

SONOMA COUNTY WASTE MANAGEMENT AGENCY COMPOST FACILITY

Final Environmental Impact Report
State Clearinghouse #: 2008122007

Prepared for
Sonoma County Waste
Management Agency

April 2013



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CHAPTER 1

Introduction

A. CEQA Process

The California Environmental Quality Act (CEQA) requires that before a public agency can make a decision to approve a project with potentially significant environmental effects, an Environmental Impact Report (EIR) must be prepared that fully describes the environmental effects of the project. This EIR analyzes Sonoma County Waste Management Agency's (SCWMA) proposal to construct a new compost facility that would replace the existing composting facility at the Central Disposal Site (referred to in this document as "the project" or "the proposed project"). The new compost facility may be selected from the three sites studied at project-level in this document. These sites include:

- The project site (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;
- The Site 40 Alternative — a 48-acre compost facility located on 390 acres 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 on the 400-acre Central Disposal Site, approximately 1.5 miles southwest of the City of Cotati, off of Mecham Road.

On December 21, 2011, the SCWMA, as the CEQA Lead Agency for the project, released for public review a Draft Environmental Impact Report (Draft EIR or DEIR) on the proposed project. A 45-day public review and comment period on the Draft EIR closed on February 3, 2012. The SCWMA also held a public hearing to receive oral public comment on the Draft EIR on January 18, 2012 in the City of Santa Rosa Council Chambers.

On October 4, 2012, the SCWMA released a Recirculated Draft EIR for the SCWMA Compost Facility. The Recirculated Draft EIR addressed an increase in the amount of material that would be processed at the Central Site Alternative, from 110,000 tons per year (analyzed in the 2011 Draft EIR) to 200,000 tons per year (analyzed in this Recirculated Draft EIR). A 45-day public review and comment period on the Recirculated Draft EIR closed on November 19, 2012. In addition, the SCWMA held a public hearing to receive oral public comment on the Recirculated Draft EIR on October 24, 2012 in the Ray Miller Community Center in Cotati.

This Final EIR consists of written and oral comments received by the SCWMA on the Draft EIR and Recirculated Draft EIR; responses to those comments; and revisions to the Draft EIR and Recirculated Draft EIR prompted by the comments. The Final EIR is an informational document prepared by the Lead Agency that must be considered by decision-makers before approving the proposed project (CEQA *Guidelines*, Section 15090). This document has been prepared pursuant to CEQA and in conformance with the CEQA *Guidelines*.

B. Organization of the Final EIR

This Final EIR contains information in response to comments raised during the public comment period.

Chapter 1 describes the CEQA process and the organization of the Final EIR.

Chapter 2 includes copies of all written comments and the minutes of the two public hearings containing oral comments received by the SCWMA on the Draft EIR and Recirculated Draft EIR. At the beginning of the chapter is a list of all persons and organizations that submitted written comments, and all those who provided oral comments at the two public hearings. Chapter 2 also contains responses to all written and oral comments. Within each comment letter and set of public hearing minutes, individual comments are labeled with a number in the margin. Immediately following each comment letter and set of minutes are responses to each of the numbered comments.

Chapter 3 includes all revisions to the Draft EIR. There are no revisions to the Recirculated Draft EIR. Changes were made in response to comments or by the SCWMA, in order to correct errata, clarify the information presented, or to present new information that has come to light since release of the Recirculated Draft EIR.

C. Recirculation Not Required

While new information is provided in comments, in responses to comments, and in revisions to the Draft EIR, none of the new information constitutes “significant new information” as described in CEQA *Guidelines* Section 15088.5. Therefore, there is no need to recirculate the Draft EIR or Recirculated Draft EIR.

CHAPTER 2

Comments and Responses to Comments

A. List of Persons and Organizations Commenting

Comments on the Draft EIR

State Agencies

- A. Governor's Office of Planning and Research (State Clearinghouse)
- B. Department of Conservation
- C. Department of Transportation
- D. Department of Resource Recycling and Recovery

Regional Agencies

- E. San Francisco Regional Water Quality Control Board
- F. North Coast Regional Water Quality Control Board

Sonoma County Agencies

- G. Department of Transportation and Public Works
- H. Department of Health Services (Local Enforcement Agency)
- I. Permitting and Resource Management Department

Cities

- J. City of Cotati
- K. City of Petaluma

Other Organizations

- L. California Women for Agriculture
- M. Dunham School District
- N. EBA Engineering
- O. North Bay Agriculture Alliance
- P. Sonoma County Winegrape Commission
- Q. University of California Cooperative Extension - Rhonda Smity
- R. University of California, Davis - Frank Mitloehner

Individuals

S. Gloria Altenreuther
T. Thomas P. Altenreuther
U. Scott Bilotta
V. Bob Bogel
W. Rene and Berti Cardinaux
X. Samantha Foster
Y. Joan and Jim Griffin
Z. Yolande Handricks
AA. Jens Kullberg
BB. Margaret Kullberg
CC. Paul and Jill Martin
DD. Dave Martinelli (Tolay Vista Vineyards)
EE. Jim and Luci Mendoza
FF. Jim and Luci Mendoza
GG. Guido Murnig
HH. Herb Roche
II. Ronald Scheuring
JJ. Robert Weaver; Less and Weaver (Attorneys)
KK. Charles Zeglin

Public Hearing Comments

LL. Public Hearing Comments

Comments on the Recirculated Draft EIR

A1. Governor's Office of Planning and Research (State Clearinghouse)
B1. Department of Resource Recycling and Recovery
C1. North Coast Regional Water Quality Control Board
D1. Margaret Kullberg
E1. Margaret Kullberg
F1. Allan Tose
G1. Allan Tose
H1. Nea Bradford
I1. Public Hearing Comments

B. Comments and Responses to Comments

In this section, each comment letter is presented, followed by the responses to the comments contained in that letter. Each comment letter is given a letter designation, as indicated above. Within each letter, individual comments are delineated and numbered. This numbering system is used in the responses, so that each response is clearly referenced to the corresponding comment.



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH



KEN ALEX
DIRECTOR

February 22, 2012

Patrick Carter
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

Subject: Sonoma County Compost Facility
SCH#: 2008122007

Dear Patrick Carter:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 21, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

A-1

Document Details Report State Clearinghouse Data Base

SCH# 2008122007
Project Title Sonoma County Compost Facility
Lead Agency Sonoma County

Type EIR Draft EIR
Description NOTE: Extended Review

The Sonoma County Waste Management Agency is a joint powers authority composed of the County of Sonoma and the nine incorporated jurisdictions within Sonoma County: Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma and Windsor. SCWMA has prepared this DEIR to assess the environmental effects of the construction of a new compost facility in Sonoma County that would replace the existing composting facility at the Central Disposal Site. SCWMA, as the Lead Agency responsible for administering the environmental review for the proposed project, determined that preparation of an EIR is needed because the project has the potential to cause significant effects on the environment. The proposed project would process (either through windrow or aerated static pile [ASP] methods) up to 200,000 tons of compost materials per year. The new compost facility may be selected from the three sites studied at project-level in this document.

Lead Agency Contact

Name	Patrick Carter		
Agency	Sonoma County Waste Management Agency		
Phone	707 565 3579	Fax	
email			
Address	2300 County Center Drive, Suite B100		
City	Santa Rosa	State	CA Zip 95403

Project Location

County	Sonoma		
City			
Region			
Lat / Long	38° 09' 15" N / 122° 31' 0" W		
Cross Streets	Lakeville Highway and Twin House Ranch Road		
Parcel No.	086-120-002		
Township	4N	Range	6W
		Section	
		Base	MDB&M

Proximity to:

Highways	Hwy 37 and 101
Airports	Gnoss Field
Railways	
Waterways	Petaluma River and San Pablo Bay
Schools	
Land Use	Present Use: Grazing and Hay Farming Zoning & GPD: Land Extensive Agriculture

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects; Aesthetic/Visual; Septic System

Note: Blanks in data fields result from insufficient information provided by lead agency.

**Document Details Report
State Clearinghouse Data Base**

Reviewing Agencies	Resources Agency; Department of Conservation; Department of Fish and Game, Region 3; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; San Francisco Bay Conservation and Development Commission; Resources, Recycling and Recovery; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 4; CA Department of Public Health; Regional Water Quality Control Board, Region 2; Native American Heritage Commission; State Lands Commission		
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Date Received	12/20/2011	Start of Review	12/21/2011	End of Review	02/21/2012
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Note: Blanks in data fields result from insufficient information provided by lead agency.

A. Governor's Office of Planning and Research (State Clearinghouse)

- A-1** This comment from the Governor's Office of Planning and Research acknowledges that the SCWMA has complied with the State Clearinghouse review requirements for the Draft EIR, pursuant to CEQA.



DEPARTMENT OF CONSERVATION

Managing California's Working Lands

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

February 6, 2012

VIA EMAIL: patrick.carter@sonoma-county.org

Mr. Patrick Carter, Waste Management Specialist
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B 100
Santa Rosa, CA 95403

Subject: DEIR for the Sonoma County Waste Management Agency Compost Facility -
SCH# 200812207

Dear Mr. Carter:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Sonoma County Waste Management Agency Compost Facility project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

PROJECT DESCRIPTION

The project is the construction of a new compost facility in Sonoma County that would replace the existing composting facility at the Central Disposal Site. The project would process (either through windrow or aerated static pile methods) up to 200,000 tons of compost materials per year. The new facility would service the County of Sonoma and nine incorporated jurisdictions within Sonoma County.

The proposed project would be located on one of three proposed sites: A 70-acre in Sonoma County, approximately 6 miles southeast of the City of Petaluma; Site 40 Alternative would be located on 48-acres in the County, 2.5 miles east of the City of Petaluma at the intersection of Abode Road and Stage Gulch Road (State Route 116); and a third potential site would be located on 38-acres of the 400-acre Central Disposal Site, 1.5 miles southwest of the City of Cotati, off Mecham Road.

There is an existing Williamson Act contract on the 70-acre site, 6 miles southeast of the City of Petaluma, and the County is trying to determine whether to carry out a public acquisition of the site or file for non-renewal and complete a cancellation of the Williamson Act contract.

B-1

DEIR for the Sonoma County Waste Management Agency Compost Facility
 February 6, 2012
 Page 2 of 5

DIVISION COMMENTS

The applicant has four options that can lead to cancellation or termination of the contracts; non-renewal, cancellation in the public interest, cancellation in consistency with the Williamson Act, or if an agency has the ability to enforce eminent domain, public acquisition of Williamson Act contracted land.

B-2

Non-renewal is the first step towards cancellation of a Williamson Act contract. Once started it begins a nine year countdown to termination of the Williamson Act contract. Government Code §51282(a)(2), which covers cancellation conditions and procedures, recognizes the importance of projects that are in the public interest. The Department recognizes that projects proposed for the public good on non prime land can usually meet these requirements, but proposals on prime land may have a more difficult time.

B-3

The city or county must approve a request for cancellation based on specific findings that are supported by substantial evidence. This substantial evidence must prove that there is no other non contracted or non prime land available for the proposed project and that other public concerns regarding the construction of a solar facility substantially outweigh the objectives of the Williamson Act.

B-4

When the County accepts the cancellation applications as complete, notification and a cancellation petition must be submitted to the Division (Government Code §51284.1), and the Board must consider the Department's comments prior to approving a tentative cancellation. Required findings must be made by the Board in order to approve a tentative cancellation (Government Code §51282(c)), and a cancellation fee would need to be paid prior to construction of the project (Government Code §51283).

B-5

Sections 51282 through 51285 outlines the steps necessary for the cancellation of a Williamson Act contract. Section 51284.1 requires the notice for a tentative cancellation of a contract to be sent as soon as the cancellation application is deemed complete, but not less than 30 (thirty) days prior to the scheduled action by the Board or Council. The Board or Council must consider any comments submitted by the Department when making their findings. A notice of the hearing and copy of the landowner's petition shall be mailed to the Director of the Department of Conservation 10 (ten) working days prior to the hearing as a separate application from any CEOA document. The notice must be mailed to:

B-6

Mark Nechodom, Director
 Department of Conservation
 C/o Division of Land Resource Protection
 801 K Street MS 18-01
 Sacramento, CA 95814-3528

Under Government Code section 51282, the city or county must approve a request for cancellation and base that approval on specific findings that are supported by substantial evidence. When cancellation is proposed, the Department recommends that a discussion of the findings be included in the CEOA document.


The Department has included an enclosure that outlines the process for a Public Acquisition of Williamson Act land.

DEIR for the Sonoma County Waste Management Agency Compost Facility
February 6, 2012
Page 3 of 5

Thank you for giving us the opportunity to comment on the DEIR for the Sonoma County Waste Management Agency Compost Facility. Please provide this Department with the date of any hearings for this particular action, information on a proposed public acquisition, or a cancellation petition. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Meri Meraz, Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814, or by phone at (916) 445-9411.

B-7

Sincerely,



John M. Lowrie
Program Manager
Williamson Act Program

Enclosure: Acquisition Notification Provisions of the Williamson Act

cc: State Clearinghouse

DEIR for the Sonoma County Waste Management Agency Compost Facility
 February 6, 2012
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ACQUISITION NOTIFICATION PROVISIONS OF THE WILLIAMSON ACT

Notification provisions of the Williamson Act (Government Code Section 51291) require an agency to notify the Director of the Department of Conservation of the possible acquisition of Williamson Act contracted land for a public improvement. Such notification must occur when it appears that land enrolled in a Williamson Act contract may be required for a public use, being acquired, the original public improvement for the acquisition is changed, or the land acquired is not used for the public improvement. The local governing body responsible for the administration of the agricultural preserve must also be notified.

NOTIFICATION (GOVERNMENT CODE SECTION 51291 (B))

The following information must be included in the notification correspondence.

1. The total number of acres of Williamson Act contracted land to be acquired and whether the land is considered prime agricultural and according to Government Code Section 51201.
2. The purpose for the acquisition and why the parcel was identified for acquisition. If available, include documentation of eminent domain proceedings or a property appraisal and written offer in lieu of eminent domain per GC §§7267.1 and 7267.2 to void the contract per §51295; include a chronology of steps taken or planned to effect acquisition by eminent domain or in lieu of eminent domain.)
3. A description of where the parcel(s) is located.
4. Characteristics of adjacent land (urban development, Williamson Act contracts, noncontract agricultural, etc.)
5. A vicinity map and a location map (may be the same as #8)
6. A copy of the contract(s) covering the land.
7. CEQA documents for the project
8. The findings required under GC Section 51292, documentation to support the findings and an explanation of the preliminary consideration of Section 51292 (Include a map of the proposed site and an area of surrounding land identified by characteristics and large enough to help clarify that no other, noncontract land is reasonably feasible for the public improvement).

ACQUISITION (GOVERNMENT CODE SECTION 51291 (C))

The following information must be included in the notification when land within an agricultural preserve has been acquired. The notice must be forwarded to the Director within 10 working days of the acquisition of the land. The notice must also include the following:

1. A general explanation of the decision to acquire the land, and why noncontracted land is not available for the public improvement.
2. Findings made pursuant to Government Code Section 51292, as amended.
3. If the information is different from that provided in the previous notice sent upon consideration of the land, a general description of the land, and a copy of the contract covering the land shall be included in the notice.

DEIR for the Sonoma County Waste Management Agency Compost Facility
February 6, 2012
Page 5 of 5

SIGNIFICANT CHANGE IN PUBLIC IMPROVEMENT (GOVERNMENT CODE SECTION 51291 (D))

Once notice is given as required, if the public agency proposed any significant change in the public improvement, the Director must be notified of the changes before the project is completed.

LAND ACQUIRED IS NOT USED FOR PUBLIC IMPROVEMENT (GOVERNMENT CODE SECTION 51295)

If the acquiring public agency does not use the land for the stated public improvement and plans to return it to private ownership, before returning the land to private ownership the Director must be notified of the action. Additional requirements apply. The mailing address for the Director is:

Mark Nechodom, Director
Department of Conservation
Division of Land Resource Protection
801 K Street, MS 18-01
Sacramento, CA 95814

B. Department of Conservation

- B-1** The existing Williamson Act contract on site 5A is discussed in Draft EIR Chapter 9, Land Use and Agriculture, on page 9-7 and Figure 9-2. The Draft EIR identifies Impact 9.4, (the project would conflict with an existing Williamson Act Contract), as a significant impact. Mitigation Measure 9.4 in the Draft EIR states the following:

Mitigation Measure 9.4: The County, Applicant or existing property owner would complete one of the following options:

1. File a notice of nonrenewal which would begin a 9-year non-renewal process. At the end of this period the Williamson Act contract would be terminated.
2. Terminate the contract by public acquisition pursuant to the Williamson Act. Public acquisition of Williamson Act lands results in termination of the contract following a consultation process with the County administering body and the DOC. Public acquisition of contracted lands must meet two criteria (California Government Code §51292):
 - a. The location is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve.
 - b. If the land is agricultural land covered under a contract pursuant to this chapter for any public improvement, that there is no other land within or outside the preserve on which it is reasonably feasible to locate the public improvement.

Please see also the response to Comment I-3, regarding recent changes in the County code that may affect this impact.

- B-2** Please see the response to Comment B-1
- B-3** Please see the response to Comment B-1
- B-4** Please see the response to Comment B-1. The comment letter incorrectly identifies this as a solar facility project. We understand that the project, a countywide compost facility, would also be weighed against the objectives of the Williamson Act.
- B-5** Please see the response to Comment B-1. The County Board of Supervisors would consider the Department's comments prior to approving a tentative cancellation.
- B-6** This comment outlines the steps necessary for the cancellation of a Williamson Act contract. As stated in Mitigation Measure 9.4, if the project is approved, the County, Applicant, or existing property owner would initiate one of the options listed for terminating the existing Williamson Act contract. This would include the steps outlined in the comment. As stated in the comment, the County would approve the request based

on findings (the criteria listed in Mitigation Measure 9.4) and substantial evidence supporting the findings. Please see the response to Comment B-1

- B-7** The Department of Conservation will be notified of any hearings for this particular action, and information on a proposed public acquisition, or a cancelation petition.

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5541
FAX (510) 286-5559
TTY 711



*Flex your power!
Be energy efficient!*

February 9, 2012

SONGEN156
SON-116-39.27
SON-37-2.06
SCH 2008122007

Mr. Patrick Carter
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

Dear Mr. Carter:

Sonoma County Compost Facility – Draft Environmental Impact Report

Thank you for including the California Department of Transportation (Department) in the environmental review process for the project referenced above. Of the three project site alternatives studied in the Draft Environmental Impact Report (DEIR), the Department is particularly concerned with how two of the alternatives, Site 5A and Site 40, may potentially impact the existing and future performance of the State Highway System (SHS): US-101, State Route (SR) 116; and/or SR-37.

C-1

As the lead agency, the Sonoma County Waste Management Agency (Agency) is responsible for all project mitigation, including any needed improvements to State highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. This information should also be presented in the Mitigation Monitoring and Reporting Plan of the environmental document. Required roadway improvements should be completed prior to issuance of the Certificate of Occupancy. Since an encroachment permit is required for work in the State right-of-way (ROW), and the Department will not issue a permit until our concerns are adequately addressed, we strongly recommend that the Agency work with the Department to ensure that our concerns are resolved during the California Environmental Quality Act (CEQA) process, and in any case prior to submittal of a permit application. Further comments will be provided during the encroachment permit process; see the end of this letter for more information regarding encroachment permits.

C-2

Please note that any lane configuration changes or modifications on the SHS should be closely coordinated with the Department; in particular, changes to SR-116 with the implementation of Mitigation Measure 12.5b for Site 5A, and Mitigation Measures 22.2 and 22.4 for Site 40.

C-3

The Department's key concern for the Site 40 alternative is the high speed (55 mph) nature of the segment of SR-116 near the site. Between Lakeville Road and Adobe Road, SR-116 has limited shoulder width and, according to the DEIR, is used by bicyclists throughout the day. Therefore, it is highly undesirable to increase truck traffic on this highway segment. Furthermore, according to the Department's accident database, this highway segment has above-average accident rates.

C-4

Mr. Patrick Carter/Sonoma County Waste Management Agency
 February 9, 2012
 Page 2

Please note that the Site 5A alternative is preferred from a traffic safety perspective. The SR-116 (Stage Gulch Road)/Lakeville Road intersection currently has below-average accident rates, and the intersection should be able to accommodate the project traffic with the implementation of Mitigation Measure 12.5b.

C-5

In addition to addressing how the project will contribute its fair share of the costs for the proposed modifications to the SHS, please address how the project will contribute to the mitigation of the long-term cumulative traffic impacts and the degradation of pavement on SR-116 (Impacts 22.5 and 22.7).

C-6

For the turning movement counts and Level of Service (LOS) calculations submitted as an Appendix to the DEIR, only the AM peak period was analyzed. Therefore, please submit these counts and add analysis for the PM peak period for our review. In addition, please submit to the Department the electronic SYNCHRO data files so we can review the cycle lengths, green times, and coordination of the signalized study intersections.

C-7

Encroachment Permit

Please be advised that any work or traffic control that encroaches on State ROW requires an encroachment permit issued by the Department. Further information is available on the following website: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>

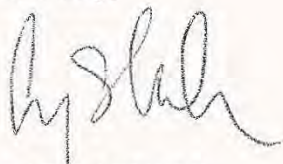
C-8

To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to the address below. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process.

Office of Permits
 California Department of Transportation, District 4
 P.O. Box 23660
 Oakland, CA 94623-0660

Should you have any further questions regarding this letter, please call Connery Cepeda of my staff at (510) 286-5535.

Sincerely,



GARY ARNOLD
 District Branch Chief
 Local Development – Intergovernmental Review

c: Scott Morgan (State Clearinghouse)

C. California Department of Transportation

- C-1** This comment summarizes the points raised in the rest of the comment letter. Please see the following responses.
- C-2** The responsibilities cited by the commenter are acknowledged. The SCWMA will work with Caltrans as appropriate during the environmental review process and the project approval process.
- C-3** The SCWMA will work with Caltrans to implement mitigation measures that would involve changes to the lane configurations on state highways (including Mitigation Measures 12.5b, 22.2 and 22.4).
- C-4** The Draft EIR analyzed potential traffic safety impacts associated with the Site 40 Alternative under near-term (Impact 22.4) and long-term cumulative (Impact 22.6) conditions, and found that the introduction of a substantial number of vehicles turning off and onto Stage Gulch Road (State Route 116) where there were previously very low numbers of such vehicles could increase the potential for vehicle conflicts and collisions in the Site 40 Alternative area. Both impacts were determined to be significant, but the Draft EIR identifies Mitigation Measure 22.4 (installation of warning signs about the presence of trucks turning to and from SR 116) and Mitigation Measure 22.2 (Intersection Improvements) that would mitigate the impact to a less-than-significant level. Please see also the response to Comment D-3.
- C-5** Comment noted.
- C-6** The issues cited by the commenter are addressed in the Draft EIR. As stated on page 22-14 of the Draft EIR, the addition of Site 40 Alternative project-generated traffic would not degrade the service level on the westbound approach (Stage Gulch Road) of the intersection of Stage Gulch Road / Lakeville Highway – Lakeville Road (remaining at LOS E) during the weekday a.m. peak hour, and the average vehicle delay would not increase by more than the five-second threshold of significance. The project impact would be less than significant, and no mitigation would be required. The other study intersections would continue to operate at an acceptable LOS C or better during both peak hours.

As described on page 22-7 of the Draft EIR, a 1.5 percent annual growth rate (based on the percent increase in peak-hour traffic forecasted for the 30-year Sonoma County Transportation Agency model growth projection) was applied to the intersection volumes on Stage Gulch Road during the weekday a.m. and weekend peak hours. As stated on page 22-16 of the Draft EIR, the truck trips generated by the Site 40 Alternative would cause incremental damage and wear to roadway pavement surfaces along the haul route, and the degree to which this impact would occur depends on the roadway's design (pavement type and thickness) and its current condition. State highways, such as State

Route 116, are designed to handle a mix of vehicle types, including heavy trucks, and thus, the project impact on those facilities would be less than significant, and no mitigation would be required.

- C-7** As stated in the comment, the traffic turning movement counts are included in the Draft EIR Appendices – Volume 3. As stated in footnote 1 in Chapter 22 (and elsewhere in the Draft EIR), the weekday p.m. peak-hour level of service (LOS) condition was not analyzed because the current compost facility closes at 3:00 p.m., as would the project facility; and the p.m. peak hour of background traffic on area roadways occurs after 4:00 p.m. Therefore, there would be no measurable p.m. peak-hour vehicle contribution of project traffic during the p.m. peak hour. The TRAFFIX LOS analysis computer program was used instead of the SYNCHRO program; both use the industry-standard analysis methodologies in the Highway Capacity Manual. The cycle lengths and green times are discernible from the LOS calculation sheets in the Draft EIR appendices. Given the rural nature of the study, the traffic signals at the study intersections are assumed not to be coordinated.
- C-8** If and when work related to project improvements within Caltrans right-of-way is planned, an application for a Caltrans encroachment permit will be submitted by the lead agency prior to construction, and potential environmental impacts associated with those project improvements (including mitigation measures) will be evaluated.



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

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February 22, 2012

Mr. Patrick Carter, Waste Management Specialist
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B10
Santa Rosa, California 95403

Subject: **State Clearinghouse (SCH) No. 2008122007** – Draft Environmental Impact Report (EIR) for the design and operation of the *Sonoma County Waste Management Agency Compost Facility (SCCF)*, requiring the issuance of a Solid Waste Facilities Permit (SWFP), Sonoma County.

Dear Mr. Carter:

The California Department of Resources Recycling and Recovery (CalRecycle or Department) staff appreciates the opportunity to review and comment on the proposed SCCF project. CalRecycle staff have reviewed the draft EIR and offer the following comments.

CalRecycle staff would like to extend further assistance to the lead agency by offering CalRecycle permitting and technical staff to be made available for any meetings regarding the planning, development and permitting of the proposed SCCF project site selected for development.

CALRECYCLE STAFF'S QUESTIONS AND COMMENTS

Hours of Operation

The existing composting facility (Central Compost Facility) is located at the Sonoma County Central Disposal Site and currently accepts material during the hours of 7:00 a.m. to 3:00 p.m. Monday through Saturday, with general operation of the facility during the hours of 6:30 a.m. to 5:30 p.m. Although the project may be open to the public on Sundays, the hours of operation would not change for the project from the permitted hours at the Central Compost Facility. Project traffic is proposed for “weekdays” and “weekends”. Cumulative traffic impacts due to the project could expect to be greater on Sundays than on Saturdays on Highway 116 because of the weekend/Sunday commute. The traffic report analyzed for peak hour during weekdays. What is the peak hour(s) on the weekend, specifically Sunday afternoon?

D-1



Proposed Throughput Traffic

During construction project traffic would average 110 vehicles per day (vpd) over an approximate five month period. Proposed traffic for the project is to be 402 vpd on weekdays and 558 vpd on weekends (primarily due to self-haul and compost sales), according to the projected one-way trip generation of 803 and 1,116, respectively (draft EIR Table 12-6). The project anticipates that the project growth rate to be “about three percent per year” (draft EIR page 12-10). CalRecycle staff requests that it is made clear in the draft EIR that these are peak total vehicles to be permitted to enter the SCCF. If they are not peak numbers, then the analysis may require further CEQA review and compliance before a SWFP can be issued.

D-2

Proposed Traffic Improvements

For Site 40 development, trucks would be required to slow down from a posted 55 MPH on Highway 116, in order to turn onto Stage Gulch Road. The traffic analysis in the draft EIR concluded that the average speed on Highway 116 is greater than the posted speed limit. Proposed Mitigation Measure 22.4 will require “warning signs on Stage Gulch Road 250 feet in advance of the access driveway.” The impact to traffic traveling at high speeds on Highway 116 can also be affected by trucks regularly turning onto Stage Gulch Road. Vehicles traveling at 55 MPH or higher have a long distance before they can slow down to almost a stop while trucks are turning. CalRecycle staff suggests that Mitigation Measure 22.4 be amended to include both directions of Highway 116 having signs warning that trucks will be slowing to turn onto Stage Gulch Road.

D-3

Windrow and Aerated Static Pile Composting Methods

The decomposition of organic materials generates off-gases that can be captured and removed from entering the atmosphere using an enclosed composting system with a filter. At project build-out in 2030 some off-gases of concern may be required to be filtered because of their cumulative effect on global warming and air quality. Page 4-35 states that “[a]n Aerated Static Pile (ASP) composting system would be required to mitigate potential air quality impacts. Windrow composting would probably not be acceptable.” Why is Site 40 the only site with this concern under Section 4.11 of the draft EIR, titled *Challenges/Difficulties/Infeasibilities*?

D-4

Volume 2 of the draft EIR in the first section titled *AIR-1* has a compilation of VOCs, reactive organic gasses (ROGs), particulates, etc., that are estimates of criteria pollutants and greenhouse gasses for the windrow composting method and the ASP composting method. In order to compare emissions reductions for each proposed composting method in an informative manner within the text of the draft EIR, please provide a comparison Table in Section 5 of the final EIR that quantifies criteria pollutants and VOC emissions for the Windrow Composting Method, The Windrow Composting Method using a Pseudo-Biofilter and the ASP Composting Method. This Table should measure the emissions in pounds per day for a fixed volume of compost. Decision-makers should be provided this comparison in order to make an informed decision on which composting method provides the greatest emissions reductions quantitatively.

D-5

Volatile Organic Compound (VOC) Generation during Composting

Page 5-30 in the Draft EIR states:

D-6

Mitigation Measure 5.2a: Composting VOC Reduction via Pseudo-Biofilters. The SCWMA shall implement the following control measure to reduce off-gas emissions from composting organic materials:

- Apply finished compost as a pseudo-biofilter to cap active windrows. Estimated VOC reduction of 75 percent (CIWMB, 2007).

The CIWMB study referred to in this mitigation measure was for greenwaste composting and not for food waste composting. Food waste has significantly more nitrogen compared to green waste, therefore the food waste augmented compost would decompose faster and generate considerably more NO_x and ozone precursors in the short term than would be generated by greenwaste composting alone.

ASP Composting Requirement

Page 4-35 in the EIR States:

D-7

“Site 40:

- Would require general plan amendment, zoning change, dealing with Williamson Act contract.
- An Aerated Static Pile (ASP) composting system would be required to mitigate potential air quality impacts. Windrow composting would probably not be acceptable.”

Why would Site 40 and the Central Composting Site require an ASP composting system, to reduce emissions and conserve water, while other sites analyzed in the draft EIR are not required to use the ASP composting system?

Odor Impact Minimization Plan

The Odor Impact Minimization Plan located in Appendix AIR-7 must be site specific and meet the requirements set forth in Title 14 California Code of Regulation (CCR), Section 17863.4, which includes at a minimum the following items:

D-8

- an odor monitoring protocol which describes the proximity of possible odor receptors and a method for assessing odor impacts at the locations of the possible odor receptors; and,
- a description of meteorological conditions effecting migration of odors and/or transport of odor-causing material off-site. Seasonal variations that effect wind velocity and direction shall also be described; and,

- a complaint response protocol; and,
- a description of design considerations and/or projected ranges of optimal operation to be employed in minimizing odor, including method and degree of aeration, moisture content of materials, feedstock characteristics, airborne emission production, process water distribution, pad and site drainage and permeability, equipment reliability, personnel training, weather event impacts, utility service interruptions, and site specific concerns; and,
- a description of operating procedures for minimizing odor, including aeration, moisture management, feedstock quality, drainage controls, pad maintenance, wastewater pond controls, storage practices (e.g., storage time and pile geometry), contingency plans (i.e., equipment, water, power, and personnel), biofiltration, and tarping.

