocculants, to facilitate the settling out of suspended sediments.</li></ul> <p>To ensure that accidental releases of fuels and other potentially water quality pollutants during project operations do not result in water quality degradation, SCWMA shall, prior to commencement of project operation, complete and adhere to the recommendations provided in a spill prevention and control plan. The plan shall provide for compliance with local, state, and federal regulations regarding storage and use of fluids on site, and shall include, but not be limited to:</p> <ul style="list-style-type: none"><li>Storage and handling criteria for fuels, oils, lubricants, antifreeze, and other fluids that minimize fluid release</li><li>Operational spill prevention measures including staff training for the recognition and proper handling of potentially hazardous fluids</li><li>Cleanup procedures that, in the event of a spill, provide for identification and response procedures to contain spills, and properly dispose of contaminated soils or other materials, so as to minimize water quality effects</li></ul> <p><b>Mitigation Measure 27.1b:</b> In order to ensure that construction related blasting does not result in the degradation of groundwater quality on site, the following blasting best management practices shall be implemented by the project proponent for all blasting during proposed compost facility construction:</p> <ul style="list-style-type: none"><li>Blasting shall only be employed where ripping operations with a D8 bulldozer or larger cannot adequately loosen the rock to be removed;</li><li>Blasting shall only be conducted by a licensed, certified professional consistent with federal, state, and local regulations;</li><li>Explosive products shall be selected that are appropriate for site conditions and safe blast execution;</li><li>Loaded explosives shall be detonated as soon as possible and shall not be left in the blastholes overnight, unless weather or other safety concerns reasonably dictate that detonation should be postponed;</li><li>Explosive products shall be managed on -site so that they are either used in the borehole, returned to the delivery vehicle, or placed in secure containers for off-site disposal;</li><li>Spillage around the borehole shall either be placed in the borehole or cleaned up and returned to an appropriate vehicle for handling or placement in secured containers for off-site disposal;</li><li>Explosives shall be loaded to maintain good continuity in the column load to promote complete detonation. Industry accepted loading practices for priming, stemming, decking and column rise need to be attended to.</li></ul>	Construction contractor	Blasting measures to be incorporated in blasting plan prior to construction (see MMs 29.4a to 29.4i).	Sonoma County Sheriff's Department Explosive Permit (see MMs 29.4a to 29.4i).	Blasting plan Construction reports
<p><b>Impact 27.2:</b> The Central Site Alternative could substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table or conflict with Sonoma County General Plan policies regarding groundwater.</p>	<p><b>Mitigation Measure 27.2:</b> Sonoma County General Plan Policy WR-2d requires that all large scale commercial and industrial groundwater users implement a groundwater monitoring program. The project operator shall implement a groundwater level monitoring program to evaluate drawdown of groundwater in accordance with county groundwater monitoring standards.</p> <p>Prior to construction, SCWMA shall complete a study assessing the potential for implementation of the following water conservation measures on site:</p> <ol style="list-style-type: none"><li>Use of water-conserving design measures that incorporate green building principles and water conserving fixtures.</li><li>Use of stormwater retained in the stormwater detention pond to supplement groundwater supplies in support of composting operations.</li><li>Potential for use of graywater produced on site as a supplemental water source for composting operations.</li><li>Potential for use of additional process water from other industrial sources such as wineries.</li></ol> <p>5. Potential for use of a positive pressure ASP composting system design as a potential water conservation measure.</p> <p>Recommendations from the study, including but not limited to the implementation of the five measures listed above, shall be</p>	SCWMA Compost facility operator	<p>Assessment of water conservation measures to be completed prior to construction.</p> <p>Monitoring program to be implemented during project operations.</p>	Solid Waste Facilities Permit	<p>Report on assessment of water conservation measures</p> <p>Project design documents</p> <p>Groundwater monitoring reports</p>

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	incorporated into project design, in order to reduce groundwater consumption and pumping, and maintain consistency with the Sonoma County General Plan.				
<b>Impact 27.3:</b> The Central Site Alternative could substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site, or result in flooding on- or off-site.	<b>Mitigation Measure 27.3.</b> Prior to construction, a grading and drainage plan for the project site shall be completed, and SCWMA shall ensure that the recommendations from that document are incorporated into the project design. The plan shall quantitatively evaluate anticipated stormwater flows that would occur on site, and provide for the implementation of grading and stormwater management features that would minimize flooding, unintentional ponding, erosion, and sedimentation. Additionally, the plan shall quantify anticipated discharges from the Project site, up to the 100-year storm event (plus an extra 10 percent volume capacity to account for the effects of climate change), and ensure that stormwater management infrastructure would be sized appropriately so as to safely convey anticipated discharges to surface waters and/or the landfill’s leachate management system. The plan shall include anticipated sizings including engineering diagrams and maps for all stormwater management infrastructure.	SCWMA	Site grading and drainage plan shall be completed prior to construction.	Regional Water Quality Control Board discharge permit Solid Waste Facilities Permit	Site grading and drainage plan Construction monitoring reports
<b>Impact 27.4:</b> The Central Site Alternative could create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.	<b>Mitigation Measure 27.4a.</b> Prior to construction, a grading and drainage plan for the Central Site shall be completed, and the SCWMA shall ensure that recommendations from that document are incorporated into project design. The study shall include the following: <ul style="list-style-type: none"><li>Engineering diagrams and maps of all proposed drainage facilities, sized so as to convey all stormwater flows from the composting site, up to 100-year storm conditions plus an extra 10 percent volume capacity to accommodate potential climate change conditions.</li><li>Facilities shall include ditches, swales, stormwater retention ponds, and other stormwater conveyances, as needed to ensure that stormwater can be conveyed off site without causing additional flooding, erosion, or sedimentation on -site or downstream.</li><li>Discharges from the site shall be routed into waterways or other stormwater management facilities that have sufficient capacity to contain anticipated stormwater flows without causing additional flooding, erosion, or sedimentation downstream.</li></ul> <b>Mitigation Measure 27.4b.</b> In order to further reduce potential effects on natural waterways downstream, the following additional measures for stormwater management shall be implemented where possible: <ol style="list-style-type: none"><li>Management of stormwater stored in the on-site retention pond for use as dust suppressant or for other uses at the landfill. Land application of water stored in the retention pond onto the landfill area would be subject to applicable state and local permitting.</li><li>Management of stormwater and compost leachate stored in the on-site retention pond for use as agricultural irrigation water. Water could be applied to an adjacent or nearby property in support of agricultural activities. Application of water for agricultural use would be subject to federal, state, and local requirements regarding the quality and use of discharged water.</li></ol>	SCWMA with design contractor Construction contractor for implementation during construction Compost facility operator for stormwater management during project operations	Site grading and drainage plan shall be completed prior to construction.	Regional Water Quality Control Board discharge permit Solid Waste Facilities Permit	Site grading and drainage plan
<b>28. Land Use and Agriculture/Central Site</b>					
<b>Impact 28.2:</b> The Central Site Alternative could conflict with the Sonoma County General Plan or Zoning Ordinance.	<b>Mitigation Measure 28.2:</b> Implement Mitigation Measures 29.2a through 29.2e to reduce operational noise impacts.	See MM 29.2a through 29.2e.	See MM 29.2a through 29.2e.	See MM 29.2a through 29.2e.	See MM 29.2a through 29.2e.
<b>29. Noise/Central Site</b>					
<b>Impact 29.1:</b> Construction at the Central Site Alternative could expose persons to or generate excessive noise levels.	<b>Mitigation Measure 29.1:</b> Construction of the new facility shall occur only during daytime between the hours of 7 a.m. – 7 p.m. Monday thru Friday, 9 a.m. – 5 p.m. Saturday, and no construction on Sunday.	SCWMA Construction contractor	During construction.	N/A	Construction reports.
<b>Impact 29.2:</b> Operation of the Central Site Alternative composting facility could expose persons to or generate noise levels in excess of standards established in the local general plans or noise ordinances, or applicable standards of other agencies.	<b>Mitigation Measure 29.2a:</b> Aerated static pile (ASP) equipment that would operate at night shall be required to be attenuated to a level that does not exceed 45 dBA at the nearest residences. If post-construction monitoring indicates higher nighttime noise levels from the ASP equipment at sensitive receptor locations, then additional noise barriers (such as fences or walls that block any direct line of site to receptors) or sound insulated equipment enclosures would be required to attenuate operations noise to acceptable levels.  <b>Draft EIR Mitigation Measure 10.2:</b> ASP equipment that would operate at night shall be required to be attenuated to a level that does not exceed 45 dBA at the nearest residences. If post-construction monitoring indicates higher nighttime noise levels from the	SCWMA Design contractor (MM 29.2b) Compost facility operator (MM 29.2a, 29.2c,	Design of noise minimization features in MM 29.2b to be completed during facility final design.  Post-construction noise monitoring per MM 29.2a	Solid Waste Facility Permit	Final design documents (MM 29.2b) Facility operator annual report

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	ASP equipment at sensitive receptor locations, then additional noise barriers (such as fences or walls that block any direct line of site to receptors) or sound insulated equipment enclosures would be required to attenuate operations noise to acceptable levels <b>Mitigation Measure 29.2b:</b> The site design shall include sound walls or earthen berms and/or other sound insulating features (i.e., sound blankets or curtains) that would block the line of sight to the nearest sensitive residences to the northeast and the south. <b>Mitigation Measure 29.2c:</b> Operational equipment noise shall be minimized by muffling and shielding intakes and exhaust on equipment (per the manufacturer’s specifications). <b>Mitigation Measure 29.2d:</b> The applicant shall keep the noisiest equipment operations away from the nearest residence as much as feasible. <b>Mitigation Measure 29.2e:</b> The applicant shall fund appropriate sound insulation upgrades to the nearest residences, if residents are amenable to installing window/wall and/or door upgrades.  SCWMA shall implement a combination of equipment selection, design measures, and noise reduction strategies that meet the County’s General Plan noise standards (Maximum Allowable Exterior Noise Exposures for Non-transportation Noise Sources).	29.2d)	to be completed during first year of operation.  Noise reduction measures per MMs 29.2a, 29.2c, 29.2d, and 29.2e to be implemented during facility operation.		
<b>Impact 29.4:</b> Blasting that would occur under the project would generate temporary airborne and groundborne noise and vibration.	<b>Measure 29.4a:</b> A site specific blasting plan shall be prepared. The blasting plan shall ensure that ground motions do not exceed 0.5 in/s at the nearest residence and determine the appropriate vibration threshold for nearby structures at the time of the blasting. <b>Measure 29.4b:</b> The blasting plan shall require monitoring of ground vibration and air-overpressure at a minimum of two locations to ensure these effects remain under threshold levels. One location should be close to the nearest residential property. The second monitoring point should be the adjacent landfill property. <b>Measure 29.4c:</b> Blasting shall be limited to the same daytime restrictions that apply to the Central Disposal Site Landfill (the permitted blasting times are between 4:30 and 5:30 p.m.). <b>Measure 29.4d:</b> A blasting permit shall be obtained from the Sonoma County Sheriff’s Department prior to any blasting. <b>Measure 29.4e:</b> Discuss the blast monitoring program with the stakeholders in the project area that could be affected by blasting vibration. Educate property owners as to what is being done and why. Obtain information on time periods that are sensitive to blast activity. <b>Measure 29.4f:</b> Conduct a pre-blast survey to determine the condition of existing structures, and to alert homeowners that some rattling may be expected but damage is not expected. Contacts should be provided so that damage claims and complaints can be monitored and responded to quickly. <b>Measure 29.4g:</b> Schedule blasts to occur at approximately the same time on each blast day. Include this information in public announcements. <b>Mitigation Measure 29.4h:</b> The blast plan shall require sequential detonating of charges to minimize potential noise from blasting. <b>Mitigation Measure 29.4i:</b> Implement Hydrology and Water Quality Mitigation Measure 27.1b, which limits blasting to situations where a D8 bulldozer cannot loosen the rock to be removed and requires blasting to be conducted by licensed certified personnel.	SCWMA Construction contractor	Plan to be prepared prior to construction.  Blasting plan to be implemented during construction.	Sonoma County Sheriff’s Department Explosive Permit	Blasting plan.  Construction reports.
<b>30. Public Services and Utilities/Central Site</b>					
<b>Impact 30.5:</b> The Central Site Alternative would include new stormwater drainage facilities, the construction of which could create impacts.	<b>Measure 30.5:</b> Implement Mitigation Measure 27.3.	See MM 27.3.	See MM 27.3.	See MM 27.3.	See MM 27.3.
<b>31. Traffic and Transportation/Central Site</b>					
<b>Impact 31.3:</b> The Central Site Alternative would create potential conflicts with adopted policies, plans, or programs supporting alternative transportation.	<b>Mitigation Measure 31.3a:</b> The operator of the facility shall ensure that all contract haul trucks are covered to prevent spillage of materials onto haul routes. <b>Mitigation Measure 31.3b:</b> The operator shall be required to conduct regular sweeping of the intersection of Mecham Road at the Central Site access road so that the intersection remains free of debris and dirt that may accumulate from exiting trucks.	Compost facility operator	During facility operations.	Solid Waste Facility Permit (for number of trucks)	Facility operator annual report
<b>Impact 31.5:</b> The Central Site Alternative would contribute to Long-Term Cumulative traffic volumes at the study intersection during the weekday a.m. and weekend peak hour.	<b>Mitigation Measure 31.5:</b> Prior to Year 2030, SCWMA shall modify the traffic signal timing settings at the intersection of Gravenstein Highway (SR 116) / Stony Point Road to better accommodate traffic volumes during the a.m. peak hour.  Specific timing changes shall be established based on actual traffic volumes under the future-year conditions, but as an example of the delay reduction that can be achieved based on the estimated 2030 traffic volumes, increasing the cycle length from 60 seconds	SCWMA	During facility operations and prior to 2030, based on actual future traffic volumes.	Caltrans encroachment permit	Encroachment permit documentation



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	to 65 seconds would reduce the average vehicle delay by more than the five-second threshold of significance, and would mitigate the project’s impact on cumulative traffic conditions.				
<b>Impact 31.9:</b> Project construction would result in temporary increases in truck traffic and construction worker traffic	<b>Mitigation Measure 31.9:</b> The construction contractor(s) shall develop a construction management plan for review and approval by the Sonoma County Department of Transportation and Public Works. The plan shall include at least the following items and requirements to reduce, to the maximum extent feasible, traffic congestion during construction of this project and other nearby projects that could be simultaneously under construction: <ul style="list-style-type: none"><li>• A set of comprehensive traffic control measures that include designating construction access routes and scheduling of major truck trips and deliveries to avoid peak traffic hours and designated construction access routes; and</li><li>• Notification of adjacent property owners and public safety personnel regarding scheduled major deliveries.</li></ul>	Construction contractor	Construction Management Plan to be completed prior to construction and implemented during construction.	Encroachment and Transportation Permit	Construction Management Plan Construction reports
<b>32. Aesthetics/Central Site</b>					
<b>Impact 32.1:</b> The Central Site Alternative would alter the visual character of the Central Site.	<b>Mitigation Measure 32.1:</b> The alternative shall incorporate landscaping or other screening measures, such as the use of native trees and/or a vegetated berm, along the northern and southern boundaries of the Central Site composting area. The proposed screening measures along the northern boundary of the composting area shall be sufficient in height to screen views of composting facilities from Roblar Road.	SCWMA	Landscape screening to be implemented following construction after visibility of facility has been confirmed.	N/A	Landscape design documents
<b>Impact 32.2:</b> The Central Site alternative could result in the production of new sources of light and/or glare.	<b>Mitigation Measure 32.2:</b> The following measures are based on recommendations within Sonoma County’s Visual Assessment Guidelines and the Sonoma County General Plan. These measures shall be incorporated into the project design: <ul style="list-style-type: none"><li>• Exterior lighting shall be downward casting and fully shielded to prevent glare.</li><li>• Lighting shall not wash out structures or any portions of the site.</li><li>• Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the sky.</li><li>• Flood lights shall not be used.</li><li>• Parking lot fixtures should be limited in height (20-feet).</li><li>• All parking lot and/or street light fixtures shall use full cut-off fixtures.</li><li>• Lighting shall shut off automatically after closing and security lighting shall be motion-sensor activated.</li><li>• Night time lighting shall be limited to the minimum necessary to provide for security and safety.</li></ul>	SCWMA Design contractor	During facility design.	N/A	Project design documents



Agenda Item #: **7**  
Cost Center: **Organics**  
Staff Contact: **Mikus**  
Agenda Date: **6/24/2015**

## **ITEM: New Compost Site Permits Preparation**

### **I. BACKGROUND**

SCWMA has been engaged in selecting a site for a new compost facility; currently the SCWMA Board has been asked to certify the project Final EIR and make the formal site selection. As part of the process to determine the best possible site, among other tasks for this project Tetra Tech BAS prepared a fairly detailed preliminary site plan and design together with a construction cost estimate. The next step once the site location has been determined would be to begin preparing all the documents needed to submit to various regulating agencies in order to obtain the required operating and environmental permits.

### **II. DISCUSSION**

The main permits required would be a Solid Waste permit from CalRecycle and their designated Local Enforcement Authority (LEA) which is the Sonoma County Department of Environmental Health, and permits related to storm water management that would be obtained via the North Coast Regional Water Quality Control Board (NCRWQCB).

Because Tetra Tech BAS has been performing the requested engineering analysis and cost estimates for a new compost facility at the Central Disposal Site, they are very familiar with the project and would be able to very efficiently transition right into preparing the numerous regulatory submittals required to obtain permits. In fact, some of their work with site and facility design was done with permit requirements in mind, and their Design Report presented to SCWMA at the May Board meeting included discussion of permitting requirements. There is substantial efficiency and cost savings from by their avoiding duplicative effort as would occur with a new firm starting from scratch. This savings is estimated to be between 15 and 20%.

At staff's request, Tetra Tech BAS prepared a proposal which includes a scope of work and a cost estimate of \$73,113. Staff believes the scope of work is complete and the cost estimate is reasonable and reflective of the substantial savings from Tetra Tech's body of previous work on this project.

The scope of work includes the following tasks:

1. Preparation of the Report of Composting Site Information and Technical Report which will be the basis for the solid waste and storm water permit applications.
2. Prepare the Solid Waste Facility Permit application with supporting documents, and submit the package to the LEA.
3. Preparation of the Notice of Intent (NOI) and other application documents for the General Permit for Storm Water Discharges, which include a Storm Water Pollution

Prevention Plan and a Monitoring Implementation Plan. The application documents will be submitted to the NCRWQCB.

4. The cost estimate includes provision for preparing and submitting responses to regulatory agency comments as part of the review of the permit application documents.

The scope addresses the necessary elements for obtaining the required permits.

### **III. FUNDING IMPACT**

The work would have to be funded by the Organics Reserve, via an appropriation of \$73,113.

### **IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION**


Staff recommends that the Board delegating the Chair authority to sign an agreement with Tetra Tech BAS to assist SCWMA in obtaining the necessary regulatory permits and approvals to operate the new proposed compost facility.

### **V. ATTACHMENTS**

Tetra Tech BAS Proposal dated June 17, 2015 which includes their scope of work.  
Resolution

Approved by: \_\_\_\_\_

Henry J. Mikus, Executive Director, SCWMA

 6/19/2015



June 17, 2015

p15-4557

Henry J. Mikus, Executive Director  
Sonoma County Waste Management Agency  
2300 County Center Drive, Suite B100  
Santa Rosa, California 95403

**RE: PROPOSAL FOR PROVIDING PERMITTING SERVICES FOR THE PROPOSED  
COMPOSTING FACILITY AT THE CENTRAL DISPOSAL SITE**

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Dear Mr. Mikus:

Tetra Tech BAS (TTBAS) is pleased to present this proposal at the request of the Sonoma County Waste Management Agency (SCWMA) to provide regulatory compliance services for a proposed compost facility. The scope of services presented in this proposal reflects the permitting requirements discussed in the TTBAS May 2015 Preliminary Engineering Report for the Proposed Compost Facility (PCF) at the Central Disposal Site (CDS) and our recent discussions regarding the PCF at the new location within the SCWMA CDS property. Specifically, TTBAS will assist SCWMA in obtaining the necessary regulatory permits and approvals to operate the PCF. This will include development and submittal of two Notices of Intent (NOI) to the North Coast Region, California Regional Waste Quality Control Board (RWQCB), as well as a Solid Waste Facilities Permit (SWFP) application package to the County of Sonoma Local Enforcement Agency (LEA), among other applicable permits.

The proposed location of the compost facility is the CDS, which is located at 550 Mecham Road, in the unincorporated portion of the County of Sonoma. The facility footprint encompasses 23 acres and includes material receiving and processing buildings, covered aerated static pile bunkers, environmental management systems, a stormwater management system, and other ancillary facilities. In accordance with the requirements of the proposed facility's Environmental Impact Report (EIR), the facility is intended to process 200,000 tons per year of incoming green waste and food waste.

Under Title 14 of the California Code of Regulations (Title 14), the PCF will be required to prepare a Report of Composting Site Information (RCSI) and an Odor Minimization Plan (OMP) in order to obtain a SWFP. The OMP must include the proximity of odor receptors, procedures for monitoring odors, a description of odor response protocols, a discussion of weather and seasonal conditions that may affect the generation and migration of odors, and a description of the aspects of the facility's design and operations that will minimize the generation and/or the migration of odors.

Based on the information available to TTBAS at this time, it appears that the PCF will be subject to the requirements of the Draft General Waste Discharge Requirements (GWDRs) for Composting Operations, which are scheduled for adoption by the State Water Resources Control Board (SWRCB) on July 7, 2015. To comply with the new GWDRs Composting facility owners and operators will be required to submit a complete NOI, appropriate filing fee, and a Technical Report (TR). To avoid duplicative documentation, TTBAS is proposing to include the components of the RCSI and the TR in a single document. TTBAS proposes that the RCSI document follow the organizational format and numbering scheme required by the SWRCB for compliance with the new GWDRs since CalRecycle does not dictate the RCSI document

**Tetra Tech BAS**

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organizational format. This proposal to combine the documents will require approval from both the LEA and RWQCB.

The SWRCB regulates municipal and industrial stormwater discharge requirements under the National Pollutant Discharge Elimination System (NPDES) program. To obtain authorization for industrial stormwater discharges, the re-designed composting facility must comply with General Permit No. CAS000001 to Discharge Stormwater Associated with Industrial Activity under Water Quality Order No. 2014-0057-DWQ (the recently revised order replaces previous Order No. 97-03-DWQ and goes into effect on July 1, 2015). The operator must submit a NOI in order to obtain coverage under the General Permit. The NOI is uploaded to the States SMARTS database after which the site will receive a Waste Discharger Identification Number. Included with the NOI a Stormwater Pollution Prevention Plan (SWPPP) and Monitoring Implementation Plan are required in accordance with the General Permit requirements.

Additional permits or permit actions that will be required for the PCF, that are not part of the following scope of work include the preparation of an Amendment to the Non-Disposal Facility Element, air pollution control permits for the facility or facility equipment, permits for the installation or operation of processing or environmental control equipment, or building permits for the construction of the facility. These permits are not included in the scope of work because it is assumed that: these will be prepared by SCWMA staff or there is not sufficient information available to complete the permit application documents at this time.

Our scope of services, anticipated schedule, and fee estimate for regulatory compliance services for the PCF are detailed below.

## **SCOPE OF WORK**

### **Task 1 - Kick-Off Meeting**

A kick-off meeting will be held between SCWMA and TTBAS to review, in detail, the project understanding and scope of services. TTBAS will also verify that we have all of the necessary background data and recent permit documents for the site and will request any additional documentation deemed necessary.

### **Task 2 – Report of Composting Site Information / Technical Report**

TTBAS will prepare the RCSI and OMP to reflect the proposed volume, vehicle traffic, hours of operation, composting operations and all other site information to meet the requirements specified in Title 14, Section 17863. The RCSI will include the following sections: Facility Overview, Facility Information, Operational Plan, Regulatory Agency Requirements, and References. The site information will be presented in the report text, tables, figures/drawings, and throughput calculations. TTBAS will prepare an OMP for the site to meet the requirements of Title 14, Section 17863.4 and Mitigation Measure 5.5 of the project EIR. The OMP will present information regarding potential odor receptors and discuss the facility elements that are included in the EIR and the TTBAS May 2015 Report, which will prevent or minimize odors, such as the covered bunker systems, the receiving buildings and the aeration system. In some cases, as part of the OMP, the development of an odor dispersion model for a site is required if it is deemed necessary by the Local Enforcement Agency (LEA). Odor modeling is not included in this scope, since, it is not specifically required in Title 14, and it is not known if this will be required by the LEA. If odor monitoring is required by the LEA then TTBAS can provide a proposal for these services at the request of SCWMA.

Based on the quantity and sources of the compost feedstock the PCF will be classified as a Tier II facility under the proposed GWDRs. TTBAS will include the documentation and analysis in the TR to meet the GWDRs requirements for a Tier II facility. In order to facilitate the agency review of the TR, TTBAS will organize the report into the following sections: General Information, Site Conditions, Design, Operations and Monitoring, Site Closure, and Compliance Schedule, which mirror the GWDRs report requirements.

A Monitoring and Reporting Program (M&RP) is required by the GWDRs and will become an Appendix to the TR. The specific requirements for the M&RP will be determined by the RWQCB based on their interpretation of the GWDRs. Due to the status of the GWDRs, it is not practical to provide a scope for the preparation of the M&RP at this time. Once the GWDRs have been adopted and the RWQCB has provided direction regarding the PCF, an M&RP can be adequately scoped. When the requirements of the M&RP have been established, TTBAS can provide a proposal for an M&RP at the request of SCWMA.

Assuming that the LEA and the RWQCB approve, TTBAS will combine the elements of the RCSI with the TR into a single document. The document will be organized in a manner that facilitate the review and reference but avoids the duplication of two separate reports. Upon completion of a draft RCSI/TR, TTBAS will submit the document to SCWMA for review and comment.

TTBAS has assumed one (1) round of review comments by SCWMA staff on the draft RCSI/TR. TTBAS will address these comments and finalize the RCSI/TR within a three-week period. Once the comments have been addressed, TTBAS will submit the final RCSI/TR to SCWMA for transmittal to the LEA and the RWQCB, along with the application for a SWFP and NOI to comply with the GWDRs for Composting Operations.

**Deliverables:**

- A PDF copy of the draft RCSI/TR submitted electronically; and
- A PDF file and five (5) copies of the final RCSI/TR transmitted to SCWMA for submittal to the LEA as part of the SWFP Application Package and the RWQCB as part of the NOI Application Package.

**Task 3 – Preparation of SWFP Application Package**

TTBAS will prepare the following for transmittal to the LEA as part of the application for a SWFP:

- Application Form for SWFP;
- Report of Composting Site Information/Technical Report;
- Information related to CEQA; and
- Information regarding inclusion of the facility in the Non-Disposal Facility Element pursuant to Public Resources Code 50001.

TTBAS has assumed one (1) round of comments from SCWMA on the application package. The revised SWFP Application Package will be sent to the SCWMA for submittal to the LEA for review and approval.

**Deliverables:**

- A PDF copy of the draft SWFP
- A PDF file and five (5) copies of the final SWFP Application Package transmitted to the SCWMA for submittal to the LEA.

#### **Task 4 – Preparation of NOI – General Permit for Storm Water Discharges**

The SWRCB regulates municipal and industrial stormwater discharge requirements under the NPDES program. TTBAS will prepare the permit package for obtaining coverage under the Industrial General Permit (IGP), which includes a NOI, a SWPPP, a site map, and a Monitoring Implementation Plan for the PCF.

According to the IGP requirements, a SWPPP has two objectives:

1. To help identify pollution sources that impact the quality of industrial storm water discharges and authorized non-storm water discharges.
2. To describe and ensure the use of Best Management Practices (BMP's) that prevent storm water pollution.

The MIP describes the monitoring program, which will be the means of proving compliance with the IGP. The monitoring objective shall be:

1. To ensure storm water discharges comply with the IGP.
2. To ensure the PCF's SWPPP is updated as conditions at the facility change.
3. To measure the effectiveness of site's BMPs at eliminating pollutants from storm water discharges.

##### Deliverables:

- A PDF copy of the draft NOI and the permit package, and
- A PDF file and three (3) copies of the final NOI and permit package transmitted to SCWMA for submittal to the RWQCB.

#### **Task 5 – Preparation of NOI – GWDRs for Composting Operations**

Under this task, TTBAS will prepare the NOI and submit the RCSI/TR to the RWQCB to obtain a Waste Discharger Identification under the GWDRs for Composting Operations for the PCF.

##### Deliverables:

- A PDF file of the draft NOI, and
- A PDF file and three (3) copies of the final NOI transmitted to SCWMA for submittal to the RWQCB.

#### **Task 6 – Response to Regulatory Agency Comments**

The objective of this task is to address regulatory agency comments on the SWFP and GWDRs in order to make the application packages acceptable for filing with the LEA and RWQCB. To prepare this scope and fee proposal TTBAS assumed one (1) round of comments from the LEA and RWQCB. TTBAS has provided an estimated cost for responding to agency comments, which will be expended on a Time and Material Basis. In the event that the comments require additional analysis or a more significant effort to respond to than anticipated, TTBAS will review the budget and notify SCWMA if the budgeted amount requires adjustment.

##### Deliverables:

- Five (5) copies of revised RCSI/TR text, tables, and/or figures and the SWFP Application addressing one (1) round of LEA review comments.
- Five (5) copies of revised RCSI/TR and SWPPP text, tables, and/or figures addressing one (1) round of RWQCB review comments.



## **FEE ESTIMATE**

Our estimated fee to perform the proposed scope of work is \$73,113. A breakdown of the fee is included in the attached table. This work will be performed on a Time and Materials Basis; TTBAS will not exceed this amount without prior authorization from SCWMA's Project Manager.

## **SCHEDULE**

The schedule for delivery of the various documents identified in the scope of work is anticipated to be 4 months, which includes draft submittals and SCWMA review. The entire scope could extend for as much as one year depending on agency review time and the nature of the comments received by the regulatory agencies.

We give our commitment that the SCWMA will receive the highest quality service throughout the duration of this contract. We thank you for giving us the opportunity to present this proposal, and we look forward to continuing the working relationship we have developed over the past year. As always, if there are any questions or concerns regarding this proposal please contact me at (909) 860-7777.

Sincerely,

A black rectangular redaction box covering the signature of Gregory E. Saul.

Gregory E Saul, P.E.  
Senior Project Manager



**TABLE 1  
SONOMA COUNTY WASTE MANAGEMENT AUTHORITY  
PERMITTING SERVICES FOR THE PROPOSED COMPOST FACILITY  
FEE ESTIMATE**

TASK	Labor Category Unit Rate	Prin. Engineer	Div. Engineer	Senior Project Manager	Senior Reg Comp Specialist	Engineer V	Engineer IV	Reg Comp Specialist II	Senior Drafter	Admin. Assistant	Total Hours	Total Labor Cost	Expenses <sup>1</sup>	Reimbursabl e 3%	Total Estimated Fee
		hr. \$224	hr. \$214	hr. \$201	hr. \$151	hr. \$151	hr. \$141	hr. \$139	hr. \$113	hr. \$92					
Task 1 - Kick-Off Meeting/Data Review			8	8							16	\$3,320	\$1,200	\$100	\$4,620
Task 2 - Report of Composting Site Information / Technical Report		4	6	20	36	24	60	80	40	8	278	\$40,096		\$1,203	\$41,299
Task 3 - Preparation of SWFP Application Package		2			4			8		4	18	\$2,532		\$76	\$2,608
Task 4 - Preparation of NOI & SWPPP - General Permit for Storm Water Discharge			4	20	4	12	40		8	8	96	\$14,572		\$437	\$15,009
Task 5 - Preparation of NOI - General WDRs for Composting Operations		2			4		4	8		4	22	\$3,096		\$93	\$3,189
Task 6 - Response to Regulatory Agency Comments		2	2	4	6		8	12	4	4	42	\$6,202		\$186	\$6,388
Total Hours		10	20	52	54	36	112	108	52	28	472				
Total Estimated Cost (Tasks 1 through 6)		\$2,240	\$4,280	\$10,452	\$8,154	\$5,436	\$15,792	\$15,012	\$5,876	\$2,576		\$69,818	\$1,200	\$2,095	\$73,113

- 1) Kick-off meeting is assumed to be at SCWMA offices. Expenses include airfare, rental car and travel expenses for Division Engineer and Senior PM.  
2) Hours and fees are for estimate purposes only, actual time will be billed on a Time and Materials not to exceed basis