D-8
cont.

Composting Facility Design Components

Page 18-8 in the draft EIR states that: “[i]nstallation of the project 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 [a] detention basin on site, which could be lined to prevent percolation, depending on final site design and permitting.” Impervious means that incapable of being passed through or penetrated. Please define what is considered to be an “impervious” surface(s) for the project and the exact acreage that will be made “impervious”.

D-9

Construction of the compost area at the Central Compost Facility will require the relocation or removal of several monitoring wells that are part of the monitoring program at the Central Disposal Site. Plans to relocate these wells should be submitted to the LEA and CalRecycle for review and approval prior to development of this Alternative.

D-10

Food Waste as a Compost Feedstock

Food waste can sometimes be a difficult feedstock for composting operations because it is highly putrescible. Pre- and post-consumer food waste would likely have been stored prior to collection and would arrive at the proposed SCCF already undergoing decomposition because of the high amount of moisture and nitrogen (less than 30:1 carbon to nitrogen ratio) in food waste. The high nitrogen content and high moisture content of food waste is capable of initiating decomposition quickly with, and without, the presence of oxygen. If oxygen becomes deficient in liquid rich food waste then decomposition will be in an anaerobic state that would create emissions of hydrogen sulfide, ammonia and methane which causes nuisance odors to sinus irritation and potentially explosive conditions, respectively. To prevent this, the food waste should be combined with feedstocks high in carbon and low in nitrogen (high C:N ratio) upon arrival at the SCCF.

Page 3-10 in the draft EIR states that “...feedstock materials containing a large proportion of food scraps could be mixed with processed green material and placed into an aerated static pile

D-11

for a prescribed period of time for the initial composting phase. Once the initial composting is completed, the material could be moved into a windrow stage of composting.” An Aerated Static Pile (ASP) composting system would be required to mitigate potential air quality impacts. Windrow composting would probably not be acceptable. CalRecycle staff strongly recommends that this statement be rephrased to be made a mitigation measure for air quality impacts in Section 5 of the final EIR stating that: Feedstock materials containing a large proportion of food scraps **will** be mixed with processed green material and placed into an aerated static pile for a prescribed period of time for the initial composting phase (Phase 1).

D-11
cont.

Compost Curing and Storage

Page 3-13 in the draft EIR states that: “[f]inished compost (and other products) would be stockpiled on site (subject to Enforcement Agency limitations) prior to being loaded out for delivery to end users.” Please disclose in the final EIR how much finished compost can be stored on site (e.g. storage capacity) for each of the four proposed sites.

D-12

Contaminated Feedstocks

Page 11-5 in the draft EIR states that “[t]he 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.” This statement is misleading; the waste within the “source separated” feedstock that has to be landfilled is considered ‘contamination’ of this single stream waste. How much residual municipal solid waste (MSW) is expected within contaminated feedstocks? If a self-haul customer brings in feedstocks, what amount of MSW and other contamination will require rejection of the material from acceptance at the facility?

D-13

Mitigation Reporting or Monitoring Program (MRMP)

As required by Public Resources Code (PRC) §21081.6, the lead agency should submit an MRMP at the time of local certification of the final EIR. This program should identify the mitigation measures or reporting program or both associated with the proposed project to reduce impacts to a less than significant level, where feasible. The MRMP should contain agencies responsible for ensuring the implementation of the proposed mitigation and conditions of approval are successful, and specify a monitoring/tracking mechanism. PRC §21080(c)(2) requires that mitigation measures “...avoid the effects or mitigate the effects to the point where clearly no significant effects on the environment would occur.” The MRMP is required to be completed as a condition of project approval. PRC §21081.6(b) requires that “A public agency shall provide the measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures.”

D-14

PROPOSED PROJECT DESCRIPTION

Following is a brief project description provided in this letter for CalRecycle staff’s reference:

The Sonoma County Waste Management Agency (SCWMA) is proposing to construct a new compost facility in Sonoma County (County) that would replace the existing compost facility at the Central Disposal Site. The project will be completed in two Phases. Initially, the new facility will need to process approximately 100,000 tons per year (tpy) of green material and 8,000 tpy of wood waste. At project build-out in the year 2030, design parameters of the proposed project will be designed to process up to 200,000 tons of green material and 16,000 tons of wood waste compost feedstocks per year. Any of these three sites (5A, 40, and Central Alternative) may be chosen for project implementation after legal certification of this EIR. The sites include:

- The project site (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;
- The Site 40 Alternative — a 48-acre compost facility located on 390 acres 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 on the 400-acre Central Disposal Site, approximately 1.5 miles southwest of the City of Cotati, off of Mecham Road.

Compost feedstocks that may be composted at the proposed facility include: 1) green material/yard waste; 2) food materials, agricultural materials, including chicken feathers, rice hulls, and bedding materials from a duck farm (to mix with other products). Non-hazardous liquid wastes may also be accepted as a substitute for the water that is added for efficient composting. The compost facility would use a windrow system, aerated static piles (ASP), or a combination of both systems.

Process control parameters for the windrow method include carbon to nitrogen (C:N) ratio, pile size, temperature, moisture content, porosity, and turning frequency. ASP process control will be a closed system with a biofilter for negative pressure and a pseudo biofilter consisting of a layer of finished compost placed on top of windrows for positive pressure when the heat dissipates.

Significant Adverse Environmental Impacts

The proposed project, if implemented, could result in significant adverse environmental impacts. Mitigation measures proposed as part of the project, as well as measures identified by this EIR, would avoid or reduce most of the impacts to a less than significant level. The following significant adverse impacts associated with the proposed project, the Site 40 Alternative, and the Central Site Alternative would be unavoidable, even with the implementation of the mitigation measures identified in this report:

Proposed Project (Site 5A)

- Impact 5.1 – Project construction (either windrow or aerated static pile (ASP) composting option) emissions of NO_x.
- Impact 5.10 – Project contribution during construction (windrow composting option) to cumulative emissions of NO_x.

- Impact 5.11 – Project contribution during construction (ASP composting option) to cumulative emissions of NOx.
- Impact 8.5 – The project would be located within a FEMA-defined 100-year floodplain, and would result in the displacement of flood waters.
- Impact 9.2 – The project has the potential to conflict with the Sonoma County General Plan and Zoning Ordinance, resulting in adverse physical effects.

Site 40 Alternative

- Impact 15.1 – Site 40 Alternative construction (either windrow or aerated static pile (ASP) composting option) emissions of NOx.
- Impact 15.6 – Site 40 Alternative (windrow composting option) may lead to increases in chronic exposure of sensitive receptors in the vicinity to certain toxic air contaminants (TACs) from various stationary and mobile sources.
- Impact 15.10 – Site 40 Alternative contribution during construction (windrow composting option) to cumulative emissions of NOx.
- Impact 15.11 – Site 40 Alternative contribution during construction (ASP composting option) to cumulative emissions of NOx.
- Impact 19.2 – The Site 40 Alternative has the potential to conflict with the Sonoma County General Plan and Zoning Ordinance, resulting in adverse physical effects.
- Impact 19.3 – The Site 40 Alternative would result in the conversion of agricultural land, specifically Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance and Grazing Land.

Central Site Alternative

- Impact 29.2 - 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.

The following significant adverse impacts would be unavoidable if mitigation measures identified in the EIR were found to be infeasible, as the County of Sonoma has ultimate jurisdiction in making the proposed roadway improvements:

- Impact 12.2 – The project could worsen traffic safety at the intersection of Twin House Ranch Road and Lakeville Road due to existing roadway design.
- Impact 12.4 – The project would generate turning movements by heavy vehicles to and from Lakeville Road at Twin House Ranch Road, increasing the potential for road hazard conflicts between project traffic and through traffic under Near-Term Cumulative conditions.
- Impact 12.5 – The project would contribute to significant Long-Term Cumulative traffic volumes at study intersections.
- Impact 12.6 – The project would generate turning movements by heavy vehicles to and from Lakeville Road at Twin House Ranch Road, increasing the potential for road hazard conflicts between project traffic and through traffic under Long-Term Cumulative conditions.

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If SCWMA approves the project despite the identified significant and unavoidable impacts, SCWMA must state the reasons for its action in writing. This “Statement of Overriding Considerations” must be included in the record of project approval.

Unresolved issues related to approval of the project include:

- Choice among Project composting options and Alternatives. Composting options (open windrow and ASP) and project alternatives have been analyzed to allow the SCWMA flexibility in deciding the appropriate compost facility operational parameters and site location.
- Water supply. Water supply would be provided to the proposed compost facility (Site 5A) via a new groundwater well(s) that would be drilled on the project site. The groundwater well would be used to supply up to approximately 130 acre-feet per year. However, at this time the well has not been developed and there are concerns related to the potential brackish water.
- Williamson Act Contract. If the Williamson Act contract is not canceled, use of the site as a compost facility could be determined an incompatible use under the contract. A notice of non-renewal could be filed, starting the 9-year non-renewal process that would terminate the contract or the contract could be terminated by public acquisition pursuant to the Williamson Act.

CONCLUSION

Thank you for the opportunity to comment on the proposed SCCF project in the early planning phases. In accordance with PRC §21092.5(b), CalRecycle staff requests that the Department be notified of the date, time and location of any future hearings on the proposed project. CalRecycle staff are available for scoping meetings, workshops or other public meetings upon request.

D-15

If you have any questions regarding these comments, please contact me at (916) 341-6327, facsimile at (916) 319-7213, or e-mail me at john.loane@CalRecycle.ca.gov.

Sincerely,

Original Signed by:

John Loane, Integrated Waste Management Specialist (IWMS)
Assistance and Permits Branch - North Region
Permitting and LEA support Division
Waste Compliance and Mitigation Program

CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

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cc: State Clearinghouse
Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

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Leslye Choate, Sonoma County LEA
County of Sonoma
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D. Department of Resource Recycling and Recovery

- D-1** As stated in the Draft EIR, the peak traffic hour on weekends is expected to be from approximately 12:15 p.m. to 1:15 p.m. (see Draft EIR page 12-9). The facility may operate and accept materials from the public seven days per week.
- D-2** The traffic volumes are representative of peak operations (200,000 tons per year).
- D-3** In response to the suggestion contained in the comment, Mitigation Measure 22.4 is revised to read as follows:

Mitigation Measure 22.4: Prior to the start of Site 40 Alternative operations the SCWMA shall post warning signs on both sides of Stage Gulch Road 250 feet in advance of the access driveway (Site 40) that cautions drivers about truck traffic entering and exiting the roadway.

The warning signs shall follow guidelines set forth in the *California Manual on Uniform Traffic Control Devices* (Caltrans, 2010).

- D-4** Air quality impacts are potentially significant for all sites. The differences between the sites relate to the effectiveness of different composting methods (windrow vs. ASP) and mitigation measures. Please refer to the response to Comment D-7 for a discussion of Site 40.
- D-5** Air pollutant emission data from Appendix AIR-1 is incorporated into the analysis for Site 5A in Chapter 5 of the Draft EIR. Decision makers should see Tables 5-5 and 5-6 for estimated emissions associated with windrow (mitigated and unmitigated) and ASP composting.
- D-6** It is understood that with food mixed into the greenwaste feedstock, VOC emissions would be greater than with just greenwaste. Therefore, a CIWMB food/greenwaste VOC emission factor was used in the Draft EIR analysis to reflect this difference. The pseudo-biofilter mitigation would reduce VOCs from windrow composting (whether the material is greenwaste or mixed green and foodwaste), and was not applied to NOx emissions, which are not typically associated with composting. The percent reduction in emissions from the pseudo-biofilter is considered the best available information.
- D-7** The outdoor windrow system and aerated static piles (ASP) methods were analyzed for all alternatives except for the Central Site. Only ASP is considered for the Central Site due to space limitations that make the outdoor windrow system infeasible (please refer to the Recirculated Draft EIR). For Site 5A, impacts related to toxic air contaminants could be mitigated to a less than significant level using the windrow system, or by implementing the ASP option. For Site 40, the ASP method would result in a less-than-significant impact for toxic air contaminants, while the windrow system would result in significant impacts despite the implementation of mitigation measures. The discussion on

page 4-35 reflects this analysis; it does not indicate that ASP would **not** be implemented at other locations.

D-8 Appendix A-7 is a record of a public information request to the Bay Area Air Quality Management District (BAAQMD) for odor complaints/violations from the existing compost facility at Meham Road. Mitigation Measure 5.5 (p. 2-8) in the Draft EIR identifies the need for an Odor Impact Minimization Plan (OIMP) that complies with Section 17863.4.

D-9 As relevant to the EIR, the term, “impervious” refers to any facility installed at or above the ground’s surface that would prevent the infiltration of stormwater into the underlying aquifer/groundwater. Examples of impervious surfaces that would be installed within the project area include hardscape surfaces such as buildings and paved areas, as well as other surfaces that prevent the infiltration of water. With respect to the detention basin on site, pond lining would prevent infiltration of stormwater to the subsurface. Therefore, in the event that pond lining is installed on site, this would be considered additional impervious surface area.

With respect to acreage of impervious surfaces on site, implementation of the proposed project and the Site 40 Alternative would result in new impervious surfaces associated with the proposed administrative/maintenance building, the entrance road and scale, arriving and departing circulation area(s), restroom facilities, food pre-processing, equipment fueling/storage facilities, parking, and the stormwater detention pond. Other proposed facilities would remain pervious. In sum, implementation of the proposed project would result in the installation of an estimated 10.8 acres of new impervious surfaces, while implementation of the Site 40 Alternative would result in the installation of an estimated 8.1 acres of new impervious surfaces.

The first sentence on page 8-22 of the Draft EIR is revised as follows:

Installation of the project would result in the construction of approximately 10.8 acres of new impervious surfaces.

The first full sentence on page 8-25 of the Draft EIR is revised as follows:

...needed to enable operation of the facility. ~~The compost operations area would also be impervious to allow for year-round operations.~~

The first full paragraph of page 18-8 of the Draft EIR is revised as follows:

Installation of the project would result in the construction of approximately 8.1 acres 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....

D-10 The Draft EIR includes information on existing monitoring wells. In the event that implementation of the Central Site Alternative would require moving of existing monitoring wells, the County will submit the requested plans to the LEA, the Regional Water Quality Control Board, and CalRecycle for review and approval, before relocation of the wells is initiated. If it is necessary to relocate or remove existing wells the wells will be properly sealed and abandoned to avoid impacts to groundwater quality, in accordance with County and state regulations. Any new replacement monitoring wells would be constructed in accordance with the requirements of Title 27, California Code of Regulations, Section 20415.

D-11 The text in question describes a potential process that includes a combination of ASP and windrow composting and the mixing of feedstock. Blending foodwaste into the substantially greater proportion of greenwaste would be part of the general composting process, regardless of the technology (windrow or ASP) used. For greater clarity regarding mixing food into the greenwaste, the following revisions have been made to page 3-10 of the Draft EIR:

As described above, once processed, the materials would be moved into the composting area for composting. The materials would be composted using either a turned windrow technology (elongated piles) or an aerated static pile technology or a combination of the two. For example, feedstock materials containing a large proportion of food scraps ~~would~~could be mixed with processed green material, and could then be placed into an aerated static pile for a prescribed period of time for the initial composting phase. Once the initial composting is completed, the material could be moved into a windrow stage of composting.

D-12 As noted in the Draft EIR on page 3-13, and by the commenter, stockpiling on site would be limited by applicable state and local regulations. Certain details regarding facility operation would vary among potential applicants for the project regardless of which alternative is selected. The precise amount of compost that would be stored on site is one such detail, and would be determined based on the process chosen by the applicant. However, again, compost storage on site would be required to be in accordance with Enforcement Agency limitations and requirements, which would limit the total amount stored on site.

D-13 Up to but no more than 1% of the incoming feedstock may be composed of non-compostable materials. The facility would be operated in accordance with this standard. In the event that a self-haul or other customer were to bring in a feedstock load containing over 1% of non-compostable materials, the feedstock would be rejected.

D-14 The lead agency will prepare and approve a Mitigation Monitoring and Reporting Plan (MMRP) that identifies the required mitigation measures, the parties responsible for implementation, and the method of monitoring or reporting the implementation of the measures.

- D-15** The lead agency will notify CalRecycle, as a commenting responsible agency, of any public hearings regarding the proposed project, per PRC §21092.5(b).

email

to Patrick Carter (patrick.carter@sonoma-county.org)
from Abigail Smith (asmith@waterboards.ca.gov)
subject DEIR for Compost Facility – Site 5A – CEQA Comments

Hey Patrick,

After looking at the CEQA document summary I have three questions/comments

1. I can't tell if the two unnamed drainages on Site 5A are being filled or impacted | E-1
2. A compost site on a flood plain could result in pollutants being discharged to waters. Have you looked into any non-floodplain sites for this project? | E-2
3. And how does this project comply with existing general plan regulations for project impacting floodplains (ie City of Petaluma, Sonoma County - general plans and or local ordinances)? | E-3

Thanks

Abigail Smith
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E. San Francisco Bay Regional Water Quality Control Board

- E-1** As discussed on page 8-23 of the Draft EIR, implementation of the proposed project would involve re-routing of the course of the two unnamed drainages that are located on site. The drainages would be re-routed around the project site, in order to support continued conveyance of stormwater around the proposed facility. The existing alignments for these drainages would be filled within the project area, and new channels would be cut along the edge of the facility, outside of the proposed levees. The discussion for Impact 8.3, located on Draft EIR pages 8-23 to 8-24, includes mitigation measures that would reduce the intensity of potential impacts associated with the realignment of these two drainages.
- E-2** As discussed on page 3-3 of the Draft EIR, and in Chapter 8 of the Draft EIR, levees would be installed at the proposed project site in order to protect the project area from flooding. Additionally, stormwater would be contained on site in a stormwater detention pond. Stored stormwater would be re-applied to the compost piles, as discussed on page 8-25. Therefore, flood related discharges from the project site during project operations are not anticipated. With respect to non-floodplain sites, both Site 40 Alternative and the Central Site Alternative are located outside FEMA-delineated floodplains. For additional discussion and impact analysis regarding these sites, please refer to Draft EIR Chapter 18 (Hydrology and Water Quality/Site 40 Alternative) and Chapter 27 (Hydrology and Water Quality/Central Site Alternative).
- E-3** The project area and all alternatives would be located outside of the boundary of the City of Petaluma. Therefore, Petaluma General Plan measures would not be applicable to the proposed project or alternatives. Applicable Sonoma County General Plan goals, objectives, and policies that are relevant to the project with respect to flooding are discussed on page 8-13 of the Draft EIR, and were considered in the water resources impact analyses for the proposed project and all alternatives. For additional information, please refer to these portions of the Draft EIR.



Matthew Rodriguez
Secretary for
Environmental Protection

California Regional Water Quality Control Board
North Coast Region
David M. Noren, Chairman

www.waterboards.ca.gov/northcoast
5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403
Phone: (877) 721-9203 (toll free) • Office: (707) 576-2220 • FAX: (707) 523-0135



Edmund G. Brown Jr.
Governor

February 3, 2012

State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812-3044
State.Clearinghouse@opr.ca.gov

Dear State Clearinghouse:

SUBJECT: Sonoma County Waste Management Agency Compost Facility,
Draft Environmental Impact Report SCH # 2008122007

FILE: Sonoma County Waste Management Agency Compost Facility
Sonoma County DPW, Central Solid Waste Disposal Site, 500 Meham
Road, Petaluma, Sonoma County

On January 17, 2012, we received the Sonoma County Waste Management Agency Compost Facility Draft Environmental Impact Report (DEIR), prepared by ESA Associates. The North Coast Regional Water Quality Control Board (Regional Water Board) is a responsible agency under the California Environmental Quality Act (CEQA), with jurisdiction over the quality of ground and surface waters, including wetlands, and the protection of the beneficial uses of those waters. We appreciate the opportunity to comment on the subject document.

The DEIR discusses the three primary and one adjunct alternative sites for potential construction of a large compost facility within Sonoma County. Two of the studied alternatives (Site 5A and Site 40) are located within the jurisdictional area of the San Francisco Bay Area Regional Water Quality Control Board (Region 2). The third alternative site (Central Site Alternative) and the adjunct site (Limited Public Access Alternative) are located within the jurisdictional area of the North Coast Regional Water Board (Region 1). For the purpose of this review, we have focused on the latter two facilities, within our jurisdictional area: the Central Site Alternative and the Limited Public Access Alternative.

The Project as presented involves a proposal to expand and relocate the existing County composting operations to a permanent facility comprising roughly 70 acres of a 100 acre parcel, using either an Open Windrow operation and/or an Aerated Static Pile

California Environmental Protection Agency



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operation. Expansion of the existing operation is necessary to accommodate increasing diversions of ~16,000 tons per year of woodwaste and ~ 200,000 tons per year of greenwastes, agricultural wastes and foodwastes over the next 30+ years. New sources of diverted waste are to include grocery stores, institutional cafeterias, prisons, schools, hospitals and residential food scrap collection in addition to duck farm waste materials, chicken feathers, rice hulls and other agricultural materials. Compost processing waters may include stormwater collected onsite, gray water, and industrial process waters, such as from winery production, etc.

Regional Water Board staff have and continue to support environmentally sound projects geared towards diversion of solid wastes from landfills for reuse as organic materials, soil amendment and composts. We are encouraged to see the County's planning efforts and we look forward to working together towards water quality protection at such facilities.

Based upon our review of the subject Draft EIR, we have the following comments:

1. The owner/operator of the facility will need to submit a Report of Waste Discharge (ROWD) and obtain a permit from the Regional Water Board. The project will be subject to the requirements of the California Code of Regulations Title 27 for waste containment and monitoring, including liner requirements for the working pad(s) and containment pond. The project description mentions a number of working pads, including: grinding and curing pad, final storage pad, finished compost pad and loadout pad. The ROWD for the facility must include liner design specifications and details for each of these operating pads. The ROWD should also include waste characterization for all feedstocks and a design for waste disposal and/or any appropriate land application or reuse program for contact water and leachate. We recommend that the DEIR be amended to address the overall permitting elements. F-1
2. The performance objectives for a project of this nature, for the purposes of water quality protection, are zero discharge to surface waters and appropriate Title 27-compliant waste containment, based on waste characterization, for the protection of ground water. The DEIR does not clearly discuss the need to incorporate all contact water back into compost operations. Please note, an industrial septic system is not designed to effectively treat this type of waste and is not an acceptable option for disposal. F-2
3. The DEIR describes use of a sedimentation pond, phased from small to much larger for treatment of all runoff from the compost operating surfaces. The DEIR should be amended to discuss general pond management, any discharge provisions or engineering and drainage review needs for use of this type of pond. Also important is a discussion of any receiving water that may be affected by grading and drainage changes. F-3

4. This Project and its phases will require coverage under both NPDES General Construction and Industrial Storm Water Permits as follows:

F-4

Construction General Storm Water Permit:

Land disturbances on projects of one acre or more require coverage under the construction general storm water permit. If the land disturbance will be one acre or more, the owner of the property will need to apply for coverage under this permit prior to the commencement of activities on-site. This permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) that identifies BMPs to implement and maintain to minimize pollutant discharges from a construction site. The permit also requires a risk level analysis for the project based on erosion risk and sensitivity of the receiving waters, inspections of construction sites before and after storm events, and every 24 hours during extended storm events, storm event monitoring, and electronic document and data submittal. The permit requires the use of Low Impact Development to treat post-construction storm water runoff from impervious surfaces. Owners may find the permit at http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml.

Industrial General Storm Water Permit:

The proposed project will likely require coverage under the Industrial Storm Water Permit. The permit also requires the preparation and implementation of a Storm Water Pollution Prevention Plan and a way to monitor progress. Industrial Permit SWRCB Order No. 97-03-DWQ is expired and its replacement is currently undergoing public review but is anticipated to be completed shortly. Owners can obtain further information at http://www.waterboards.ca.gov/water_issues/programs/stormwater/indstpermits.shtml

5. We note that the DEIR, Table 3 presents maximum acceptable metals concentrations. The values were adopted in regulation several years ago. Since that time additional information has been generated and suggests that heavy metals in residential settings should be much lower than presented in the table. We recommend that the project proponent identify appropriate maximum metals concentrations for the finished compost based on more recent information, and we recommend contacting Rick Azevedo of our staff at 707-576-2697 for further information in this regard.

F-5

Due to the nature of composting operations, it is difficult to anticipate the types of feedstocks that may be available or contemplated for composting in the future. We support the initial description of agricultural material but are concerned that the actual scope of material that may be composted is left open. At other facilities, our office has established a permit provision within the CAL Recycle permit as well as our own permit providing a process for the facility to propose new feedstocks to the

Local Enforcement Agency (LEA) and Regional Water Quality Control Board (RWQCB) for review and acceptance. This process has worked well to promote communication and ensures proper handling of feedstock while maintaining flexibility for the facility operators. This type of provision will be included in any permit the RWQCB issues and we encourage the LEA to include a mirror of the provision for consistency.

F-5
cont.

6. The DEIR states in several locations that the Central Site alternative would not provide sufficient acreage nor capacity to serve the estimated need (~200,000 tons per year). It is only projected to provide for slightly more than half (~ 110,000 tons per year). Additionally, the DEIR projects full compost pad buildout by 2018 and no limit on materials that could be composted at this site. The DEIR does not state or identify any other location on the 400 acre site that may be planned for storage of finished product, etc. but the need is identified in the Limited Access Alternative. Much of the remaining 400 acre Central Landfill parcel is currently planned for landfill construction and phasing sequences for waste disposal. The DEIR must identify and discuss any "off compost pad" areas proposed for finished compost storage or sales, describing how they will fit with the County's plans to concurrently and fully build out the site as a landfill. This is a critical timing and phasing element that warrants adequate discussion within the DEIR.

F-6

7. Note that there are several elements to the Central Site Alternative that require careful review and integration with the County's ongoing, submitted permit application for construction of landfill expansion areas as follows:

F-7

The western portion of the Central Landfill property has served many purposes over the years; primarily as the soil borrow area for daily/intermediate waste cover operations and stormwater treatment through sedimentation ponds. It has also served as the contractor storage and parking of heavy construction equipment, stockpile yard for landfill construction materials (and bone yard), above ground fuel tank storage and refueling areas, pug-mill rock processing and stockpiles, porcelain/brick processing, recycling and stockpile storage, among others. The impact of removing this available acreage from active landfill operations warrants discussion and environmental review to ensure any cumulative impacts to the landfill operations can be appropriately identified, accommodated and mitigated if needed. The DEIR should be amended to address these issues.

Regional Board staff have commented on a previous Environmental Impact Report for this same parcel and more specifically for this exact location in a Project known as the *Sonoma County Central Landfill, West Canyon Expansion* (~1998-2000). The Project proposed construction of a new waste management unit within the existing west side borrow area that would create capacity for potentially ~2-3 years. No further plans have been submitted to our agency regarding this Project since the time of the EIR Certification in accordance with CEQA. However, a later study

was completed for the same parcel and location that included a siting element, extensive earthquake fault trench excavation/study and groundwater investigation for the entire west side of the county's property, titled *West Expansion Area* (2003) encompassing the full extent of the county's western property boundaries of the Central Landfill parcel(s). The potential capacity projected from this study included landfilling plans for potentially well over 20 years. No further plans have been submitted to our agency regarding the larger plans to development the west side landfill operations.

F-7

At this point, we understand the County's intentions are to review this location for consideration of a permanent compost operation that will serve the county needs for the next ~ 30 years. Construction of a permanent composting operation with inherent buildings, structures, operating pads, lined leachate collection facilities/ponds, access roads, utilities, etc. will occupy the same physical space as those previously studied for other long range planning efforts. However, given the statements within the DEIR indicating that the Central site will not be large enough to accommodate the future estimated composting capacity needs and given that the County has not provided information regarding any other locations planned for landfill development in Sonoma County at this time, we question the long term suitability and viability of this site for the proposed project, and recommend that the County address this issue and clarify its long term waste disposal/management intentions regarding this site.

We look forward to working with the County as this project develops. Thank you for the opportunity to comment on the DEIR. If you have any questions please contact me at (707) 576-2668.

Sincerely,

Original signed by

Terri Cia
Engineering Geologist

120203_TAC_Draft_EIR_SonomaCompost

cc: Patrick Carter, Sonoma County Waste Management Agency, 2300 County Center Drive, Suite B100, Santa Rosa, CA 95403
patrick.carter@sonoma-county.org
Terry Seward, SFBARWQCB, tseward@waterboards.ca.gov
Roger Mitchell, SWRCB, rmitchell@waterboards.ca.gov

California Environmental Protection Agency

F. North Coast Regional Water Quality Control Board

F-1 The SCWMA anticipates that it will pursue acquisition of the required permits, including submission of a Report of Waste Discharge (ROWD), and will adhere to Title 27 requirements as applicable. Applications and permits would be prepared in accordance with Regional Board requirements. A preliminary list of permits that would be required for implementation of the Project is contained on pages 3-18 and 3-19 of the Draft EIR. The text on Draft EIR page 3-19 has been updated as follows:

- ~~San Francisco Regional Water Quality Control Board may issue Waste Discharge Requirements.~~
- The San Francisco Regional Water Quality Control Board or the North Coast Regional Water Quality Control Board may require submission of a Report of Waste Discharge (ROWD) including liner design specifications and operating characteristics of the Project.

F-2 The anticipated management of stormwater and water on site that has come into contact with compost has been updated based on comments received from the North Coast Regional Water Quality Control Board (NCRWQCB) and other commenters. The updated analysis is contained in the Recirculated Draft EIR for the Central Site. Please refer to that document for additional discussion.

F-3 Please see the response to Comment F-2.

F-4 The SCWMA concurs that the project would require a Construction General Stormwater Permit and Industrial General Stormwater Permit. Adherence to the requirements of these permits is discussed throughout the Draft EIR and the Recirculated Draft EIR. A preliminary list of permits that would be required for implementation of the Project is contained on pages 3-18 and 3-19 of the Draft EIR, but these were not included in this list. Therefore, the text on Draft EIR page 3-19 has been updated as follows:

- The Department of Resources Recycling & Reuse (CalRecycle) must concur with the LEA issuance of the Compostables Materials Handling Permit.
- Discharges of stormwater from the Project site would be required to acquire coverage under and adhere to the conditions of the Construction General Stormwater Permit during Project construction, and the Industrial General Stormwater Permit during Project operation.

F-5 The current regulatory limits on metals concentrations in compost products are provided on page 3-12 of the Draft EIR, in Table 3-2. Current regulations also include chromium limitations. Therefore, Table 3-2 of the Draft EIR is updated as follows:

TABLE 3-2
MAXIMUM ACCEPTABLE METAL CONCENTRATIONS
Parameter Concentrations (mg/kg)

Arsenic (As)	41
Cadmium (Cd)	39
<u>Chromium (Cr)</u>	<u>1200</u>
Copper (Cu)	1500
Lead (Pb)	300
Mercury (Hg)	17
Nickel (Ni)	420
Selenium (Se)	36
Zinc (Zn)	2800

SOURCE: CIWMB California Code of Regulations Title 14, Chapter 3.1, Article 7, §17868.2, 2009 2012.

It is anticipated that the project will be required to comply with any future changes in the regulatory limit for metals concentrations.

The second part of this comment addresses the types of potential feedstocks that may be used in support of composting processes on site. Proposed feedstocks that are being considered within the scope of this project are discussed on Draft EIR pages 3-1 and 3-2, and include the following categories: green materials (yard waste), food material, and agricultural materials, with additional details provided in the Draft EIR.