**TETRA TECH BAS**

1360 Valley Vista Drive  
Diamond Bar, California 91765  
(909) 860-7777

**SCHEDULE OF CHARGES**

<b><u>PERSONNEL</u></b>	<b><u>HOURLY RATE</u></b>
Administrative Assistant (ADA)	\$92
CADD Operator (CO)	\$82
Chief Engineering Technician (CT)	\$133
Chief of Survey Parties (CSP)	\$143
Construction Engineering Technician (CET)	\$144
Construction Manager (CM)	\$177
Construction Supervisor (CS)	\$152
Data (DP)/Word Processing Secretary (WP)	\$82
Data Analyst (DA)	\$62
Designer (DD)	\$127
Division Engineer (DE)	\$214
Drafter (D)	\$103
Engineer (E)	\$99
Engineer I (E-I)	\$111
Engineer II (E-II)	\$121
Engineer III (E-III)	\$131
Engineer IV (E-IV)	\$141
Engineer V (E-V)	\$151
Engineering Technician (ET)	\$45
Engineering Technician I (ET-I)	\$67
Engineering Technician II (ET-II)	\$80
Engineering Technician III (ET-III)	\$90
Engineering Technician IV (ET-IV)	\$105
Engineering Technician V (ET-V)	\$117
Environmental Engineer (EE)	\$90
Environmental Engineer I (EE-I)	\$95
Environmental Specialist (ES)	\$103
Environmental Specialist I (ES-I)	\$115
Environmental Specialist II (ES-II)	\$131
Environmental Specialist III (ES-III)	\$136
General Clerk (C)/Typist (Y)	\$69
Landscape Architect (LA)	\$137
Office Services Clerk (OS)	\$76
Principal (P)	\$252
Principal Expert (PX)	\$275
Principal Administrator (PA)	\$204
Principal Engineer (PRE)	\$224
Principal Engineering Geologist (PEG)	\$224
Principal Solid Waste Planner (PSW)	\$224
Project Accountant/Analyst (AA)	\$93
Project Coordinator (PC)	\$117
Project Designer (PD)	\$151
Project Manager I (PM-I) / Engineer VI (E-VI)	\$166
Project Manager II (PM-II)/ Engineer V-II (E-VII)	\$176
Project Manager III (PM-III)	\$186
Regulatory Compliance Manager (RCM)	\$159
Regulatory Compliance Specialist (RS)	\$123
Regulatory Compliance Specialist II (RS-II)	\$139
Senior CADD Operator (SCO)	\$92
Senior Construction Manager (SCM)	\$199
Senior Designer (SDD)	\$138
Senior Drafter (SD)	\$113
Senior Engineer (SRE)	\$196
Senior Environmental Scientist (SNS)	\$163
Senior Environmental Specialist (SES)	\$143
Senior Project Coordinator (SPC)	\$136
Senior Project Designer (SPD)	\$167
Senior Project Manager (SM)	\$201
Senior Regulatory Compliance Specialist (SRS)	\$151
Senior Technical Editor (STE)	\$113
2-Man Survey Party (SP-2M)	\$249
1-Man Survey Party with GPS (1M-GPS)	\$190
Court Appearance (Expert Witness, Deposition, etc.)	1.5 X Hourly Rate

Overtime Premium is 50% of Personnel Hourly Rate  
(Effective October 1, 2014 - September 30, 2015)



1360 Valley Vista Drive  
Diamond Bar, California 91765  
(909) 860-7777

**REIMBURSABLE CHARGES**

Effective October 1, 2014 - September 30, 2015

In addition to the above charges for professional services (including routine expenses), we require reimbursement for the following items:

**A. IN-HOUSE EXPENSES**

Reproduction/Plotting:	Xerox Copies	\$0.10/page
	Color Copies	\$0.50/page
	Wide Format Copies	\$0.30/sq. ft.
	Blueprints	\$0.50/sq. ft.
	Bond Plotting -- Black & White	\$2.00/sq. ft.
	Bond Plotting -- Color	\$4.00/sq. ft.
	Vellum Plotting	\$4.00/sq. ft.
	Mylar Plotting	\$5.00/sq. ft.
Telefax (Outgoing only):		\$1.00/page
Mileage:	Personal Vehicle	\$0.60/mile
	Company Vehicle	\$0.70/mile

**OR**

5% OF TOTAL PERSONNEL FEES

**B. OTHER EXPENSES**

Company Vehicles	\$15.00/hour
Survey Vehicles	\$15.00/hour
Other Out-of-Pocket Expenses/Supplies/Travel	Cost + 15%
Equipment Usage	See Attached Schedule
Consultants/Outside Services	Cost + 15%
Construction Services	Cost + 15%
Per Diem for Living Expenses	Federal Rates
CADD Computer Usage	\$10.00/hour
Field Computer Services	\$40.00/week
GPS Survey Equipment Services	\$40.00/hour



1360 Valley Vista Drive  
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(909) 860-7777

### **EQUIPMENT RENTAL RATES**

Effective October 1, 2014 - September 30, 2015

TYPE OF EQUIPMENT	DAY	WEEK	MONTH
4 Gas Range Meter CH <sub>4</sub> , H <sub>2</sub> S, CO, O <sub>2</sub> (Sentinel 44)	\$75	\$200	\$500
Alpha - I Personal Sampling Pump	\$75	\$200	\$500
Disposable Bailer	\$20/each	n/a	n/a
CO <sub>2</sub> Calorimetric Analysis Tubes	\$40	\$125	\$250
Downhole Camera	\$75/hr	n/a	n/a
Dupont Dosimeter Mark-3 (Personal Sample Pump)	\$50	\$150	\$300
Flow Calibrator (Gilian)	\$50	\$150	\$300
Gas Extraction Monitor (GEM 500 / 2000 / 2000 Plus)	\$125	\$350	\$900
Lung Sampler (Nutech 218)	\$100	\$300	\$800
Mini-Ram Data Logger	\$40	\$125	\$250
Mini-Ram Dust Meter	\$50	\$150	\$300
Organic Vapor Analyzer (OVA128)	\$125	\$400	\$1,000
Photo Ionization Detector (OVM580B)	\$125	\$400	\$1,000
Sample Train (Gas Extraction Pump)	\$50	\$150	\$300
Soil Auger/Sampler	\$30	\$90	\$180
Sounder (Liquid Level Indicator)	\$40	\$125	\$250
Horiba Meter	\$50	\$200	\$400
MiniRae 2000	\$75	\$200	\$500
GT Surveyor	\$75	\$200	\$500
Groundwater Sampling Equipment	\$30/hour	n/a	n/a
Company Vehicle	\$120	\$480	\$1,250
Field Sampling Supplies:	100/day	n/a	n/a
LEVEL C (Per Person) Respirator with Cartridge (full or half faced) Tyvek Coveralls Outer Gloves Glove Liners Neoprene Boots	\$150	n/a	n/a

RESOLUTION NO.: 2015-

DATED: June 24, 2015

RESOLUTION OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY DELEGATING  
AUTHORITY TO THE CHAIR TO ENTER INTO AN AGREEMENT WITH TETRA TECH BAS TO ASSIST  
THE AGENCY WITH PERMITTING OF A NEW COMPOST FACILITY

WHEREAS, the Sonoma County Waste Management Agency (Agency) will need to permit a new compost site; and

WHEREAS, it is necessary for a contractor to supplement Agency staff resources with permitting expertise; and

WHEREAS, Tetra Tech BAS is qualified to perform the necessary permitting assistance and has significant background regarding the new compost site design which would be advantageous for the upcoming permitting tasks; and

WHEREAS, Tetra Tech BAS has submitted a proposal and scope of work to perform tasks related to this project, the cost of which is \$73,113.

NOW, THEREFORE BE IT RESOLVED that the Sonoma County Waste Management Agency Board of Directors hereby delegates the Board Chair authority to sign an agreement between the Agency and Tetra Tech BAS for the tasks specified in the Scope of Work.

MEMBERS:

_____ Cloverdale	_____ Cotati	_____ County	_____ Healdsburg	_____ Petaluma
_____ Rohnert Park	_____ Santa Rosa	_____ Sebastopol	_____ Sonoma	_____ Windsor

AYES -- NOES -- ABSENT -- ABSTAIN --

SO ORDERED

The within instrument is a correct copy  
of the original on file with this office.

ATTEST: DATE: June 24, 2015

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Sally Evans,  
Clerk of the Sonoma County Waste Management Agency  
Agency of the State of California in and for the  
County of Sonoma



Agenda Item #: **8**  
Cost Center: **All**  
Staff Contact: **Carter**  
Agenda Date: **6/24/2015**

## ITEM: Wood Waste and Yard Debris Disposal Fee Increase

### I. BACKGROUND

The Agency is in the process of closing the composting facility located at the Central Disposal Site and preparing to haul all of the materials previously processed there to out-of-county compost facilities. Under a timeline developed by Sonoma Compost all commercial loads of compost material must be redirected from the Central Compost Site beginning July 1, 2015 in order for the site to be cleared and cleaned by October 15, 2015, as required by the settlement agreement between the Agency, the County of Sonoma, and RENAILE.

### II. DISCUSSION

#### Need for Fee Increases:

Agency staff has projected approximately \$4.5 million in costs associated with the transport and disposal of compostable material generated at County-owned solid waste facilities. The current tip fee revenues due to the Agency are projected to generate approximately \$2.8 million, resulting in a deficit of approximately \$1.7 million.

Facility	Tons	Cost Per Ton	Total Cost
Redwood LF	31,200	\$ 59.10	\$ 1,843,920
Jepson Prairie	9,360	\$ 59.22	\$ 554,299
Zamora	10,000	\$ 57.38	\$ 573,800
Cold Creek Compost	15,000	\$ 54.16	\$ 812,400
City of Napa	15,600	\$ 48.44	\$ 755,664
Total	81,160		\$ 4,540,083

Revenues	Tons	Average Tip Fee	Total Revenue
Existing	81,160	\$ 34.58	\$ 2,806,513
Proposed	81,160	\$ 58.00	\$ 4,707,280

This situation has improved slightly from previous projections, as facilities which were not previously included in the disposal matrix have been added; their inclusion has lowered the expected cost. Agency staff calculated that increasing the Agency controlled tip fee on wood waste and yard debris to \$58.00 per ton will offset the cost of transport and disposal of these materials to alternate facilities as well as other Agency administrative expenses in the Wood Waste and Yard Debris funds.

Fee Descriptions	Wood Waste	Yard Debris
------------------	------------	-------------

<b>Existing Agency Fee</b>	\$27.60/ton	\$34.10/ton
<b>Agency Fee Increase</b>	\$30.40/ton	\$23.90/ton
<b>New Total Agency Fee*</b>	\$58.00/ton	\$58.00/ton

\*These rates do not include the County's MOA added fees. The MOA fee is \$15.10/ton for County Franchised materials and self-haul waste and \$19.10 for City Franchised Material.

**Ratepayer Impact Analysis:**

The proposed increase to the yard debris disposal fees is \$23.90/ton. According to the rate sensitivity analysis provided by the Ratto Group, we can expect this to affect ratepayers, with the garbage service level of 32 gallons per week, in the range of \$0.92 to \$2.16 per month, or \$11.04 to \$25.92 per year.

### **III. FUNDING IMPACT**

Failing to increase tip fees above current levels would result in a deficit of at approximately \$1.7 million in the Wood Waste and Yard Debris funds for FY 2015-16.

### **IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION**


Staff recommends opening the public hearing on the increase of tipping fees related to wood waste and yard debris, receiving public comment, closing the public hearing, and providing direction to staff regarding the amount of the tipping fee increase, if any. If the Board adjusts the tipping fee, staff recommends the adjustment be effective July 1, 2015.

### **V. ATTACHMENTS**

Residential Customer Impact Matrix  
Resolution  
Public Hearing Notice

Approved by: \_\_\_\_\_

Henry J. Mikus, Executive Director, SCWMA

 6/19/2015



**SCWMA COMPOSTING OPTIONS  
SONOMA COUNTY JURISDICTIONS  
IMPACT ON RATES OF  
ADDITIONAL COSTS PER TON  
FROM \$20 TO \$60 IN INCREMENTS OF \$2.50 PER TON**

<b>POSSIBLE INCREASE</b>	<b>LOW END IMPACT *</b>	<b>HIGH END IMPACT *</b>
\$20.00	\$0.82	\$1.72
\$22.50	\$0.92	\$1.94
\$25.00	\$1.02	\$2.16
\$27.50	\$1.12	\$2.38
\$30.00	\$1.23	\$2.59
\$32.50	\$1.33	\$2.81
\$35.00	\$1.43	\$3.03
\$37.50	\$1.53	\$3.25
\$40.00	\$1.64	\$3.46
\$42.50	\$1.74	\$3.67
\$45.00	\$1.84	\$3.88
\$47.50	\$1.94	\$4.10
\$50.00	\$2.05	\$4.31
\$52.50	\$2.15	\$4.53
\$55.00	\$2.25	\$4.74
\$57.50	\$2.35	\$4.95
\$60.00	\$2.46	\$5.17

\* Per 32 Gal Cart Per Month

DATED: June 24, 2015

RESOLUTION OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY  
INCREASING DISPOSAL FEES FOR WOOD WASTE AND YARD DEBRIS

WHEREAS, the Agreement between the Cities of Sonoma County and Sonoma County for a Joint Powers Agency to Deal with Waste Management Issues (Agreement) was established on or around February 11, 1992; and

WHEREAS, this Agreement requires the County of Sonoma (County) to collect and remit to the Sonoma County Waste Management Agency (Agency) tonnage disposal fees to defray the costs of capital improvements, operations, and maintenance for the Agency's wood waste and yard debris treatment system (treatment system); and

WHEREAS, the significant new costs for operating and maintaining the treatment system have been realized and are expected the near future; and

WHEREAS, existing disposal fees for wood waste and yard debris are insufficient to defray future costs; and

WHEREAS, notice of the Agency's intent to consider an increase to disposal fees for wood waste and yard debris transport and disposal was published in the Press Democrat on June 12, 2015; and

WHEREAS, it is necessary for the Agency to increase Agency-controlled wood waste and yard debris disposal fees to the amounts described below:

Disposal Fee Type	All County of Sonoma-Owned Solid Waste Facilities
Wood Waste	\$58.00 per ton
Yard Debris	\$58.00 per ton

NOW THEREFORE, BE IT RESOLVED the Sonoma County Waste Management Agency Board of Directors directs the County to increase the amount of disposal fees collected by the County and remitted to Agency by the amounts listed above, effective July 1, 2015.

## MEMBERS:

--	--	--	--	--
_____ Cloverdale	_____ Cotati	_____ County	_____ Healdsburg	_____ Petaluma
--	--	--	--	--
_____ Rohnert Park	_____ Santa Rosa	_____ Sebastopol	_____ Sonoma	_____ Windsor

AYES:- -      NOES: - -      ABSENT: - -      ABSTAIN: - -

SO ORDERED.

The within instrument is a correct copy

of the original on file with this office.

ATTEST:

DATE:

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Sally Evans

Clerk of the Sonoma County Waste Management

Agency of the State of California in and for the

County of Sonoma

**Sonoma County Waste Management Agency  
Notice of Intent to Increase Wood Waste and Yard Debris Tipping Fees and Notice of  
Public Hearing**

Notice is hereby given that on June 24, 2015, at or about 9:00 a.m., the Sonoma County Waste Management Agency (SCWMA) will hold a Public Hearing at Santa Rosa City Hall, located at 100 Santa Rosa Avenue, Santa Rosa, California to consider an increase to the disposal fees for Wood Waste and Yard Debris charged by SCWMA and collected by the County of Sonoma at its disposal sites.

SCWMA is considering increases in disposal fees by up to \$30.40 above current levels, which would result in SCWMA fees of \$58 per ton for Wood Waste and \$58 per ton for Yard Debris. Final amounts will be determined by the Sonoma County Waste Management Agency Board of Directors following the Public Hearing.

At the Public Hearing, SCWMA shall consider all evidence and testimony for and against the proposed fee increases. At any time prior to the public hearing, any person may file in writing with SCWMA a statement of his or her objections to the proposed fee increases. Persons who challenge the proposed fee increases in court may be limited to raising only those issues they or someone else raised at the public hearing described in this Notice, or raised in written correspondence delivered to SCWMA at, or prior to, the Public Hearing.

For more information about the proposed changes, please visit the Sonoma County Waste Management Agency's website at [http://www.recyclenow.org/agency/current\\_packet.asp](http://www.recyclenow.org/agency/current_packet.asp). Information related to this item will be posted at least 72 hours in advance of the June 24, 2015 Board of Directors meeting.



Agenda Item #: 9  
Cost Center: All  
Staff Contact: Mikus  
Agenda Date: 6/24/2015

## **ITEM: JPA Renewal Report**

### **I. BACKGROUND**

At the March 2015 SCWMA Board meeting staff was asked to communicate with the member jurisdictions' governing bodies to ask them to schedule discussions during April and May on the SCWMA future, and include looking at the potential alterations to the JPA Agreement. A packet of information relative to such discussions was distributed in late March, which included a "Matrix of Issues" be used to record each member jurisdiction's positions on these issues, in order to both provide starting points for finding common ground and for SCWMA to draft a new JPA Agreement.