Based on the recommendations provided by the commenter, ESA contacted Rick Azevedo of the NCRWQCB on June 27, 2012 to discuss feedstocks that could be utilized on site. The commenter generally recognizes the desire of the Project proponent to maintain flexibility in facility operations, but is concerned that composting of inappropriate materials could occur. Composting of inappropriate/non-compostable materials, such as materials containing high levels of non-degradable pollutants (primarily metals), hazardous wastes, and other materials, could result in detrimental effects on water quality.

The State Water Resources Control Board (SWRCB) is currently considering implementation of a proposed statewide order for composting facilities (waiver). A draft version of the waiver has been circulated for public comment, and includes a series of proposed feedstock limitations that would protect water quality from degradation as a result of potential water quality pollutants contained in incoming feedstocks. The draft waiver includes a proposed list of waste materials that would be prohibited from being utilized as a composting feedstock. This list of prohibited materials has been incorporated into the project description for the Draft EIR, in order to ensure that inappropriate materials such as hazardous wastes and contaminated materials would not be composted.

Page 3-2 of the Draft EIR is updated as follows:

... Non-hazardous liquid wastes may also be accepted as a substitute for the water that is added for efficient composting. The compost facility would use a windrow system, aerated static piles, or a combination of both systems.

The State Water Resources Control Board (SWRCB) has proposed certain limitations on composting feedstocks, in order to prevent degradation of water quality as a result of stormwater or other water contacting composting materials. Based on the recommendations provided in the SWRCB's *Draft Concepts for a Proposed Statewide Order for Composting Facilities*, the following wastes would be prohibited from use as composting feedstock during project operations:

- Hazardous wastes (consistent with CCR Title 14, Section 17855.2(c))
- Ash with contaminants of heavy metals
- Wood with contaminants of heavy metals and other preservatives
- Petroleum wastes
- Medical wastes (consistent with CCR Title 14, section 17855.2(b))
- Mammalian tissue, except when from the food service industry, grocery stores, or residential food scrap collection, or as part of a research composting activity (consistent with CCR Title 14, Section 17855.2(a))
- Septage
- Sludges

The current location of SCWMA's compost facility has been considered temporary since its establishment at the Central Disposal Site in 1993. As a result of the composting operation being located on the landfill, future capacity for municipal waste disposal at the Central Disposal Site is restricted. This project would allow existing compost operations to be relocated from the current location at the County's Central Disposal Site.

F-6 The lead agency has determined that it is potentially feasible to process 200,000 tons of material at the Central Site. This determination formed the basis for recirculation of the Central Site Alternative from the Draft EIR. The Recirculated Draft EIR incorporates an updated Project design that includes 200,000 tons per year of capacity, with revised drawings showing the proposed facilities, their layout, and location with respect to the landfill facilities. Offsite storage areas would not be required under the Central Site Alternative, as discussed in the Recirculated Draft EIR. Potential environmental effects of the revised alternative are discussed throughout the Recirculated Draft EIR.

F-7 The status of the existing landfill, as well as recent developments with respect to landfill planning, are discussed in the Recirculated Draft EIR for the Central Site Alternative.

Please refer to that document for additional discussion and information. Conflict of the Central Site Alternative with existing and proposed future landfill management operations is not anticipated. Commenter should note that several addenda were completed since completion of the prior EIR for the landfill that was referenced by the commenter. A review of proposed/anticipated changes pursuant to these addenda is provided in the Recirculated Draft EIR. Please refer to that document for additional information and analysis.

**COUNTY OF SONOMA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC WORKS**
2300 COUNTY CENTER DRIVE, SUITE B 100
SANTA ROSA, CALIFORNIA 95403

Phillip M. Demery, Director



AREA CODE (707)

ROADS 565-2231
TRANSIT 585-7516
REFUSE 565-7940
AIRPORT 565-7243
AIR POLLUTION 433-5911
FAX 565-2620
www.sonomacountypublicworks.com

February 8, 2012

File: 50-01-17.22

Mr. Patrick Carter
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B 100
Santa Rosa, CA 95403

Re: **Sonoma County Waste Management Agency Compost Facility
Draft EIR - Central Site Alternative**

Dear Mr. Carter:

The Sonoma County Department of Transportation and Public Works, which operates the County owned disposal site where the Central Site Alternative is located, has reviewed the Waste Management Agency's Draft EIR relative to the identified Central Site Alternative, and has the following comments:

- 1) The Central Site Alternative will likely be required as a zero discharge site based on current and future storm water regulations/permits. As such, any need by the proposed facility to use the leachate pipeline to achieve zero discharge should be discussed in the referenced document. G-1
- 2) The Central Site Alternative is proposed to be constructed in phases. The document should describe the timing of the phased construction. Construction for the proposed facility may overlap with the County's proposed construction of landfill liner for the adjoining Central Landfill. The Draft EIR should discuss coordination of construction activities, as well as compliance with regulatory requirements between the two projects. Of particular concern is the large volume of material excavation associated with each phase of construction of the Central Site Alternative. The analysis should include at a minimum: G-2
 - Trucking and placement of materials on and off-site
 - Stock pile locations from construction activities for the respective projects
 - Coordination of blasting activities associated with project construction to comply with permit requirements
 - Any other potential traffic issues associated with the project construction and the impact on existing public traffic using the facility and the nearby road system
- 3) The Central Site Alternative is located within the permitted boundary of the Central Disposal Site. As such, the proposed facility will fall under many of the permit and regulatory requirements for the adjoining facility which include site hours, limitations on construction and blasting activities, nuisance requirements, etc. The Draft EIR should be evaluated and revised where appropriate to fall within the current permit/regulatory requirements of the Central Disposal Site. G-3

The Department recognizes the long term objectives and benefits of diversion of recyclable material through composting, and as such is supportive of the project.

If you have any questions, please contact me at (707) 565-2440.

Very truly yours,

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS


Susan Klassen, Deputy Director
Department of Transportation and Public Works

C: Phil Demery, Director
Trish Pisenti, Landfill Operations Manager

G. Department of Transportation and Public Works

- G-1** The Central Site Alternative has been substantially revised, and a Recirculated Draft EIR for the Central Site Alternative has been published and circulated. Anticipated discharge from the site, as well as the proposed use of a leachate pipeline for the conveyance of runoff from the compost facility into the existing landfill's leachate collection system, are both discussed in the Recirculated Draft EIR. Please refer to that document for additional information.
- G-2** The discussion of phases originally included in the Draft EIR has been revised for the Recirculated Draft EIR. Specifically, phasing is no longer proposed. Excavated soils from the compost facility would be reused on site and/or, per preliminary discussions with landfill staff, would be utilized for operational fill material on site. For additional discussion, please refer to the Recirculated Draft EIR.
- G-3** The project description provided in the Recirculated Draft EIR, and the details of the Central Site Alternative that are analyzed in the Recirculated Draft EIR, take into account permit requirements and limitations where applicable and relevant to the environmental analysis. Additionally, updated discussions of potential effects related to noise and air quality, as well as additional analysis and mitigation for blasting, have been incorporated into the Recirculated Draft EIR. For additional discussion, please refer to the Recirculated Draft EIR.



COUNTY OF SONOMA
DEPARTMENT OF HEALTH SERVICES

Rita Scardaci, PHN, MPH – Director
Mark Netherda, M.D. – Director Public Health Division

February 21, 2011

State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812-3044
State.Clearinghouse@opr.ca.gov

Subject: Sonoma County Waste Management Agency Compost Facility,
Draft Environmental Impact Report SCH# 2008122007

Dear State Clearinghouse;

The Sonoma County Local Enforcement Agency (LEA) and California Resources Recycling & Recovery (CalRecycle) have received and reviewed the Sonoma County Waste Management Agency Compost Facility Draft Environmental Impact Report (DEIR), prepared by ESA. CalRecycle and the LEA are the responsible agencies under the California Environmental Quality Act (CEQA), with jurisdiction over compostable materials handling operations and facility regulatory requirements specified in California Code of Regulations (CCR) Title 14. CalRecycle reviewed the DEIR and provided the attached comments to the LEA on February 21, 2012. The LEA has reviewed the DEIR and the Calrecycle comments and agrees with the DEIR comments provided by CalRecycle.

H-1

Please contact the Leslye Choate, Supervising Environmental Health Specialist at (707) 565-6546 or Leslye.Choate@sonoma-county.org, if you have further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Leslye Choate", is written over a circular stamp.

Leslye Choate, R.E.H.S.
Supervising Environmental Health Specialist

Encl.

C: Christine Sosko, Interim Director of Environmental Health
John Anderson, Environmental Health Specialist III
John Loane, CalRecycle
Patrick Carter, Sonoma County Waste Management Agency

H. Department of Health Services (Local Enforcement Agency)

- H-1** The CalRecycle comment letter referenced in this comment is included as comment Letter D. Please see the responses to comment Letter D.



COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1900 FAX (707) 565-1103

February 21, 2012

Sonoma County Waste Management Authority
 Attn: Mr. Patrick Carter
 2300 County Center Drive, Suite B100
 Santa Rosa, CA 95403

Re: Sonoma County Waste Management Agency Compost Facility;
 Draft Environmental Impact Report (EIR); State Clearinghouse Number: 2008122007

Dear Mr. Carter:

The Sonoma County Permit and Resource Management Department, as a Responsible Agency under CEQA, is pleased to provide the following comments on the December 2011 Draft Environmental Impact Report (EIR) prepared for the Sonoma County Waste Management Agency Compost Facility. These comments are in addition to those comments provided in earlier General Plan Consistency Determinations for the site 40 and Central site alternatives.

- 1) The General Plan recognizes the Countywide Integrated Waste Management Plan (ColWMP) as the principal planning document for solid waste management in the County. The General Plan's Public Facilities and Services Element compliments the policies of the ColWMP. The ColWMP supports the collection of compostable yard waste and organic matter and its treatment as a resource rather than a waste product. As such the proposed composting operation would help the County achieve the goal of reducing the quantity of waste deposited in landfills and fostering a sustainable future. I-1
- 2) Though a General Plan Consistency analysis has been included in the appendices for the Site 40 and the Central Disposal site alternative, no such General Plan Consistency Analysis of the proposed project site has been included or referenced in the EIR document. The absence of such a review draws into question the adequacy of the land use impact determinations for the project site under Chapter 28 and raises the prospect that there could be other General Plan consistency issues for the site. Such an analysis should be conducted before this site is recommended or chosen as the site to pursue development of the composting operation. I-2
- 3) The project site and the Site 40 Alternative are both zoned in the LEA- Land Extensive Agriculture zoning district. Please be aware that since the time EIR preparation was commenced, the County Code has been amended to allow commercial composting as a use allowed with a Use Permit in the LEA district so long as it is incidental to the primary agricultural use, subject to Policy AR-4a of General Plan Agricultural Resources Element. Any such use on a parcel under a Williamson Act Contract must also be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations (Ordinances 5963 and 5964, adopted January 31, 2012). Site 40 is in the Williamson Act and I-3

Compost Facility DEIR - PRMD comment letter Feb. 21, 2012 -continued

could result in consistency issues as discussed in the General Plan consistency determination for that site.

- 4) The proposed project activities include not only the operations that occur on the processing site but also all the greenwaste collection and transport activities. The description of the project proposal and the baseline conditions lack sufficient detail to fully characterize the transport and collection operations including annual miles logged by collection and delivery trucks, vehicle size, vehicle numbers, and origination points. This description should be expanded so that comparisons between alternatives and /or the baseline impacts can be made. Will green waste be transported to the site from as far away as Annapolis? Will the operation accept compost raw materials from or sell compost to sites outside the county? | I-4
- 5) The proposed project site does include several riparian corridors that are protected by the riparian corridor policies of the General Plan. These policies require mandatory setbacks from the designated streams. It is unclear how the proposed design intends to comply with this requirement. This requirement could significantly impede the design and operation of composting facility at the proposed project site off of Twin House Ranch Road. There are no other open space designations at this site. | I-5
- 6) The EIR recognizes that the proposed project site is in the 100-year flood zone, which makes it subject to the County's no-net-fill ordinance standard. It may also have risk and insurance implications. | I-6
- 7) The EIR should also note that the proposed project site is in the area that could potentially be impacted by a sea level rise of 16". The San Francisco Bay Conservation and Development Commission (BCDC) indicate that, according to greenhouse gas emissions scenarios published by the Intergovernmental Panel on Climate Change and the consensus of California's leading climate scientists, the Bay could rise 11 to 18 inches by 2050 and 23 to 55 inches by 2100. The areas of the county that may be inundated along San Pablo Bay are shown in Appendix G of the County's Hazard Mitigation Plan, which demonstrates that the proposed project site is within the projected inundation area. | I-7
- 8) Policy WR-1g of the General Plan seeks to minimize deposition and discharge of sediment, debris, waste and other pollutants into surface runoff, drainage systems, surface water bodies, and groundwater. The proposal states it is intended to prevent runoff from the site by impounding it on site. Mitigation 8.1a requires preparation of a SWPPP to avoid/minimize water quality and discharge impacts during the construction phase and Mitigation 8.1b requires preparation of a fuel spill prevention and response plan. Since compost operations can potentially result in runoff with a high BOD content and the project site is close to ground water and surface water, we believe mitigation should also be included to prevent offsite water quality impacts arising from high organic material concentrations. We believe the mitigation measure should also require monitoring of the downgradient offsite water conditions to assure that the facility's design and operational BMPs are working effectively to prevent offsite water quality impacts arising from high organic material concentrations. | I-8
- 9) The project design and EIR impact analysis should consider and discuss worst case, the two, ten, twenty five , fifty and 100-year 24- hour storm events | I-9

(see: <http://www.wrcc.dri.edu/pcpnfreq.html>)

Compost Facility DEIR - PRMD comment letter Feb. 21, 2012 -continued

- | | |
|---|------|
| <p>10) Impact 12.7 concludes that the proposed project could result in a significant pavement degradation impact but limits the analysis to Lakeville Road and Twin House road. Impact 31.8 concludes that the Central Site Alternative would have a less than significant road wear impact and does not address roadwear impacts at the other sites. The EIR assessment of roadwear impacts is incomplete and inadequate. It provides no analysis of the projected number and typical weight ranges of different truck expected to deliver materialsto or from the site. It also does not assess the range and percentage of different pavement strength existing on the county roads which may receive traffic from green waste pick-up and compost distribution. While trucks may have a small individual impact they all contribute to a cumulative impact along with other heavy trucks. Given the shortage of available road maintenance funds and the safety hazards raised by deteriorated road surfaces the project should be required to provide fair-share mitigation to offset the road wear to the extent that project's truck traffic accelerates road wear and the need for road maintenance expenditures.</p> | I-10 |
| <p>11) Mitigation 5.2b: The water requirements and labor required for dust control could be greatly reduced if biodegradable, environmentally friendly dust suppressants are considered. This should be considered as mitigation.</p> | I-11 |
| <p>12) The proposed project site and Site 40 are in the Sonoma Mountain Area Plan. That Plan encourages: recycling of all recyclable materials and exploration of the potential for public refuse collection sites. The proposed project site is consistent with the Sonoma Mountain Plan.</p> | I-12 |
| <p>13) Given the high water needs of the composting operation it is likely that monitoring of the groundwater well would be required to comply with the General Plan WR-2d and PRMD Policy 8-3-1</p> | I-13 |
| <p>Comments Specific to the Central Disposal Site Alternative:</p> | |
| <p>14) The project description needs to provide additional information, including: a further explanation of the phasing of the project, handling of the large volumes of excavated material; how long the excavation and associated blasting would take for each phase; would rock crushing of blasted materials occur onsite?</p> | I-14 |
| <p>15) The Central site can only accommodate 110,000 tons per year, so the DEIR needs to address what happens to the remaining compost stream in the County (one of the EIR objectives is to establish a compost facility to accommodate current and future quantities). If the material will still be delivered to the Central site for shipment to other locations, then the impacts associated with this need to be considered.</p> | I-15 |
| <p>16) The Air Quality Section does not adequately describe the primary receptors to odor emissions from the site, the Happy Acres subdivision.</p> | I-16 |
| <p>17) The Biological Resources Section needs to acknowledge the presence of a viable population of California red-legged frogs at the Landfill mitigation site off of Hammel Road (CNDDB Occurrence No. 958).</p> | I-17 |
| <p>18) Because the project site is designated within the Santa Rosa Plains Conservation Strategy as "Likely to adversely affect CTS", and the site has potential CTS aestivation habitat (i.e., the site is not compacted hardscape), all areas that would be disturbed by the project (permanent and temporary) must be mitigated according to the strategy. Alternatively, USFWS approved protocol surveys for CTS could be conducted in order to demonstrate presence or absence of CTS onsite. If no CTS are found during the protocol surveys, then</p> | I-18 |

Compost Facility DEIR - PRMD comment letter Feb. 21, 2012 -continued

- | | |
|---|---------------|
| no mitigation would be required. If CTS are found, the mitigation ratios would be determined in consultation with the USFWS and CDFG. | I-18
cont. |
| 19) The DEIR includes no impact discussion regarding noise from blasting, and the associated potential for ground shaking impacts on nearby residences or other landfill facilities. | I-19 |
| 20) Impact 29.2: The discussion of noise generated from the ASP blowers that operate 24-hours a day is lacking detail. Further description and quantification of the potential noise generated by the blowers need to be included in order to fully determine the impact. Following this detailed analysis, the use of noise barriers and their ability to attenuate noise needs to be provided to determine if the impact can be reduced to less than significant. In addition, any potential impacts of the barriers needs to be discussed (i.e. visual and biotic impacts). If the impact is still found to be significant and unavoidable, then the project would appear to be inconsistent with the General Plan, and a General Plan Amendment would likely be required. | I-20 |
| 21) The Traffic and Circulation Section does not discuss the truck trips related to the hauling off site of the 150,000 cubic yards of material in Phase 1, and the 400,000 cubic yards of material to be hauled off-site for Phase 2. How long will these activities take, and will they conflict with all of the other traffic associated with the landfill? Will it cause any temporary intersection impacts requiring mitigation (such as limiting hauling hours). | I-21 |
| 22) The viewpoints described in the Aesthetics Section include private views. The DEIR used the County's Visual Assessment Guidelines which do not require considering views from private property. | I-22 |

If you have any questions regarding the above, you may contact the following PRMD staff:

Chris Seppeler at (707) 565-7353 chris.seppeler@sonoma-county.org or

David Schiltgen at (707) 565-7384 david.schiltg@sonoma-county.org.

Respectfully,



Scott Briggs, PhD
Division Manager- Environmental Review and Special Projects

cc: Jennifer Barrett, PRMD Deputy Director

I. Permit and Resource Management Department (PRMD)

- I-1** SCWMA acknowledges PRMD's determination that, "...the proposed composting operation would help the County achieve the goal of reducing the quantity of waste deposited in landfills, and fostering a sustainable future."
- I-2** As discussed on page 9-11 of the Draft EIR, in the discussion of Impact 9.2, while Sonoma County PRMD has not completed a General Plan consistency analysis for the project site (Site 5A), it has completed one for Site 40 (discussed in Chapter 19; see also the response to the following comment). Given the similar land use designations and zoning for the project site and Site 40, analysis of the General Plan consistency findings for Site 40 is considered applicable to the project site. General Plan consistency is examined for the project site in Impact 9.2. Please see also the response to the following comment.
- I-3** In light of the recent County Code amendments cited in the comment, SCWMA requested that PRMD update the General Plan Consistency Analysis previously prepared for Site 40. The updated General Plan Consistency Analysis is included in this Final EIR as Appendix A. The conclusion of the analysis is excerpted below:

As a result of Zoning code amendments adopted in 2012, a commercial composting operation could be approved and authorized on Site 40 provided that it obtains prior use permit approval from the County. The hearing body must find the proposal consistent with the General Plan before it could approve any such use permit request.

The proposal could be considered consistent depending upon the weight, and significance assigned to different goals, objectives and policies by the hearing body. Though the project would clearly be consistent with several of the County's General Plan goals with respect to waste reduction and sustainability, it could conflict with several other General Plan policies regarding the preservation of agricultural lands and minimizing impacts on agricultural production.

The General Plan requires agricultural production be the highest priority and primary use on the site and the LEA zoning district requires that the compost operation be incidental and subordinate to the agricultural production and that it minimize impacts to the agricultural production. However, the General Plan does not establish firm thresholds for making the above determinations. There are arguments both pro and con as to whether the proposed compost operation sufficiently avoids conflicts with agriculture and is incidental to onsite agriculture. It is ultimately left up to judgment of the hearing body to determine whether the proposed composting operation is consistent with the above policy directives.

That being said, the project could be designed and conditioned to be consistent with the General Plan if it:

- minimizes the conversion of agricultural lands,
- minimizes impacts to agricultural production,
- Provides a protective easement over the remaining agricultural lands on site, and
- Implements mitigations identified in the project EIR.
- Phase out or cancellation of the Williamson Act contract on the project area or reduce the size of the project to meet the area limitations (not more than 5 acres and 15% of area) specified in the Agricultural Preserve guidelines, or the Board of Supervisors otherwise makes specified findings to consider the project compatible.

To the extent that the project is not found to be consistent with the General Plan's LEA land use or GP Policy AR-4a, a possible alternative approach, not addressed in this GPCD, which may allow the operation to be considered consistent with the General Plan would be to pursue redesignation of the site to the "PQP-Public/Quasipublic" land use Category which accommodates public facilities.

Based on this analysis, there is a possibility, though by no means a certainty, that the Site 40 Alternative could be found to be consistent with General Plan land use policies. If so, Impact 19.2, which the Draft EIR concludes is significant and unavoidable because of the apparent conflict with General Plan policy LU-9d, could in fact be avoidable. Because of the lack of certainty expressed in the General Plan Consistency Analysis, however, the conclusion reached in the Draft EIR for Impact 19.2 is not changed.

Draft EIR Impact 19.3 identifies a significant and unavoidable impact from conversion of farmland to non-agricultural uses. This impact conclusion also appears unlikely to be affected by the recent County Code amendments, and it is not changed.

Given the similar land use designations and zoning for the project site and Site 40, the revised General Plan Consistency Analysis for Site 40 is considered applicable to the project site as well.

- I-4** The baseline for the EIR analysis recognizes that there are already greenwaste collection programs in place throughout the County. The project is not expected to affect collection and transfer programs already in place (though the project may facilitate addition of other materials, such as foodwaste, to existing greenwaste collection programs). The Draft EIR analysis examines the anticipated increase in the volume of materials being delivered to each alternative site. The analysis includes reasonable assumptions based on existing information regarding the existing collection system, including the number of trucks, truck sizes and average distance to each site from Sonoma County transfer stations and the waste centroid. This information is included in Appendix AIR of the Draft EIR.
- I-5** Based on a review of existing conditions and data collected during site surveys at Site 5a, as well as a review of General Plan Policy OSRC-8b and the Open Space Biotic Resources map, it is unclear whether the sloughs located on site are "designated streams,"

with protected riparian corridors subject to the General Plan's mandatory setback requirements. If the sloughs are designated streams, it is likely that they would fall under the "Other" category in Policy OSRC-8b, requiring a setback of 50 feet.

Impact 6.2 in Chapter 6, Biological Resources of the Draft EIR identifies a potentially significant impact of the project on federally jurisdictional wetlands and waters of the State. Mitigation Measure 6.2 includes a setback from wetland features that would not be disturbed by the project. While it is likely that implementation of Mitigation Measure 6.2 would be protective of Sonoma County designated streams and their riparian corridors, consistent with General Plan policies, Policy OSRC-8b is not specifically cited in the impact or the mitigation measure. In order to ensure project compliance with General Plan Policy OSRC-8b, Impact 6.2 and Mitigation Measure 6.2 are revised as follows:

Impact 6.2: Implementation of the project has the potential to result in a loss of waters of the United States and/or waters of the state, including drainages, saline emergent wetlands, freshwater emergent wetlands, and seasonal wetlands, or to impact Sonoma County designated streams and riparian corridors. (Significant)

The project 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. Sonoma County General Plan Policy OSRC-8b requires that developments are set back from streams designated in the General Plan, in order to protect riparian areas. Setbacks are from 50 to 200 feet depending on stream type and location.

Prior to project 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, and a determination of whether any of the water courses on site are considered "designated streams" subject to the General Plan riparian corridor setback policy. 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, and Sonoma County~~, this impact is considered **significant**.

Mitigation Measure 6.2 requires the preparation and verification of a wetland delineation, submittal of the appropriate permits (depending on the results of the wetland delineation), and avoidance, minimization and compensation for impacts on wetlands and other waters of the U.S. Mitigation Measure 6.2 also requires the SCWMA to determine whether any of the watercourses on the site are Sonoma County designated streams, and if so, to adhere to the applicable General Plan setback requirement. A project site has not yet been selected for this project, but this measure spells out the appropriate measures to ensure this impact is reduced to a less-than-significant level. The final terms and conditions of the permits will be determined in consultation with the agencies, following project approval.

Mitigation Measures

Mitigation Measure 6.2: Avoid Disturbance of, or Compensate for Loss and Disturbance of, Jurisdictional Waters of the U.S. and/or Waters of the State and/or Sonoma County “Designated Streams” Resulting from Construction Activities.

- The SCWMA shall prepare a wetland delineation prior to project construction, the results of which will determine the type and acreage of wetland habitat present on the project site, for verification by the Corps. Following the verification, if jurisdictional wetlands and/or other waters of the U.S. occur within the project site, the SCWMA shall obtain and comply with federal and state permit requirements pertaining to impacts to wetlands and/or waters of the U.S., including a Section 404 permit and a Section 401 Water Quality Certification. If it is determined that there are no Waters of the U.S. on the project site, SCWMA shall prepare a report of waste discharge under the Porter Cologne Act. The SCWMA shall protect wetland habitats that occur near the project site by installing environmentally sensitive area fencing at least 20 feet from the edge of the feature. Depending on site-specific conditions and permit requirements, this buffer may be wider than 20 feet. 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.
- The SCWMA shall comply with the no net loss of wetland habitat and no significant impacts to potential jurisdictional features policy. The project shall compensate for the unavoidable loss of wetlands at a ratio no less than 1:1. Compensation shall take the form of wetland preservation or creation in accordance with Corps and CDFG mitigation requirements, as required under project permits. Preservation and creation may occur onsite through a conservation

agreement or offsite through purchasing credits at a Corps approved mitigation bank. Compensation may be a combination of onsite restoration/creation, off-site restoration, or mitigation credits. Final compensation will be determined in consultation with the Corps.

- A draft restoration, mitigation and monitoring plan shall be developed in accordance with the Corps' federal guidelines (33 CFR 332.4(c)/40 CFR 230.92.4(c). The plan shall describe how wetlands shall be created and monitored over a minimum period of time.
- If the results of the wetland delineation, as verified by the Corps, indicate that project activities may result in a substantial modification to a river, stream, or lake the SCWMA shall submit an application for a Section 1602 Streambed Alteration Agreement to the CDFG.
- The SCWMA shall also determine whether any of the sloughs or channels existing on the site are considered "Designated Streams" according to Sonoma County General Plan Policy OSRC-8b. The SCWMA shall protect designated streams by adhering to the applicable setback requirement contained in Policy OSRC-8b.

Significance after Mitigation: Less than significant.

- I-6** This comment acknowledges that the Draft EIR recognizes that construction of the project on Site 5A may be inconsistent with General Plan policies for the protection of flood plains. Please refer to Draft EIR Impact 8.5, which identifies the potential conflict with General Plan policy PS-2e, and which concludes that the impact of the loss of floodplain would be significant and unavoidable.
- I-7** Potential secondary effects of climate change, including sea level rise, are discussed in Draft EIR Chapter 33, Other CEQA Considerations. As noted by the commenter the BCDC has provided some of the most recent estimates of climate induced sea level rise specific to the San Francisco Bay. The BCDC has recently updated its estimates of potential sea level rise. The most current data released by the BCDC (2011) indicate a potential increase in sea level (relative to 2000) of 10 to 17 inches by 2050, 17 to 32 inches by 2070, and 31 to 69 inches by 2100. Note that the proposed project (Site 5a) would be potentially affected by climate induced sea level rise, while the Site 40 Alternative and the Central Site Alternative would not be affected by sea level rise due to their topographic elevations being well above sea level.

Page 33-2, 2nd paragraph under the header, "Sea-level Rise," is modified as follows:

The IPCC has attempted to predict the amount of sea-level rise that is likely to occur in the future under various worldwide GHG emissions scenarios over the next century. Results from that study indicate that global sea level could increase by an estimated 7 to 23 inches by 2099, or about 0.6 to 3.8 inches every 10 years (IPCC, 2007b). While several other assessments have been made and there is

some disagreement and uncertainty about sea-level rise projections (Munk, 2002), the 2007 IPCC report contains what is probably the most highly regarded of global scale sea level rise projections published to date. Specific to the San Francisco Bay Area, the Bay Conservation and Development Commission released a study that provides sea level rise projections within the San Francisco Bay, including the vicinity of the project. Estimates included therein indicate that estimated potential sea level rise in San Francisco Bay could reach 10 to 17 inches by 2050, 17 to 32 inches by 2070, and 31 to 69 inches by 2100 (BCDC, 2011).

Page 33.6 has been updated to include a reference to the BCDC's Bay Plan, where the sea rise estimates are published:

Bay Conservation and Development Commission (BCDC), 2011. San Francisco Bay Plan. Available at: http://www.bcdc.ca.gov/laws_plans/plans/sfbay_plan.shtml Accessed May 26, 2012.

- I-8** As discussed on page 8-25 of the Draft EIR, implementation of the proposed project would involve containment of all stormwater on site. As indicated therein, all stormwater flows generated on site, including stormwater from proposed impervious surfaces, would be contained on site. No discharge would occur. Therefore, emissions of biochemical oxygen demand (BOD) from the project site would not occur. No additional mitigation or monitoring is warranted, because no discharge would occur. For a discussion of sufficiency of the proposed stormwater control facilities with respect to storm events of varying intensity, please refer to Comment I-9. Note that these conditions also apply to the Site 40 Alternative, as discussed in Chapter 18, Hydrology and Water Quality/Site 40 Alternative. Stormwater management at the Central Site Alternative has, however, been updated, and is discussed in detail in the Recirculated Draft EIR for the Central Site Alternative.
- I-9** As discussed on page 8-25 of the Draft EIR, all stormwater flows would be contained on site in the proposed detention pond. Additionally, implementation of Mitigation Measure 8.3b would be required, which provides additional stipulations and requirements regarding detention pond sizing. As noted therein, the pond would be sized so as to fully contain all stormwater flows from the site, up to a 100-year storm event plus an extra 10 percent volume capacity. The mitigation measure also requires ponds to be sized to ensure adequate capacity for stormwater discharge throughout the rainy season, such that sufficient capacity would be available in the event of multiple storm events. Therefore, under any of the potential storm events identified by the commenter, all stormwater flows would be contained on site in the proposed detention pond. Water stored in the pond would be re-applied to compost during operations. Note that these conditions also apply to the Site 40 Alternative, as discussed in Chapter 18 of the Draft EIR. Stormwater management at the Central Site Alternative has, however, been updated, and is discussed in detail in the Recirculated Draft EIR for the Central Site Alternative.

I-10 The Draft EIR addressed roadwear impacts for the Site 40 Alternative under Impact 22.7, concluding that the impact would be less than significant. Lakeville Road and Twin House Road were selected as analysis roads for Impact 12.7 because those roads would experience the highest increase in truck traffic generated by the project. The Draft EIR assessment of roadwear impacts is consistent with standard practice for environmental planning documents, wherein the effect of trucks generated by the proposed project on the calculated Traffic Index is examined. The SCWMA does not currently contribute to an existing road maintenance program.