However, because of full meeting schedules the jurisdictions' discussions have taken longer to occur than initially desired. As of this writing, 9 of 10 member jurisdictions have had their discussions, and these nine have returned the "Matrix of Issues" completed to reflect their governing bodies' commentary. The nine returned matrices are attached in their original form. A master matrix is also attached that has been developed that list all the jurisdictions' comments side by side in one document.

### **II. DISCUSSION**

Thus far the following member jurisdictions have held the requested discussions:

- Cloverdale, May 27, 2015
- Cotati, April 28, 2015
- Healdsburg, June 15, 2015
- Petaluma, May 4, 2015
- Rohnert Park, April 28, 2015
- Santa Rosa, June 9, 2015
- Sebastopol, June 16, 2015
- Sonoma (City), June 1, 2015
- Windsor, April 15, 2015

The County of Sonoma had to postpone its matrix discussion until June 23, 2015. When the County discussions occur, and the "Matrix of Issues" information is made available, staff will provide updated information.

The Board's plan was to use the members' opinions via the matrix to begin crafting a consensus new JPA agreement, and work to resolve differences. Although there is risk in missing a point of view or some shade of meaning in doing a summary, to provide a start point for discussion staff has prepared a consensus summary which is attached.

Basically the matrix questions fall into four categories:

What is the preferred service delivery method and organization?  
Should the voting requirements change, and if so, how?  
What should be the governance structure, including what should be the makeup of the Board representatives?  
Can members opt out of programs?

Regional is the preferred service approach for all respondents. However, who performs this has several answers. For compost, two selected the Agency, two the County, and five said to wait until there is better resolution to the ongoing compost issues. For the other three core programs (HHW, Education, and Planning), five favor retaining the Agency as the service provider, one wishes to have the County take on the Agency's work, and two prefer the county as service provider but the Agency is an acceptable second choice. One city wishes to wait and see.

Six cities believe the current Unanimous Vote requirement should change to a super-majority vote for a select list of topics while two cities wishes to retain unanimous voting; one city had a mixed answer. Expanding the list of topics requiring more than a simple majority vote was found acceptable by all, with one exception: Several cities wish for JPA Agreement amendments to still be brought before the governing bodies instead of allowing the Agency Board to approve them. As to voting requirements, five cities prefer a 7 of 10 vote for super majority items while three prefer 8 of 10 votes, while one city feels quite strongly to retain the unanimous vote rule.

Seven cities wish to maintain the current membership selection rule that Board representatives can be elected or staff with the decision to be up to each individual jurisdiction. Two cities favor all elected members. The consensus to allow a mixed Board of elected officials or staff negates to a large extent the reasoning for proposing a tiered governance structure with an elected Board and separate staff Technical Advisory Committee which was proposed as a way to resolve the elected/staff membership question. However two cities do prefer the tiered approach.

Currently jurisdictions can opt out of non-core programs, with the core programs identified as compost, HHW, education, and planning/reporting. Seven jurisdictions are willing in varying degrees to have opt-out provisions for any Agency services but many have caveats such as requiring any jurisdiction that opts out of a program to have financial responsibility to keep funding whole. Two of the members are completely opposed to allowing opt-outs.

### **III. FUNDING IMPACT**

None at this time.

### **IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION**

The recommendation is for the Board to direct Agency Counsel and staff to prepare a new 3<sup>rd</sup> amendment to the JPA agreement that addresses the consensus of the issues in the matrix. This would include initiating direct dialogue with any jurisdictions whose views on any topic are in the minority to hopefully resolve differences.

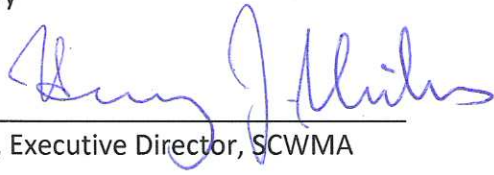
### **V. ATTACHMENTS**

Matrix of Issues consolidated with all responses

Individual matrix responses from the nine cities  
Matrix summary

Approved by: \_\_\_\_\_

Henry J. Mikus, Executive Director, SCWMA

 6/19/2015

Questions  Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)	Member Jurisdiction									
	Cloverdale	Cotati (All responses assume a slight preference, unless stated otherwise)	Healdsburg	Petaluma	Rohnert Park Draft Recommendations	Santa Rosa	Sebastopol	Sonoma	County of Sonoma	Windsor
1. Do you want to continue a regional approach for dealing with the following programs?						Yes	Consensus - Yes	Council consensus-Yes to retain regional approach for all items a-d below.		
a. Composting	Yes - This is a "must have".	Yes, slight preference. 2 expressed strong preference.	MUST HAVE - We prefer a regional approach coordinated by Sonoma County. It is important a regional approach be cost effective to the rate payers. Participation by all cities may not be required.	No - Deal Breaker Green Waste directed to Redwood Landfill, currently and into the foreseeable future.	We prefer a regional, County-wide approach so long as the costs are comparable to or lower than the alternative of out-hauling our compost. Such an approach would not necessarily require the participation of all cities.	Yes	Consensus - Yes			3 - yes; 1 - not enough information on composting
b. Household Hazardous Waste	Yes - This is a "slight preference".		MUST HAVE - We would prefer a county-wide approach coordinated by Sonoma County	Yes - Strong Cost of extracting City records from countywide regional reporting is high. Cost to perform HHW independently is very high and would likely result in a decreased level of service.	We prefer a regional, County-wide approach since this is the most cost-effective option.	Yes	Consensus - Yes			4 yes
c. Education	Yes - This is a "slight preference".	Yes, must have	SLIGHT PREFERENCE - County wide approach - Particiaption by all cities may not be required.	Yes - Strong	We prefer a regional, County-wide approach so long as the costs are comparable to or lower than the alternatives. Such an approach would not necessarily require the participation of all cities.	Yes	Consensus - Yes			4 yes
d. Planning and Reporting	Yes - This is a "must have".		MUST HAVE - County wide	Yes - Strong	We prefer a regional, County-wide approach so long as the costs are comparable to or lower than the alternatives. Such an approach would not necessarily require the participation of all cities.	Yes	Consensus - Yes			4 yes



Questions  Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)	Member Jurisdiction									
	Cloverdale	Cotati (All responses assume a slight preference, unless stated otherwise)	Healdsburg	Petaluma	Rohnert Park Draft Recommendations	Santa Rosa	Sebastopol	Sonoma	County of Sonoma	Windsor
<b>2. What is your preference on who performs those services? (Agency, County, Mix)</b>						More information needed to evaluate--costs, options, level of service		Council discussion to retain all programs (a-d below) through the Agency. Comments centered around the Agency being a central/neutral agency to provide representation for all participants.		
<b>a. Composting</b>	Agency - This is a "must have".	Needs further review, including: Republic, and other options to send all or part to other existing facilities	MUST HAVE - Sonoma County to perform		Prefer County operation	More information needed to evaluate--costs, options, level of service	*Determination to be made later			3 - Agency until Feb; 2017; 1 - wants to see cost of County composting option
<b>b. Household Hazardous Waste</b>	Agency - This is a "slight preference".	Likely Agency. Must have, most cost-effective to remove HHW from waste	SLIGHT PREFERENCE - Sonoma County to perform	First Choice: County - Strong Second Choice: JPA - Weak	Prefer County operation	More information needed to evaluate--costs, options, level of service	Consensus - Yes - Agency			4 Agency
<b>c. Education</b>	Agency - This is a "slight preference".	Agency. Needs to be regional	SLIGHT PREFERENCE - Sonoma County to perform	First Choice: County - Strong Second Choice: JPA - Weak	Prefer County operation	More information needed to evaluate--costs, options, level of service	Consensus - Yes - Agency			4 Agency
<b>d. Planning and Reporting</b>	Agency - This is a "must have".		SLIGHT PREFERENCE - Sonoma County to perform	First Choice: County - Strong Second Choice: JPA - Weak	Prefer County operation	More information needed to evaluate--costs, options, level of service	Consensus - Yes - Agency			4 Agency
<b>3. If there is a preference for responsibilities remaining with the Agency, what is your preference on the term of the Agency? (25 Years, No Fixed Term)</b>	No fixed term - This is a "must have".	No fixed term, slight preference	It is premature to answer this question until it is determined what role the Agency will have in the future. If composting continues to be the responsibility of the Agency then a longer term may be necessary. If composting is not part of the Agency's responsibility, it would be important to understand what the Agency's role and responsibilities would be before committing to a term.	20-year minimum Term driven by financing requirements of new Compost Facility. Should be at least 20-years. Applies to either shared services delivery option.	Slight preference for limited term of 25 years, with review required at 10 years.	Unknown at this time as to term. More information needed to evaluate--cost, options, level of service,. Council interested in reviewing other proposals to provide comparisons of cost and services?	Consensus - 25 years	Council majority for 25 year term; Council included comment for consideration of an option to include a second renewal option of 25 years.		2 - no fixed term; 1 - 25 years; 1 - include language to make it easy to review the agreement at any time.
<b>4. Do you wish to have a mechanism for members to opt out of some Agency programs?</b>	Yes - This is a "slight preference".	Yes. Define core services, with no opt out. Other services/programs must opt in/out at onset and then can have option in/out provisions after that to ensure other members are made whole. This can also apply to members joining or leaving the JPA, subject to affirmative vote of member's board. Can a third party "purchase services?" 1 questioned what the rates would be for purchasing services and 1 expressed that there should be consequences for opting out.	Conceptually yes, however, we would need to understand the fiscal impacts if this were allowed.	Yes - Deal Breaker Currently, City "ops out" of composting. Can conceive of instances in future where a member may wish to opt out of a program.	Yes, so long as jurisdiction which opts out pays all financial costs to the Agency.	Yes	Consensus - No Opt Out of 4 core programs	Council consensus to allow members to opt out of programs with provision that if there is a financial impact to the Agency, the member will be responsible to pay the costs for the fiscal year for the year of opt out plus the following year thereby guaranteeing the Agency's budget not be compromised.		1 - No, unless remuneration is applied to exiting member to cover cost of loss revenue; 1 - no but perhaps with substantial notice and an opt-out fee; 1 - no; 1 - yes

Questions	Member Jurisdiction									
	Cloverdale	Cotati (All responses assume a slight preference, unless stated otherwise)	Healdsburg	Petaluma	Rohnert Park Draft Recommendations	Santa Rosa	Sebastopol	Sonoma	County of Sonoma	Windsor
Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)										
5. Do you want a unanimous vote requirement on the following items: Budget Approval, Capital Expenditure greater than \$50,000, Major Program Expansion?	No - This is a "must have".	No, show stopper	MUST HAVE - Unanimous vote should apply for program expansion as any expansion in programs may have significant long term financial implications. Super Majority should apply for Budget Approval and Capital Expenditures greater than \$50,000.	Yes - Strong Delete reference to "capital expenditure". Limit should apply to <u>any</u> expenditure or fiscal impact to agency. Concept of Supermajority needed to avoid unnecessary delay of action caused by a single agency.	Strongly prefer no unanimous vote requirements. Prefer super-majority requirements for capital improvements over \$50,000. Show stopper: Major program expansions and/or new programs need to be approved by each jurisdiction to take effect in that jurisdiction.	Major Program Expansion should require unanimous vote	No	Council discussion combined question 5 & 6. Council consensus for supermajority vote on all items.		4 - no
6. Would you prefer a supermajority approval of the items?		Responses assume 1 member, 1 vote, no weighting. 3 indicated strong preference for this voting.		No - strong				See item #5		3 - yes and the supermajority should be 8/10; 1 - yes and the supermajority should be 7/10
a. Purchase of Real Property	Yes - This is a "must have".	Yes.	NO - MUST HAVE - Unanimous vote for any acquisition of Real Porperty	No - Deal Breaker Needs Unanimous Vote.	Strong preference	Unanimous	Yes	See item #5		
b. Incur Debt Greater than \$250,000	Yes - This is a "must have".	Yes.	NO - MUST HAVE - Unanimous vote anytime long term debt is acquired	No - Deal Breaker Needs Unanimous Vote. Perhaps a lower limit, requiring only a supermajority, should be set at \$50,000.	Strong preference	Super majority ok unless debt related to unanimous item	Yes	See item #5		
c. Adopt Annual Budget	Yes - This is a "must have".	Yes.	Super Majority okay	No - Deal Breaker Keep the same as current JPA - Needs Unanimous Vote.	No; prefer majority vote	Super majority ok unless debt related to unanimous item	Yes	See item #5		
d. Adopt Additional Core Programs	Yes - This is a "must have".	Yes.	NO - MUST HAVE - Unanimous vote for the addition of any core programs.	No - Deal Breaker Keep the same as current JPA - Needs Unanimous Vote.	Show stopper: Major program expansions and/or new programs need to be approved by each jurisdiction to take effect in that jurisdiction.	Unanimous	Yes	See item #5		
e. Expenditure of Funds Greater than \$250,000	Yes - This is a "must have".	Yes.	YES - SLIGHT PREFERENCE - Supermajority expenditures over \$250,000, however, if the expenditure requires rates to increase then a unanimous vote should be required.	No - Deal Breaker Needs Unanimous Vote. Perhaps a lower limit, requiring only a supermajority, should be set at \$50,000.	Slight preference	Super majority ok unless debt related to unanimous item	Yes	See item #5		
f. Amendments of the New JPA Agreement	Yes - This is a "must have".	Yes.	NO - MUST HAVE - Unanimous vote for any amendments of any JPA agreement.	No - Deal Breaker Keep the same as current JPA - Needs Unanimous Vote.	Must return to jurisdictions for JPA Amendments	Unanimous	To be returned to city council for action	See item #5		
7. What do you want to comprise a supermajority?				No - Deal Breaker			(7/10)	Council consensus on "b" 8 out of 10 members [4/5ths vote]		See question 6
a. Library JPA (7/10)	7/10s vote - This is a "slight preference".	Yes, all indicated slight preference for 7/10		No - Moderate Cannot allow the 7 smaller agencies to override the will of the 3 larger agencies.		ok				
b. 8/10 Vote		No	SUPERMAJORITY - 8/10 vote	No - Strong If a supermajority is used, the method must honor the principal that a supermajority of agencies with a supermajority of the population favors the action. Look at other JPA's for application of this principle.	Prefer 3/4 majority for super-majority votes					