I-11 Application of dust suppressants would be appropriate in exposed areas of the project site that are not actively disturbed (i.e., by trucks or equipment). Mitigation Measure 5.2b (page 5-30 of the Draft EIR) has been revised as follows:

Mitigation Measure 5.2b: Fugitive Dust Control. The SCWMA shall implement best management practices for fugitive dust emission control, including, but not limited to the following:

- Water exposed surfaces two times per day, except during rainy days.
Hydroseed or apply non-toxic, biodegradable soil stabilizers to inactive areas (undisturbed for 10 days or more) of previously graded exposed soil.
- All vehicle speeds on unpaved roads shall be limited to 15 mph. Signage with this speed restriction shall be imposed where appropriate and applicable.

I-12 Comment noted.

I-13 The Draft EIR indicates on page 8-22, second paragraph that compliance with Sonoma County General Plan Policy WR-2d would be required. The impact analysis provided therein requires implementation of Mitigation Measures 8.2a and 8.2b. Implementation of these measures would ensure that the requirements of Policy WR-2d would be implemented, along with applicable water conservation measures. PRMD Policy 8-1-3 (incorrectly cited in the Comment as Policy 8-3-1) implements General Plan Policy WR2-d and would be adhered to in the implementation of these mitigation measures.

I-14 Please see the project description of the Central Site Alternative in the Recirculated Draft EIR, Chapter R4. The revised alternative includes the processing of 200,000 tons of material per year, and the elimination of project phasing.

I-15 The revised project description of the Central Site Alternative in the Recirculated Draft EIR provides for the processing of 200,000 tons of material per year. This eliminates the need to consider the destination and effects of the additional 90,000 tons that were not accommodated under the previous project description.

I-16 The Happy Acres subdivision has been specifically noted as a sensitive receptor on page 24-2 of the Recirculated Draft EIR.

- I-17** Additional description of CNDDDB Occurrence # 958 was added to page 27-8 of the recirculated Draft EIR for the Central Site Alternative.
- I-18** Mitigation for potential impacts to California tiger salamander at the Central Site has been added to Mitigation Measure 25.1 of the Recirculated Draft EIR.
- I-19** Noise and vibration from blasting at the Central Site is analyzed in Impact 29.4 of the Recirculated Draft EIR. Implementation of Mitigation Measures 29.4a through 29.4i would reduce this impact to less than significant.
- I-20** The Recirculated Draft EIR includes an expanded and revised analysis of operational noise and related mitigation under Impact 29.2, and finds that noise from the grinder and loader operations at the nearest residence would exceed the Sonoma County standards and cause a significant and unavoidable impact, even with mitigation. Furthermore, Impact 28.2 of the Recirculated Draft EIR was also determined to be significant and unavoidable since the Central Site Alternative could expose persons to noise levels in excess of standards in the General Plan. Mitigation Measure 32.1 requires a visual screen for the Central Site Alternative area; such screens could be combined with noise barriers. Biological and hydrological considerations of project development are included in Chapters 25 and 27 of the Recirculated Draft EIR, respectively. Noise barriers would be implemented at the Central Site Alternative where feasible and appropriate and would not be developed in areas that could affect sensitive biota or hydrology.
- I-21** Traffic impacts related to construction at the Central Site are addressed in the Recirculated Draft EIR. Note that phasing has been removed from the Central Site Alternative.
- I-22** Viewpoints B and C include both public and private viewers. Viewpoint A is located on a private road, which as the commenter states, is not required under the County's Visual Assessment Guidelines. Nevertheless, Viewpoint A provides a useful location to fully consider the CEQA Guidelines Appendix G issue of "substantial degradation of the existing visual character or quality of the site and its surroundings."

City of Cotati
Sonoma County, California



February 7, 2012

Henry Mikus, Executive Director
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B 100
Santa Rosa, CA 95403

FEB 14 '12 PM 2:33

SUBJECT: COMPOST FACILITY DRAFT EIR

Dear Mr. Mikus,

Thank you for providing the City of Cotati (City) an opportunity to review the draft Compost Facility EIR.

As you know, it was originally envisioned that the compost facility at the Central Landfill would relocate to a new site or be limited to its current throughput of 100,000 tons per year. After the circulation of the draft EIR, new information became available that indicates that the current facility at the Central Landfill could be modified to accommodate the future compost stream of 200,000 tons per year or more.

J-1

If the Sonoma County Waste Management Agency intends to propose the Central Landfill as a viable site for a higher capacity compost operation, the City requests the following additional traffic analysis be performed for the draft EIR:

J-2

1. Study the impact of the existing compost operation on the City; and
2. Study the impact of the additional transfer truck trips passing through the City of Cotati; and
3. Study the impact of the additional local trips passing through the City of Cotati; and
4. Propose mitigations, if any, for the impact of the additional truck trips.

Please consult with City staff on the scope of the requested traffic work before initiating any work. Furthermore, the City can make available any traffic data that we possess to facilitate the study.

If you have any questions, or wish to discuss these comments further, please contact me at 707.665.3620 or dobid@ci.cotati.ca.us.

Sincerely,

Dianne Thompson
City Manager

J. City of Cotati

- J-1** As noted in the comment, information was received in the comments on the Draft EIR that resulted in the SCWMA preparing a Recirculated Draft EIR that analyzed a throughput of 200,000 tons per year.
- J-2** SCWMA staff met with City representatives (on February 3, 2012) prior to preparing the Recirculated Draft EIR. The traffic analysis in the Recirculated Draft EIR fully considered this comment in addition to concerns addressed in the meeting with the City.



CITY OF PETALUMA

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Mayor

Chris Albertson
Teresa Barrett
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Mike Healy
Gabe Kearney
Tiffany Renée
Councilmembers

February 20, 2012

Mr. Patrick Carter, Waste Management Specialist
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403
FAX 707 / 565-3701 PatrickCarter@sonoma-county.org

Re: SCWMA Compost Facility
Draft Environmental Impact Report

Dear Patrick,

The City of Petaluma appreciates the opportunity to review and comment upon the Draft EIR for the above mentioned facility. Generally, the DEIR is presented in a manner easy to read and comprehend. We offer the following comments on the sections of the DEIR most applicable to impacts affecting the City of Petaluma:

1. The Project Description identified potential sites as those with 50 acres or larger, yet two of the three selected sites contain less than the minimum acreage. The Project Description does not explain the reasoning behind the 50-acre minimum but qualifies the "high ranking" of the two smaller sites to determine then feasible. A brief explanation of why the 50 acres was not needed, particularly for the existing 38-acre site would be informative, including why enlarging the existing site is not included as an option in the project description (I noted it is briefly explained on page 4-25 as "there would not be enough space to compost the projected 200,000 tons anticipated by 2030"). This is of particular importance as the first "Primary Objective" defined on page 3-2 is to "relocate" the existing operations from its current location.
2. Adobe Road is an adopted 'Gateway' within the City of Petaluma General Plan 2025; as such, the aesthetics of the site weigh significantly as the eastern entrance to the City. Mitigations for the frontages on Adobe Road and Stage Gulch Road, where the proposed use is visible from the roadways should be adequate in size and dimension to make the site an attractive introduction to the community of Petaluma.
3. The statement (page 2-5) providing that no improvements to Lakeville Highway are needed for Site 40, assumes that traffic will not utilize

K-1

K-2

K-3

Water Resources & Conservation

202 N. McDowell Boulevard
Petaluma, CA 94954

Phone (707) 778-4546

Fax (707) 778-4508

E-Mail:

dwrc@ci.petaluma.ca.us

Ellis Creek Water Recycling Facility

3890 Cypress Drive
Petaluma, CA 94954
Phone (707) 776-3777
Fax (707) 776-3746

- Lakeville to Stage Gulch to access the site. Also the slow moving large rigs turning left from Stage Gulch Road to Adobe Road increases the frequency of conflict with the through traffic traveling west on Adobe Road. Transition or channelization lanes, or other physical improvements, appear to be warranted given this point of conflict.
4. Site 5-A, mitigation 5.1: Air Quality – while the provision of wind breaks is an admirable mitigation, the effectiveness of newly planted trees is extremely marginal. Placement of larger, specimen-sized trees, in multiple staggered rows, should be required for this project. K-3
cont.
 5. Site 5-A, mitigation 5.1: Measurement of soil moisture should be worded as a required by replacing the word “can” with “shall”; also, provide frequency of measurement to ensure compliance. K-4
 6. Site 5-A, mitigation 8.2a: Identifying recycled water or surface water as a potential alternative to use of groundwater does not seem to be a reasonable and viable alternative without discussing trucking and storage impacts as neither exist in proximity to the site. Extensive use of groundwater and the probable saltwater intrusion issues does not appear to be adequately addressed for long-term operational viability of this site. The mitigations appear to be deferral of impact analysis by requiring further studies to address these impacts. K-5
 7. Site 5-A, mitigation 8.3: Placement of detention ponds within a 100-year floodplain only works for the first few storms unless outfall and/or pumping is included to drain the detention pond before the next storms (except for this year’s light rainfall pattern). K-6
 8. Site 40 Alternative, mitigation 15.1: Air Quality - See comment #4 above as fully applicable to this site. K-7
 9. Site 40, mitigation 18.2: Groundwater supply depletion; the four mitigation measures identified on pg. 2-17 do not appear to be sufficient in scope to adequately answer the question of groundwater impacts (e.g. does the existing pond on site have adequate storage capacity to provide adequate flows for the proposed use; the use of graywater assumes adequate water exists in the first place to create the graywater source; the potential use of water from outside sources would also require storage, address the impacts associated with this concept). As with comment #6, above, deferral of the necessary studies appears to be suggested with this impact. K-8
 10. Site 40, mitigation 22.3b: Please quantify the term “regular sweeping” to provide a standard for timing and monitoring for compliance. K-9
- K-10

- | | |
|---|-----------------------|
| <p>11. Site 40, Impact 23, mitigation 24.1: Please refer to Comment #2 of this letter for comments relative to the City of Petaluma General Plan 2025 designation of the Adobe Road corridor as being a "Gateway" to Petaluma. Aesthetic impacts of the proposed use on a portion of the site should be adequately mitigated for timely screening rather than waiting 10 – 15 years for screen planting to grow to provide a meaningful screen. Multiple, staggered rows of specimen-sized trees incorporating berming for additional height, should be provided along the two street frontages where the facility would be visible by passing motorists.</p> | <p>K-11
cont.</p> |
| <p>12. Page 3-14: It is unclear what occurs once the stormwater detention pond reaches capacity during the winter months when irrigation of composting piles does not occur. Is pumping over the 8-foot tall perimeter berm proposed to allow off-site flows? What is the capacity of the pond and what intensity of storm will be held in the pond before overflow occurs? The same concern would apply to the proposed detention pond on Site 40.</p> | <p>K-12</p> |
| <p>13. The aerial photo, Figure 4-2, is so small in scale as to inhibit understanding of the existing improvements on the site. Including a map of the topography of the site, similar to the exhibit Figure 4-10 for the central site, would also facilitate a better understanding of viewscales and stormwater runoff patterns as one begins to read the remainder of the report.</p> | <p>K-13</p> |
| <p>14. The use of the remainder of the site is identified for Site 5-A (continued farming); I was not able to find the discussion on the intended use of the remainder of Site 40. This is of primary importance when the discussion of potential use of City of Petaluma recycled water occurs. Would the water proposed to be used for the recycling activity in lieu of the water currently used for land irrigation, or in addition thereto?</p> | <p>K-14</p> |
| <p>15. Page 4-34, section 4.10 states Site 40 is the environmentally preferred alternative partly due to the lack of improvements needed on Lakeville Road. How does increased truck traffic utilizing the Lakeville/Stage Gulch intersection to access the site not adversely impact Lakeville Highway safety and turning movements?</p> | <p>K-15</p> |
| <p>16. Page 5-25, Acute and Chronic Risk – The assessment of impacts to workers at the Riverside Equestrian Center is an appropriate area of study; however, nothing is noted about the equestrians themselves who spend upward of 2 to 4 hours a day at the site in various forms of physical activity and the adverse impacts to their health due to exposure to air toxins during exertion.</p> | <p>K-16</p> |

- | | |
|---|-------------|
| <p>17. Page 8-21 depletion of groundwater supplies: Earlier in the DEIR document, Site 5A description, states that the owner would continue to utilize the remainder of the site for agricultural purposes. Please clarify the discussion in this section that states the proposed groundwater use for composted would be less than what is used for agricultural uses if both activities occur on the property.</p> | <p>K-17</p> |
| <p>18. Page 12-6 – Accident History on Lakeville at Stage Gulch – these numbers, including six fatalities substantiates the concern that a project located east of this intersection on Stage Gulch would increase truck traffic at this intersection. Mitigations should be incorporated to address the impacts associated with the expected increase in volume.</p> | <p>K-18</p> |
| <p>19. Lakeville is consistently identified as “Lakeville Road” within the document. The roadway within Petaluma is Lakeville Street, which transitions to Lakeville Highway 116 as it leaves Petaluma. Please clarify the correct title for the roadway discussed in the DEIR.</p> | <p>K-19</p> |
| <p>20. Pages 18-3 through 18-6 – Use of City of Petaluma Recycled Water on site. As stated in the DEIR, the Teixeira Ranch currently receives recycled water for agricultural irrigation purposes. The current agreement for the use of recycled water expires in 2013 and is subject to renegotiation at, or before, that time. The City of Petaluma’s General Plan 2025 and Urban Water Management Plan both address the use of recycled water as a potable offset source for the community as continued development increases demand for potable water. While the City has indicated a willingness to discuss the continued serving of recycled water to this site, it would only be done with the provision that the water is purchased and the pumping costs associated with delivery of that water to the site be paid by the customer. Should the County pursue Site 40 as the compost facility we look forward to working with staff to continue and conclude the discussion.</p> | <p>K-20</p> |
| <p>21. Pursuit of the increased water rights on the unnamed tributary to Petaluma Creek should take into account any species impacted by the increased storage or diversion of natural flows utilized by the downstream corridor wildlife inhabitants.</p> | <p>K-21</p> |
| <p>22. Land Use – discussion should include a brief discussion of the City of Petaluma General Plan 2025 identification of Adobe Road as a “Gateway” to the community.</p> | <p>K-22</p> |
| <p>23. Note/Comment: While the discussion of impact to the Petaluma Municipal Airport is appreciated, in reality the implementation and monitoring of the mitigation to avoid the detention pond creating a</p> | <p>K-23</p> |

Mr. Patrick Carter
 Re: DEIR Comments – SCWMA Compost Facility

February 20, 2012
 Page 5

wildlife hazard to aircraft is of primary importance to the continued safe operation of the local airport.

24. Page 22-B – Sonoma County Significance Criteria – Traffic: While the project site and alternatives are located in the County, much of the traffic to and from Site 40 is routed into and through Petaluma (Frates Road, Lakeville Highway access to Highway 101). Discussion of the City of Petaluma significance criteria, levels of impact, General Plan consistency, and general transportation standards should be included in the discussion for those sections of roadways within Petaluma most adversely impacted by the proposed selection of Site 40. Please contact Curt Bates, City Engineer, with any questions regarding City adopted policies and standards.
25. The Petaluma General Plan 2025 (Figure 5-2) identifies Frates Road, Adobe Road, and Lakeville Highway as having Class II bicycle facilities. Mitigation to the increased truck volume on these roadways should include mitigation to bicycle safety impacts as part of the project approval.
26. Scenic Vistas, page 23-3: As stated above, the City General Plan 2025 identifies Adobe Road and Lakeville Highway as 'Gateways' to and from Petaluma. Along with the discussion on the Sonoma County General Plan, this should be referenced in the DEIR discussion and mitigation to preserve, or enhance, views onto the site from surrounding roadways should be incorporated into the mitigation measures.

K-23
 cont.

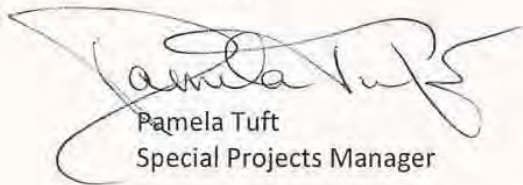
K-24

K-25

K-26

Thank you, again, for the opportunity to offer comments on the DEIR. We look forward to the conclusion of this phase of the project review and participating in the implementation phase.

Sincerely,



Pamela Tuft
 Special Projects Manager

C: John E. Brown, City Manager
 Dan St. John, DPW&U Director
 Remleh Scherzinger, DPW&U Engineering Manager
 Curt Bates, City Engineer
 project file

K. City of Petaluma

- K-1** The 50-acre facility size was identified as a screening criterion in the Composting Facility Siting Study, prepared for SCWMA by HDR Engineering (2008). The study ranked 34 potential sites. While actual design may vary (as shown in Site 40), 50 acres was identified as a size large enough to accommodate the necessary 200,000 tons annually. Although the composting facility layout proposed for Site 40 is slightly below 50 acres (48 acres), the site has 50 acres available (the overall site is 390 acres). While the Central Site did not have 50 acres available, it was included because it is the current location of the composting facility. In addition, the Central Site Alternative has been revised and an analysis of that site, with a proposed facility to process 200,000 tons of material per year, is analyzed in the Recirculated Draft EIR.
- K-2** The Draft EIR acknowledges that Adobe Road is a scenic corridor (although the site itself is not under the jurisdiction of the Petaluma General Plan), and includes Mitigation Measures 23.1 and 23.2 for the Site 40 Alternative, which would reduce visual impacts to less than significant.
- K-3** As stated on page 22-7 of the Draft EIR, contract haulers are prohibited from making a left turn from southbound Lakeville Highway onto Stage Gulch Road due to safety concerns. Therefore, inbound project traffic that otherwise would use Lakeville Highway to Stage Gulch Road to access the site would instead turn left from Lakeville Highway onto Frates Road and then proceed to Adobe Road and Stage Gulch Road to access the site. There is, however, no prohibition that would keep outbound project traffic from making a right turn from Stage Gulch Road onto Lakeville Highway. About 15 percent of outbound project traffic would stay on Stage Gulch Road (by turning right at the Stage Gulch Road / Adobe Road intersection); no project traffic would turn left from Stage Gulch Road to Adobe Road, and no improvements would be warranted at that intersection.
- K-4** Mitigation Measure 5.1 does not specify the size or types of vegetation needed, but it does have a maximum air porosity of 50 percent, which can be achieved with differing strategies. These established wind breaks would also reduce fugitive dust during operations. Mitigation Measure 5.1 (page 5-27 of the Draft EIR) has been revised as follows:
- 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~~ should have at maximum 50 percent air porosity.
- K-5** Mitigation Measure 5.1 (page 5-27 of the Draft EIR), first bullet under “Additional Control Measures” has been revised as follows:

All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content shall ~~can~~ be verified by lab samples or moisture probe once per week, or at greater intervals if testing shows moisture content greater than 12 percent.

- K-6** As discussed on page 8-21 of the Draft EIR, implementation of the project (at Site 5a) would require up to approximately 130 AF/yr of groundwater pumping on site. This rate of groundwater pumping would be slightly less than agricultural groundwater pumping under existing conditions, which has been estimated to be at least 140 AF/yr, assuming at least 2 AF/acre of water applied per year under existing conditions. Therefore, no net increase in groundwater pumping is anticipated, nor are impacts associated with groundwater depletion or saline intrusion, in comparison to existing conditions (i.e., CEQA baseline conditions).

The commenter states that Mitigation Measure 8.2a appears to be deferral of impact analysis. Mitigation Measure 8.2a was applied in order to comply with Sonoma County General Plan and permitting requirements. As stated on Draft EIR page 8-22, County General Plan Policy WR-2d requires all large scale commercial and industrial groundwater users to implement a groundwater monitoring program. Implementation of a monitoring program constitutes the required mitigation; no further action or contingency planning for alternative water supplies is required to comply with the General Plan Policy. Therefore, this mitigation measure is not a deferral of analysis. The text of the Draft EIR text has been modified as follows to remove the contingency to develop alternative water supplies, as this is not required to mitigate Impact 8.2.

Page 8-22 of the Draft EIR, Mitigation Measure 8.2a, has been updated as shown below:

Mitigation Measure 8.2a: 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. ~~In the event that unacceptable rates of groundwater drawdown are indicated, as dictated by County policy, the project operator shall work with Sonoma County to identify alternative source(s) of water supply, to be implemented in lieu of or in tandem with on-site groundwater pumping. Other viable water supply options may include drawing water from a well at a different location, or use of a separate or supplementary water supply system, such as recycled water or surface water.~~

- K-7** For additional discussion of stormwater management on site, please refer to response to Comment I-9.
- K-8** Please see the response to Comment K-4 above.
- K-9** Water supply availability, including groundwater, surface water, and recycled water, are discussed in Draft EIR Chapter 18, Hydrology and Water Quality/Site 40 Alternative, and

also in a water supply assessment (WSA) completed by Tully and Young (2011), as summarized on pages 18-3 to 18-6 of the Draft EIR. As discussed therein, the Site 40 Alternative would result in annual groundwater use of approximately 0.8 AF/yr, which is approximately 0.05 AF/yr higher than water use under existing conditions. Groundwater would be used only in support of potable water supply on site. Withdrawing an additional 0.05 AF/yr (approximately 16,000 gallons) from the aquifer underlying the site is not anticipated to result in depletion of groundwater, as discussed on pages 18-7 and 18-8 of the Draft EIR. Groundwater Mitigation Measure 8.2a is applied in order to maintain consistency with the Sonoma County General Plan, as discussed in the response to Comment K-6, and not because groundwater depletion is anticipated. Note also that Mitigation Measure 8.2a has been revised as discussed in the response to Comment K-6.

With respect to graywater use on site, we assume that the commenter is referring to recycled water supplied by the City of Petaluma. As discussed on page 18-3 of the Draft EIR, recycled water from the City is presently available on site in the vicinity of the proposed composting facility. Under existing conditions, approximately 520 AF/yr of recycled water was delivered to Teixeira Ranch (where the composting facility would be located) for on site use. This volume of water is substantially more than the 129 AF/yr of non-potable water demand anticipated for this alternative. The WSA completed for the project indicated that sufficient supply would be available in support of this alternative, as discussed on pages 18-6 to 18-8 of the Draft EIR.

With respect to storage on site, storage of stormwater would be provided on site by the proposed detention basin, while storage of surface water would be provided by the existing on site reservoir. Water stored in these facilities would be sufficient to support anticipated fire flows. No additional on site storage is warranted. Therefore, analysis has not been deferred for this impact.

K-10 Mitigation measure 22.3b of the Draft EIR has been updated as follows:

Mitigation Measure 22.3b: The operator shall conduct regular sweeping (at least twice weekly) of the intersection of Stage Gulch Road at the Site 40 access road so that the intersection remains free of debris and dirt that may accumulate from exiting trucks.

K-11 Consistent with the comment, berms and multiple rows of vegetation would be incorporated into the landscaping plan for Site 40 (Mitigation Measure 23.1).

K-12 For additional discussion of stormwater management on site, please refer to response to Comment I-9.

K-13 Figures 4-3 and 4-4 provide an enlarged plan view of Site 40, including the windrow option (Figure 4-3) and ASP option (Figure 4-4).

K-14 Please see the response to Comment EE-11 regarding use of the remaining area of the site. Regarding recycled water use on site, the water proposed for use at the Site 40

composting facility would be in lieu of at least a portion of the total recycled water that is currently used on site for land irrigation. Additional recycled water supplies beyond existing conditions would not be needed.

- K-15** The commenter refers to both Lakeville Road and Lakeville Highway in this comment, but they are not the same road. Lakeville Road connects State Route 37 with SR 116 (Stage Gulch Road – Lakeville Highway). A small percentage (about 5 percent) of project traffic would use Lakeville Road to and from the Site 40 Alternative access on Stage Gulch Road, whereas about 80 percent would use Lakeville Highway. Please see the response to Comment K-3 regarding project traffic on Lakeville Highway (and at the Stage Gulch Road / Lakeville Highway-Lakeville Road intersection).
- K-16** For Site 5A, worker and residential receptors were evaluated based on air toxic exposure frequency and duration. The health impacts of the workers at the Riverside Equestrian Center is considered to be a conservative estimate of the health impacts of the equestrians; as the acute exposure would be less for the equestrians (2 to 4 hours compared to 8 hours for worker exposure) and the chronic exposure would also be less for the equestrians (less than the 49 weeks per year and 5 days per week for the worker exposure). Cancer risks can be adjusted to account for physical exertion (a breathing rate of 845 liters per kilogram-day instead of 149 liters per kilogram-day) but again, the cancer risk (70-year lifetime exposure) of the workers at the Riverside Equestrian Center is considered a conservative estimate of the cancer risk of the equestrians because the equestrians lifetime exposure duration is significantly less than the workers.
- K-17** For Site 5A, the proposed composting operation would require approximately 70 acres. As discussed on page 3-6 of the Draft EIR, in order to acquire 70 acres for the proposed facility, the existing 627-acre parcel (APN 068-120-002) would be subdivided to provide a 100-acre parcel for the proposed compost facility. Agricultural activities on the 100-acre parcel where composting would occur would be discontinued, including agricultural water use. Groundwater previously used for agriculture would instead be used for the composting operation. The remaining 527 acres of existing APN 068-120-002 would continue to be used for agricultural activities, as discussed on Draft EIR page 3-6. Please see the response to Comment K-6, above.
- K-18** Please see the response to Comment K-3 regarding project traffic on Lakeville Highway (and at the Stage Gulch Road / Lakeville Highway-Lakeville Road intersection).
- K-19** The names “Lakeville Road” and “Lakeville Highway,” as used in the Draft EIR, correctly match the street signs seen during field reconnaissance of the study area. Lakeville Road connects State Route 37 with SR 116 (Stage Gulch Road – Lakeville Highway). Lakeville Highway is the name of the portion of SR 116 between Stage Gulch Road and the U.S. 101 freeway ramps (including within the Petaluma city limits). Lakeville Street is wholly within the City of Petaluma and connects the U.S. 101 freeway ramps with Petaluma Boulevard North, and is not in the study area for the Draft EIR.

- K-20** Should the County move forward with the Site 40 Alternative, the County would resume discussions with the City of Petaluma regarding the potential for continued delivery of recycled wastewater to the site.
- K-21** Pages 18-2 and 18-3 of the Draft EIR note that there is an existing impoundment located on site, which is the subject of a recently completed permit application that would permit the total impoundment and use on site to be increased to 164 AF/yr. This permit has been granted, but the existing impoundment has not been expanded, as would be required to impound up to this volume of water. The proposed facility would require up to about 130 AF/yr of water in total, potentially including water from the existing reservoir. The commenter indicates that expanding the impoundment sufficient to hold up to 164 AF/yr of capacity would require additional analysis. However, the Site 40 Alternative does not propose to expand the capacity of the existing impoundment, but could rely on the existing reservoir as a secondary source of water supply, as discussed in the Water Supply Assessment discussion, contained on pages 18-3 to 18-6 of the Draft EIR. As noted therein, current use of the reservoir amounts to up to 87 acre-feet of water per year. This rate of usage would not be expanded. To the contrary, as noted on page 18-5 of the Draft EIR, recycled water from the City of Petaluma would be the primary source of water on site, in order to meet up to 130 AF/yr of water demand on site. Reliance on water from the existing impoundment is therefore anticipated to be less than 87 acre-feet per year, and expansion of the reservoir is not planned under the Site 40 Alternative.
- In the unlikely event that the operator of the proposed facility were to decide to expand the existing reservoir at a later date, in support of on site or other use, then that expansion and associated environmental impacts, including potential impacts on fish species and other resources downstream, would require evaluation under CEQA at that time. However, as noted above, expansion is not anticipated at this time and is not a part of the Project analyzed in the Draft EIR.
- K-22** The Draft EIR does not specifically describe the “Gateway” designation, as the site is not subject to the Petaluma General Plan. However, the scenic corridor designation of Adobe Road is acknowledged in the Draft EIR and considered in the visual impact analysis.
- K-23** Mitigation Measure 9.5 requires the incorporation of construction and operational practices at the Site 40 detention pond to reduce potential wildlife hazards to the Petaluma Municipal Airport.
- K-24** CEQA gives the lead agencies (SCWMA for this project) discretion to establish the significance criteria and thresholds of significance used for the lead agency’s impact determinations. The Draft EIR’s use of criteria/thresholds from the Sonoma County traffic study guidelines, which are consistent with the County General Plan guidelines, is appropriate to judge the project’s potential impacts. We note, however, that the City of Petaluma’s level of service standard (LOS D) is the same as the County’s LOS standard, and the Draft EIR’s only study intersection in the City of Petaluma (Frates Road at Lakeville Highway) is shown to operate at LOS C under all analysis scenarios. Therefore,

the less-than-significant impact determination would be the same if City criteria/thresholds were used.

- K-25** As described on page 22-5 of the Draft EIR, there are currently no designated bicycle facilities on Adobe Road or Lakeville Highway, and Frates Road currently provides Class II bike lanes on both sides of the street between Lakeville Highway and Ely Boulevard. The 2010 Sonoma County Bicycle and Pedestrian Plan classifies Lakeville Highway (Low Priority), and Adobe Road (High Priority) as proposed Class II bike lanes, and it is acknowledged that the Petaluma General Plan 2025 identifies those roads, plus Frates Road, as proposed Class II bike facilities.

The Draft EIR analyzed potential impacts to alternative transportation (including bicyclists), and determined that although the project would not prevent implementation of proposed bicycle improvements, project-generated increase in traffic volumes on area roadways would create potential conflicts with the plan to provide Class II bike lanes, and that debris falling from project vehicles could cause safety issues for bicyclists along the haul route; the impact is considered significant. The Draft EIR identified measures (Mitigation Measures 22.3a and 22.3b) to mitigate the project's impact on bicycle use.

- K-26** It is noted that Adobe Road and Lakeville Road are designated as "Gateways" by the Petaluma General Plan 2025. Mitigation Measure 23.1 addresses views from Adobe Road and Stage Gulch Road. Lakeview Road is not addressed because the proposed facility would be located at the northeast end of the property, and thus not visible from Lakeview Road.

FEB 1 '12 PM 3:28



CALIFORNIA WOMEN *for* AGRICULTURE

January 27, 2012

Mr. Patrick Carter, Waste Management Specialist
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

Re: SCWMA Compost Facility

Dear Mr. Carter:

California Women for Agriculture is a statewide, non-partisan volunteer organization that educates the public, elected officials, educators and our membership about issues directly affecting agriculture. The North Bay Chapter represents agriculture in Sonoma, Marin and Napa counties.

This letter is to voice our concerns over the proposed compost facility at the Site 40 Alternative at the corner of Adobe and Stage Gulch Roads in Petaluma. Several of our members have toured the existing Mecham Central Site Composting facility so we know the impact of the proposed operation. The proposal of the new Site 40 Alternative is not an appropriate location when considering its impact on neighboring production agricultural operations. The proposed site currently supports production agriculture. The site is surrounded by over 500 acres of vineyard, two working dairy operations and multiple livestock operations. All would be impacted, and perhaps displaced as a result of the composting facility.

L-1

The proposed site is along a scenic corridor between Petaluma and Sonoma on an already heavily trafficked, dangerous roads. Additional traffic as a result of a composting facility would further negatively impact the traffic on those country roads. The impact to the vineyards would be significant as the dust and odors and possible groundwater contamination can affect the quality and taste of the grapes. Additionally, the dust and odors can cause lung and eye irritations to the many farm workers and residents near the proposed site. The use of excessive amounts of water on the windrows and in operating the composting facility could also have negative impacts to the quantity and quality of water for the surrounding farming operations.