Questions  Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)	Member Jurisdiction									
	Cloverdale	Cotati (All responses assume a slight preference, unless stated otherwise)	Healdsburg	Petaluma	Rohnert Park Draft Recommendations	Santa Rosa	Sebastopol	Sonoma	County of Sonoma	Windsor
8. Would you prefer a governance model which allows for a mixture of jurisdiction staff and elected officials or one which only allows elected officials?	Elected - This is a "must have".	No mix of staff and elected. Structure depends on the functions of the JPA (see response to #9). Preference for tiered governance by 3. Slight preference for mixed by 1.	SHOW STOPPER - Keep the current model. Each Council should determine who is appointed.	Yes - Moderate Keep the same as current JPA - Council prerogative to make that choice. <i>"No" on all elected board: Deal Breaker</i>	Show stopper: Each jurisdiction to decide on their representative; no jurisdiction should have the right to dictate to another jurisdiction. Flexibility exists and works well for the Library and Sonoma Clean Power.	Should be at discretion of member	Mixed Board	Council consensus mix of staff or elected officials as appointed by member Agency. Council added additional recommendation that the Board consider adding that the Alternate to the Board position also be designated by the member Agency and that only the designated alternate can vote on items that come before the Board. This will assure that in cases where the Boardmember is not available to attend, the designated alternate will be prepared to vote and informed on the agenda items. Designated alternates will also be sent the agenda materials.		3 - mixed; 1 - lean toward electeds
9. Would you prefer a tiered structure of governance which includes a policy-making board and a technical advisory committee?	Yes - This is a "must have".	Depends on the functions of the JPA. If it is only education and reporting, staff only. If it includes land acquisition or major capital expenditures, it should have a policy body. Assumed slight preference	SHOW STOPPER - Unclear why this is part of the matrix. Board should have the ability to form subcommittees that focus on certain items.	No - Deal Breaker Scope of agency does not merit the overhead and ponderous bureaucracy of a two tiered governance structure. However, should any agency, such as the County, become the service provider for solid waste services, then a TAC, comprised of a program manager from each agency, should be formed to advise the governing board.	Strongly prefer no two-tier structure requirement in the JPA; the Board should have the flexibility to establish a technical advisory committee if/as it sees fit.	Need additional information re roles, responsibilities, costs to city	Preference Mixed Board	Council is open to adding a Technical Advisory Committee in a tiered structure.		Moot based on the response to question 8; do not see the need for a separate staff TAC if staff is allowed on Board
a. Would the policy-making board be composed of elected officials, staff, or a combination?	Elected - This is a "must have".	Elected only, assuming broad JPA authorities.	N/A - See above	<i>This question was not in the Petaluma matrix</i>	Show stopper: Each jurisdiction to decide on their representative; no jurisdiction should have the right to dictate to another jurisdiction. Flexibility exists and works well for the Library and Sonoma Clean Power. Also, there should be no requirement compelling a jurisdiction to participate in any committee; assignment of staff resources is the responsibility of each jurisdiction.	combination		Mix of elected officials or staff based on jurisdiction's preference.		
b. Would the technical advisory committee be composed of elected officials, staff, or a combination?	Staff - This is a "must have".	Staff only, assuming broad JPA authorities.	N/A - See above	<i>Same as 9a above</i>	Show stopper: Each jurisdiction to decide on their representative; no jurisdiction should have the right to dictate to another jurisdiction. Flexibility exists and works well for the Library and Sonoma Clean Power.	combination		Mix of elected officials or staff based on jurisdiction's preference.		
10. Does your City/County Attorney have issues with specific language included in the current JPA and amendments? If so, please describe.		Many issues with current JPA, including governance structure, term, voting requirements	Any issues our City Attorney may have will be addressed with County Counsel and SCWMA Counsel. All policy decision will be addressed through the Board.	Yes - Strong Any powers that may encroach into Charter City powers.	We anticipate that the City Attorneys (and County Counsel) will address the concerns that they have with language in the current JPA and amendments while leaving policy issue for consideration by the governing bodies.	City Attorney meeting with Agency Attorney and Other City Attorneys to discuss issues based on policy direction by council		City Attorney working cooperatively with SCWMA legal counsel and County Council as needed.		Based on recent meeting with Agency Counsel Ethan Walsh, the Third Amendment will be redrafted
11. Does your City/County Attorney have issues with specific language included in the proposed Third Amendment to the JPA? If so, please describe.		Agency Counsel, Ethan Walsh, to draft a new Third Amendment, therefore no opinion at this time.	The Third Amendment does not address recent events. Until it is determined what roles and responsibilities the SCWMA may have moving forward, this question is premature.	Yes - Deal Breaker Draft agreement is premature and does not currently address issues that have been made known by City and County.	We anticipate that the City Attorneys (and County Counsel) will address the concerns that they have with language in the current JPA and amendments while leaving policy issue for consideration by the governing bodies.	City Attorney meeting with Agency Attorney and Other City Attorneys to discuss issues based on policy direction by council		City Attorney working cooperatively with SCWMA legal counsel and County Council as needed.		



## City Council/Successor Agency Agenda Item Summary

Agenda Item:  
Meeting Date: May 27, 2015

Agenda Section	Staff Contact
New Business	Paul Cayler, City Manager

### Agenda Item Title

Action on Recommendations from the Ad Hoc Committee Regarding Sonoma County Waste Management Authority's Matrix of Issues Related to Potential Joint Powers Authority Agreement Changes

### Summary

At the City Council meeting of April 22, 2015, the Council received a presentation on the issues before the Sonoma County Waste Management Agency (Agency) related to potential changes in the agency's joint powers authority (JPA) agreement. The Council reviewed the numerous issues related amending to the existing JPA. The Agency has developed a "Matrix of Issues and Questions" (Matrix) as a way to clarify the numerous issues facing the Agency. The Council conducted a preliminary review of the issues set forth in the Matrix. Due to the fact that the Matrix issues are complex, the Council gave direction to refer the matter to an Ad Hoc Committee of Mayor Bob Cox and Councilmember Carol Russell to review the Matrix, and then make recommendations to the City Council.

Mayor Cox and Councilmember Russell met with City staff for a detailed review of the Matrix on May 19, 2015. The Ad Committee made a recommendation to each question set forth in the Matrix, and then indicated the strength of preference for each recommendation. The Ad Hoc Committee's recommended answers to the Matrix are set forth in **Bold** as follows:

- 1) Do you want to continue a regional approach for dealing with the following programs?
  - a. Composting: **YES – This is a "must have"**.
  - b. Household Hazardous Waste: **YES – This is a "slight preference"**.
  - c. Education: **YES – This is a "slight preference"**.
  - d. Planning and Reporting: **Yes – This is a "must have"**.
- 2) What is your preference on who performs those services?
  - a. Composting: **AGENCY – This is a "must have"**.
  - b. Household Hazardous Waste: **AGENCY – This is a "slight preference"**.
  - c. Education: **AGENCY – This is a "slight preference"**.
  - d. Planning and Reporting: **AGENCY – This is a "must have"**.
- 3) If there is a preference for responsibilities remaining with the Agency, what is your preference on the term of the Agency: **No fixed term – This is a "must have"**.
- 4) Do you wish to have a mechanism for members to opt out of some Agency programs? **Yes – This is a "slight preference"**.
- 5) Do you want a unanimous vote requirement on the following items: Budget Approval, Capital Expenditure greater than \$50,000 and Major Program Expansion? **No – This is a "must have"**.
- 6) Would you prefer a supermajority approval of the items?
  - a. Purchase of Real Property: **Yes – This is a "must have"**.
  - b. Incur Debt Greater than \$250,000: **Yes – This is a "must have"**.
  - c. Adopt Annual Budget: **Yes – This is a "must have"**.
  - d. Adopt Additional Core Programs: **Yes – This is a "must have"**.

- e. Expenditure of Funds Greater than \$250,000: **Yes – This is a “must have”.**
- f. Amendments of the New JPA Agreement: **Yes – This is a “must have”.**
- 7) What do you want to comprise a supermajority? **7/10’s vote – This is a “slight preference”.**
- 8) Would you prefer a governance model which allows for a mixture of jurisdiction staff and elected officials or one which only allows elected officials? **Elected – This is a “must have”.**
- 9) Would you prefer a tiered structure of governance which includes a policy-making board and a technical advisory committee? **Yes – This is a “must have”.**
  - a. Would the policy-making board be composed of elected officials, staff, or a combination? **Elected – This is a “must have”.**
  - b. Would the technical advisory committee be composed of elected officials, staff or a combination? **Staff – This is a “must have”.**

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**Options**

1) Approve the Ad Hoc Committee’s recommended matrix responses; 2) Modify the recommended matrix responses; or 3) Reject the recommended matrix responses.

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**Budget/Financial Impact**

Uncertain.

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**Subcommittee Recommendation**

The Ad Hoc Committee formed by the City Council of Mayor Bob Cox and Councilmember Russell.

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**Recommended Council Action**

The City Manager recommends that the City Council approve the Ad Hoc Committee recommended answers to the Matrix of Issues and Questions as set forth in the Summary section above, and direct the City Manager to communicate said answers to the General Manager of the Sonoma County Waste Management Agency.

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**Attachments:**

None.

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Questions		Member Jurisdiction
Board Consensus at June 2014 Strategy Discussion (9 members present)	Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)	Cotati (All responses assume a slight preference, unless stated otherwise)
	1. Do you want to continue a regional approach for dealing with the following programs?	
	a. Composting	Yes, slight preference. 2 expressed strong preference.
	b. Household Hazardous Waste	
	c. Education	Yes, must have
	d. Planning and Reporting	
	2. What is your preference on who performs those services? (Agency, County, Mix)	
	a. Composting	Needs further review, including: Republic, and other options to send all or part to other existing facilities
	b. Household Hazardous Waste	Likely Agency. Must have, most cost-effective to remove HHW from waste
	c. Education	Agency. Needs to be regional
Consensus Agency until Feb. 2017, but re-evaluate post Feb. 2017	d. Planning and Reporting	
9 yes	3. If there is a preference for responsibilities remaining with the Agency, what is your preference on the term of the Agency? (25 Years, No Fixed Term)	No fixed term, slight preference
Consensus - yes		
Consensus - yes		
Consensus - yes		
Consensus - yes		
Consensus - Agency		
Consensus - Agency		
Consensus - Agency		
Majority preferred no fixed term		
	4. Do you wish to have a mechanism for members to opt out of some Agency programs?	Yes. Define core services, with no opt out. Other services/programs must opt in/out at onset and then can have option in/out provisions after that to ensure other members are made whole. This can also apply to members joining or leaving the JPA, subject to affirmative vote of member's board. Can a third party "purchase services?" 1 questioned what the rates would be for purchasing services and 1 expressed that there should be consequences for opting out.
No consensus reached; many different opinions		

Questions		Member Jurisdiction
Board Consensus at June 2014 Strategy Discussion (9 members present)	Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)	Cotati (All responses assume a slight preference, unless stated otherwise)
	5. Do you want a unanimous vote requirement on the following items: Budget Approval, Capital Expenditure greater than \$50,000, Major Program Expansion?	No, show stopper
	2 yes	
	6. Would you prefer a supermajority approval of the items?	Responses assume 1 member, 1 vote, no weighting. 3 indicated strong preference for this voting.
	7 yes	
	a. Purchase of Real Property	Yes.
	b. Incur Debt Greater than \$250,000	Yes.
	c. Adopt Annual Budget	Yes.
	d. Adopt Additional Core Programs	Yes.
	e. Expenditure of Funds Greater than \$250,000	Yes.
	f. Amendments of the New JPA Agreement	Yes.
1 yes 6 yes	7. What do you want to comprise a supermajority?	
	a. Library JPA (7/10)	Yes, all indicated slight preference for 7/10
	b. 8/10 Vote	No

Questions		Member Jurisdiction
Board Consensus at June 2014 Strategy Discussion (9 members present)	Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)	Cotati (All responses assume a slight preference, unless stated otherwise)
No consensus reached; many different opinions	8. Would you prefer a governance model which allows for a mixture of jurisdiction staff and elected officials or one which only allows elected officials?	No mix of staff and elected. Structure depends on the functions of the JPA (see response to #9). Preference for tiered governance by 3. Slight preference for mixed by 1.
Majority - tiered structure	9. Would you prefer a tiered structure of governance which includes a policy-making board and a technical advisory committee?	Depends on the functions of the JPA. If it is only education and reporting, staff only. If it includes land acquisition or major capital expenditures, it should have a policy body. Assumed slight preference
Majority - elected	a. Would the policy-making board be composed of elected officials, staff, or a combination?	Elected only, assuming broad JPA authorities.
Majority - staff	b. Would the technical advisory committee be composed of elected officials, staff, or a combination?	Staff only, assuming broad JPA authorities.



	Questions	Member Jurisdiction
Board Consensus at June 2014 Strategy Discussion (9 members present)	Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)	Cotati (All responses assume a slight preference, unless stated otherwise)
	10. Does your City/County Attorney have issues with specific language included in the current JPA and amendments? If so, please describe.	Many issues with current JPA, including governance structure, term, voting requirements
	11. Does your City/County Attorney have issues with specific language included in the proposed Third Amendment to the JPA? If so, please describe.	Agency Counsel, Ethan Walsh, to draft a new Third Amendment, therefore no opinion at this time.

Board Consensus at June 2014 Strategy Discussion (9 members present)	Questions  Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)	Member Jurisdiction
		Healdsburg
9 yes	1. Do you want to continue a regional approach for dealing with the following programs?	
Consensus - yes	a. Composting	<b>MUST HAVE</b> - We prefer a regional approach coordinated by Sonoma County. It is important a regional approach be cost effective to the rate payers. Participation by all cities may not be required.
Consensus - yes	b. Household Hazardous Waste	<b>MUST HAVE</b> - We would prefer a county- wide approach coordinated by Sonoma County
Consensus - yes	c. Education	<b>SLIGHT PREFERENCE</b> – County wide approach – Participation by all cities may not be required.
Consensus - yes	d. Planning and Reporting	<b>MUST HAVE</b> – County wide

	<b>2. What is your preference on who performs those services? (Agency, County, Mix)</b>	
Consensus Agency until Feb. 2017, but re-evaluate post Feb. 2017	<b>a. Composting</b>	<b>MUST HAVE</b> – Sonoma County to perform
Consensus - Agency	<b>b. Household Hazardous Waste</b>	<b>SLIGHT PREFERENCE</b> – Sonoma County to perform
Consensus - Agency	<b>c. Education</b>	<b>SLIGHT PREFERENCE</b> – Sonoma County to perform
Consensus - Agency	<b>d. Planning and Reporting</b>	<b>SLIGHT PREFERENCE</b> – Sonoma County to perform
Majority preferred no fixed term	<b>3. If there is a preference for responsibilities remaining with the Agency, what is your preference on the term of the Agency? (25 Years, No Fixed Term)</b>	It is premature to answer this question until it is determined what role the Agency will have in the future. If composting continues to be the responsibility of the Agency then a longer term may be necessary. If composting is not part of the Agency's responsibility, it would be important to understand what the Agency's role and responsibilities would be before committing to a term.
No consensus reached; many different opinions	<b>4. Do you wish to have a mechanism for members to opt out of some Agency programs?</b>	Conceptually yes, however, we would need to understand the fiscal impacts if this were allowed.
<b>Board Consensus at June 2014</b>	<b>Questions Please respond to the degree of preference (e.g., no</b>	<b>Member Jurisdiction</b>

Strategy Discussion (9 members present)	preference, slight preference, must have/showstopper)	Healdsburg
2 yes	5. Do you want a unanimous vote requirement on the following items: Budget Approval, Capital Expenditure greater than \$50,000, Major Program Expansion?	<b>MUST HAVE</b> – Unanimous vote should apply for program expansion as any expansion in programs may have significant long term financial implications. Super Majority should apply for Budget Approval and Capital Expenditures greater than \$50,000.
7 yes	6. Would you prefer a supermajority approval of the items?	
	a. Purchase of Real Property	<b>NO – MUST HAVE</b> – Unanimous vote for any acquisition of Real Property
	b. Incur Debt Greater than \$250,000	<b>NO – MUST HAVE</b> – Unanimous vote anytime long term debt is acquired
	c. Adopt Annual Budget	Super Majority okay
	d. Adopt Additional Core Programs	<b>NO – MUST HAVE</b> – Unanimous vote for the addition of any core programs.
	e. Expenditure of Funds Greater than \$250,000	<b>YES – SLIGHT PREFERENCE</b> – Supermajority expenditures over \$250,000, however, if the expenditure requires rates to increase then a unanimous vote should be required.

	<b>f. Amendments of the New JPA Agreement</b>	<b>NO – MUST HAVE</b> – Unanimous vote for any amendments of any JPA agreement.
	<b>7. What do you want to comprise a supermajority?</b>	
1 yes	<b>a. Library JPA (7/10)</b>	
6 yes	<b>b. 8/10 Vote</b>	<b>SUPERMAJORITY</b> – 8/10 vote
<b>Board Consensus at June 2014 Strategy Discussion (9 members present)</b>	<b>Questions Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)</b>	<b>Member Jurisdiction</b>
		<b>Healdsburg</b>
No consensus reached; many different opinions	<b>8. Would you prefer a governance model which allows for a mixture of jurisdiction staff and elected officials or one which only allows elected officials?</b>	<b>SHOW STOPPER</b> – Keep the current model. Each Council should determine who is appointed.

Majority - tiered structure	<b>9. Would you prefer a tiered structure of governance which includes a policy-making board and a technical advisory committee?</b>	<b>SHOW STOPPER</b> – Unclear why this is part of the matrix. Board should have the ability to form subcommittees that focus on certain items.
Majority - elected	<b>a. Would the policy-making board be composed of elected officials, staff, or a combination?</b>	N/A – See above
Majority - staff	<b>b. Would the technical advisory committee be composed of elected officials, staff, or a combination?</b>	N/A – See above
<b>Board Consensus at June 2014</b>	<b>Questions Please respond to the degree of preference (e.g., no</b>	<b>Member Jurisdiction</b>

<b>Strategy Discussion (9 members present)</b>	<b>preference, slight preference, must have/showstopper)</b>	<b>Healdsburg</b>
	<b>10. Does your City/County Attorney have issues with specific language included in the current JPA and amendments? If so, please describe.</b>	Any issues our City Attorney may have will be addressed with County Counsel and SCWMA Counsel. All policy decision will be addressed through the Board.
	<b>11. Does your City/County Attorney have issues with specific language included in the proposed Third Amendment to the JPA? If so, please describe.</b>	The Third Amendment does not address recent events. Until it is determined what roles and responsibilities the SCWMA may have moving forward, this question is premature.

2449828.1



# CITY OF PETALUMA

POST OFFICE BOX 61  
PETALUMA, CA 94953-0061

David Glass  
Mayor

Chris Albertson  
Teresa Barrett  
Mike Healy  
Gabe Kearney  
Dave King  
Kathy Miller  
Councilmembers

May 12, 2015

Mr. Henry Mikus  
Executive Director  
Sonoma County Waste Management Agency  
2300 County Center Drive, Suite B100  
Santa Rosa, CA 95403  
via Email, and U.S. mail

RE: Joint Powers Agreement Matrix

Dear Mr. Mikus:

Thank you for attending, and for your comments at, the May 4, 2015 City Council meeting during which Petaluma's policy preferences regarding the Waste Management Agency Joint Powers Agreement were discussed. Forwarded are Petaluma's responses to the questions posed in the referenced matrix. These responses represent the position of the majority of the Petaluma City Council.

As you know, the Council directed City staff to investigate alternatives to existing JPA membership, the most preferable of which was one where the County of Sonoma would assume the responsibilities currently held by SCWMA and members would access only those core services they desire through a shared services arrangement. We will be discussing this approach with the County of Sonoma, and with our counterparts in the cities.

If such an arrangement cannot be developed, Petaluma's next preference would then be to participate in a JPA. Responses to the matrix inquiries are provided in that context. Petaluma desires flexibility to select from among a limited menu of services, depending on individual need, at a cost that does not subsidize other JPA programs and with indemnification from any associated liability. Petaluma would want an Agency governance structure that allows the members to decide who will serve as their representative, elected or appointed, and is flat rather than tiered. Maintaining the unanimous voting requirements of the existing JPA, if we were to continue to participate, is also of strong importance to the City Council.

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Mr. Dan St. John, our Director of Public Works and Utilities will attend the Agency Board's May 2015 meeting, and can provide further detail regarding Petaluma's responses.

Sincerely,



John C. Brown  
City Manager

Enclosure

cc: Dan St. John, Director

**Waste Management Decision Matrix**  
**REVISED BASED IN COUNCIL DIRECTION ON MAY 4, 2015**

No.	Issue Description	Petaluma Response	Weight	Discussion
1a	Do you want to continue a regional approach for dealing with Composting,	No	Deal Breaker	Green Waste directed to Redwood Landfill, currently and into the foreseeable future.
1b	Household Hazardous Waste, Education, Planning and Reporting?	Yes	Strong	Cost of extracting City records from countywide regional reporting is high. Cost to preform HHW independently is very high and would likely result in a decreased level of service.
2	If Yes, what is your preference on who performs these functions? (Agency, County, Mix)	First Choice: County Second Choice: JPA	Strong Weak	If compost facility and HHW remains on County property, efficacy of operations would favor County as lead agency.
3	If Question 2 was Agency, what is your preference on the term of the Agency? (25 Years, No Fixed Term)	20-year minimum.		Term driven by financing requirements of new Compost Facility. Should be at least 20-years. Applies to either shared services delivery option.
4	Do you want a unanimous vote requirement on the following items: Budget Approval, Capital Expenditure greater than \$50,000, Major Program Expansion?	Yes	Strong	Delete reference to "capital expenditure". Limit should apply to any expenditure or fiscal impact to agency. Concept of Supermajority needed to avoid unnecessary delay of action caused by a single agency.
5	If the response to Question 4 was no, would you prefer a supermajority approval of 8/10 for certain items?	No	Strong	If a supermajority is used, the method must honor the principal that a supermajority of agencies with a supermajority of the population favors the action. Look at other JPA's for application of this principle.
6	If the response to Question 4 was no, would you prefer a supermajority approval of 7/10 for certain items?	No	Moderate	Cannot allow the 7 smaller agencies to override the will of the 3 larger agencies.
7a	Which of these vote types should be included for a supermajority vote? Purchase of Real Property,	No	Deal Breaker	Needs Unanimous Vote.
7b	Incur Debt Greater than \$250,000,	No	Deal Breaker	Needs Unanimous Vote. Perhaps a lower limit, requiring only a supermajority, should be set at \$50,000.
7c	Adopt Annual Budget,	No	Deal Breaker	Keep the same as current JPA - Needs Unanimous Vote.
7d	Core Programs,	No	Deal Breaker	Keep the same as current JPA - Needs Unanimous Vote.
7e	Expenditure of funds greater than \$250,000,	No	Deal Breaker	Needs Unanimous Vote. Perhaps a lower limit, requiring only a supermajority, should be set at \$50,000.
7f	Amendments of the new JPA Agreement?	No	Deal Breaker	Keep the same as current JPA - Needs Unanimous Vote.
8	Do you wish to keep a governance model which allows for a mixture of jurisdiction staff and elected officials?	Yes	Moderate	Keep the same as current JPA - Council prerogative to make that choice.
9	Do you wish to change to a governance model of only elected officials?	No	Deal Breaker	City Council is involved in the major decisions through independent Council action and direction provided to JPA board member.
10	Would you prefer a tiered structure of governance which includes a policy-making board composed of elected officials and a technical advisory committee composed of jurisdictional staff members?	No	Deal Breaker	Scope of agency does not merit the overhead and ponderous bureaucracy of a two tiered governance structure. However, should any agency, such as the County, become the service provider for solid waste services, then a TAC, comprised of a program manager from each agency, should be formed to advise the governing board.
11	Do you wish to have a mechanism for members to opt out of some Agency programs?	Yes	Deal Breaker	Currently, City "ops out" of composting. Can conceive of instances in future where a member may wish to opt out of a program.
12	Does your City/County Attorney have issues with specific language included in the current JPA and amendments? If so, please describe.	Yes	Strong	Any powers that may encroach into Charter City powers.
13	Does your City/County Attorney have issues with specific language included in the proposed Third Amendment to the JPA? If so, please describe.	Yes	Deal Breaker	Draft agreement is premature and does not currently addresses issues that have been made know by City and County.

**Waste Management Decision Matrix**  
**REVISED BASED IN COUNCIL DIRECTION ON MAY 4, 2015**

<b>No.</b>	<b>Issue Description</b>	<b>Petaluma Response</b>	<b>Weight</b>	<b>Discussion</b>
<b>1a</b>	Do you want to continue a regional approach for dealing with Composting,	No	Deal Breaker	Green Waste directed to Redwood Landfill, currently and into the foreseeable future.
<b>1b</b>	Household Hazardous Waste, Education, Planning and Reporting?	Yes	Strong	Cost of extracting City records from countywide regional reporting is high. Cost to preform HHW independently is very high and would likely result in a decreased level of service.
<b>2</b>	If Yes, what is your preference on who performs these functions? (Agency, County, Mix)	First Choice: County Second Choice: JPA	Strong Weak	If compost facility and HHW remains on County property, efficacy of operations would favor County as lead agency.
<b>3</b>	If Question 2 was Agency, what is your preference on the term of the Agency? (25 Years, No Fixed Term)	20-year minimum.		Term driven by financing requirements of new Compost Facility. Should be at least 20-years. Applies to either shared services delivery option.
<b>4</b>	Do you want a unanimous vote requirement on the following items: Budget Approval, Capital Expenditure greater than \$50,000, Major Program Expansion?	Yes	Strong	Delete reference to "capital expenditure". Limit should apply to <u>any</u> expenditure or fiscal impact to agency. Concept of Supermajority needed to avoid unnecessary delay of action caused by a single agency.
<b>5</b>	If the response to Question 4 was no, would you prefer a supermajority approval of 8/10 for certain items?	No	Strong	If a supermajority is used, the method must honor the principal that a supermajority of agencies with a supermajority of the population favors the action. Look at other JPA's for application of this principle.
<b>6</b>	If the response to Question 4 was no, would you prefer a supermajority approval of 7/10 for certain items?	No	Moderate	Cannot allow the 7 smaller agencies to override the will of the 3 larger agencies.
<b>7a</b>	Which of these vote types should be included for a supermajority vote? Purchase of Real Property,	No	Deal Breaker	Needs Unanimous Vote.
<b>7b</b>	Incur Debt Greater than \$250,000,	No	Deal Breaker	Needs Unanimous Vote. Perhaps a lower limit, requiring only a supermajority, should be set at \$50,000.
<b>7c</b>	Adopt Annual Budget,	No	Deal Breaker	Keep the same as current JPA - Needs Unanimous Vote.
<b>7d</b>	Core Programs,	No	Deal Breaker	Keep the same as current JPA - Needs Unanimous Vote.
<b>7e</b>	Expenditure of funds greater than \$250,000,	No	Deal Breaker	Needs Unanimous Vote. Perhaps a lower limit, requiring only a supermajority, should be set at \$50,000.
<b>7f</b>	Amendments of the new JPA Agreement?	No	Deal Breaker	Keep the same as current JPA - Needs Unanimous Vote.
<b>8</b>	Do you wish to keep a governance model which allows for a mixture of jurisdiction staff and elected officials?	Yes	Moderate	Keep the same as current JPA - Council prerogative to make that choice.
<b>9</b>	Do you wish to change to a governance model of only elected officials?	No	Deal Breaker	City Council is involved in the major decisions through independent Council action and direction provided to JPA board member.
<b>10</b>	Would you prefer a tiered structure of governance which includes a policy-making board composed of elected officials and a technical advisory committee composed of jurisdictional staff members?	No	Deal Breaker	Scope of agency does not merit the overhead and ponderous bureaucracy of a two tiered governance structure. However, should any agency, such as the County, become the service provider for solid waste services, then a TAC, comprised of a program manager from each agency, should be formed to advise the governing board.
<b>11</b>	Do you wish to have a mechanism for members to opt out of some Agency programs?	Yes	Deal Breaker	Currently, City "ops out" of composting. Can conceive of instances in future where a member may wish to opt out of a program.
<b>12</b>	Does your City/County Attorney have issues with specific language included in the current JPA and amendments? If so, please describe.	Yes	Strong	Any powers that may encroach into Charter City powers.
<b>13</b>	Does your City/County Attorney have issues with specific language included in the proposed Third Amendment to the JPA? If so, please describe.	Yes	Deal Breaker	Draft agreement is premature and does not currently addresses issues that have been made know by City and County.

Board Consensus at June 2014 Strategy Discussion (9 members present)		Question? Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)	Rohnert Park Draft Recommendations
1. Do you want to continue a regional approach for dealing with the following programs?			
9 yes			
Consensus - yes	a. Composting	We prefer a regional, County-wide approach so long as the costs are comparable to or lower than the alternative of out-hauling our compost. Such an approach would not necessarily require the participation of all cities.	
Consensus - yes	b. Household Hazardous Waste	We prefer a regional, County-wide approach since this is this the most cost-effective option.	
Consensus - yes	c. Education	We prefer a regional, County-wide approach so long as the costs are comparable to or lower than the alternatives. Such an approach would not necessarily require the participation of all cities.	
Consensus - yes	d. Planning and Reporting	We prefer a regional, County-wide approach so long as the costs are comparable to or lower than the alternatives. Such an approach would not necessarily require the participation of all cities.	
2. What is your preference on who performs those services? (Agency, County, Mix)			
Consensus Agency until Feb. 2017, but re-evaluate post Feb. 2017	a. Composting	Prefer County operation	
Consensus - Agency	b. Household Hazardous Waste	Prefer County operation	
Consensus - Agency	c. Education	Prefer County operation	
Consensus - Agency	d. Planning and Reporting	Prefer County operation	
3. If there is a preference for responsibilities remaining with the Agency, what is your preference on the term of the Agency? (25 Years, No Fixed Term)			
Majority preferred no fixed term		Slight preference for limited term of 25 years, with review required at 10 years.	
4. Do you wish to have a mechanism for members to opt out of some Agency programs?			
No consensus reached; many different opinions		Yes, so long as jurisdiction which opts out pays all financial costs to the Agency.	

<p>Question?</p> <p>Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)</p>		
Board Consensus at June 2014 Strategy Discussion (9 members present)		Rohnert Park Draft Recommendations
<b>5. Do you want a unanimous vote requirement on the following items: Budget Approval, Capital Expenditure greater than \$50,000, Major Program Expansion?</b>		
2 yes		Strongly prefer no unanimous vote requirements. Prefer super-majority requirements for capital improvements over \$50,000. Show stopper: Major program expansions and/or new programs need to be approved by each jurisdiction to take effect in that jurisdiction.
<b>6. Would you prefer a supermajority approval of the items?</b>		
7 yes		
	<b>a. Purchase of Real Property</b>	Strong preference
	<b>b. Incur Debt Greater than \$250,000</b>	Strong preference
	<b>c. Adopt Annual Budget</b>	No; prefer majority vote
	<b>d. Adopt Additional Core Programs</b>	Show stopper: Major program expansions and/or new programs need to be approved by each jurisdiction to take effect in that jurisdiction.
	<b>e. Expenditure of Funds Greater than \$250,000</b>	Slight preference
	<b>f. Amendments of the New JPA Agreement</b>	Must return to jurisdictions for JPA Amendments
<b>7. What do you want to comprise a supermajority?</b>		
1 yes	<b>a. Library JPA (7/10)</b>	
6 yes	<b>b. 8/10 Vote</b>	Prefer 3/4 majority for super-majority votes
<b>8. Would you prefer a governance model which allows for a mixture of jurisdiction staff and elected officials or one which only allows elected officials?</b>		
No consensus reached; many different opinions		Show stopper: Each jurisdiction to decide on their representative; no jurisdiction should have the right to dictate to another jurisdiction. Flexibility exists and works well for the Library and Sonoma Clean Power.

<p>Question?</p> <p>Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)</p>		
<p>Board Consensus at June 2014 Strategy Discussion (9 members present)</p>		<p>Rohnert Park Draft Recommendations</p>
<p><b>9. Would you prefer a tiered structure of governance which includes a policy-making board and a technical advisory committee?</b></p>		
Majority - tiered structure		Strongly prefer no two-tier structure requirement in the JPA; the Board should have the flexibility to establish a technical advisory committee if/as it sees fit.
Majority - elected	<p><b>a. Would the policy-making board be composed of elected officials, staff, or a combination?</b></p>	Show stopper: Each jurisdiction to decide on their representative; no jurisdiction should have the right to dictate to another jurisdiction. Flexibility exists and works well for the Library and Sonoma Clean Power. Also, there should be no requirement compelling a jurisdiction to participate in any committee; assignment of staff resources is the responsibility of each jurisdiction.
Majority - staff	<p><b>b. Would the technical advisory committee be composed of elected officials, staff, or a combination?</b></p>	Show stopper: Each jurisdiction to decide on their representative; no jurisdiction should have the right to dictate to another jurisdiction. Flexibility exists and works well for the Library and Sonoma Clean Power.
<p><b>10. Does your City/County Attorney have issues with specific language included in the current JPA and amendments? If so, please describe.</b></p>		
		We anticipate that the City Attorneys (and County Counsel) will address the concerns that they have with language in the current JPA and amendments while leaving policy issue for consideration by the governing bodies.
<p><b>11. Does your City/County Attorney have issues with specific language included in the proposed Third Amendment to the JPA? If so, please describe.</b></p>		
		We anticipate that the City Attorneys (and County Counsel) will address the concerns that they have with language in the current JPA and amendments while leaving policy issue for consideration by the governing bodies.