L-2

L-3

L-4

The adjacent dairy operations will be significantly impacted by the proposed facility, particularly the adjoining JLT Ranch operated by the Mendoza family. The composting facility will likely provide a habitat for rats, mice and other rodents and will significantly increase the fly population. While these varmints are difficult to control with a conventional dairy or farming operation, they are even more difficult to control organically and the JLT Ranch is an organic dairy operation.

L-5

Of great concern to our organization is the blatant conflict of converting a 390 acre Land Extensive Agriculture zoned property to a compost facility that does not meet Land Extensive Agriculture

L-6

100 Gness Concourse #12 Petaluma, CA 94952

Over 3,500 volunteers promoting agriculture through education, legislation and public relations

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definition. Not only will this eliminate 390 acres from production agriculture, it likely will negatively impact adjacent production agriculture operations making it non-viable to continue with their current operations. As the American farmer is being forced to produce more food on less acreage to feed an ever growing population, even the removal of a few hundred acres from production agriculture has a huge impact on the local food supply.

L-6
cont.

In summary, our chapter is opposed to the development of a composting facility at the Site 40 alternative, Adobe and Stage Gulch Roads, as it removes prime agricultural land from productive agricultural use, negatively affects numerous surrounding production agricultural operations, provides an unsightly, dusty and foul odor along the scenic corridor between Petaluma and Sonoma and would increase the traffic along already dangerous country roads.

L-7

While we completely support a composting facility and recognize its importance to the environment as a whole, we do not support the removal of prime farmland from agricultural uses to accomplish the development of a new facility. Thank you for your consideration of our concerns.

Sincerely,



Ruth McClure
Co-President
North Bay Chapter
California Women for Agriculture

L. California Women for Agriculture

- L-1** This comment introduces the points covered in the following comments. Please see the responses below.
- L-2** Chapter 22 of the Draft EIR analyzed potential traffic and traffic safety impacts in relation to County standards, and determined that with implementation of mitigation measures, the impacts associated with the Site 40 Alternative would be less than significant.
- L-3** Please see the response to Comment Q-1 regarding odors and grapes. Dust and odor impacts associated with the Site 40 Alternative are addressed in the Draft EIR, in Impacts 15.3 and 15.5, respectively, and were determined to be less than significant after mitigation. Potential water quality degradation associated with the Site 40 Alternative is addressed in the Draft EIR, Impact 18.1, which was determined to be less than significant after mitigation. Please see also the response to Comment L-4 below.
- L-4** As discussed in Chapters 8 and 18 of the Draft EIR, the Proposed Project (Site 5a) and the Site 40 Alternative would require up to approximately 130 AF/yr of water. As discussed on Draft EIR page 8-7, water at Site 5a would be provided by groundwater, wherein anticipated groundwater pumping would be less than existing pumping for the site, which is currently in agriculture. Therefore, it is anticipated that the Proposed Project at Site 5a would not result in a net reduction in groundwater supply availability for agriculture or other uses, in comparison to existing conditions. For additional discussion, please refer to pages 8-7 to 8-9 and pages 8-21 to 8-23 of the Draft EIR.

As discussed on Draft EIR pages 18-3 to 18-8, with respect to Site 40, recycled water from the City of Petaluma would be provided for composting operations on site, with approximately 0.8 AF/yr of groundwater pumping required for potable water supply. Additional water from the existing on site reservoir could be used to support firefighting, in the event of a fire. These water supply sources are currently available on site or in close proximity to the site, and use of water from these sources for composting would not result in the drawdown of regional aquifers or other reductions in water supply to agriculture in the vicinity of the Project or elsewhere in Sonoma County.

With respect to water quality, as discussed on Draft EIR pages 8-18 and 18-7, discharges from the site, at both Site 5a and Site 40, would be contained on site. Water discharged from composting activities and other operations would be contained in an on site retention basin. No discharge is anticipated. Therefore, as discussed in the Draft EIR, downstream water quality would not be affected, and potential effects on agricultural water supply would be minimal.

- L-5** The following discussion is applicable to vectors including pathogens, fungus, bacteria, diseases, insects (including the European Grapevine Moth), birds (including starlings),

rodents (mice, rats), and other nuisance pests that were identified as a concern by this commenter as well as other commenters. Commenters indicated concern that the proposed composting operations could result in an increase in the incidence or population of such vectors at the composting site, expressing concern that vectors attracted to the site could also affect neighboring properties. Additionally, several commenters noted concern about damage to existing agriculture, especially to vineyards, which according to the commenters could be adversely affected by pests including the European Grapevine Moth, birds, fungus, bacteria, and disease in general. Commenters' concerns centered on two focus areas: (1) vectors and pests that may or may not presently occur on site, whose populations could increase as a result of compost operations, and (2) vectors and pests that do not currently occur on site or in the area, which could be brought to the area via composting operations.

Potential for composting operations to attract any number of nuisance pests and vectors is a common public concern with regard to composting facilities – improperly managed composting operations can and do attract vectors. A good example is the small scale, home composting operation with which many of us are familiar, and may have had experience with. Home composting operations are frequently poorly managed from the standpoint of vector control, and may attract rats, mice, and birds, and in some cases serve as a breeding ground for flies and other insect vectors. In contrast, in order to maintain product quality/value and adhere to industry standards and state regulations for compost facility operation, commercial scale composting facilities are carefully maintained and monitored with respect to vector control.

The Sonoma County Environmental Health and Safety Department, through the department's Local Enforcement Agency (LEA), would have primary inspection and compliance authority for this facility, enforcing the requirements of Title 14, Division 7, Chapter 3.1 of the California Code of Regulations for composting requirements. In accordance with state and local requirements, the facility would be required to prepare a site-specific Report of Composting Information, which would provide a detailed description of Best Management Practices (BMPs) that would be required for minimizing vectors. The composting facility would be legally required to adhere to the BMPs that would be contained in the Report of Composting Information, and the site would be subject to regular monthly inspections by the LEA, as part of ensuring compliance with the Solid Waste Facility Permit. The LEA would judge compliance with a number of issues, including but not limited to vectors.

Specific BMPs to be implemented could include, but would not be limited to:

- Good housekeeping practices on site;
- Minimization and quick cleanup of spilled food residues;
- Quick incorporation of vector-friendly or putrescible feedstocks into hot piles;
- Adequate aeration via frequent turning or via the ASP system;

- Use of an insulating “compost cap” of finished compost to deter vectors and reduce emissions;
- Minimization of vegetation on site to minimize cover for rats and other vectors;
- Grinding of food to minimize attractiveness to larger scavengers;
- Adherence to composting best practices to assure adequate aeration via porosity and adequate carbon to nitrogen ratios in the piles;
- Temperature management to maintain temperatures high enough to discourage vectors and kill pathogens (140 to 150 degrees F);
- Containment and proper management of leachate;
- Maintenance of drainage facilities to minimize standing water after storms;
- Employee training in vector control and management;
- Biological or other vector controls would typically be implemented only as a last resort.

Adherence to these best management practices would ensure that vector-attracting feedstocks (including food residues, grass clippings, manure, etc.) would be quickly incorporated into the composting process to minimize exposure to vectors, that compost temperatures would be maintained so as to prevent proliferation of insects and microbes, and that other measures would be applied, as discussed above, to minimize vectors on site and ensure that potential impacts associated with vectors would be minimized. Additionally, the LEA would ensure, as required by state and local law, that vectors are not creating a nuisance or threat to public health or safety.

Several commenters also expressed concern regarding the potential for transport of new vectors to the facility site, where such vectors may not now be a problem. Vectors that, according to the commenters, could affect wine grapes and dairy operations, as well as other local agricultural activities, were identified explicitly by commenters. Most vectors have multiple means of being transported. While the movement of plant residues (such as grass clipping, tree prunings, etc.) does have the potential to transport vectors, the California Department of Food and Agriculture has recognized composting as a treatment method for a number of vectors and pests common in these materials, including regulated, imported pests. The vast majority of imported pests do not survive the combined harsh conditions of transport in large capacity vehicles, processing through large industrial grinders, and finally the high temperature and long duration of the composting process itself.

With regard to the European Grapevine Moth (EGVM), the movement of materials and the final deposition of those materials is regulated by the Sonoma County Agricultural Commissioner. The proposed compost facility would be registered as a “green waste” receiver (note that green waste as defined by the Agricultural Commissioner differs then

green waste as defined by the project.¹⁾ All County delivery vehicles would need to be registered with the County Agricultural Commissioner as green waste transporters. Historically, commercial composting has been used as a treatment for similar materials potentially containing imported pests (Sudden Oak Death Disease, Light Brown Apple Moth, etc). It is extremely unlikely that imported pests or their larvae would survive the transport process, the industrial grinding process, and exposure to the high temperature process of composting.

Many grape growers compost their grape prunings and/or pomace in the vineyard and adjacent to growing grapes. The EIR preparers did not identify any negative impacts from this practice. Nor did we find any evidence to suggest that proximity to a commercial compost facility could impact the market value of the grapes. Any such effects are considered speculative, and therefore are not considered in this EIR to be a significant impact.

- L-6** As described in the Draft EIR, the development of Site 40 would conflict with the General Plan designation and zoning for the site, result in the loss of important farmland, and conflict with a Williamson Act contract (Impacts 19.2, 19.3, and 19.4, respectively, in Chapter 19 of the Draft EIR). All of these effects are found to be significant, and mitigation measures are provided to reduce these impacts to less than significant. As noted by the County PRMD in their comment letter on the Draft EIR (see Comments I-2 and I-3), the County recently amended the County Code to allow commercial composting as a use allowed with a Use Permit in the LEA district, in certain circumstances. Please see the response to Comment I-3 regarding PRMD's analysis of General Plan consistency for Site 40, in light of these changes to the County Code.
- L-7** The commenter's objection to the Site 40 Alternative and the reasons stated are noted and will be considered by the SCWMA in determining whether, and how, to carry out the proposed project.

¹ http://www.sonoma-county.org/agcomm/egvm/winery_green.htm



DUNHAM SCHOOL DISTRICT
Dunham School District, 4111 Rabler Road, Petaluma, CA 94952, (707) 795-5050

Tuesday, February 14, 2012

Mr. Patrick Carter,
 Waste Management Specialist, SCWMA
 2300 County Center Drive, Suite B100
 Santa Rosa, CA 95403

Dear Mr. Carter –

This letter is in regards to the Draft Environmental Impact Report for the SCWMA Compost Facility. In particular the Dunham Elementary School District Board of Trustees wish to voice our concern with certain aspects of the “Central Site” option.

Dunham is a public charter elementary school located near the intersection of Roblar and Petersen Roads. Families are attracted to our school in part because of its beautiful country setting. Any degrading of the view behind the school, such as a composting facility, would place at risk our ability to continue to attract new students.

M-1

In addition to concerns about the view from Dunham (referenced in Figure 32-2a of the SCWMA Compost Facility EIR) we are also concerned that an expanded composting facility will result in an odor on campus. As it stands now we are occasionally able to smell the dump, depending on the prevailing winds.

M-2

On behalf of the Dunham School District, we request that the final E.I. report address our concerns regarding odor and visibility. Should the Central Site be the final selection, we ask that steps be included in the final plans to mitigate for adverse effects on the aesthetic beauty of our site.

M-3

Sincerely,

Adam Schaible
 Principal Superintendent

Spencer Crum
 Dunham Board President

Ann Gilbert
 Trustee

Lisa Poncia
 Clerk

Alicia Petersen
 Trustee

Joanne Rice
 Vice President

M. Dunham School District

- M-1** The Dunham School, located at approximately 205 feet in elevation, is approximately 4,000 feet north of the Central Site. There is an intervening hillside between the Central Site and Dunham School which ranges in elevation from 600 to 620 feet. The major components of the project (compost piles) would be located at elevations of approximately 535-575 feet. Cover winder machines, which are taller than the compost piles, are approximately 17.5 feet tall. Based on these elevations and heights the major components of the site would not be visible from the Dunham School due to the intervening hillside. There are other proposed facilities such as storage areas located at higher elevations than the compost area but at similar elevations to the hillside. For this reason, Impact 32.1 in the Draft EIR was identified as a significant impact, and Mitigation Measure 32.1, requiring screening on portions of the Central Site, was identified to reduce the impact to less than significant.

Additionally, an updated analysis for the Central Site Alternative based on positive pressure ASP technology has been completed. The analysis completed for the Recirculated Draft EIR incorporates additional discussion and impact analysis for aesthetics, based in part on the commenter's concerns. Please refer to Chapter 32 in the Recirculated Draft EIR for additional discussion and analysis, including revisions to Impact 32.1 and Mitigation Measure 32.1.

- M-2** Analysis of odors associated with Central Site Alternative is included in Impact 24.4 of the Recirculated DEIR, including inherent procedural and/or facility changes that would result in odor reductions compared to the existing composting operation. With implementation of Mitigation Measure 24.4, odor impacts from composting would be less than significant.
- M-3** This comment summarizes the commenter's concerns expressed in the previous comments. Please see the responses above.



February 21, 2012

Mr. Patrick Carter, Waste Management Specialist
 Sonoma County Waste Management Agency
 2300 County Center Dr., Suite B100
 Santa Rosa, CA 95403

**RE: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT
 SONOMA COUNTY WASTE MANAGEMENT AGENCY
 COMPOST FACILITY**
EBA Job No.: 11-1742

Dear Mr. Carter:

On behalf of Sonoma Compost Company, EBA Engineering submits the following comments on the Sonoma County Waste Management Agency Compost Facility Draft Environmental Impact Report, dated December 21, 2011. We have referenced each comment to a specific page in the DEIR.

Page 2-4: Water supplies at both Site 5a and Site 13 would likely be impacted by saltwater intrusion and resulting brackish water. It is unlikely that Site 40 or the Central Site would be impacted by saltwater intrusion. Policies WR-1t and WR-1u of the Sonoma County General Plan require environmental assessments to analyze, avoid, and where practicable reverse, saltwater intrusion into groundwater, which results from a proposed water use. It does not appear that the DEIR evaluates the potential for saltwater intrusion at any of the Sites. Further, Sonoma County General Plan Policy WR-2e requires a demonstration of groundwater with a sufficient yield and quality to support proposed uses for sites located in water scarce areas (Class 3 or Class 4). Site 5a and Site 40 are located in Class 3 areas and are required to demonstrate that the proposed water use will not cause or exacerbate an overdraft condition. Site 13 and the current water source for the Central Site are located in Class 1 and Class 2 areas, respectively and are not required to conduct a water availability study.

N-1

Page 2-5: The DEIR states that there are issues with the Central Site alternative involving the size of the compost area and the existing topography. These include a compost capacity of 110,000 tons per year rather than the required 200,000 ton per year, the need to construct the site on four different terraced levels, and building the site in two phases with the second phase not built until 2018. EBA Engineering has performed additional engineering analysis and preliminary design calculations that indicate the Central Site alternative can be built in a single phase and immediately accommodate the required 200,000 tons per day composting capacity without the need for terracing. With the problem of site capacity resolved, the Central Site alternative clearly becomes the environmentally superior site.

N-2

Page 3-6: The project description of types and volumes of material to be composed presented in Section 3.5 is inconsistent with the description of feedstocks presented in Section 3.1. It appears that Section 3.5 of the DEIR considers impacts from only green material and wood waste (wood waste is considered a part of green material in Section 3.1), whereas Section 3.1 identifies green material, food material and agricultural material. Food material and agricultural materials must be included in the analyses or these feedstocks would be excluded from the composting project. We suggest the rest of the text be reviewed to remove any similar inconsistencies.

N-3

Page 3-7: The DEIR discusses Aerated Static Piles (ASPs) that are mechanically aerated by either a blower pushing or a pump pulling air through the compost pile, however it appears the DEIR only analyzes impacts associated with negative pressure system pulling air through the static piles and discharged the air through a biofilter to control air emissions and odors. The DEIR must also evaluate the potential environmental impacts associated with a positive pressure ASP that blows air through the compost pile and discharges the air through an engineered cover to control air emissions and odors rather than a biofilter. If positive pressure ASP systems are not evaluated in the EIR, they may not be able to be considered for use in the composting project.

N-4

Page 3-13: The DEIR discusses water demand of 52,000 gallons per day (gpd) for an ASP system. Other technologies reportedly use significantly less water than the 52,000 gpd assumed in the DEIR. The DEIR should evaluate the potential need and potential impacts for different water disposal options such as offsite disposal, land application, or other treatment options.

N-5

Page 3-14: Required Faculties: The DEIR states that windrow piles would be a maximum of 12 feet high. In order to allow more flexibility in composting operations, the analysis should consider the impacts from a maximum pile height of 14 feet (maximum loader operating capacity).

N-6

The analysis should note that some positive pressure ASP technology does not require a separate curing pad. Material is cured in place as part of Phase 3 of the composting process.

N-7

Page 3-14: It is not clear if the Sonoma County building code would require one parking space per 250 SF of floor area. Under the stated assumption, the proposed 22,500 SF building would require 90 parking spaces, which appears excessive for the intended project.

N-8

Page 4-3: It is not clear that the Central Site alternative was analyzed at the same level of detail as the proposed project, it is our understanding that potential impacts of Central Site were only analyzed for a 110,000 tons per year facility rather than 200,000 ton per year. However, some of the analyses presented in the DEIR state that 200,000 tons per year was used as a conservative measure. If the EIR does not fully reanalyze the Central Site assuming a processing capacity of 200,000 tons per year, SCWMA would not be able to consider the Central Site alternative as the preferred project site if the EIR is certified in it's present form.

N-9

Page 4-24: Section 4.7, Central Site Alternative - EBA Engineering has been retained to perform an engineering analysis and prepare a preliminary site design for a new composting

N-10

facility located at the Central Disposal Site, but outside the existing landfill footprint. The site is designed to process 200,000 tons per year of green material, agricultural material and food material.

N-10
cont.

Page 4-25: It is not clear if the DEIR takes into account the status of the existing retail sales and administrative building area. Reportedly this area could continue to be used for many years before having to be moved to make room for future landfilling or landfill closure construction. However, if its continued use is not considered in the analysis of impacts, it could not be used by the composting project in the future.

N-11

Page 4-26: The DEIR analysis should consider any changes to entrance/exit facilities, truck scales, and/or access roads due to final closure of the Central Landfill. Preliminary final closure plans for the landfill indicate the current access road and entrance facilities would be removed as part of landfilling projects or final closure construction, necessitating a new entrance/exit road and relocation of truck scales. While Figure 4-11 shows a new entrance/exit scale, there does not appear to be a discussion or analysis of this change.

N-12

In addition, the re-engineered site results in sufficient space for arriving/departing traffic circulation and sufficient room for finished product storage is provided.

N-13

Page 27-1: The DEIR states that detailed groundwater level data for the Central Site were not found to be available. The Central landfill maintains an extensive groundwater monitoring well network. Data from this monitoring network could be incorporated in the DEIR analysis.

N-14

Also please note that a typographical error in the header identifies Chapter 27 as hydrology and water quality for the Site 40 Alternative.

N-15

Page 27-2: The DEIR does not appear to take into account the significant water savings that can be realized by use of a positive pressure ASP. The use of covered positive pressure ASP prevents substantial drying of the compost and requires no additional water. This represents a reported water savings during composting of approximately 500 percent over a comparable negative pressure ASP system.

N-16

Page 27-3: Impact 27.1 & 27.4 - The DEIR should also consider the availability of the Central Landfill leachate pipeline as an emergency discharge point.

N-17

Page 29-2: The DEIR identifies and provides mitigations for Blasting noise and vibration, but does not discuss mitigations needed to avoid the potential for nitrate impacts to groundwater from the use of Ammonium Nitrate Fuel Oil (ANFO) blasting material. At a minimum Blasting Best Management Practices should be employed, such as explosives selection, wet blasthole procedures, and spill prevention plans to avoid these potential impacts.

N-18

Page 29-8: The DEIR conservatively assumes ASP fans would operate 24 hours per day. However, it is our understanding that positive pressure ASP fans operate 25-30 percent of the time. The cycling of fans can be very short, on the order of a few minutes, depending on pile temperature.

N-19

Page 29-9: Address other noise mitigation measures in addition to 29.2a, b, and c that can be implemented to further reduce noise levels for the Central Site alternative.

N-20

Page 31-6: With the revised capacity of 200,000 tons per year, the project trip generation would be greater than that used for this analysis. The DEIR needs to reevaluate traffic impacts using 200,000 tons per day. In addition, it's not clear if food waste would be shipped to the site as a separate and new feedstock. While food waste is currently trucked to the site for disposal, different handling methodologies of these materials in the future could result in additional truck trips.

N-21

Page 31-12: Impact 31.6 should be evaluated for anticipated changes to site access as a result of landfill final closure construction.

N-22

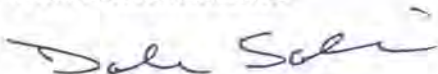
Page 32-6: Mitigation Measure 32.1 requires line-of-sight screening along the northwestern and southern site boundaries, however noise Mitigation Measure 29.2b requires line-of-sight noise screening to the northeast and south. There appears to be an inconsistency as both mitigations use line-of-sight criteria.).

N-23

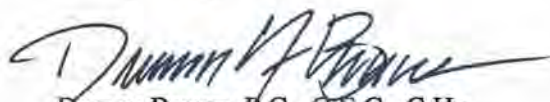
We appreciate the opportunity to provide technical comments to this Draft Environmental Impact Report for the proposed Sonoma County Waste Management Agency Compost Facility. If you should have any questions or wish to discuss these comments further, please do not hesitate to contact our office.

Sincerely,

EBA ENGINEERING



Dale Solheim, P.E.
Principal Engineer



Damon Brown, P.G., C.E.G., C.Hg.
Principal Geologist

N. EBA Engineering

- N-1** The discussion of Impact 8.2 on Draft EIR page 8-21 indicates that increased migration of saline groundwater is not anticipated as a result of the proposed composting operations at Site 5a, because the project would not result in a net increase in groundwater pumping on site, as compared to existing agricultural water use. Because Site 13 is currently dry-farmed, locating the composting facility at this location would result in an increase in groundwater withdrawal, and could, as suggested by the commenter, result in groundwater depletion or saltwater intrusion. Therefore, the discussion of hydrologic impacts of the Site 13 Alternative on page 4-23 of the Draft EIR is revised as follows:

Hydrology and Water Quality

The Site 13 Alternative would have less impact to surface water hydrology and water quality than the proposed project site because drainage canal realignment, which could result in sediment migration and offsite sedimentation, would not be required for Site 13. However, because Site 13 is currently dry-farmed, locating the composting facility at this location may result in increased withdrawal of groundwater, assuming that groundwater would be a source of water for the facility. This may have the potential to result in groundwater depletion and/or saltwater intrusion, potentially resulting in a greater impact on groundwater than the proposed project site. All other hydrology and water quality impacts associated with construction and operation would be similar or equal to those of the proposed project site.

With respect to demonstration of the availability of groundwater with sufficient yield and quality to support the project, these requirements would be fulfilled during the County's permitting process for the project. As discussed under Impact 8.2 of the Draft EIR, however, the project would not be expected to result in an increase in groundwater withdrawal, compared to baseline use; therefore, there would be no impact associated with increased potential for groundwater depletion or saltwater intrusion at the project site.

- N-2** The commenter indicates that they have prepared a revised site plan for the Central Site Alternative, which would accommodate 200,000 tons per year of capacity on site, with other modifications. This revised site plan has been incorporated into the Recirculated Draft EIR, including an updated impacts analysis. Please refer to that document for additional information and discussion of potential environmental impacts associated with the revised site plan. The SCWMA acknowledges the commenter's viewpoint that the Central Site would be the preferred site in light of the revised site plan.
- N-3** Updated incoming feedstock volumes for the existing facility, as well as information pertaining to proposed composting feedstocks and feedstock limitations are included in

the Recirculated Draft EIR on pages R4-5 and R4-9, respectively. Furthermore, subsection 3.5 of the Draft EIR (page 3-6) has been revised as follows:

Based on the volumes processed at the existing composting facility, the new facility will need to process approximately 1080,000 tons per year of feedstock (green material, food material, and agricultural materials) ~~and 8,000 tons per year of wood waste~~ initially. Ultimately the new compost facility may process up to 200,000 tons of feedstock materials ~~green material and 16,000 tons of wood waste~~.

- N-4** The SCWMA acknowledges that positive pressure ASP composting systems were not evaluated in the original circulated Draft EIR. However, positive pressure ASP composting systems have been evaluated as a component of the Central Site, within the Recirculated Draft EIR. Please refer to the Recirculated Draft EIR for additional discussion of the potential environmental impacts associated with positive pressure ASP systems.
- N-5** The SCWMA acknowledges that the ASP composting process requires more water than some other composting processes, including open windrows. As discussed on Draft EIR page 3-6, the project would include ASP, windrows, or a combination of these two systems. Evaluation of ASP was chosen as the most appropriate technology to evaluate with respect to water resources because ASP would consume the most water of any of the proposed technologies. Therefore, the analysis provided in the Draft EIR provides the most conservative (i.e., highest anticipated level of impact) that would be anticipated, with respect to water resources. If windrows or a combination scenario is implemented, water use would be less than that indicated in the Draft EIR, and further evaluation would not be warranted.
- N-6** The Recirculated Draft EIR considers compost piles with a maximum height of 14 feet. For additional information and discussion, please refer to the Recirculated Draft EIR.
- N-7** The commenter's proposed scheme for curing compost using positive pressure ASP technology has been incorporated into the Recirculated Draft EIR. For additional information and an evaluation of impacts, please refer to that document.
- N-8** The expected parking requirement is based on the County parking standards (Article 86 of the zoning ordinance) for both office and "general business and professional uses" applied to the office/administrative portion of the project site (1 space per 250 sq. feet of building area). It is acknowledged that this number represents a maximum need, as the number of employee vehicle trips is substantially lower (48 one-way trips). In addition, note (g) of the parking table notes that "[v]ehicular and bicycle parking requirements for all uses not specifically enumerated herein shall be determined by the board of zoning adjustments or the planning commission." A lower number of parking spaces would be consistent with the Draft EIR analysis, as it would not result in any new or additional transportation impacts.

- N-9** The Draft EIR assumed that the Central Site would be limited to 110,000 tons per year of compost material, due to the size limitations of the site. However, after re-assessing the site design, a Central Site Alternative with 200,000 tons per year capacity is analyzed in the Recirculated Draft EIR. Please refer to the Recirculated Draft EIR for a complete project description and revised analysis.
- N-10** A Central Site Alternative with 200,000 tons per year capacity is analyzed in the Recirculated Draft EIR. Please refer to the Recirculated Draft EIR for a complete project description and revised analysis.
- N-11** The existing buildings at the Central Site are considered part of the existing physical conditions (baseline). Project operations are assumed to be in addition to existing uses. Therefore, continued operation of an existing building would not constitute an impact. For a revised, detailed description of the Central Site Alternative, please refer to the Recirculated Draft EIR.
- N-12** The commenter expresses concern regarding details about composting site access at the Central Site Alternative, including entrance and exit facilities, truck scales, and access roads, in the event of final closure of the landfill. However, the landfill is no longer slated for final closure. Therefore, additional consideration of these issues is not warranted.
- N-13** The re-engineered site layout was considered, as applicable, within the Recirculated Draft EIR. Please refer to that document for additional information and discussion and analysis of the proposed facilities.
- N-14** This comment is addressed in the Recirculated Draft EIR for the Central Site. Please refer to that document for an updated analysis that includes consideration of this issue.
- N-15** The header for Chapter 27 has been updated to reflect the Central Site rather than Site 40.
- N-16** The SCWMA acknowledges that additional water savings could be realized via the use of a positive pressure ASP composting system design. Therefore, use of this type of system has been added as an optional water conservation measure, as provided for under Mitigation Measure 8.2b, as shown in the following text revision to page 8-22 of the Draft EIR:

Mitigation Measure 8.2b: 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; and
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.

Additionally, use of a positive pressure ASP composting system design has been evaluated in the Recirculated Draft EIR for the Central Site.

- N-17** This comment is addressed in the Recirculated Draft EIR for the Central Site. Please refer to that document for an updated analysis that includes consideration of this issue.
- N-18** This comment is addressed in the Recirculated Draft EIR for the Central Site. Please refer to that document for an updated analysis that includes consideration of this issue.
- N-19** The Recirculated Draft EIR includes evaluation of push fans that would run intermittently, as discussed on page R2-3 of the Recirculated Draft EIR. Please refer to that document for additional discussion and an impact analysis.
- N-20** Operational noise impacts and mitigation measures are included in Impact 29.2 of the Recirculated Draft EIR, including additional noise reduction through new Mitigation Measures 29.2d and 29.2e.
- N-21** This comment is addressed in the Recirculated Draft EIR for the Central Site. Please refer to that document for an updated analysis that includes consideration of this issue.
- N-22** The landfill is no longer scheduled for closure. No further discussion or analysis is warranted.
- N-23** The line of sight discrepancy has been corrected in Mitigation Measure 32.1, page 32-6 of the Recirculated Draft EIR.



NORTH BAY AGRICULTURE ALLIANCE

**29000 Skaggs Island Road
Sonoma, CA 95476
(707) 938-8888**

Representing over 50,000 acres of San Pablo Bay shorelands

February 17, 2012

Mr. Patrick Carter, Waste Management Specialist
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

Comment Letter
Compost Facility DEIR

Dear Mr. Carter:

We appreciate your Agency's efforts to locate and build a new compost facility. Many of our members use compost on a regular basis. We are, however, concerned about the seeming conclusions that the DEIR conveys.

O-1

We oppose Site 40 and Site 5A, and urge you to pursue the Central Site Alternative. This, we believe, is really in line with the DEIR findings.

The DEIR makes detailed analyses of the immediate impacts in the close vicinity of the proposed sites. However, it is weak in analyzing indirect and distant impacts. For example, the traffic impacts were analyzed primarily around the entrances to the sites. Take an example of Site 40: I did not find any thoughts given to the left turn move from Stage Gulch Road to Adobe Road, which is a challenge even for a Ferrari. Nor did I find any discussion on the increased distance that trucks may have to travel between the compost site and the source of the feedstock materials or the final destination of the compost. Most importantly, it gives only a scant attention to the impacts on the delicate fabric of agricultural communities around Sites 40 and 5A.

O-2

One unsettling aspect of the DEIR is that it treats the project objectives as important criteria. One of the objectives is to construct a new compost facility to replace the existing one. I don't see any reason why multiple new facilities can't be constructed eventually. They may shorten the total trips and provide a redundancy and better overall system reliability. The project objectives themselves did not do through an EIR; so, they shouldn't be used as part of this DEIR. If this criterion is removed, the Central Site Alternative would come as the best site.

O-3

Yours truly,


Tito Sasaki,
President

O. North Bay Agriculture Alliance

- O-1** The SCWMA acknowledges the Commenter's opposition to Site 5A and Site 40, and support for the Central Site Alternative.
- O-2** Please see the response to Comment K-3, which recounts the analysis from page 22-7 of the Draft EIR, specifically that contract haulers are prohibited from making a left turn from southbound Lakeville Highway onto Stage Gulch Road due to safety concerns, but that there is no prohibition that would keep outbound project traffic from making a right turn from Stage Gulch Road onto Lakeville Highway. About 85 percent of outbound project traffic would turn right out of the site to access Lakeville Highway/Road (80 percent would turn right onto Lakeville Highway, and 5 percent would turn left onto Lakeville Road), and the remaining 15 percent would turn left onto Stage Gulch Road, and stay on that road (by turning right at the Stage Gulch Road / Adobe Road intersection). No project traffic would turn left from Stage Gulch Road to Adobe Road, and thus, there would be no project impact at that intersection. Regarding the distance that trucks would travel to any of the sites considered, please see the response to Comment I-4. Regarding impacts to agriculture for Site 5A and the Site 40 Alternative, please see Chapters 9 and 19 in the Draft EIR.
- O-3** The commenter expresses concern because the Project objectives are treated "as important criteria." Project objectives are discussed on page 3-2 of the Draft EIR. Project objectives are not considered within the environmental analysis that is the primary subject of this EIR. For example, Project objectives are not considered in determining which air quality emissions would result from the Project. Project objectives are, however, important for the SCWMA and responsible agencies to consider when making final decisions regarding the Project. As noted in §15126.6(c) of the *CEQA Guidelines*, "Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts." Therefore, incorporation of Project objectives into the EIR is in accordance with CEQA; doing so is also common practice and helps reviewers to better understand the purpose of a project. Note, however, that the Project objectives do not preclude continued use of the Central Site for composting operations – the existing composting facility at the Central Site Landfill would be moved from its existing location as discussed in the Recirculated Draft EIR for the Central Site. Doing so would satisfy, at least in part, the Project objectives.

Regarding the possibility for several composting operations, rather than a single site, the SCWMA has reviewed various options for siting of the proposed compost facility. The Alternatives selected were determined by the SCWMA to be the most feasible options. Additional options, such as multiple facilities, are not being considered at this time.

email

to Patrick Carter (patrick.carter@sonoma-county.org)
 cc David Rabbitt (david.ribbitt@sonoma-county.org)
 from Nick Frey (frey@sonomawinegrape.org)
 subject Compost Facility

After having attended the public hearing on January 18, I spoke with Steve Sangiacomo, a large grower on Lakeville highway. He indicated current grape buyers/winemakers have told him they will no longer buy his grapes if a compost facility is nearby. This reinforces comments by growers and Doug McIlroy of Rodney Strong during the hearing.

P-1

The Sonoma County Winegrape Commission represents vineyard owners in Sonoma and Marin Counties. Grape sales contribute nearly \$400 million to the agricultural economy, which is approximately 66% of total farm gate sales for the county. Not only do we need to preserve agricultural production in the county, we need to preserve grape production. On behalf of my Board of Directors, we feel it is important to keep the composting facility on the Meacham Road site. This site is compatible with agricultural production in the area. In addition, it is the most efficient location for product delivery and distribution. There will be few new impacts to traffic compared to the other sites under consideration.

Thank you for the opportunity to comment on the EIR.

Nick Frey
 Sonoma County Winegrape Commission
3637 Westwind Blvd
 Santa Rosa, CA 95403
 Ph 707-522-5861; Cell 707-291-2857
www.sonomawinegrape.org

P. Sonoma County Winegrape Commission

- P-1** The SCWMA acknowledges the commenter's preference for the Central Site Alternative. Please see the response to Comment Q-1 regarding odors and grapes.

Chapter 9 of the Draft EIR analyzes land use, planning, and agricultural impacts of the project (Site 5A). Impact 9.3 states that the project site represents a small portion (i.e., approximately 0.1%) of the area available for hay production (**Table 9-1**) and would support agricultural uses through the production of high-quality compost. Although the project (Site 5A) 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.

However, the Site 40 Alternative was analyzed in Draft EIR Chapter 19 for land use, planning, and agricultural was found to have a significant and unavoidable impact (see Impact 19.3, conversion of farmland).



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Letter Q
UC
CE

February 21, 2012

Mr. Patrick Carter, Waste Management Specialist
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

Dear Mr. Carter,

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Sonoma County Waste Management Agency Compost Facility. My comments address the potential negative impact of odor on the quality of fruit produced by wine grape vineyards growing adjacent to two proposed sites under consideration for the development and operation of a compost facility, specifically, the project site (5A) and the Site 40 Alternative. Vineyards are located “immediately east” and “just east” of Site 5A and Site 40 respectively as described in the Draft Environmental Impact Report (DEIR) whereas the existing compost facility at the Central Disposal Site (Central Site Alternative) is not located adjacent to vineyards.

Environmental Impacts 5.5 and 15.5 in the DEIR note that operation of a compost facility, associated with either windrow or Aerated Static Pile (ASP) composting option “could create objectionable odors affecting a substantial number of people” in Site 5A and Site 40 respectively. The mitigation measure for impacts 5.5 and 15.5 is identical; the Sonoma County Waste Management Agency is required to implement an Odor Impact Minimization Plan (OIMP) for either windrow or ASP composting processes in compliance with the California Code of Regulations, Title 14, Division 7, Chapter 3.1, Article 3, Section 17863.4.

The OIMP includes a complaint response protocol which includes identifying the odor and making adjustments to processes as needed to reduce the odor. The DEIR states that the mitigation measure for odors, as previously described, results in a “less than significant” impact. **Notwithstanding odors impacting people in the vicinity of a compost facility, the impact of odor on adjacent vineyards is not addressed in the DEIR.**

Odor, originating from plant material, has been documented to affect chemical constituents of wine grape juice and wine and impact sensory properties of wines. The bulk of the research associated with odor is focused on “smoke taint,” a term used to describe the consequence of the organoleptic properties of grapes and wines exposed to airborne smoke. Such research was initiated in response to widespread fruit damage caused by odor in smoke originating from wildfires in Australian grape growing regions within South Australia, Victoria and New South Wales in January and February 2003. Wines produced from smoke exposed fruit possess aroma characters of “smoke”, “burnt rubber”, “ashtray” and others which can make them unpalatable resulting in an economic loss.

Q-1

Although the effects of grapevine smoke exposure on the composition and sensory properties of wine continues to be studied, research has shown that significant concentration of guaiacols and related volatile phenols from the burning of plant material are absorbed by grapevine leaves and grape berry skins, the latter primarily during ripening. The concentration of these specific phenols in grapes at harvest increases substantially during the fermentation process thus they are more concentrated in wines than fruit (Jiranek, 2011).

Smoke taint in wines illustrates the fact that odor can result in fruit unacceptable for wine production or fruit which must be processed separately and undergo unique management practices at the winery prior to, during or post fermentation. It also illustrates that an odor taint in wine is initially identified after the fact, that is, after fruit is harvested and resulting wines have uncharacteristic and undesirable aromas.

The elucidation of the chemical constituents in grape berries and wines associated with an airborne odor occurred only after a massive amount of fruit was negatively impacted (the bushfires in Australia burned millions of hectares). The effect on wine quality produced from fruit grown in the presence of odors generated by a composting facility is not reported in the literature. However, some winemakers with experience in handling fruit adjacent to vineyard compost operations may have concerns regarding the finished wines, which could affect decisions related to fruit purchase.

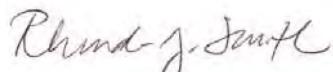
The DEIR does not address odor mitigations relative to grapevines, nor does it include information relevant to the presence of winged insects (such as the House fly) that may be attracted to odors generated by specific feedstock used at the compost facility. Movement of microbes from feedstock to grape berries by winged insects may result in microbial flora on clusters unique to that vineyard (Dr. Linda Bisson, Professor & Geneticist; Department of Viticulture and Enology, UC Davis, personal communication). Insect vectored microbial problems in the winemaking process are not documented in the literature; however they are known to exist (L. Bisson, personal communication).

The project site (5A) and the Site 40 Alternative are located adjacent to winegrape vineyards and as described, vineyards adjacent to a large scale compost facility may be negatively impacted. These impacts were not addressed in the DEIR.

Reference

Jiranek, V. (2011). Smoke taint compounds in wine: nature, origin, measurement and amelioration of affected wines. Australian Journal of Grape and Wine Research Vol. 17. ppS2–S4. (Editorial written in “Special Issue Feature: Smoke Taint in Wine”)

Sincerely,



Rhonda J. Smith
Viticulture Farm Advisor
UC Cooperative Extension Sonoma County
133 Aviation Blvd., Suite 109
Santa Rosa, CA 95403
707.565.2621

Q. UC Coop – Rhonda Smity

- Q-1** The commenter notes that although the odor impact of Site 5A (Impact 5.5) and Site 40 (Impact 15.5) are less than significant after mitigation in regards to exposure of substantial people to objectionable odors, the impact of odor on adjacent vineyards is not addressed in the Draft EIR. The impact described by the commenter would be an economic one, not an adverse physical change in the environment (per CEQA Guidelines Section 15131), and therefore this is not identified as an impact in the Draft EIR. Economic and social factors may be considered by the lead agency when determining the significance of an impact or the feasibility of a mitigation measure. The SCWMA is well aware of the concerns of neighbors of both Site 5A and Site 40 regarding potential impacts on grape quality, and will take these concerns into account when deliberating on site selection and project approval. The commenter also describes the effect of smoke taint “from the burning of plant material” on grapes and wines and correlates smoke taint impacts to odors in general. However, the type and intensity of uncontrolled odors from wildfires, which prompted the smoke taint study in Australia and noted fruit with aroma characteristics of “smoke, burnt rubber, and ash tray,” are very different than the type and intensity of controlled emissions from a compost facility. The compost would not be burned to create any smoke and would not result in smoke taint impacts. Furthermore, as noted by the commenter, “the effect on wine quality produced from fruit grown in the presence of odors generated by a composting facility is not reported in the literature.” While the SCWMA is aware of the concerns of adjacent vineyard owners, we are unaware of any reported problems with fruit quality from vineyards located in close proximity to other commercial-scale composting facilities in California. Given the lack of evidence regarding any adverse effects of odors from composting facilities on wine grapes, any such impact would be considered speculative. With regard to insects, bacteria, and other pests, please see the response to Comment L-5.



AGRICULTURAL AIR QUALITY RESEARCH CENTER
Frank Mitloehner, Ph.D., Director
Associate Professor
Department of Animal Science
2151 Meyer Hall
1 Shields Ave
Davis, CA 95616
(530) 752-3936

January 31, 2012

PATRICK CARTER

Sonoma County Waste Agency
2300 County Center Drive, Suite B100
Santa Rosa, 95403

Re: DEIR - Sonoma Composting Facility

Dear Mr. Carter,

I serve as Associate Professor and Cooperative Extension Specialist for Air Quality at the Department of Animal Science University of California, Davis. On January 18 2012, I attended the DEIR public meeting on the proposed composting facility, testified briefly, and I reviewed the related DEIR documents.

Allow me to bring to your attention that your first option, the windrow composting option, will likely cause significant air quality and nuisance issues to neighbors of the facility. In many counties of our state (especially in South Coast), open windrow composting is outlawed due to major emissions of volatile organic compounds causing ground level ozone and odors. In addition to gas emissions, pests are a common issue around open windrow composting systems.

The second option proposed in the DEIR is a marked improvement over open windrow systems but will only lead to reductions of the above mentioned pollution issues if implemented in a 'in vessel' application mode. In-vessel aerated static piles will reduce air pollutants and odors considerably compared to any kind of uncovered compost system but are not the most advanced technology either.

Allow me to draw your attention to a third alternative composting solution, namely to fully enclosed and continuous in-vessel composting modules¹. These continuous fully enclosed in-vessel modules contain a central tine bearing shaft that runs longitudinally through the vessel. This shaft rotates periodically and slowly, providing mixing and assisting with aeration. The overall design of the unit produces highly stable and mature compost in a very short time period. The great advantage is that the compost material is

¹ One example of such an in-vessel system is HotRot (<http://www.hotrotsolutions.com/why-is-hotrot-different/>)

fully enclosed with no opportunity for odor release and that within approximately one week the material is completely finished. This continuous in-vessel system requires by far the least space of all three options. While this option might come at the highest investment price, one might be able to install it at the current central site and therefore avoid the purchase of land. Furthermore, one might circumvent issues of contention with neighbours that might otherwise occur if the composting facility were to be build at the two alternative sites.

I appreciate your consideration of investigating the third option of a continuous in-vessel system for your DEIR and I would be happy to entertain any questions you might have.

Sincerely,



Frank Mitloehner

R. UC Davis – Frank Mitloehner

- R-1** The letter is incorrect in its contention that “open windrow composting is outlawed” in the South Coast Air Quality Management District. The South Coast Air Quality Management District and the San Joaquin Valley Air Pollution Control District (neither of which has jurisdiction over the Project) have passed rules regulating the VOC emissions from compost facilities. The reason for this is that both air districts are considered in extreme non-attainment with Federal Clean Air Act goals. While these rules do limit emissions of VOCs, they do not “outlaw” open windrow composting. A new facility in Sonoma County would not be subject to regulations which are specific to other districts. Neither the Bay Area Air Quality Management District, nor the Northern Sonoma County Air Quality Management District is considered to be in extreme nonattainment for VOCs. Further, research in the San Joaquin Valley Air Pollution Control District did indeed show that covered windrows, or covered Aerated static pile composting facilities, can be operated with a substantial reduction of VOC emissions, compared to open windrow composting. These same VOC reduction methods also provide good odor control mitigations.

The commenter’s contention that pests “are a common issue around windrow composting operations” is not supported by observations at other similar commercial scale composting facilities. As discussed in response to Comment L-5, the Sonoma County Local Enforcement Agency (LEA) inspects composting facilities monthly to ensure compliance with vector, odor and other nuisance conditions. Additionally, while the County appreciates the commenter’s opinion regarding in-vessel composting, application of such a process is not warranted given that noise, odor, air quality, and pest related impacts and issues would be minimized via mitigation employed within the EIR, or via adherence to permitting and operational compliance requirements, as discussed for response to Comment L-5.

Mr. Patrick Carter
Sonoma County Waste Management Agency
2300 County Center Drive (Suite B 100)
Santa Rosa, Ca. 95403

2/15/12 -

Dear Mr. Carter;

Re: SCWMA Compost Facility DEIR

I have a 225 acre ranch on Stage Gulch Road, and to keep it Open Space I have it on Williamson Act. I lease it out for pasture raising grass fed beef and some vegetables. Part of the ranch is not more than a quarter of a mile from the planned compost plant. I do not want the smell and contamination from the dust that the prevailing west winds will bring directly to my ranch house and land.

S-1

I am extremely concerned about the accumulation of the carcinogens:

S-2

- Diesel Particulate Matter
- Benzyl Chloride
- Methylene Chloride
- Formaldehyde
- Acetaldehyde

(Listed on page 15-9 of the DEIR)

I have children, grandchildren, and great grandchildren living on my ranch, and demand that if Site 40 is chosen to be the composting site that accumulations of these cancer causing agents be continually monitored to assure that any accumulations of these carcinogens be immediately detected and eliminated.

I also feel that the existence of your proposed large scale commercial composting operation will not only severely impact, but destroy the quality of the Open Space – Agricultural Community that I have spent a lifetime to create and maintain.

S-3

Thank you for your time.

Sincerely;

Gloria Altenreuther

Gloria Altenreuther
5100 Lakeville Hwy.
Petaluma, Ca. 94954

(707) 762-2084

S. Gloria Altenreuther

- S-1** The commenter owns property close to the Site 40 Alternative site examined in the Draft EIR. Dust and odor emissions for the Site 40 Alternative are analyzed in Draft EIR Chapter 15. The EIR identifies potentially significant air emissions associated with the Site 40 Alternative, both during facility construction and operation (Impacts 15.1, 15.2, 15.3, and 15.5). The Draft EIR identifies mitigation measures to control dust and odor emissions. With mitigation, these impacts would be reduced to less than significant.
- S-2** The SCWMA shares the commenter's concern regarding the emission of toxic air contaminants and resultant health risks for workers and residents in the vicinity of the composting facility. Chapter 15 of the Draft EIR found that implementation of the Site 40 Alternative would result in significant increases in chronic exposure of sensitive receptors in the vicinity to certain toxic air contaminants, if the windrow composting were used (see discussion of Impact 15.6, starting on p. 15-8 of the DEIR). The use of the Aerated Static Pile (ASP) composting method would reduce the impacts from toxic air contaminants to less than significant (see discussion of Impact 15.7, starting on p. 15-10 of the Draft EIR). For this reason, selection of Site 40 for the project would require ASP composting or a composting method with equal or better air quality controls. The SCWMA still considers the less-than-significant health risks for this site to be a serious concern, which will be taken into account in selection of a site for the composting facility.
- S-3** Please see Draft EIR Chapter 23 for an analysis of aesthetic impacts of the Site 40 Alternative, which identifies potentially significant impacts to the visual character of the area (Impact 23.1), and a significant new source of light and glare (Impact 23.2). Mitigation measures are included to reduce both of these impacts to less than significant. Please see also Draft EIR Chapter 19, which identifies significant land use impacts of the Site 40 Alternative, because it would conflict with existing General Plan designation and zoning (Impact 19.2), result in the conversion of important farmland (Impact 19.3), and result in the cancellation of a Williamson Act contract (Impact 19.4). While mitigation measures are included in the Draft EIR for each of these impacts, the Draft EIR finds that, even with mitigation, Impacts 19.2 and 19.3 would remain significant and unavoidable. Because of this conclusion, the SCWMA would have to adopt a "Statement of Overriding Considerations," pursuant to CEQA Guidelines section 15093, if it were to adopt the Site 40 Alternative for the project.² Regarding General Plan consistency, please see also the response to Comment I-3.

² CEQA Guidelines Section 15093 reads as follows:

- a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

Mr. Patrick Carter
Sonoma County Waste Management Agency
2300 County Center Drive (Suite B 100)
Santa Rosa, Ca. 95403

2/16/12

Dear Mr. Carter;

Re: SCWMA Compost Facility DEIR

I wish to address the following four problems in this DEIR:

1.)

I feel that the traffic analysis done for the Site 40 alternative is inadequate, when considering the extreme pressure the composting site will place on this narrow and winding stretch of HWY 116 especially during the early morning and late afternoon commute traffic when small contractors will be delivering their compost debris to Site 40.

T-1

With the existing 55 Mph speed limit on HWY 116 between Lakeville Hwy. and Adobe Rd. entering and exiting our property located at 520 Stage Gulch Rd. is already life threatening, and addition of the extra commercial traffic to this road will only make a bad situation almost impossible.

This EIR must include more up to date traffic studies during the peak commute hours with specific mitigations to improve the safety of this highway and to protect my family and all those who use this road. Failure to do this will leave the County and State liable for property damage and personal injury. Safety on this highway must be improved.

2.)

The proposed Site 40 is located on a hill above the north end of the Tolay Valley. The proposed Site 40 would loom over the north end of this basin. Due to the prevailing wind, topographic and geologic structure of this basin any noise becomes amplified to the point where simple conversations can be heard ¼ mile away.

T-2

Your DEIR assessment of noise and any mitigation has not addressed the unique characteristics of this valley. Equipment with back-up alarms, and 24 hour aeration fans would cause extreme disruption of this basins tranquil agricultural environment. You need to do more testing of the noise levels in this unique basin, and how the noise levels of your proposed composting site will resonate through our community so that you can insure that mitigating measures will be adequate.

3.)

I also feel that odor from the proposed Site 40 looms as a huge problem for the residents of the upper Tolay Basin. Site 40 will be upwind and above several homes in the north end of this basin, and either because of the prevailing winds, or the late night and early morning cold air inversions the undesirable and unavoidable composting odors emitted from proposed Site 40 will be brought to our door steps, and into our homes.

T-3
cont.

Given the unique nature of the North Tolay Basin, and the DEIR's failure to study this basins characteristics, your proposed mitigations are inadequate, and need to be more specific to insure that undesirable odors do not escape the composting site. Your protocols for handling odor complaints need to be specific and immediate. This EIR needs to state specific mitigating procedures with these procedures resulting in an immediate response to your composting odor problems.

T-3
cont.

4.)

Finally I come to the most dangerous and deadly impacts of your proposed Site 40 to my family, to which your DEIR so callously concluded that "no mitigation is required".

T-4

On page 15-9 you list 5 cancer causing agents that will be present on the proposed Site 40, and that if the windrowing option is used that the risk of what your DEIR refers to as "resident receptors", and I refer to as my "children and grandchildren" would be 60 cancers in a million, and you rightly call it a significant risk. Then on page 15-10 you continue the discussion switching to the ASP method of composting and conclude that by using this method instead of the windrowing method that there would only be 9 cancer occurrences per million, and since the BAAQMD threshold is 10 cancer occurrences per million that the impact is less than significant.

Does Sonoma County really want to be responsible for one of my grandchildren being one of these 9 cancer occurrences just because they are unlucky enough to be living in the haze of the Site 40 composting stew?

This EIR must address the need to establish continual monitoring of Site 40 that will detect any accumulations of carcinogens and establish mitigating procedures that will reduce them to zero.

Thank you for your time.

Sincerely;



Thomas P. Altenreuther
520 Stage Gulch Rd.
Petaluma, Ca. 94954

(707) 338-3162

T. Thomas P. Altenreuther

- T-1** The traffic study conducted for the Site 40 Alternative in the Draft EIR is up-to-date and in accordance with the standards of practice for CEQA analysis. The traffic study ran up-to-date models for traffic scenarios for the years 2009, 2011, and 2030, which are used as the basis for the impact analysis in Draft EIR Chapter 22. In this chapter, the Draft EIR identifies significant impacts related to traffic safety for the near-term (Impact 22.2) and long-term (Impact 22.6) scenarios, and also a significant impact related to an increase in road hazards (Impact 22.4). The Draft EIR identifies mitigation measures to reduce these impacts to less than significant.
- T-2** The analysis of noise impacts for the Site 40 Alternative in the Draft EIR (Chapter 20) takes into account the topography of the site and the surrounding area. In contrast to the conclusion of the commenter, the EIR noise analyst considers it likely that the topography surrounding Site 40 would create shielding between the nearest residence and the site, which would tend to reduce noise transmission. Furthermore, noise levels would attenuate faster due to the surrounding area having ‘soft site’ characteristics (as opposed to “hard” concrete or asphalt surfaces, for example). Impact 20.2 in Draft EIR Chapter 20 finds that operational noise could cause a significant increase in ambient noise levels; however, Mitigation Measure 20.2 would reduce this impact to less than significant.
- T-3** Please see the response to Comment W-6 regarding Site 40 meteorology, and the response to Comment S-1 regarding odors.
- T-4** Please see the response to Comment S-2 regarding potential health risks associated with the Site 40 Alternative.

email

to Patrick Carter (patrick.carter@sonoma-county.org)
from Scott Bilotta (sbilotta@msn.com)
subject DEIR Comment Re: SCWMA Compost Facility

Dear Mr. Carter,

We families who live on Roblar Rd. and Orchard Station Rd. have contributed for years to the greater good of all residents of Sonoma County by finding ways to cope with the "products", i.e. particulates and odor of the Central Disposal Site. Sometimes it's for a few days at a time and sometimes, much longer. Sometimes staying in doors is the solution. But sometimes the particulates and odors build up in the houses, even when running portable air filters --- then, staying away from the house as much as possible becomes the solution. And that is very disruptive, expensive and discouraging. Please don't add to our problems by making the Central Disposal Site the site of increased pollution by making it the new composting facility. Please allow other residents of Sonoma County a chance to contribute to our common good.

When particulate loads become greater than lungs can process, then failing health is the inevitable result. Please don't increase our burden further by locating the new compost facility at the Central Disposal Site.

Sincerely,
Scott Bilotta
5995 Orchard Station Rd.
Petaluma, CA 94952
792-1937

U-1

U. Scott Bilotta

- U-1** The commenter is opposed to locating the composting facility at the Central Disposal Site (Central Site Alternative). The Recirculated Draft EIR, Chapter 24, finds that health risks associated with emissions of particulates and other toxic air contaminants from operation of an expanded, relocated composting facility at the Central Disposal Site would be less than significant. Please see the discussions of Impacts 24.5 and 24.8 in Recirculated Draft EIR Chapter 24.

February 20, 2012

Sonoma County Waste Management Agency
2300 County Center Drive, Suite B 100
Santa Rosa, CA 95403

Attention: Mr. Patrick Carter
Waste Management Specialist

Dear Mr. Carter

I'm writing to express my strong opposition to the proposal to relocate the county mulching facility to site 40. Locating the facility at site 40 will create immediate and long term irreversible damage to the area and its residents. Such damage includes, but is not limited to:

1. Conversion of Prime Farmland of statewide importance to semi-industrial use. No other site under consideration would be located on such an important and no-renewable natural resource. Prime Farmland cannot be relocated or replaced to suit public needs, but a recycle facility certainly can.

V-1

2. Dependence on recycled water from the City of Petaluma. Site 40 is located in an area of marginal water supply which cannot support the proposed mulching operation. Proponents of site 41 stated publicly they are "optimistic" City water will be available to meet future needs indefinitely. There is no legal binding commitment from the City to justify such optimism; and even if it existed, unforeseen circumstances beyond anyone's control could interrupt the supply at any time.

V-2

3. Introduction of new insects and organic infestations from all areas of the county into Prime Farmland. The area immediately surrounding site 40 includes an organic dairy farm, organic olive orchard, and numerous vineyards. All would be negatively impacted by the proposed operation, and exposed to new pests and disease.

V-3

4. Pest attraction. The proposed facility will attract all manner of scavengers, including birds, mice and rats. The increase in these pests will affect surrounding agricultural operations, dairies and residents. Chemical pest control measures unintentionally poison local predators, making effective control doubly difficult.

V-4

5. Odor. The draft EIR describes anticipated odor as insignificant. This subjective conclusion is meaningless since the mulching operational process is still undecided. Furthermore, any unpleasant odors present in vineyards are perceived to adversely affect wine flavor, and therefore substantially reduces grape value

V-5

6. Traffic intrusion. The near-term traffic draw is expected to be up to 500 additional vehicles per day, yet the draft EIR characterizes this increase as "insignificant." It must be pointed out that much of the traffic will flow on the 2-mile section of Stage Gulch Road between Lakeville Rd. and site 40, which is very narrow, twisty, and has numerous unprotected drop-offs.

V-6

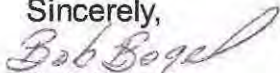
7. The draft EIR virtually ignores the impact site 40 will have on surrounding Prime Farmland. It's understood any proposal for operations that may impact such farm land must, by regulation, include an EIR addressing the effects the proposed operation will have on such Prime Farmland.

V-7

The proposed site 40 production facility will have an immediate and permanent negative impact on surrounding agricultural and dairy farmers, the quality of life for local residents, and depreciate property values.

V-8

Sincerely,



Bob Bogel

707-364-4545

1190 Stage Gulch Rd.

Petaluma, CA

V. Bob Bogel

- V-1** The commenter expresses his opposition to the selection of the Site 40 Alternative. Land use conversion of farmland at Site 40 was found to be a significant and unavoidable impact in Chapter 19, Land Use and Agriculture.
- V-2** A water supply assessment (WSA) was completed for the Site 40 Alternative, in order to evaluate anticipated availability of water resources on site. The WSA included coordination with the City of Petaluma regarding supply of recycled water to the project site, as well as consideration of other water supplies, and is summarized on Draft EIR pages 18-2 to 18-6. As discussed therein, sufficient water supply is expected to be available at the project site in order to meet anticipated demands. Please refer to Draft EIR Chapter 18 for additional discussion. Please see also the response to Comment K-9.
- V-3** For a discussion of the potential for the proposed composting facility to introduce insect and other infestations, please refer to the response to Comment L-5.
- V-4** For a discussion of the potential for the proposed composting facility to attract pests including birds, mice, rats, and other pests/vectors, please refer to the response to Comment L-5.
- V-5** As stated in Draft EIR Chapter 15, odors from a composting facility at Site 40 could cause a significant impact. Mitigation Measure 15.5 would be required to reduce odor impacts to less than significant. Please see also the response to Comment Q-1 regarding odors and grape quality.
- V-6** Please see the response to Comment T-1 regarding traffic safety impacts associated with the Site 40 Alternative.
- V-7** Please see the responses to Comments S-3 and AA-2 regarding the agricultural impact analysis for Site 40.
- V-8** This comment summarizes the concerns expressed in the previous comments. Please see the responses to the comments above. Regarding any effect on property values, the economic effects of a project are not treated as an adverse physical change in the environment (per CEQA Guidelines Section 15131), and therefore are not identified in an impact statement in the Draft EIR. Economic and social factors may be considered by the lead agency when determining the significance of an impact or the feasibility of a mitigation measure.

CARDINAUX RANCH

4233 BROWNS LANE, PETALUMA, CA 94954

Sonoma County Waste Management Agency

Mr. Patrick Carter

2300 County Center Drive, Suite B-100

January 15, 2012

Re: Compost Processing Facility, Site 40

Dear Mr. Carter

We are the property owners at the South West corner of the proposed composting plant, identified in the DEIR as the residence closest to the site.

Foremost in our list of questions is the apparently quick decision to abandon the existing site. Surely, there is adequate acreage, a central location familiar to everyone in the County and much of the infrastructure to accommodate some growth. In addition, the impacts are already mostly mitigated and no rezoning necessary. We are also assuming that no real estate purchase is necessary. Why is the existing site so easily dismissed?

We are also distressed about the apparent lack of concern and planning shown in this report regarding the immediate impacts to the Site 40 neighbors and potential future impacts that the contract operator of the operation can have on our property. The potential impacts on everything beyond the property lines of the site such as groundwater, odors, noise, dust, air quality, and aesthetics along with the financial consequences on the neighborhood are monumental, and essentially ignored by the DEIR.

W-1

W-2

This is an area known for its healthy and organic production of milk and vineyards, A scenic corridor as old as Vallejo's road tying the Old Adobe barracks to his home in Sonoma. Using this site to receive tons of food and landscape waste along with the fermentation process to produce compost is essentially a manufacturing process more akin to a gravel mine than an agricultural enterprise. Further , if the composting contractor hired by the Board is even slightly negligent and leaves the area in a messy and unkempt manner with a heavy equipment yard and sloppy operation this would destroy that fragile image and the economic viability of all the neighboring truly agricultural enterprises. This must be addressed before a rezoning is to be considered since zoning is a neighborhood issue.

W-3

With some careful thought about mitigations and a commitment to environmental excellence in planning the use of the entire site we can see some hope in arriving at a possible acceptance, but nothing in this DEIR begins to consider these essential impacts. The Waste Management Board must include some future operational planning so as to endure and succeed in the long process of approving the DEIR, the future rezoning, the eventual Use Permit and most importantly, the selection of a composting contractor.

W-4

The enclosed comments are mainly our responses to what has been written but we ask that more be written to provide assurances about the future operation as this is the core of what concerns us. Construction issues are temporary, but the operation will endure for many years, our concern is primarily about the long term impacts.

Sincerely,



Rene Cardinaux



Berti Cardinaux

SONOMA COUNTY WASTE MANAGEMENT AGENCY

COMPOST FACILITY

DRAFT ENVIRONMENTAL IMPACT REPORT JANUARY 2012

REVIEW COMMENTS AND MITIGATIONS

NOTE; All comments are directed and focused on Alternate site 40

Intersection of Adobe Road and Stage Gulch Road, Petaluma, CA

Chapter 14 states that the Site 40 could support a 200,000 ton annual capacity and that the existing Central Site could only support 110,000 ton annual capacity. Is this reasoned projection realistic or is the higher number simply used to support ranking Site 40 as more desirable? Is there data to support this projected growth? We question the apparent dismissal of this option.

W-5

Chapter 15 states that the Site 40 is predominately subjected to winds from the Northwest and less frequent winds from the South. Is there meteorological data available for the frequency and speeds of winds on this site? We have firsthand knowledge as to the strong winds at that SW corner. Has any analysis been done that studies the potential effects to winds by the massive grading and reshaping that is to be done to accommodate the composting operation?