Board Consensus at June 2014 Strategy	Questions  Please respond to the degree of	Date: June 9, 2015
		Santa Rosa
9 yes	1. Do you want to continue a regional approach for dealing with the following programs?	Yes
Consensus - yes	a. Composting	Yes
Consensus - yes	b. Household Hazardous Waste	Yes
Consensus - yes	c. Education	Yes
Consensus - yes	d. Planning and Reporting	Yes
	2. What is your preference on who performs those services? (Agency, County, Mix)	More information needed to evaluate--costs, options, level of service
Consensus Agency until Feb. 2017, but re-evaluate post Feb. 2017	a. Composting	More information needed to evaluate--costs, options, level of service
Consensus - Agency	b. Household Hazardous Waste	More information needed to evaluate--costs, options, level of service
Consensus - Agency	c. Education	More information needed to evaluate--costs, options, level of service
Consensus - Agency	d. Planning and Reporting	More information needed to evaluate--costs, options, level of service
Majority preferred no fixed term	3. If there is a preference for responsibilities remaining with the Agency, what is your preference on the term of the Agency? (25 Years, No Fixed Term)	Unknown at this time as to term. More information needed to evaluate--cost, options, level of service. Council interested in reviewing other proposals to provide comparisons of cost and services?
No consensus reached; many different opinions	4. Do you wish to have a mechanism for members to opt out of some Agency programs?	Yes
2 yes	5. Do you want a unanimous vote requirement on the following items: Budget Approval, Capital Expenditure greater than \$50,000, Major Program Expansion?	Major Program Expansion should require unanimous vote
7 yes	6. Would you prefer a supermajority approval of the items?	
	a. Purchase of Real Property	unanimous
	b. Incur Debt Greater than \$250,000	super majority ok unless debt related to unanimous item
	c. Adopt Annual Budget	super majority ok unless debt related to unanimous item

Board Consensus at June 2014 Strategy	Questions  Please respond to the degree of	Date: June 9, 2015
		Santa Rosa
	d. Adopt Additional Core Programs	unanimous
	e. Expenditure of Funds Greater than \$250,000	super majority ok unless debt related to unanimous item
	f. Amendments of the New JPA Agreement	unanimous
	7. What do you want to comprise a supermajority?	
1 yes	a. Library JPA (7/10)	ok
6 yes	b. 8/10 Vote	
No consensus reached; many different opinions	8. Would you prefer a governance model which allows for a mixture of jurisdiction staff and elected officials or one which only allows elected officials?	should be at discretion of member
Majority - tiered structure	9. Would you prefer a tiered structure of governance which includes a policy-making board and a technical advisory committee?	need additional information re roles, responsibilities, costs to city
Majority - elected	a. Would the policy-making board be composed of elected officials, staff, or a combination?	combination
Majority - staff	b. Would the technical advisory committee be composed of elected officials, staff, or a combination?	combination
	10. Does your City/County Attorney have issues with specific language included in the current JPA and amendments? If so, please describe.	City Attorney meeting with Agency Attorney and Other City Attorneys to discuss issues based on policy direction by council
	11. Does your City/County Attorney have issues with specific language included in the proposed Third Amendment to the JPA? If so, please describe.	City Attorney meeting with Agency Attorney and Other City Attorneys to discuss issues based on policy direction by council



Board Consensus at June 2014 Strategy Discussion (9 members present)	Questions	Member Jurisdiction
	Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)	City of Sebastopol
9 yes	<b>1. Do you want to continue a regional approach for dealing with the following programs?</b>	Consensus - Yes
Consensus - yes	<b>a. Composting</b>	Consensus - Yes
Consensus - yes	<b>b. Household Hazardous Waste</b>	Consensus - Yes
Consensus - yes	<b>c. Education</b>	Consensus - Yes
Consensus - yes	<b>d. Planning and Reporting</b>	Consensus - Yes
	<b>2. What is your preference on who performs those services? (Agency, County, Mix)</b>	
Consensus Agency until Feb. 2017, but re-evaluate post Feb. 2017	<b>a. Composting</b>	*Determination to be made later
Consensus - Agency	<b>b. Household Hazardous Waste</b>	Consensus - Yes - Agency
Consensus - Agency	<b>c. Education</b>	Consensus - Yes - Agency
Consensus - Agency	<b>d. Planning and Reporting</b>	Consensus - Yes - Agency
Majority preferred no fixed term	<b>3. If there is a preference for responsibilities remaining with the Agency, what is your preference on the term of the Agency? (25 Years, No Fixed Term)</b>	Consensus - 25 years

No consensus reached; many different opinions	<b>4. Do you wish to have a mechanism for members to opt out of some Agency programs?</b>	Consensus - No Opt Out of 4 core programs
<b>Board Consensus at June 2014 Strategy Discussion (9 members present)</b>	<b>Questions Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)</b>	<b>Member Jurisdiction</b>
		<b>City of Sebastopol</b>
2 yes	<b>5. Do you want a unanimous vote requirement on the following items: Budget Approval, Capital Expenditure greater than \$50,000, Major Program Expansion?</b>	No
7 yes	<b>6. Would you prefer a supermajority approval of the items?</b>	
	<b>a. Purchase of Real Property</b>	Yes
	<b>b. Incur Debt Greater than \$250,000</b>	Yes
	<b>c. Adopt Annual Budget</b>	Yes
	<b>d. Adopt Additional Core Programs</b>	Yes
	<b>e. Expenditure of Funds Greater than \$250,000</b>	Yes
	<b>f. Amendments of the New JPA Agreement</b>	To be returned to city council for action
	<b>7. What do you want to comprise a supermajority?</b>	7/10
1 yes	<b>a. Library JPA (7/10)</b>	
6 yes	<b>b. 8/10 Vote</b>	
<b>Board Consensus at June 2014</b>	<b>Questions Please respond to the degree of preference (e.g.,</b>	<b>Member Jurisdiction</b>

<b>Strategy Discussion (9 members present)</b>	<b>no preference, slight preference, must have/showstopper)</b>	<b>City of Sebastopol</b>
No consensus reached; many different opinions	<b>8. Would you prefer a governance model which allows for a mixture of jurisdiction staff and elected officials or one which only allows elected officials?</b>	Mixed Board
Majority - tiered structure	<b>9. Would you prefer a tiered structure of governance which includes a policy-making board and a technical advisory committee?</b>	Preference Mixed Board
Majority - elected	<b>a. Would the policy-making board be composed of elected officials, staff, or a combination?</b>	
Majority - staff	<b>b. Would the technical advisory committee be composed of elected officials, staff, or a combination?</b>	
<b>Board Consensus at June 2014 Strategy Discussion (9 members present)</b>	<b>Questions Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)</b>	<b>Member Jurisdiction</b>
		<b>City of Sebastopol</b>

	<p><b>10. Does your City/County Attorney have issues with specific language included in the current JPA and amendments? If so, please describe.</b></p>	
	<p><b>11. Does your City/County Attorney have issues with specific language included in the proposed Third Amendment to the JPA? If so, please describe.</b></p>	

<div>Questions</div> <div>Date: 06-06-2015</div>		
<div>Board Consensus at June 2014 Strategy Discussion (9 members present)</div> <div>Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)</div> <div>Sonoma</div>		
9 yes	1. Do you want to continue a regional approach for dealing with the following programs?	Council consensus-Yes to retain regional approach for all items a-d below.
Consensus - yes	a. Composting	
Consensus - yes	b. Household Hazardous Waste	
Consensus - yes	c. Education	
Consensus - yes	d. Planning and Reporting	
	2. What is your preference on who performs those services? (Agency, County, Mix)	Council discussion to retain all programs (a-d below) through the Agency. Comments centered around the Agency being a central/neutral agency to provide representation for all participants.

Consensus Agency until Feb. 2017, but re-evaluate post Feb. 2017	<b>a. Composting</b>	
Consensus - Agency	<b>b. Household Hazardous Waste</b>	
Consensus - Agency	<b>c. Education</b>	
Consensus - Agency	<b>d. Planning and Reporting</b>	
Majority preferred no fixed term	<b>3. If there is a preference for responsibilities remaining with the Agency, what is your preference on the term of the Agency? (25 Years, No Fixed Term)</b>	Council majority for 25 year term; Council included comment for consideration of an option to include an second renewal option of 25 years.
No consensus reached; many different opinions	<b>4. Do you wish to have a mechanism for members to opt out of some Agency programs?</b>	Council consensul to allow members to opt out of programs with provision that if there is a financial impact to the Agency, the member will be responsible to pay the costs for the fiscal year for the year of opt out plus the following year thereby guaranteeing the Agency's budget not be compromised.
2 yes	<b>5. Do you want a unanimous vote requirement on the following items: Budget Approval, Capital Expenditure greater than \$50,000, Major Program Expansion?</b>	Council discussion combined question 5 & 6. Council consensus for supermajority vote on all items.

7 yes	6. Would you prefer a supermajority approval of the items?	See item #5
	a. Purchase of Real Property	See item #5
	b. Incur Debt Greater than \$250,000	See item #5
	c. Adopt Annual Budget	See item #5
	d. Adopt Additional Core Programs	See item #5
	e. Expenditure of Funds Greater than \$250,000	See item #5
	f. Amendments of the New JPA Agreement	See item #5
	7. What do you want to comprise a supermajority?	Council consensus on "b" 8 out of 10 members [4/5ths vote]
1 yes	a. Library JPA (7/10)	

6 yes	<b>b. 8/10 Vote</b>	
No consensus reached; many different opinions	<b>8. Would you prefer a governance model which allows for a mixture of jurisdiction staff and elected officials or one which only allows elected officials?</b>	Council consensus mix of staff or elected officials as appointed by member Agency. Council added additional recommendation that the Board consider adding that the Alternate to the Board position also be designated by the member Agency and that only the designated alternate can vote on items that come before the Board. This will assure that in cases where the Boardmember is not available to attend, the designated alternate will be prepared to vote and informed on the agenda items. Designated alternates will also be sent the agenda materials.
Majority - tiered structure	<b>9. Would you prefer a tiered structure of governance which includes a policy-making board and a technical advisory committee?</b>	Council is open to adding a Technical Advisory Committee in a tiered structure.
Majority - elected	<b>a. Would the policy-making board be composed of elected officials, staff, or a combination?</b>	Mix of elected officials or staff based on jurisdiction's preference.
Majority - staff	<b>b. Would the technical advisory committee be composed of elected officials, staff, or a combination?</b>	Mix of elected officials or staff based on jurisdiction's preference.



	<b>10. Does your City/County Attorney have issues with specific language included in the current JPA and amendments? If so, please describe.</b>	City Attorney working cooperatively with SCWMA legal counsel and County Council as needed.
	<b>11. Does your City/County Attorney have issues with specific language included in the proposed Third Amendment to the JPA? If so, please describe.</b>	City Attorney working cooperatively with SCWMA legal counsel and County Council as needed.

# DRAFT

Board Consensus at June 2014 Strategy Discussion (9 members present)	Questions  Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)	Member Jurisdiction								Date: 4/15/15	
		Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park	Santa Rosa	Sebastopol	Sonoma	County of Sonoma	Windsor
9 yes	1. Do you want to continue a regional approach for dealing with the following programs?										3 - yes; 1 - not enough information on composting  4 yes  4 yes  4 yes
Consensus - yes	a. Composting										
Consensus - yes	b. Household Hazardous Waste										
Consensus - yes	c. Education										
Consensus - yes	d. Planning and Reporting										
	2. What is your preference on who performs those services? (Agency, County, Mix)										3 - Agency until Feb; 2017; 1 - wants to see cost of County composting option  4 Agency  4 Agency  4 Agency
Consensus Agency until Feb. 2017, but re-evaluate post Feb. 2017	a. Composting										
Consensus - Agency	b. Household Hazardous Waste										
Consensus - Agency	c. Education										
Consensus - Agency	d. Planning and Reporting										
Majority preferred no fixed term	3. If there is a preference for responsibilities remaining with the Agency, what is your preference on the term of the Agency? (25 Years, No Fixed Term)										2 - no fixed term; 1 - 25 years; 1 - include language to make it easy to review the agreement at any time.

# DRAFT

No consensus reached; many different opinions	<b>4. Do you wish to have a mechanism for members to opt out of some Agency programs?</b>										1 - No, unless remuneration is applied to exiting member to cover cost of loss revenue; 1 - no but perhaps with substantial notice and an opt-out fee; 1 - no; 1 - yes
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# DRAFT

	Questions	Member Jurisdiction							Date: 4/15/15		
		Cloverda	Cotati	Healdsburg	Petaluma	Rohnert	Santa	Sebastopol	Sonoma	County of Sonoma	
Board Consensus at June 2014 Strategy Discussion (9 members present)	Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)										Windsor
2 yes	5. Do you want a unanimous vote requirement on the following items: Budget Approval, Capital Expenditure greater than \$50,000, Major Program Expansion?										4 - no
7 yes	6. Would you prefer a supermajority approval of the items?										3 - yes and the supermajority should be 8/10; 1 - yes and the supermajority should be 7/10
	a. Purchase of Real Property										
	b. Incur Debt Greater than \$250,000										
	c. Adopt Annual Budget										
	d. Adopt Additional Core Programs										
	e. Expenditure of Funds Greater than \$250,000										
	f. Amendments of the New JPA Agreement										
	7. What do you want to comprise a supermajority?										See question 6
1 yes	a. Library JPA (7/10)										
6 yes	b. 8/10 Vote										

# DRAFT

	Questions	Member Jurisdiction							Date: 4/15/15	
		Cloverda	Cotati	Healdsburg	Petaluma	Rohnert	Santa	Sebastopol	Sonoma	County of Sonoma
Board Consensus at June 2014 Strategy Discussion (9 members present)	Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)									
No consensus reached; many different opinions	8. Would you prefer a governance model which allows for a mixture of jurisdiction staff and elected officials or one which only allows elected officials?									
Majority - tiered structure	9. Would you prefer a tiered structure of governance which includes a policy-making board and a technical advisory committee?									
Majority - elected	a. Would the policy-making board be composed of elected officials, staff, or a combination?									
Majority - staff	b. Would the technical advisory committee be composed of elected officials, staff, or a combination?									

Windsor

3 - mixed; 1 - lean toward electeds

Moot based on the response to question 8; do not see the need for a separate staff TAC if staff is allowed on Board

# DRAFT

	Questions	Member Jurisdiction							Date: 4/15/15		
		Cloverda	Cotat	Healdsbu	Petalum	Rohner	Santa	Sebastop	Sonoma	County of Sonoma	
Board Consensus at June 2014 Strategy Discussion (9 members present)	Please respond to the degree of preference (e.g., no preference, slight preference, must have/showstopper)										Windsor
	10. Does your City/County Attorney have issues with specific language included in the current JPA and amendments? If so, please describe.										Based on recent meeting with Agency Counsel Ethan Walsh, the Third Amendment will be redrafted
	11. Does your City/County Attorney have issues with specific language included in the proposed Third Amendment to the JPA? If so, please describe.										

<b>Matrix Summary</b>					
1. Do you want to continue a regional approach for dealing with the following programs?					
a. Composting	Yes: 8	No: 1			
b. Household Hazardous Waste	Yes: 9	No: 0			
c. Education	Yes: 9	No: 0			
d. Planning and Reporting	Yes: 9	No: 0			
2. What is your preference on who performs those services? (Agency, County, Mix)					
a. Composting	Agency: 2	County: 2	TBD: 5		
b. Household Hazardous Waste	Agency: 5	County only: 1	TBD: 1	County pref Agency 2nd: 2	
c. Education	Agency: 5	County only: 1	TBD: 1	County pref Agency 2nd: 2	
d. Planning and Reporting	Agency: 5	County only: 1	TBD: 1	County pref Agency 2nd: 2	
3. If there is a preference for responsibilities remaining with the Agency, what is your preference on the term of the Agency?	No fixed term: 2	25 years: 3	20 yrs min: 1	TBD: 2	Split: 1
4. Do you wish to have a mechanism for members to opt out of some Agency programs?	Yes: 7	No: 2			
5. Do you want a unanimous vote requirement on the following items: Budget Approval, Capital Expenditure greater than \$50,000, Major Program Expansion?	Yes: 2	No: 6	Mixed: 1		
6. Would you prefer a supermajority approval of the items?					
a. Purchase of Real Property	Super majority: 6	Unanimous: 3			
b. Incur Debt Greater than \$250,000	Super majority: 7	Unanimous: 2			
c. Adopt Annual Budget	Super majority: 7	Unanimous: 1	Simple majority: 1		
d. Adopt Additional Core Programs	Super majority: 5	Unanimous: 3	Council: 1		
e. Expenditure of Funds Greater than \$250,000	Super majority: 8	Unanimous: 1			
f. Amendments of the New JPA Agreement	Super majority: 4	Unanimous: 3	Council: 2		
7. What do you want to comprise a supermajority?					
a. Library JPA (7/10)	7 of 10: 5	8 of 10: 3	Unanimous: 1		
b. 8/10 Vote					
8. Would you prefer a governance model which allows for a mixture of jurisdiction staff and elected officials or one which only allows elected officials?	Mixed: 7	Elected: 2			
9. Would you prefer a tiered structure of governance which includes a policy-making board and a technical advisory committee?	Yes: 2	No: 5	Unknown: 2		
a. Would the policy-making board be composed of elected officials, staff, or a combination?	Elected: 2	No real answer: 7			
b. Would the technical advisory committee be composed of elected officials, staff, or a combination?	Staff: 2	No real answer: 7			
10. Does your City/County Attorney have issues with specific language included in the current JPA and amendments? If so, please describe.	All TBD				
11. Does your City/County Attorney have issues with specific language included in the proposed Third Amendment to the JPA? If so, please describe.	All TBD				



Agenda Item #: **10**  
Cost Center: **Organics Reserve**  
Staff Contact: **Chilcott**  
Agenda Date: **6/24/2015**

ITEM: **Do-it-Yourself Composting Education Outreach Ideas**

**I. BACKGROUND**

On May 22, 2015, the Agency Board announced that an agreement to settle a federal water quality lawsuit regarding its compost operations that requires closing the municipal compost operations at the Central Landfill in fall 2015. The Board also announced its intention to consider a site for a permanent composting facility at its June 2015 meeting. Even if a site is selected, the process of developing and constructing a new facility will likely require several years. In the meantime, yard debris collected curbside and at disposal sites countywide will be trucked to out-of-county composting facilities for processing.