W-6

Regarding Air Quality discussion of Sensitive land use receptors (otherwise known as people) is described in Chapter 15 as being a few residences and a dairy. Report should recognize that there are over forty residents within this description including many young children.

W-7

Air quality during construction is reasonably well described and offers proposed mitigations, but in comparison to the long term effects of truck and equipment using site in the future, there is no discussion of the need to pave and otherwise control dust and air quality in the site design of the permanent improvements.

W-8

Air quality impacts in report discuss using either windrows or ASP options. Considering all the data presented in this DEIR we do not consider the windrow alternative acceptable. The data submitted as part of the air quality impacts would absolutely mandate the ASP alternative. The DEIR further states that the traffic related emissions, both from fugitive dust and exhaust, during future years cannot be adequately mitigated. We do not accept this unmitigated risk and must insist that measures be developed and implemented to bring these future pollutants into accepted air quality standards.

W-9

W-10

Among the measures that should be considered are wind diversion tactics, thick landscaping hedgerow installations, alternative fuels on operating equipment, alternative fuels for trucks transporting composting ingredients and finished compost deliveries, properly covered loads and air cleaning technology on forced air venting of ASP composting mounds. Require paving of all areas used by delivery trucks. Dustfree alley surfaces between mounds and daily sweeping of entrained dirt all the way to Stage Gulch Road.

W-11

Mitigation measures discussed in DEIR include potential to implement forestry and wetlands offsets to reduce greenhouse impacts. While this is an accepted process for projects that cannot mitigate on site, there is an abundance of unused land in this proposal that can be used to provide offsets within the project site. Considering the environmental benefits that composting can produce to the region, the Waste Management Board should consider this facility as a model of good environmental practices and thus demonstrate greenhouse gas emissions control through forestry and natural practices where it is produced.

W-12

A demonstration garden of native vegetation, a learning center for gardeners, or a nature education center are a sampling of how the remainder of the site can be used to make this project a one of a kind beneficial demonstration and simultaneously conceal and enhance a composting operation.

Our last comment, and one of the most important, is our very genuine concern that this composting operation will be considered merely as a composting manufacturing center to be handed off to a low bid operation primarily concerned with trucking and heavy equipment operation. This can very easily approach and resemble a gravel mining heavy industrial operation.

W-13

In fact it is a very beneficial natural process that can enhance our impact on Earth through a very thoughtful and dedicated management by persons trained and philosophically attuned to the biological process. The difference can be enormous in how good a neighbor this composting operation can be or a disastrous impact on our lives and neighborhood.

We therefore must insist that some aspect of this DEIR and the future rezoning, along with the required Use Permit address the process and qualifications of potential operators that will make this project a "good neighbor" that we can support. This should also include monitoring employee wages to insure adequate training, longevity and stability of the workforce.

We can appreciate that the Waste Management Agency must remain focused on financial measures to be a success but it must equally deliver something to the citizens of Sonoma County that signifies our commitment to high environmental goals. What we are asking for is not expensive when compared to what it could cost if this project becomes a source of complaints and potential lawsuits.

We are including a list of measures that we would like to see implemented as part of the mitigation measures along with the Board's commitment to instruct staff to strive for the best that we can do both in the design and the operation of this project.

W-14

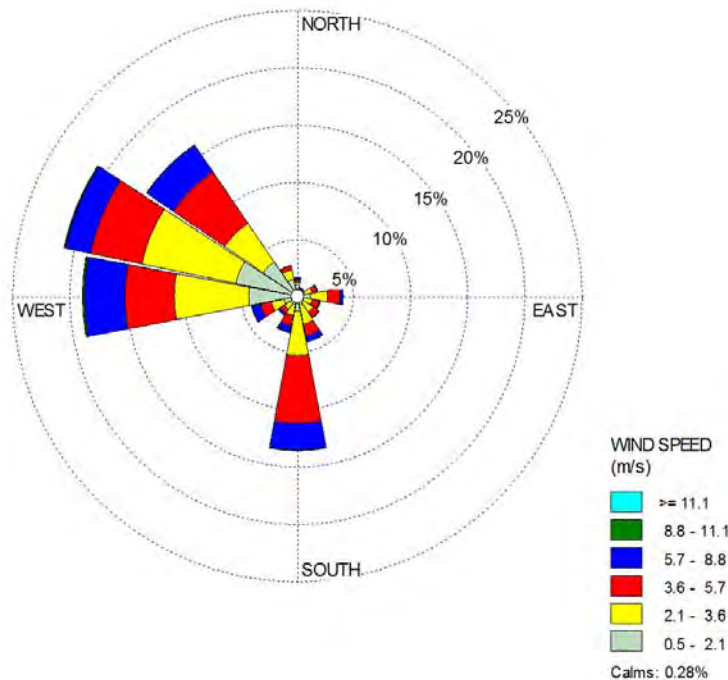
SUMMARY OF MITIGATION MEASURES TO BE IMPLEMENTED

W-14
cont.

1. Include operational goals and staff qualifications to be part of Operator RFP
2. Consider and stipulate how remainder of site can be used.
3. Consider partnering or cooperation with Nature advocates
4. Require extensive landscaping, hedgerows and screening
5. Require all internal circulation to be on high quality paved surfaces
6. Consider alternative fuels for equipment, and trucking where possible
7. Minimize night lighting and operations
8. Stipulate that operation is to use ASP composting
9. Set test wells around perimeter to monitor groundwater quality
10. Study air and wind directions and deflect as necessary to avoid neighbors
11. Set all necessary controls to minimize and control dust
12. Enhance biological resources and wildlife around perimeter..
13. Specify odor control protocol and enforcement.
14. Review and specify food waste management hygiene to very high standards, including risks to livestock and neighbors.

W. Rene and Berti Cardinaux

- W-1** The Draft EIR analyzes the Central Site Alternative. Therefore, SCWMA is not precluded from selecting this alternative. Additionally, while the Draft EIR assumed that only 110,000 tons per year of capacity was feasible for composting operations at the Central Site, the Recirculated Draft EIR analyzes 200,000 tons per year operation at the Central Site. Thus, the revised project description for the Central Site Alternative, presented in the Recirculated Draft EIR, would meet one of the main project objectives (200,000 tons per year capacity).
- W-2** This EIR has been prepared in accordance with current State, County and other applicable agency CEQA *Guidelines* and professional standards. For Site 40, groundwater impacts are analyzed in Chapter 27 of the DEIR. Odor, dust, and other air quality impacts are analyzed in Chapter 15. Noise impacts are analyzed in Chapter 20. Aesthetic impacts are in Chapter 23.
- W-3** Please see the response to Comment S-3.
- W-4** As noted above, this EIR has been prepared in accordance with current State, County and other applicable agency CEQA *Guidelines* and professional standards. As noted in the response to Comment S-3, approval of the Site 40 Alternative could only be done after the SCWMA adopts a Statement of Overriding Considerations.
- W-5** The 200,000 tons per year capacity criteria has been identified in previous studies commissioned by SCWMA. Thus, while the Central Site alternative described in the Draft was not ruled infeasible, it did fail to meet an important objective. However, the Recirculated Draft EIR analyzes a proposed new design for the Central Site Alternative that could feasibly provide for 200,000 tons of compost material per year. Please refer to the Recirculated Draft EIR for a detailed project description and impact analysis of this alternative.
- W-6** A windrose that depicts frequency and speeds of the winds representative of Site 40 is included below. The windrose is from the Petaluma Airport monitoring site, at latitude 38.2597 north, longitude 122.6113 west. The greatest frequency of winds is from the northwest, west, and south. No additional wind study was deemed necessary for this project. This information does not change the conclusions of the Draft EIR and merely provides clarifying information.
- W-7** Draft EIR Chapter 15, Air, identifies the nearest residences to Site 40, and uses this information as a basis for the impact analysis. The Air Quality analysis focuses on the nearest residents, as these would be most affected by emissions from the composting facility.



- W-8** Table 15.2 in Chapter 15, Air Quality in the Draft EIR describes operational impacts from vehicles and equipment use. Mitigation Measure 15.2b is included for fugitive dust control.
- W-9** Please see the responses to Comments D-7 and S-2.
- W-10** The commenter asserts that traffic related emissions (dust and exhaust) cannot be adequately mitigated. Contrary to this assertion, however, it is noted under Impacts 15.2 and 15.3 in Chapter 15 of the DEIR that these impacts would be reduced to less than significant after implementation of the specified mitigation measures.
- W-11** Please see the response to Comment W-14, below, pertaining to suggested mitigation measures.
- W-12** The SCWMA appreciates the suggestions of the commenter. Please note that the greenhouse gas reduction measure (Mitigation Measure 15.8b of the Draft EIR) cited by the commenter already includes the option for onsite offset strategies.
- W-13** The SCWMA acknowledges the commenter's concerns regarding the desire for the proposed facility operators to act as a "good neighbor." The SCWMA is committed to developing and operating a state-of-the-art composting facility that minimizes impacts on neighbors and on the environment. These concerns will be integral to decision making, including site selection and contracting for site development and operations.
- W-14** The commenter provides a list of fourteen measures that they suggest incorporating into the EIR. These are addressed individually below:

“1. Include operational goals and staff qualifications to be part of Operator RFP”

This measure can be expected to be considered by the SCWMA when seeking an operator for the composting facility. It does not, however, raise an environmental topic requiring an analysis in an EIR pursuant to CEQA’s requirements.

“2. Consider and stipulate how remainder of site can be used.”

For a discussion of the anticipated use for the remainder of the site, please refer to Comment EE-11.

“3. Consider partnering or cooperation with Nature advocates.”

Consideration of partnerships with outside entities does not raise an environmental concern and is outside the scope of an EIR pursuant to CEQA’s requirements. However, if the Project is approved, such partnerships may be addressed under subsequent actions by the SCWMA.

“4. Require extensive landscaping, hedgerows, and screening.”

Mitigation for potential impacts on visual resources would be required. These are addressed for Site 40 in Chapter 23 of the Draft EIR. Please refer to that discussion for additional information.

“5. Require all internal circulation to be on high quality paved surfaces.”

Presumably the commenter is concerned about dust and potential drainage issues associated with poorly maintained and unpaved roads. For a discussion of dust emissions associated with operation of the Site 40 Alternative, please refer to Chapter 15 of the Draft EIR. For a discussion of potential water-related impacts of the Site 40 Alternative, please refer to Chapter 18 of the Draft EIR.

“6. Consider alternative fuels for equipment, and trucking where possible.”

Presumably the commenter is concerned about greenhouse gas or other airborne emissions. For a discussion of these issues, including proposed mitigation measures, please refer to Chapter 15 of the Draft EIR.

“7. Minimize night lighting and operations.”

Nighttime lighting for the Site 40 Alternative is discussed in Chapter 23 of the Draft EIR, along with proposed mitigation. Nighttime noise during operations is discussed in Chapter 20 of the Draft EIR.

“8. Stipulate that operation is to use ASP composting.”

Please see the responses to Comments D-7 and S-2.

“9. Set test wells around perimeter to monitor groundwater quality.”

Potential impacts to water quality including groundwater at Site 40 are discussed in Impact 18.2 in Draft EIR Chapter 18, with additional discussion located in Chapter 8 of the Draft EIR. Mitigation Measure 18.2a would require groundwater monitoring.

“10. Study air and wind directions and deflect as necessary to avoid neighbors.”

Air quality including odors and applicable mitigation to minimize impacts at the Site 40 Alternative are discussed in Chapter 15 of the Draft EIR. Please refer to the discussion therein for additional information. See also the response to Comment W-6 regarding prevalent winds at Site 40 and the response to Comment K-4 regarding wind breaks.

“11. Set all necessary controls to minimize and control dust.”

Air quality including dust and applicable mitigation to minimize impacts at the Site 40 Alternative are discussed in Chapter 15 of the Draft EIR. Please refer to the discussion therein for additional information.

“12. Enhance biological resources and wildlife around perimeter.”

Potential impacts to biological resources at Site 40 are evaluated and mitigated within Chapter 16 of the Draft EIR.

“13. Specify odor control protocol and enforcement.”

Air quality including odors and applicable mitigation to minimize impacts at the Site 40 Alternative are discussed in Chapter 15 of the Draft EIR. Please refer to the discussion therein for additional information.

“14. Review and specify food waste management hygiene to very high standards, including risks to livestock and neighbors.”

The Project would adhere to waste management and composting standards promulgated by the State of California and Sonoma County. Adherence to regulatory requirements is anticipated to be sufficient to minimize potential risks to humans and livestock.

February 20, 2012

Sonoma County Waste Management Agency
2300 County Center Drive, Suite B 100
Santa Rosa, CA 95403

Attention: Mr. Patrick Carter
Waste Management Specialist

Dear Mr. Carter

I'm writing to express my strong opposition to the proposal to relocate the county mulching facility to site 40. Locating the facility at site 40 will create immediate and long term irreversible damage to the area and its residents. Such damage includes, but is not limited to:

1. Conversion of Prime Farmland of statewide importance to semi-industrial use. No other site under consideration would be located on such an important and no-renewable natural resource. Prime Farmland cannot be relocated or replaced to suit public needs, but a recycle facility certainly can. X-1
2. Dependence on recycled water from the City of Petaluma. Site 40 is located in an area of marginal water supply which cannot support the proposed mulching operation. Proponents of site 41 stated publicly they are "optimistic" City water will be available to meet future needs indefinitely. There is no legal binding commitment from the City to justify such optimism; and even if it existed, unforeseen circumstances beyond anyone's control could interrupt the supply at any time. X-2
3. Introduction of new insects and organic infestations from all areas of the county into Prime Farmland. The area immediately surrounding site 40 includes an organic dairy farm, organic olive orchard, and numerous vineyards. All would be negatively impacted by the proposed operation, and exposed to new pests and disease. X-3
4. Pest attraction. The proposed facility will attract all manner of scavengers, including birds, mice and rats. The increase in these pests will affect surrounding agricultural operations, dairies and residents. Chemical pest control measures unintentionally poison local predators, making effective control doubly difficult. X-4
5. Odor. The draft EIR describes anticipated odor as insignificant. This subjective conclusion is meaningless since the mulching operational process is still undecided. Furthermore, any unpleasant odors present in vineyards are perceived to adversely affect wine flavor, and therefore substantially reduces grape value X-5

6. Traffic intrusion. The near-term traffic draw is expected to be up to 500 additional vehicles per day, yet the draft EIR characterizes this increase as "insignificant." It must be pointed out that much of the traffic will flow on the 2-mile section of Stage Gulch Road between Lakeville Rd. and site 40, which is very narrow, twisty, and has numerous unprotected drop-offs.

X-6

7. The draft EIR virtually ignores the impact site 40 will have on surrounding Prime Farmland. It's understood any proposal for operations that may impact such farm land must, by regulation, include an EIR addressing the effects the proposed operation will have on such Prime Farmland.

X-7

The proposed site 40 production facility will have an immediate and permanent negative impact on surrounding agricultural and dairy farmers, the quality of life for local residents, and depreciate property values.

X-8

Sincerely,

S. Foster
Samantha Foster
1180 Stage Gulch Rd
Petaluma, CA 94954

X. Samantha Foster

- X-1** Please see the response to Comment V-1.
- X-2** Please see the response to Comment V-2.
- X-3** Please see the response to Comment V-3.
- X-4** Please see the response to Comment V-4.
- X-5** Please see the response to Comment V-5.
- X-6** Please see the response to Comment V-6.
- X-7** Please see the response to Comment V-7.
- X-8** Please see the response to Comment V-8.

Griffin's Lair Vineyards
7300 Lakeville Road
Petaluma, CA 94954

February 12, 2012

Mr. Patrick Carter, Waste Mgt. Specialist
Sonoma County Waste Management Agency,
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

RE: Sonoma County Waste Management Agency Compost Facility Environmental
Impact Report

Dear Mr. Carter and the Waste Management Board,

We are grape growers in the Lakeville area, in close proximity to both Project Site 5A and Project Site 40. We would like to express our objections to both sites as the location for a large compost facility. The EIR has missed or glossed over major issues, not just for residents and farmers in the immediate area, but for all county residents. Both sites are inappropriate for the following reasons:

- **Impact on agriculture:** This is prime farm land, currently utilized for raising cattle, sheep, horses, and miniature horses, and growing winegrapes, hay, silage, and row crops. Such irreplaceable land should be protected and **is** protected, in fact, by current zoning. A large commercial facility is not an approved use of this land.
- **Impact on grape growing:** This is our livelihood so we can speak to the many potential problems: **dust** (coating grapes and causing mite problems), **pathogens and insects**, which can be carried on green waste (including pests like the European Grapevine Moth, for which most of Sonoma County is currently under quarantine); **water issues** Ground water is scarce in the area south of Petaluma and there is danger of wells and farm ponds running dry should a large commercial enterprise suck up this precious resource—wells could also be contaminated; attracting **birds**, which at current levels are already a major problem to vineyards, **noxious odors** , which can transmit off-flavors to ripening grapes, rendering them

Y-1

Y-2

Y-3

Y-4

Y-5

Y-6

unsalable. The above facts can be documented, and we would be happy to provide evidence from UC Extension experts should you require it.

- **Impact on tourism:** Petaluma is “the Gateway to Sonoma Wine Country” and is promoted as such. Tours of vineyards are offered by both the Sonoma County Winegrape Commission and the Petaluma Gap Winegrowers Alliance. Tour buses are ever present on our winding picturesque roads; bird watchers walk with their binoculars; cyclists are everywhere; and recreational boats sail up the Petaluma River. These visitors come to enjoy the quiet farmland, the unspoiled views, and experience the rural lifestyle. They will not come to hear the constant noise of a compost operation, see the clouds of steam and foul smells, and drive our windy one-lane roads alongside heavy trucks. The Lakeville area is a **designated scenic corridor**: no amount of mitigation will make a compost operation “scenic.” A facility at Site 5A will be highly visible, and within smelling range, of the hundreds of recreational boats that come from every Bay Area yacht club on annual cruises to Petaluma. These boating enthusiasts come by water seeking the same experience: peace and quiet, and unspoiled vistas. During their stay in Petaluma these visitors spend money in shops and restaurants—vital support for local businesses.
- **Impact on the Petaluma River and wetlands:** A facility at site 5A cannot help but impact the river and its sensitive wetlands—berms cannot give adequate protection. The EIR cites a 100-Year Floodplain, but we have lived here since 1995 and have twice seen that specific area completely under water. Levies can be built, but are still vulnerable to flood waters. Maintenance of levies, as every farmer along the river knows, is expensive and difficult--will the Army Corps of Engineers monitor their condition and effectiveness? In any case, nitrates and toxins will leach from the compost piles into the groundwater, impacting sensitive plants and wildlife in the wetland areas. We intend to contact the Bay Area Conservation District, state and federal Fish and Game officials, the Friends of the River, Sonoma Land Trust, and any other agency with an interest in the ongoing protection and restoration of wetlands, and inform them that this site is under consideration.
- **Impact on traffic:** The problems on Lakeville Road have been well documented: This is a dangerous road and additional truck traffic will make it even more treacherous. It is currently very difficult for residents to enter/exit their driveways, and to move farm equipment on properties that

Y-6
cont.

Y-7

Y-8

Y-9

Y-10

span the road. Narrow, winding 116 (Stage Gulch Road) will become dangerous and increased truck traffic will hinder existing agriculture. Left turns will be impossible without addition of traffic lights—has a study been done of costs and impact of traffic signals on traffic patterns?

Y-10
cont.

- **Aesthetic Considerations:** Intangibles such as quality of life have not been adequately addressed in this Environmental Impact Report. There is value in such things as tranquility, a connection to the land, peaceful vistas of rolling pasture land and of a river winding through fragile wetlands—they offer a healing respite from the stresses of everyday life.

Y-11

We are avid recyclers. We make own compost and also purchase tons of compost annually to amend our vineyard soils. We support an expanded compost facility. But it is clear to us that only one of the proposed sites is viable—the current Meacham Road location.

Y-12

Thank you for considering our comments. Please add us to your mailing list to receive notices of any actions occurring on this issue.

Sincerely,

Joan and Jim Griffin
Residents of Lakeville
Owners/managers, Griffin's Lair Vineyard

email jim@griffinslair.com; joan@griffinslair.com
Tel. 707-775-3270

Y. Joan and Jim Griffin

- Y-1** For Site 5A, please see the response to Comment P-1. For Site 40, please see the response to Comments S-3 and AA-2. Regarding General Plan Consistency, please see the response to Comment I-3.
- Y-2** As stated in Chapter 5 and Chapter 15 of the Draft EIR, after implementation of Mitigation Measures 5.2b or 15.3 (Fugitive Dust Control) for Site 5A and Site 40, respectively, emissions of dust would be less than significant. Controlling dust to reduce human health impacts would also reduce the potential for dust or dust mites to impact vineyards in the vicinity to the extent feasible.
- Y-3** For a discussion of potential effects related to attraction or spread of pathogens, insects, and other pests, please refer to the response to Comment L-5.
- Y-4** Chapter 8 Hydrology and Water Quality of the Draft EIR discusses surface water supplies on the project site. As discussed, the project is not expected to result in a net increase in water demand on site, in comparison to existing agricultural pumping. Additionally, groundwater level monitoring would be required for the project, in adherence with County requirements, and as discussed on pages 8-21 to 8-23 of the Draft EIR.
- Y-5** For a discussion of potential effects of the Project related to attracting birds and other pests, please refer to the response to Comment L-5.
- Y-6** Please see the response to Comment Q-1.
- Y-7** Per Chapter 13, Aesthetics, of the Draft EIR, Site 5A would not significantly alter the visual character of the project site.
- Per Chapter 23, Aesthetics, of the Draft EIR, Site 40 would not substantially alter the visual character of the site with implementation of mitigation measure 23.1 (landscape screening on public roads).
- As stated in Chapters 5 and 15 of the Draft EIR, after implementation of mitigation measures, operational emissions from fugitive dust and odors would be less than significant for both Site 5A and Site 40.
- Potential nuisance effects on visitors in the region would be less than significant. The effect on tourism cannot be quantified and is not considered a potential impact under CEQA (CEQA Guidelines Section 15131[a]).
- Y-8** Chapter 8, Hydrology of the Draft EIR specifies Mitigation Measure 8.3b for Site 5A. This measure would require a drainage plan that would size drainage facilities to convey and contain all stormwater flows from the composting area on site, up to 100 year storm

conditions plus an extra 10 percent volume capacity. With respect to flooding, the Draft EIR acknowledges that the site is located in the 100-year floodplain (pages 8-5 and 8-6 of the Draft EIR), and indicates that the proposed levees would protect the facility from a 100-year flood event (page 8-25 of the Draft EIR). So too would the proposed levees protect from any smaller or localized flooding events which are noted by the commenters.

- Y-9** Water applied to compost piles during normal compost operations would be managed in order to minimize runoff from compost piles. As indicated in Chapter 3, Project Description of the Draft EIR, during storm events, all surface runoff emanating from composting operations and associated facilities would be contained onsite, and channeled, as needed, into a stormwater detention pond located on site, and managed in accordance with applicable local, state, and federal requirements. For additional discussion of stormwater management, please refer to response to Comment I-9. With respect to increases in nitrate levels in groundwater, based on a review of available literature, such increases have not been identified at other composting facilities. Generally speaking, compost is produced in a manner so as to be beneficial to its final end use – that is, in support of agriculture or other uses where nutrient content is considered beneficial. Long-term storage of finished compost product on site, such that further leaching of nutrients into groundwater could occur, would not be practiced on site, and the total amount of compost stored on site would be limited by the Local Enforcement Agency. Therefore, as discussed in Chapter 8 of the Draft EIR, natural water quality would not be substantially degraded as a result of project implementation.
- Y-10** Chapter 22 of the Draft EIR analyzed potential traffic and traffic safety impacts in relation to County standards, and determined that with implementation of mitigation measures, the significant traffic safety impacts associated with the Site 40 Alternative would be reduced to less than significant.
- Y-11** Regarding visual/aesthetic impact analysis, please see the response to Comment Y-7, above. Regarding general “quality of life” issues, CEQA requires that an EIR address physical changes in the environment that would result from the proposed project. The larger economic and social context may be considered by the lead agency, but is not required by CEQA to be analyzed within the EIR itself unless physical changes in the environment would result from those economic and social effects.
- Y-12** The SCWMA acknowledges the commenters’ support of the Central Site Alternative.



HENDRICKS VINEYARD

January 31, 2012

Sonoma County Waste Management Agency
Attn: Patrick Carter
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

Dear Mr. Carter,

Thank you for the opportunity to review the Draft Environmental Impact Report.

First of all, it taxes my mind, to try and imagine a site less appropriate for this project, than the site proposed off of Lakeville Road.

Lakeville Road is well documented as one of the most dangerous roads in all of California and adding the vehicular and truck traffic that will be generated by this project will make the Lakeville corridor a crapshoot for the innocent. To suggest measures such as some signage and dedicated turn lanes will mitigate the problem is fool's gold. The environmental study needs to further analyze these impacts and mitigation measures. Traffic to capacity ratios need to be studied and the report needs to include an evaluation of congestion in relation to county standards and how ingress and egress will be affected. The feasibility of mitigation measures well beyond signs and turn lanes needs to be determined.

Z-1

Secondly, is the issue of Biological resources. A more comprehensive analysis of the potential impacts, directly or indirectly, to wildlife habitat, riparian habitat and protected wetlands (as defined by section 404 of the clean water act) should be presented. The report should also determine if the proposed project conflicts with any local, state or federal policies or ordinances protecting biological resources and habitat. Any potential adverse impact to any wildlife species identified as a candidate, sensitive or special status species should be considered in further detail.

Z-2

Of great concern as well, is hydrology. The environmental analysis should evaluate whether there is a potential for any waste discharge or leaching. In such an event, the report needs to identify what those impacts would be and how they would be mitigated. The threat to groundwater needs to be analyzed in greater detail and should include the impacts of herbicides and pesticides infiltrating the groundwater and surrounding environment. It is also important to note that the project will alter existing drainage patterns resulting in erosion, siltation and other degradation. These effects need to be further analyzed. The impacts to the adjacent wetlands, needs to be examined in great detail as well. The final point related to hydrology is that the project will be located within the 100 year floodplain and will result in the displacement of floodwaters. The draft EIR states there is no feasible mitigation, but this is an extremely significant environmental impact which needs to be comprehensively examined and mitigated in full.

Z-3

6614 Lakeville Road • Petaluma, California 94954 • Phone: 707-775-4554 • Fax: 707-775-4578
Email: rockinhranch@aol.com

Sonoma County Waste Management Agency
 Attn: Patrick Carter
 2300 County Center Drive, Suite B100
 Santa Rosa, CA 95403
 2 | Page

Other environmental impacts which should be examined in further detail and more comprehensively are:

Land Use Consistency – The property is not zoned for a dump. The impacts of whether the proposed project violates any land use plan, policy or regulation of any agency – local, state or federal should be examined and the impacts properly documented and evaluated. This analysis should include an analysis of Williamson Act compliance. | Z-4

Agricultural Resources – The environmental analysis should determine whether the project would result in the conversion of farmland into a non agricultural use and what is the environmental impact. Further, (and I do not recall seeing if this issue was addressed,) but materials imported to the project site could contain pests damaging to the surrounding vineyards. Also, the potential for vapors, odors or airborne contaminants impacting the quality or flavor of neighboring vineyards needs to be analyzed. These are potentially huge impacts and needs to be comprehensively evaluated in great detail. | Z-5

Utilities and Service Systems – The environmental analysis needs to identify whether the project would require or result in the construction of new water facilities or other utilities and whether new construction or the expansion of existing facilities would cause any adverse environmental effects. | Z-6

Geology and Soils – The environmental analysis should address whether the soil is suitable and stable for the proposed project and whether it could result in lateral spreading, subsidence, or liquefaction. It should also determine what the potential impacts of placing waste materials in these soils are, given the proximity of the proposed project to valuable habitat areas and the Petaluma River. | Z-7

Noise – The environmental analysis should evaluate if the project will result in a permanent increase in ambient noise levels and will the project result in the exposure of nearby residents and neighbors to ongoing or permanent ground borne vibration or noise. | Z-8

Air Quality – The environmental analysis needs to determine if the proposed project would create objectionable odors affecting nearby neighbors and residents. This should include an analysis of waste management practices and how they take into account the local microclimatic conditions of the area including wind, and precipitation patterns. | Z-9

Aesthetics – The environmental report should include an analysis of the impacts of visually altering the bucolic character of the neighborhood and surrounding area. The Petaluma River enjoys a large amount of boating traffic with many yacht clubs and boating enthusiasts sailing up the river and berthing in the downtown turning basin. With their sailing experience sullied by the appearance and odors of the project, fewer will visit and the downtown merchants and businesses will be affected. Scenic vistas will be adversely impacted from not only the river, but the highway, conservation land, and the surrounding neighbor's property. All of these impacts need to be evaluated in further detail with acceptable and equivalent mitigation offered. | Z-10

Economics – The environmental analysis needs to determine what will be the adverse economic impact to neighboring property owners resulting from the proposed project. In particular, the report needs to evaluate and determine the extent which property values will decrease due to the odors, traffic, noise, stigma and other adverse impacts associated with this project. Feasible and fair mitigation measures need to be presented. | Z-11

Sonoma County Waste Management Agency
Attn: Patrick Carter
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

3 | Page

Again, thank you for the opportunity to comment on the draft environmental impact report, but we believe a complete an detailed evaluation of all of the environmental impacts associated with this project for site 5A will conclusively reveal it is a particularly sensitive site and ill-suited for the proposed project. Clearly there are many sites in Sonoma County which would present a far better alternative in terms of significant environmental impacts.

Sincerely,

Yolande Hendricks

Z. Yolande Hendricks

- Z-1** Chapter 12 of the Draft EIR analyzes potential traffic and traffic safety impacts of the project (Site 5A) in relation to County standards, and finds several significant traffic and traffic safety impacts. The Draft EIR identifies mitigation measures to reduce these impacts to less than significant.
- Z-2** Please refer to Chapter 6 of the Draft EIR. The Setting section of this chapter identifies the survey methodology and the baseline conditions of biological resources on the project site. Pages 6-12 through 6-16 identify relevant federal, state, and local regulations. The impact analysis considers the project effects on sensitive habitats, including waters of the U.S., and impacts to candidate, sensitive, and special status species. The impact analysis finds potential impacts to Coastal Brackish Marsh (Impact 6.1); to waters of the U.S. including wetlands (Impact 6.2); and to the tricolored blackbird, and three potentially occurring rare plants, Point Reyes bird's-beak, soft bird's-beak, and Marin knotweed (Impact 6.3). These impacts would be mitigated to a less-than-significant level with the implementation of Measures 6.1, 6.2, 6.3a, and 6.3b.
- Z-3** Water applied to compost piles during normal compost operations would be managed in order to minimize runoff from compost piles. As indicated in Draft EIR Chapter 3, Project Description, and in Draft EIR Chapter 8, Hydrology and Water Quality, all surface runoff emanating from composting operations and associated facilities at Site 5A would be contained onsite, and channeled, as needed, into a stormwater detention pond. The pond would be sized so as to contain all stormwater flows. Therefore, pollutants would not be released to surface waters, and natural waters would not be degraded. For additional information, please see also the responses to Comments I-8 and I-9.

The State composting regulations require use of low-permeability pads for composting operations, operational practices to minimize the generation of leachate, and control of stormwater and other water that has contacted active and finished compost, where this could cause contamination of surface water and groundwater (including, for example, if compost feedstocks have traces of pesticides or herbicides). Adherence to the State composting regulations would avoid impacts to groundwater and surface water.