Because of the far-reaching impacts closure of the compost facility would have on the region's residents and businesses, development of any programs that could minimize these impacts would be beneficial. Of immediate concern has been the loss of locally and conveniently available compost materials for all levels of agriculture, from home gardens to commercial enterprises. Staff sees opportunity to build on the current home compost education program done in partnership with the University of California Cooperative Extension (UCCE) Master Gardeners (described in more detail below) as a means to provide an alternate local source of compost to the region.

The Agency currently has an agreement expiring June 30, 2016 for \$16,600 per year with the UCCE to provide home composting services to the community. Specific tasks include: 1) Provide home composting and pesticide use reduction education (PURE) at 25 events days per fiscal year; 2) To create a demonstration garden at the Sonoma County Fair; 3) To provide home composting and PURE information at 200 farmer's markets/library series; 4) To print and distribute 10,000 brochures; 5) To conduct 20 school classroom presentations; and, 6) To evaluate the effectiveness of programs.

Regarding legislation, the California Department of Water Resources [Draft Model Water Efficient Landscape Ordinance](http://www.water.ca.gov/wateruseefficiency/landscapeordinance/) <http://www.water.ca.gov/wateruseefficiency/landscapeordinance/> is being drafted that may include compost as a method to reduce landscape water use.

**II. DISCUSSION**

Anticipating public interest in do-it-yourself composting amid changes with Sonoma's municipal composting program, Agency staff reviewed composting and worm composting education conducted by StopWaste, Napa City & County, San Mateo County, City of San Jose and San Francisco Department of the Environment. Agency staff also interviewed potential local partners including the Sonoma County Water Agency, Sonoma Compost Company, UCCE, Marin Carbon Project, Russian River Water Association, Sonoma Valley Worm Farm, Friedmans Home Improvement, The Compost Club (a project of the North Coast Resource Conservation and



Development Council, a 501c3), Sonoma County Green Business Program and Conservation Corps North Bay.

Below is a list of ideas that were generated by these discussions. Most of the activities listed target residents, including Spanish speaking residents. Because composting with worms is a good solution for composting vegetative food waste in space constrained environments, vermiculture education should be included alongside education on traditional composting methods.

Activities targeting businesses and schools, especially small farms, community gardens and landscaping businesses, should also be considered for the greater organics diversion potential.

### **Matrix of potential composting education outreach activities**

Ideas			
1	Video production for how-to compost		
	Target audience: General public	Who could perform the task: UCCE or other contractor to coordinate video production; Agency staff and/or contractor to promote videos using social media.	Funding impact (not including Agency staff time): Agency funds contractor to produce new videos and assist Agency staff with promotion of videos using social media.
	Summary: Create and publicize short 1-minute long how-to compost and worm compost videos.		
2	Conduct composting and worm composting workshops		
	Target audience: General public	Who could perform the task: UCCE or other contractor to teach the workshops; Agency staff and/or contractor to promote the workshops.	Funding impact (not including Agency staff time): Agency funds contractor to manage and conduct the workshops and/or assist with publicity.
	Summary: Conduct hand-on regional composting workshops, including vermicomposting.		
3	Provide composting and vermicomposting bins and accessories		
	Target audience: General public	Who could perform the task: Agency staff to manage and coordinate directly with vendors or through a third-party service.	Funding impact (not including Agency staff time): Agency could bulk purchase bins directly and/or offer discount vouchers through a third party bin vendor.
	Summary: Participating in do-it-yourself composting does not require expensive bins, however some residents will prefer composting using a manufactured container. To meet those needs, low-cost bins could be bulk ordered/managed by Agency staff or through a third-party vendor. To invite more participation, workshop attendees would be provided with a discount voucher subsidized by the Agency.		
4	Facilitate composting at community gardens		
	Target audience: General public	Who could perform the task: Contractor TBD. Agency staff to manage and coordinate contractor.	Funding impact (not including Agency staff time): Agency funds contractor to manage program including the loan or purchase of shredders.

	<b>Summary:</b> Identify a Community Garden "Compost Steward" and create and distribute how-to compost training binders on how to properly manage a compost pile, including vegetative food scraps. As finely ground organic materials quickens the composting process, organize or identity a lending system for shredders.		
<b>5</b>	<b>Professional composting workshop</b>		
	<b>Target audience:</b> Landscapers and small farmers	<b>Who could perform the task:</b> Contractor TBD. Agency staff to manage and coordinate contractor.	<b>Funding impact (not including Agency staff time):</b> Agency could sponsor the workshop and/or subsidize business consulting services.
	<b>Summary:</b> Foster a workshop that could include the Granges, Farmers Guild and the Community Alliance of Family Farmers (CAFF) <a href="http://www.caff.org/">http://www.caff.org/</a> targeting landscapers and small farmers desiring to produce compost on their premises. Presenters could include regulators, case study businesses, etc. Businesses would be provided with a list of consultants offering assistance to businesses on a case-by-case basis.		
<b>6</b>	<b>Conduct worm composting in the schools</b>		
	<b>Target audience:</b> School aged children	<b>Who could perform the task:</b> Compost Club or another contractor. Agency staff to manage and coordinate contractor.	<b>Funding impact:</b> Agency could fund school presentations and vermiculture installations.
	<b>Summary:</b> Conduct schools presentations and set up a commercial worm composting systems. According to the Compost Club, a school with 150 students can be expected to generate 20 lbs of eligible food scraps per week.		

At this time, Agency staff is in the process of further developing strategies, activities and costs for the ideas listed in the matrix # 1-3 targeting the general public. Staff wishes for the Agency Board to be aware of this effort, and to have opportunity to provide ideas, feedback, or suggestions.

### III. FUNDING IMPACT

The SCWMA FY 15-16 Work Plan, adopted by the Agency Board on May 21, 2015, does not allocate staff time to implement Do-it-Yourself Composting Education Outreach.

### IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

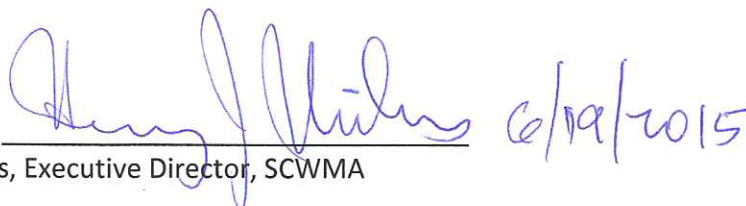
Staff requests the Board concur that developing plans and costs for increasing on-site compost efforts are worthwhile, and that the Board direct staff to return with more developed proposals including known costs so as to determine a course of action.

### V. ATTACHMENTS

None

Approved by:

Henry J. Mikus, Executive Director, SCWMA





Agenda Item #: **11.1.a**  
Agenda Date: **6/24/2015**

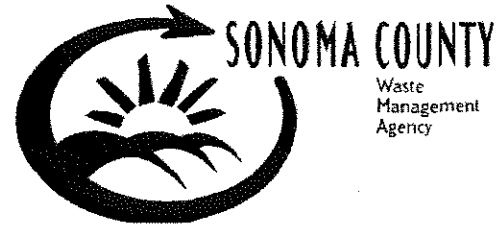
ITEM: **Outreach Calendar June 2015 – July 2015**

**June 2015 Outreach Events**

<u>Day</u>	<u>Time</u>	<u>Event</u>
3	5 PM-8:30 PM	Santa Rosa Downtown Market, Santa Rosa
20	8 AM – 4 PM	E-waste Collection Event – Oakmont Central Facility Parking Lot, Santa Rosa
20	11 AM – 2 PM	Rancho Feliz Mobile Community Resource Fair and Annual Father's Day Barbeque, Rohnert Park
27	11 AM – 1 PM	Community Fair at Leisure Mobilehome Park, Santa Rosa
24-28	12 PM – 10 PM	Sonoma-Marin Fair, Petaluma

**July 2015 Outreach Events**

<u>Day</u>	<u>Time</u>	<u>Event</u>
18-19	8 AM – 4 PM	E-waste Collection Event –Sonoma-Marin Fairgrounds, Petaluma
19	10 AM-6 PM	La Guelaguetza Celebration Sonoma County-Wells Fargo Center for the Arts
24-31	11 AM – 10 PM	Sonoma County Fair, Santa Rosa (Agency exhibit in the Grace Pavillion & in the Greentivities Building)
24-31	11 AM – 6 PM	Sonoma County Fair, Santa Rosa, Master Gardener exhibit outside the Hall of Flowers demonstrating sustainable landscape principles including composting.



May 19, 2015

The Honorable Jimmy Gomez  
 California State Assembly  
 State Capitol, Room 2114  
 Sacramento, CA 95814

**SUBJECT: AB 1159: SHARED RESPONSIBILITY FOR ALKALINE BATTERY RECYCLING AND SAFE NEEDLE MANAGEMENT - SUPPORT**

Dear Assemblymember Gomez:

The Sonoma County Waste Management Agency (SCWMA) is in support of Assembly Bill (AB) 1159, which would create a sustainable, cost-effective and convenient collection and recycling program for two specific products: sharps and household primary batteries sold in California. This bill would finally achieve the goals of state disposal bans for household batteries in 2006 and sharps/needles in 2008.

The SCWMA, formed in April 1992, is the joint powers authority of the nine incorporated cities and the County of Sonoma. The mission of the Agency is waste diversion required by State law AB939. The Agency's programs include household hazardous waste, composting, wood waste recycling, planning and education.

In June 2001, the SCWMA, recognizing that Extended Producer Responsibility (EPR) is a waste management approach that significantly improves our ability to manage discarded hazardous products, approved a resolution supporting EPR policies and efforts by governmental and non-governmental organizations to develop such policies. All nine incorporated cities and the County of Sonoma have since passed EPR resolutions.

The SCWMA supports Extended Producer Responsibility (EPR) policies that shift California's product waste management system from one focused on local government funded and ratepayer financed to one that relies on producer responsibility in order to reduce public costs and drive improvements in product design that promote environmental sustainability.

The SCWMA is the entity responsible for the implementation of household hazardous waste programs to eliminate improper disposal of hazardous wastes, including household batteries and sharps. In Fiscal Year 13/14, the cost to manage 2,275 pounds of home generated sharps collected through Sonoma County's Household Toxics Facility (HHTF) was \$11,660 and the cost to manage 54,739 pounds of household batteries was \$39,723. These costs do not include labor for sorting, taping and packing of batteries.

AB 1159 is a pilot-program that seeks to demonstrate the effectiveness and potential applications of Extended Producer Responsibility (EPR) to the state legislature. EPR is a public policy option that

recognizes the significant public health, environmental, occupational safety and health, and fiscal impacts resulting from some products at the end of their useful life and is successfully used around the world. Batteries and sharps are exceptionally expensive to manage, and sharps create a significant occupational safety hazard for solid waste workers.

AB 1159 will require producers of household batteries and sharps to design, implement and manage a customized collection system that is safe and convenient for California consumers to conveniently recycle and dispose just as they do in other countries. This supports a smaller government, lower tax and garbage rate, private-sector approach with proper state government oversight. The bill does not require manufacturers to bear all of the responsibility for the impact of these products – it just requires a contribution to the efforts already funded by taxpayers and managed by local governments. It's recognition that industry has a role in managing the end-of-life consequences of the products they produce when those products have substantial societal impacts at the end-of-life and that externalizing all the costs is just not fair nor reasonable.

SCWMA is in strong support of this important piece of legislation.

Sincerely,



Henry J. Mikus, Executive Director  
Sonoma County Waste Management Agency

cc: Members of the Assembly Committee on Appropriations Fax: (916) 319-2181

Assembly member Richard Gordon  
Assembly member Das Williams  
Assembly member Mark Stone  
SCWMA Board Members





**FOR IMMEDIATE RELEASE**  
**May 27, 2015**

**Contact:** Heidi Sanborn  
 916-402-3911  
 Heidi@calpsc.org

## **U.S. SUPREME COURT DENIES CHALLENGE TO ALAMEDA COUNTY DRUG DISPOSAL ORDINANCE**

***Decision Opens Door for More Counties to Pass Similar Ordinances,  
 Requiring Industry to Pay Their Fair Share***

**Sacramento, CA** – California local governments have finally received the news they have been waiting for since 2012 – that an industry legal challenge against Alameda County to make producers share in responsibility for safe medicine disposal will not be taken up by the Supreme Court, allowing Alameda, San Francisco, and San Mateo Counties to implement their ordinances and other counties to proceed in adopting similar ordinances.

“The High Court did the right thing – there was no legal reason for this case to be heard by the Supreme Court,” said Robert Kennedy Jr. “Manufacturers should share in the responsibility to manage and pay for their products’ disposal and recycling. This decision upholds a local government’s right to ensure that happens if the state and federal government fail to act.”

Alameda County was the first in the country to adopt an Extended Producer Responsibility (EPR) ordinance and then defend it in court. EPR is a policy approach that shifts the responsibility for waste management costs from solely being the burden of government to include manufacturers as well as the users of these products – the consumer. It is a “fair share” of responsibility and countries including Mexico, provinces of Canada, and much of Europe use it to sustainably fund and operate medication collections.

“It is not fair to have 100% of the costs of disposal externalized on to government without any sharing of responsibility by the producers,” states Heidi Sanborn, Executive Director for the California Product Stewardship Council. Sean Bigley, Chair of CPSC states, “We are encouraged by the Supreme Court’s decision. Not only is this a victory for Alameda County, but for any local government in the nation that is considering a similar ordinance.”

San Francisco adopted an ordinance in March and San Mateo County adopted the third ordinance in April, which was sponsored by Supervisor Adrienne Tissier. “After sponsoring one of the nation’s first county drug disposal programs in 2006, I am delighted by this news,” said Supervisor Adrienne J. Tissier of San Mateo County. “Our County emphasizes collaboration with the pharmaceutical industry in assuring our residents - their customers - will have more options for disposing of unwanted or outdated prescriptions.”

Santa Clara County voted to adopt another ordinance in May with the final adoption hearing scheduled in June, and Santa Barbara is considering a similar move. More counties are likely to follow.

**Background:** The U.S. 9<sup>th</sup> Circuit Federal Court of Appeals upheld an Alameda County ordinance passed in July 2012 requiring drug producers who sell, offer to sell or distribute prescription drugs in Alameda County to collect and safely dispose of the county's unwanted prescription medications. The lawsuit, filed by trade associations representing the manufacturers and distributors of pharmaceutical products, argued that the ordinance violated the dormant Commerce Clause of the US Constitution as it interfered with interstate commerce. In a 3-0 ruling the Court of Appeals denied the appeal saying that the Alameda Ordinance "neither discriminates against nor directly regulates interstate commerce."

Doug Kobold, from Sacramento County, stated, "As the Vice Chair of CPSC, I am very proud that Alameda County was committed to defending this challenge through to the highest court in the land. Equally, I am very proud that CPSC could play a supporting role to Alameda's cause."

Supporters of the Alameda ordinance included [California State Association of Counties](#), [Bay Area Stormwater Management Agencies Association](#), [Clean Water Action](#), [California Nurses Association](#), [Alameda Labor Council](#), [Natural Resources Defense Council](#), and [SEIU United Long Term Care Workers](#) to name a few.

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**California Product Stewardship Council (CPSC)** educates both the public and private sectors about Product Stewardship and closely partners with business, jurisdictions, waste and recycling companies, manufacturers and others to promote and encourage sustainable practices and to recognize those companies who are taking a leadership role in participating in waste reduction and recycling. For more information, please go to: [www.CalPSC.org](http://www.CalPSC.org).



Recharging the planet. Recycling your batteries.™

Lisa Steinman  
Sonoma County Waste Management Agency  
2300 County Center Drive  
Ste. B 100  
Santa Rosa  
CA, 95403

May 2015,

Dear Lisa,

Congratulations! Thanks to support from organizations like yours, Call2Recycle® diverted nearly 12 million pounds of batteries from landfills – increasing our total weight of materials collected in 2014 for an 18<sup>th</sup> consecutive year.

On behalf of the Call2Recycle team, I want to thank you for your participation in our program. It is with great pleasure that we recognize your strong commitment with our Leaders in Sustainability plaque.

Our continued success could not have been achieved without you. Sonoma County Waste Management Agency is setting a powerful example for environmental sustainability by helping divert hazardous materials away from local landfills. With support from organizations like yours, we have been able to collect more than 100 million pounds of rechargeable batteries and cellphones for responsible recycling since 1996.

Once again, congratulations and thank you for participating in Call2Recycle's battery collection and recycling program. We look forward to continued collaboration with you in 2015, and the opportunity to recognize you again next year.

Sincerely,

A handwritten signature in dark ink, appearing to read "Carl E. Smith".

CEO & President  
Call2Recycle, Inc.