Draft EIR Chapter 8, Hydrology, includes Mitigation Measure 8.3b for Site 5A, which requires a drainage plan to ensure adequate sizing of drainage facilities needed to manage stormwater on site. Please refer to the analysis provided for Impact 8.3 in the Draft EIR for additional information. Please see also the response to Comment I-9 for more information regarding stormwater management during major storm events. For a discussion of impacts to wetlands at Site 5a, please refer to Draft EIR Chapter 6, Biological Resources. With respect to displacement of flood waters, the commenter is correct that this is anticipated to be a significant and unavoidable impact. As stated on page 8-25 of the Draft EIR, no feasible mitigation is available. This impact will be considered by the SCWMA prior to project approval. If Site 5A is selected, project

approval would require the adoption by the SCWMA of a Statement of Overriding Considerations, pursuant to CEQA Guidelines section 15093.

- Z-4** The project does not propose to place a dump or landfill on the project site. Please see Draft EIR Chapter 9, Land Use and Agriculture, for the land use consistency analysis of Site 5A; please see also the response to Comment I-3. Please see also Comment B-1 and the response to this comment, with regard to Site 5A and the Williamson Act.
- Z-5** Draft EIR Chapter 9, Land Use and Agriculture, addresses conversion of farmland into non agricultural use. Please see the response to Comment Q-1, regarding impact on grape quality in the neighboring vineyards. Please see also the response to Comment L-5 regarding pests.
- Z-6** Draft EIR Chapter 11, Public Services and Utilities, finds that the project would not cause any significant impacts to Public Services and Utilities.
- Z-7** Draft EIR page 4-12 provides a summary of potential environmental impacts associated with geologic and soils resources. As discussed therein, all proposed facilities would be required to adhere to applicable building codes (i.e., the California Building Code as well as local/Sonoma County requirements) with respect to seismicity. Adherence to these requirements would minimize potential for damage associated with seismic activity. With respect to soil contamination, composting of hazardous materials or chemicals would not be permitted within the proposed operations. All composting operations would be contained on site. Disposal of wastes on site would not occur. Compost produced by the facility would be of sufficient quality to permit land application.
- Z-8** Chapter 10 Noise of the Draft EIR addresses increases in noise levels that would be caused by implementation of the project at Site 5A. Operational noise was found to be less than significant with mitigation. Groundbourne vibration was not discussed because, as stated in Chapter 10, the project is located 2,100 feet from the closest sensitive receptor and does not involve pile driving. The project would not create exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.
- Z-9** As stated in Chapter 5 Air Quality of the Draft EIR, odors associated with Site 5A operations would be less than significant with incorporation of Mitigation Measure 5.5.
- Z-10** Draft EIR Chapter 13, Aesthetics, page 13-2, describes the visibility of the site from the Petaluma River and notes that, depending on the water level of the Petaluma River, the project site may be visible to boats or other watercraft. Normally, views of the project site would be at least partially obscured by the levee which is located between the Petaluma River and the project site. The composting facility would be located approximately one half mile from the water's edge, and would not include tall buildings or other structures that would substantially alter views from the river. Therefore, the project would not be expected to result in a significant adverse effect on scenic vistas from the Petaluma River.

Please see the response to Comment Z-9, above, regarding odors. Although the Sonoma County Visual Assessment Guidelines do not require an analysis from private property, the Draft EIR includes an analysis from neighboring property (viewpoint B, Figure 13-1). The analysis concludes that implementation of Site 5A would have a less than significant impact on the visual character of the project site.

- Z-11** The economic effects of a project are not considered significant effects on the environment unless those economic effects result in an adverse physical change in the environment (per CEQA Guidelines Section 15131). No evidence of adverse physical changes from alleged economic effects has been cited by the commenter. Economic and social factors may be considered by the lead agency when determining the significance of an impact or the feasibility of a mitigation measure. The Draft EIR does include analysis of impacts to adjacent land uses, including air quality, hydrology, noise, and biology. Of these impacts, significant (and unavoidable) impacts are identified for air quality, both short-term construction impacts and cumulative impacts. These impacts are either short-term (construction) or regional in nature (cumulative), and as such would not result in a significant direct long-term effect on nearby land uses.

Comments and concerns regarding the adequacy of the
DEIR of the Sonoma County Waste Management Agency Compost Facility

January 30, 2012

My name is Jens Kullberg and my family own and operate Stage Gulch Vineyards, a 90 acre vineyard across the street from Site 40, also known as the Teixeira Ranch.

I have some concerns about compatibility of the Compost operations, being industrial in nature, with Site 40, being Agriculture in nature.

AA-1

I would like to point out some deficiencies of the EIR.

Table 2-2 Environmental Impacts and Mitigation Measures: There are no Agriculture or economic impacts to neighboring vineyards discussed.

AA-2

Section 4.5 Site 40 Alternative: No Agriculture or economic impacts are discussed at all on the existing operations at Teixeira Ranch or surrounding Agricultural Operations.

AA-3

Page 4-11: There is one sentence about our vineyard. No concern for the impacts that WILL occur if Compost facility is located across the street. We are downwind from the site.

AA-4

Chapter 5: No mention of fungus, insects, pathogens, or bacterial disease being introduced to the air and becoming airborne. These vectors, funguses, and bacteria WILL adversely affect surrounding grapes. I understand the compost itself will be free of these problems, but 200,000 tons of green waste, viticulture waste (prunings), manure, and food scraps dumped en masse are bound to contain, generate, and release harmful compounds into the air.

AA-5

I would like to explain the meaning of some of the terms used in the EIR so my points will be clearly understood. In reference to impacts of these Sites three terms are used: Significant, less than significant, and significant and unavoidable. Significant would be something like traffic, noise or dust. Less than significant means an impact that has been mitigated, and significant and unavoidable is an impact that even after mitigation the problem is not resolved or remedied. This is a big strike against the Project Site.

AA-6

Page 19-6 and Figure 19-1: According the California Department of Conservation Farmland Mapping and Monitoring Program, Site 40 is classified as Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, and Grazing Land. Under these categories the project's Agricultural impact is considered SIGNIFICANT under the California Agricultural LESA Model. The mitigation measure suggested is number 9.4, described on page 9-14, which is to cancel the Williamson Act by purchasing the property. How this mitigation measure will address the problem of converting Prime Farmland to an industrial use needs further explanation. But even with mitigation, the project's impact is considered SIGNIFICANT AND UNAVOIDABLE. In other words, the problem of converting Prime Farmland cannot be solved. Under the Agriculture Section in all chapters, only the Williamson Act is discussed and no

discussions about economic impacts to surrounding Agriculture operations. How an EIR can be considered complete without discussion of economic impacts to neighbors and their livelihoods is a dereliction of duty and not due diligence.

AA-6
cont.

Page 2-2, 2-3: Site 5A has 5 SIGNIFICANT AND UNAVOIDABLE adverse impacts, Site 40 has 6 SIGNIFICANT AND UNAVOIDABLE impacts, and the Central Site has only 1 (only involves increased noise).

Vineyard prunings, pumice, viticulture products, food scraps, and manure will be trucked to the compost facility. This WILL introduce pathogens that surrounding vineyards currently are not exposed to. My vineyard is upwind from other vineyards and is not exposed to many grapevines diseases plaguing other vineyards. Our isolation is an asset that would be jeopardized if a compost facility was located across the street and upwind from our vineyard.

AA-7

My greatest concern however is the certainty that dust, odors, pathogens, including but not limited to aspergillus fumigatus (a fungus), insects, and birds will impact the quality and therefore salability and value of my grapes and my neighbor's grapes. Our livelihoods will be in serious jeopardy. I cannot believe there will be "less than significant" impacts to our vineyard and the 500 acres of grapes downwind from Site 40.

Finally I want to point out that many problems, concerns, and obstacles associated with Site 5A and Site 40 cannot be mitigated to reach less than significant levels. They are currently SIGNIFICANT AND UNAVOIDABLE. However all these problems are LESS THAN SIGNIFICANT at the Central Site, the location of the current composting facility. Logic tells us that is where the composting should stay.

AA-8

Sincerely,

Jens Kullberg

529 Sycamore Lane

Cotati, CA 94931

707 484-1183

AA. Jens Kullberg

- AA-1** Land use conversion of Site 40 was identified as a significant unavoidable impact in Draft EIR Chapter 19, Land Use and Agriculture (Impact 19.3).
- AA-2** Potential impacts to agriculture at Site 40 are discussed in the Draft EIR in terms of both direct and indirect impacts. The direct impacts are analyzed in Chapter 19 and include the conversion of farmland as a result of the project (Impact 19.3) and the potential to conflict with an existing Williamson Act contract (Impact 19.4). The Draft EIR found both of these impacts to be significant with regard to Site 40. The indirect impacts consist of the other physical changes that could affect the surrounding land uses. These include air quality, water quality/hydrology, noise, etc., and are analyzed in the appropriate sections of the Draft EIR.

The economic effects of a project are not considered significant effects on the environment unless those economic effects result in an adverse physical change in the environment (per CEQA Guidelines Section 15131). No evidence of adverse physical changes from alleged economic effects has been cited by the commenter. Economic and social factors may be considered by the lead agency when determining the significance of an impact or the feasibility of a mitigation measure.

- AA-3** Please see the response to Comment AA-2.
- AA-4** Please refer to Draft EIR Chapters 15 through 23, which discuss impacts on the surrounding environment for the Site 40 Alternative.
- AA-5** The composting process can result in the generation of live or dead bacteria, fungi (including *Aspergillus fumigatus*), allergens, etc., which are termed bioaerosols, or organic dust. While composting facilities have been shown to have increased occurrence of bioaerosols, the levels return to typical background concentrations after about 800 feet (Stagg et al, 2010). Thus, bioaerosol exposure at the nearest residential uses 1,750 and 1,835 feet from the Site 40 Alternative would be negligible. Furthermore, bioaerosols are frequently adsorbed onto dust particles (hence the term organic dust) and dust control measures have been shown to reduce the generation of these organic particles. Dust control measures, such as Mitigation Measure 15.3 (Fugitive Dust Control) included in the Draft EIR, have been shown to reduce the generation of these organic particles. Also, Mitigation measure 19.2 would require the use of Aerated Static Pile (ASP) composting at Site 40, which would also reduce fugitive dust compared to windrow turning since the piles would be covered and would not be turned. Regarding potential effects of odors from composting operations on grape quality in nearby vineyards, please see the response to Comment Q-1. Please note that the figure of 200,000 tons pertains to the annual rated throughput of the facility. This volume of material would not be brought to the site “en masse” and would not all be present on site at once.

- AA-6** Regarding significant unavoidable impacts, please see the response to Comment S-3. Regarding economic impacts, please see the response to AA-2.
- AA-7** Please see the response to Comment AA-5, above, and also the responses to Comments Q-1 and L-5.
- AA-8** Please see the Recirculated Draft EIR for comparisons of the project (Site 5A) and the Site 40 Alternative with the Central Site Alternative. Please note that the Recirculated Draft EIR identifies the Central Site Alternative as the Environmentally Superior Alternative.

KULLBERG RANCH
MARGARET KULLBERG
1036 Stage Gulch Rd. – Hwy 116
Petaluma, Ca. 94954

2012/12/10

Sonoma County Waste Management Agency
Patrick Carter
2300 Country Center Drive Suite B100
Santa Rosa, Ca.

Objections to the Draft EIR for SCWMA Compost Facility

We are very concerned about the economic impact on the agricultural land around site 40 on Stage Gulch Rd.

BB-1

I have lived across the street from Site 40 for 63 years .Our ranch of 200 acres of which 90 acres are in grapes has been in the family some 100 years. There are over 500 acres of vineyards in the area as well as an organic dairy and a row crop farm. They are all owned by individuals trying to make a living from agriculture.

Site 40 is not the place for a composi site for many reasons:

BB-2

1)According to Vol 1 p3-1the compost will consist of not only greenery, but now they will be adding vegetable and meat scraps, duck nesting, and manure. This will attract flies, birds, rats, pathogens and very strong odors when the composite is turned over in the process.

2) The wind blows directly and daily across to our property and will effect the taste of our grapes. Therefore we will be unable to sell them.

BB-3

3)Traffic (vol 1 p22-11) from trucks hauling 100,000-200,000 tons of material is not well addressed. The addition of 350 truck trips during the week and 500 on weekends is anticipated with 30% being heavy hauling trucks on a narrow a 2 lane scenic highway. This hwy would be inadequate even if widened. Scenic tour busses travel on it now on their way to wineries but they won't with that traffic and smell.

BB-4

BB-5

4) Bicyclists (vol 1 p22-1) would not be able to traverse the hwy easily. In July 2009, according to a study, between 30-80 bicyclists were counted on Stage Gulch.

BB-6

5) The noise of construction would be huge (vol 1 p20-7) –35 trucks /day, bulldozers, etc. for over a year.

BB-7

The noise of the ASP (aereated static piles) processing the compost would be ongoing 24 hours/day. (Vol 2 p9,12,13) Noise carries very far in the country.

6) The purchase cost of site 40 has not been addressed. The price is 6.9 million. This doesn't include the cost of buildings, construction or highway improvements.

BB-8

7)The wastewater they need to treat the compost is not always available. There is a shortage of it now in the summer time as it is used for agriculture, golf courses and parks. Petaluma might be surprised how much the compost site needs.

BB-9

Windrow operations use 104,000 gallons/day; ASP uses 52,000 gallons/day. (vol 1 p3-13)

8) Potable water is very limited. There is just enough for the exisiting house—not enough for many workers.

BB-10

A new septic system has to be installed which is costly.

9) Site 40 is in the LEA-Land Extensive Agriculture zoning.(vol 1 p2,3,) It is also called Prime Farmland, Farmland of Statewide Importance and Grazing Land. It is also on the Williamson Act. Changing this would require General Plan amendments by the Board of Supervisors. This is not likely as the size and intensity of the operation would limit its ability to be permitted as a subordinate agriculture support.

BB-11

The Williamson Act takes 9 years to phase out.

10)The economic impact on neighboring lands is never discussed, i.e. loss of grape income , health concerns to cows producing organic milk, etc. The loss of value of our lands is never mentioned.

BB-12

Reasons for Retaining the Central Site

BB-13

- 1) It is consistent with the General Plan.
- 2) No important habit or fauna is impacted.
- 3) It is situated countywise in a more convenient location.
- 4) The well is in a recharge area. There is an available wastewater pond nearby from which water could be obtained.
- 5) Traffic control is already in place with electric signal lights and turnout lanes. (No new cost)
- 6) There is land adjacent to the property that has been offered sale if expansion is needed.
- 7) Operators of the existing company like it where the site is now. Check with them.

In conclusion all facts point to many adverse impacts to sites 5A and 40 and only one adversity to the Central Site (noise!). See the opening letter and Vol 1 p2 2-3. It is much cheaper.

The agriculture industry provides the biggest income in the state. In this area grapes and milk produce the most income. Surely you don't want to jeopardize our local agricultural economy by putting a compost facility in this area.

BB-14



Margaret Kullberg

BB. Margaret Kullberg

- BB-1** The SCWMA acknowledges the commenter's concern regarding existing farming operations and potential economic effects. Please see the response to Comment BB-12, below, for a discussion of economic impacts.
- BB-2** Please see the response to Comments S-1 and L-5 for a discussion of odor and pest impacts, respectively.
- BB-3** Please see the response to Comment Q-1.
- BB-4** Chapter 22 of the Draft EIR analyzes potential traffic and traffic safety impacts of the Site 40 Alternative. The analysis determines that, with implementation of mitigation measures, the traffic impacts associated with the Site 40 Alternative would be less than significant.
- BB-5** As stated in Draft EIR Chapter 15, Air Quality, Mitigation Measure 5.5 will be required to reduce odor impacts. With implementation of this measure, odor impacts would be less than significant. Please see the response to Comment Q-1 regarding odors and grape quality. Please see the response to Comment BB-4 regarding traffic impacts.
- BB-6** Draft EIR Chapter 22 analyzes potential traffic and traffic safety impacts, as well as impacts on bicyclist use, in relation to County standards, and determines that with implementation of mitigation measures, the impacts associated with the Site 40 Alternative would be less than significant. Please see the response to Comment K-25 regarding impacts to bicyclists.
- BB-7** As stated in Draft EIR Chapter 20, Noise, noise from construction and operation of Site 40 would be less than significant after mitigation (Mitigation Measures 20.1 and 20.2). Please see the response to Comment T-2.
- BB-8** While the purchase price of the land for Site 40 may increase project cost for this Alternative, it does not render this Alternative technically infeasible. An economic analysis of the relative cost of developing and operating the composting operation at the various alternatives sites is beyond the scope of an EIR.
- BB-9** With respect to water supply, a Water Supply Assessment (WSA) was completed, pursuant to California Public Resources Code §21151.9. The WSA provides an evaluation of water demand by the project and sufficiency of available water supply, including recycled water supply. Recycled water supplied to the existing Teixeira Ranch, as well as water demand and adequacy of available water supply for the Site 40 Alternative are discussed on pages 18-3 to 18-6 of the Draft EIR. As discussed therein, sufficient water supply would be available to meet anticipated demand. Please see also the response to Comment K-9.

BB-10 With respect to potable water at Site 40, an evaluation of potential water supply (a Water Supply Assessment, pursuant to California Public Resources Code §21151.9) was completed in support of the Draft EIR. Water demand and adequacy of available water supply for the Site 40 Alternative are discussed on pages 18-4 to 18-6 of the Draft EIR. Withdrawal of groundwater for potable water supply would be limited to approximately 0.8 acre-feet per year, which is similar to estimated existing use of 0.75 acre-feet per year, and this rate of groundwater withdrawal would not significantly affect the underlying aquifer, as discussed on page 18-7 of the Draft EIR. With respect to septic system cost, please refer to the response to Comment BB-12.

BB-11 Please see the response to Comment B-1.

BB-12 The economic effects of a project are not treated as a physical impact to the environment (per CEQA Guidelines Section 15131). Economic and social factors may be used to determine the significance of an impact. However, the comment does not provide evidence that the proposed project would significantly impair grape or dairy production. The Draft EIR does include analysis of impacts to adjacent land uses, including air quality, hydrology, noise, and biology. Of these impacts, significant (and unavoidable) impacts are identified for air quality: short-term construction impacts and cumulative impacts. These impacts are either short-term (construction) or regional in nature (cumulative), and as such would not result in a significant direct long-term effect on nearby land uses.

BB-13 Please see the response to Comment AA-8.

BB-14 Please see the responses to the prior comments.

Paul and Jill Martin Ranch
8090 Valley Ford Road
Petaluma, CA 94952
(707) 763-8874

FEB 2 '12 PM 2:49

January 31, 2012

Patrick Carter
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

Dear Mr. Carter:

We are ranchers in the Two Rock Valley and write to provide comments on the potential siting of a composting operation.

CC-1

We are quite concerned about the possibility that the proposed operation will be sited on agriculturally zoned land. Such a land use is in conflict with the permitted uses of agriculturally zoned land. It is completely inappropriate to "spot zone" for conversion to other than agriculture uses. Doing so will have a detrimental effect on the confidence of the agriculture community that additional zoning changes may ultimately be adopted and conflicting uses impinge on agricultural use. If a change in land use designation is truly appropriate, then the entire area should be changed, not parcel by parcel incursions. Landowners need to have confidence in their future in order to make the necessary facility investments to remain viable. We simply cannot allow our agricultural zoning to gain the reputation of "agriculture only until we get a better offer."

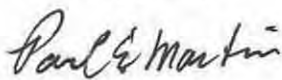
We suggest that the proper location for the composting operation is at the central landfill where traditional windrow composting is currently being performed. It is important to capture the runoff water from winter rains that percolate through the compost. This capability should already exist at the landfill, or can be quickly and easily accomplished. Additionally, converting to an in-vessel system will increase the capacity of the existing site and provide other important environmental benefits. Modestly expanding the existing site and using modern composting technology should be more strongly considered.

CC-2

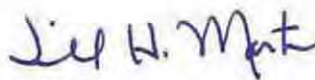
Whatever is ultimately decided, we urge that parcel by parcel zoning changes or "spot zoning" be avoided.

CC-3

Very truly yours,



Paul E. Martin



Jill H. Martin

Cc: Sonoma County Board of Supervisors

CC. Paul and Jill Martin

CC-1 Both Site 5A (proposed project) and the Site 40 Alternative may require a change in the General Plan designation and zoning. However, the Sonoma County Board of Supervisors recently adopted changes to the County Code that may render composting operations compatible with the current General Plan designation. Please see the response to Comment I-3. The Central Site, where composting currently occurs, is appropriately zoned for a composting operation. Although the commenter does not specify, it is assumed that Site 5A (nearest to Valley Ford Road) is the subject of the comments, although the observations made for Site 5A generally hold true for Site 40 with regard to zoning. “Spot zoning” is the zoning of an isolated parcel in a manner that is detrimental or incompatible with surrounding zoning or land uses (while there is no formal definition of spot zoning, this description from “Understanding the Basics of Land Use and Planning: Glossary of Land Use and Planning Terms,” by The Institute for Local Government, 2010, is consistent with planning practice).

Not all changes in zoning where the parcel is not adjacent to that same use are considered “spot zoning.” Both the size of the parcel and the nature of the zoning (the existing and proposed uses and the potential for incompatibility) should be considered. Site 5A is approximately 100 acres, which is quite large in terms of zoning districts (for example, in southwestern Sonoma County there are several rural residential areas that are smaller than 100 acres and surrounded by agriculturally zoned lands). Secondly, the nature of the proposed zoning is potentially compatible with the surrounding land uses. The rezoning of Site 5A would create a situation similar to that at the Central Site (the location favored by the commenter), where a Public/Quasi-Public district is adjacent to agriculturally zoned land. As analyzed in the EIR, the proposed use (and the P/QP zoning) would not substantially interfere with the existing and planned uses adjacent to the site. The proposed zoning would not allow for residential or commercial uses that would interfere with the agricultural uses near the site, nor would it create changes in the environment that would significantly affect the continued agricultural use of the adjacent areas.

CC-2 The SCWMA acknowledges that the commenter believes that the Central Site Alternative is the best option for a variety of reasons. Please refer to the revised analysis of the Central Site Alternative in the Recirculated Draft EIR, which examines use of Aerated Static Pile composting, and which analyzes stormwater runoff and other water quality issues raised in this comment.

CC-3 Please see the response to Comment CC-1.

Tolay Vista Vineyards
4879 Grove Street
Sonoma, CA 95476
707.695.6498

February 2, 2012

Mr. Patrick Carter
Waste Management Specialist
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

RE: Public Comment on the DEIR for the SCWMA Compost Facility

We are writing with multiple concerns about the DEIR and this entire project. Not only is the DEIR inadequate in several critical areas, the entire project (i.e. the relocation of the current compost facility) seems like a solution lacking a problem.

With respect to the DEIR, we have specific comments regarding Site 40 in the following areas:

- Air Quality
- Hydrology
- Land Use and Agriculture

Air Quality

Section 5.3 lists the Significance Criteria associated with measuring air quality. **This list needs to include additional criteria concerning the impact of pollutants and/or odors on neighboring vineyards.**

Our family owns and farms Tolay Vista Vineyards, which is located approximately 3000' SE of Site 40. Our vineyard lies directly in the path of the prevailing winds and odors and air pollutants from Site 40 will become a huge issue for our business. Potential impacts on our vineyard, as well as the literally hundreds of acres of vineyards in the Tolay Valley, all of which are down-wind from Site 40, needs to be addressed and satisfactorily mitigated.

The presence of odors and/or pollutants on our site will simply put us out of business. Purchasing of winegrapes is a highly subjective endeavor. While there are measurable

DD-1

quantitative factors involved, there are also a myriad of highly subjective qualitative factors that go into the purchase decision. These factors influence price, desirability, and ultimately whether the winery even wants to buy the grapes at all.

DD-1
cont.

During the public meeting on January 18, 2012, we heard multiple testimony from both vineyard owners and grape buyers on the negative impacts associated with being downwind from a compost facility. Without fully analyzing this specific impact, and offering up mitigation to properly mitigate this concern, the DEIR is inadequate.

Our proximity to this facility will certainly have an adverse impact on our ability to grow “clean” grapes, and even were we are able to do so, just the perception of contaminants that our proximity creates will reduce or eliminate the interest of grape buyers. If it chooses to move forward with either of the alternative sites, both of which are upwind from existing vineyards, the SCWMA needs to be prepared to compensate the impacted neighboring land owners for their loss.

At that same January 18 meeting, we also heard public comment from a UC Davis professor who spoke of a new composting technology (in vessel solution), one that was not analyzed in the DEIR, that represents the current gold standard in terms of containing air pollutants and thus preserving air quality. This individual also testified that with either the windrows or the ASP methods that there will be effects on neighbors from odors and pollutants.

DD-2

At a minimum, only superior technological options should be used in the development of this project. Neither the windrow or the aerated static pile should even be considered. Why settle for out of date, pollutant releasing technologies when planning a project of this size and magnitude for future generations??

Hydrology

It appears that one of the primary reasons that Site 40 ranked as the environmentally preferred alternative was the (as analyzed) availability of water to the site. However, we have several concerns about the water availability analysis in the DEIR.

DD-3

Page 18-2 references “...total 82.9 AF/yr of water required in support of the Site 40 alternative.” We were unable to find any other reference to the 82.9 AF/yr figure and suspect that it may not be an accurate number.

Table 18-1 computes Annual Demand for the composting operations on Site 40 to be 130 AF per year. In addition, page 18-4 references total historic demand to be 496 AF per year. So the proforma combined demand of both historic use and compost operation use would be 626 AF/yr (130+496).

DD-4

To meet this demand, the DEIR proposes the following:

- Utilize recycled water from the City of Petaluma, approximately 520 AF/yr
- Expand and utilize existing reservoir, 87-164 AF/yr
- Construct new detention basin, 24 AF/yr

- Utilized existing groundwater, limited to 0.8 AF/yr

DD-4
cont.

There are significant issues with all of these potential water sources, none of which are adequately addressed in the DEIR.

DD-5

Recycled water from the City of Petaluma. At the January 18 meeting we heard testimony from other users of City water (local farmers, Rooster Run golf course) who maintained that they have not been able to receive full allotments of City water in recent years. The reasons are varied (e.g. water conservation by users, the City developing alternative uses for that water within City limits such as parks and golf courses), but the fact remains that City has not been able to fulfill its contractual obligations to deliver recycled water to users. While the long term growth of the City will certainly create additional supply, the City will continue to look for beneficial ways to utilize that water within the City limits such that the availability of supply to outside users may not increase commensurate with the City's growth. Further, if supplies are already strained, would not the composting operation's usage represent incremental demand that would likely be unmet?

Existing Reservoir. The existing reservoir is only 87 AF, with an approved permit to be expanded to 164 AF. However, the water uses permitted are inconsistent with the project and an change to permitted use will require the approval of the SWRCB. Additionally, there is no discussion in the EIR as to the recharge rate for this reservoir. In order to annually recharge, a 164 AF reservoir in this area would need a very substantial watershed---a water availability analysis needs to be completed as part of the assessment as to whether the 164 AF represents a viable, sustainable long term supply number.

New Detention Basin. This detention basin will require full SWRCB approval, which will take years. In addition, the same water availability analysis will need to be performed to determine adequacy of long term supply.

Existing groundwater. The availability of this resource is limited by the mitigation required under the DEIR as it constrained to be utilized at the rate of no more than 0.8 AF/yr per Impact 18.2.

Land Use and Agriculture

Impact 19.3 clearly states that conversion of Prime Farmland and Farmland of Statewide Importance is Significant and Unavoidable, even after mitigation. Therefore, we fail to understand how the Site 40 can score so poorly in this area and still be considered to be the environmentally superior alternative. From our perspective, this represents a very fundamental flaw with the adequacy of the DEIR.

DD-6

In addition, the focus in Section 19 of the DEIR seems to be on the conversion of the Site 40 lands away from their current agricultural use. While this is indeed a significant and unavoidable impact, the DEIR is flawed in that it also fails to discuss the impact of the project on the viability of neighboring agricultural operations. Specifically, the

DD-7

discussion in Impact 19.2 fails to address the concerns raised earlier in this letter around the impacts on neighboring vineyards from odor and pollutants.

DD-7
cont.

Per the Significance Criteria in Section 9.3:

A project would also be considered to have a significant impact on the environment if it would cause physical changes in the environment that would be substantially incompatible with existing or planned land uses.

Clearly the location of an industrial composting operation adjacent to, and upwind from, hundreds of acres of existing vineyards will create just such an impact. Further, this impact, like impact 19.3, would be significant and unavoidable. Again we reiterate our position discussed previously that neighboring landowners would have to be compensated for any economic losses they would suffer as the result of the location of this facility to Site 40.

The loss of prime agricultural land on Site 40, and the significant and unavoidable impacts on surrounding agricultural operations should be sufficient to have this site dropped as an alternative under consideration.

General Comments

Apart from our specific concerns with the DEIR analysis of Site 40, we have some more general observations about the entire project of relocating the composting facility. We would urge the SCWMA to reconsider its directive that the composting facility be relocated away from its existing site.

DD-8

First of all, the composting facility is already sited in the proper setting. At its current location, the site can take advantage of the existing infrastructure of roads and truck scales, specifically designed for trucks of this size and nature. Further, waste haulers often carry split loads of green waste along with other waste/recycling and it is only logical that they would proceed to one central location to make a drop. In the future, these same trucks will have to drop half their load at central and then make a second trip down South of Petaluma to drop the balance? Or even if some sort of centralized transfer station for green waste is developed, there will still need to be additional truck trips down to one of the Petaluma sites. This seems inefficient and wasteful.

The Central Disposal Site has been in use for decades. Nobody wants to have a landfill or compost facility located in their back yard, but any issues with neighbors over location were resolved generations ago. Since this site is already in place and established, every effort should be made to consolidate and expand at the existing site, rather than leapfrogging these activities into some new area. This will only raise a whole host of new objections, from neighbors, environmental concerns, and regulatory agencies.

If space is a constraint, have there been discussions with the operators, either Sonoma Compost or Republic, to explore creative solutions to expand capacity. What about constructing a digester at the Central Landfill? What about In Vessel composting

DD-9

solutions? What about utilization of recycled waste water from Santa Rosa at the central site?

DD-9
cont.

It seems like the established goal of 200,000 tons of composted material per year is a somewhat artificial target. It is unclear how much science went into the development of that number----the current site already handles 100,000 tons per year and it sounds like the goal was simply to double current capacity. Perhaps through some of the solutions noted above, together with the acquisition of and expansion on the neighboring property, future needs could be met.

DD-10

Either of the Southern Petaluma alternatives will result in a project costing tens of millions of dollars for site acquisition and build out. Not to mention the costs for studies, reports, lawsuits, and mitigation. We suspect that the relocation will not be politically popular as the average citizen will be scratching their heads wondering why the County would choose to move out composting to displace numerous agricultural operations when land contiguous to the existing landfill could be acquired and used for site expansion.

DD-11

We urge the SCWMA to drop any plan that would relocate the composting facility away from the Central Disposal Site or contiguous properties.

Sincerely,

Dave Martinelli
Owner, Tolay Vista Vineyards

DD. Dave Martinelli

DD-1 Regarding prevailing wind direction at Site 40, please see the response to Comment W-6. Impact 15.5 identifies odor as a potentially significant impact for the Site 40 Alternative. Implementation of Mitigation 5.5 would reduce odor impacts to less than significant. Regarding potentially adverse effects of composting on grape quality, please see the response to Comment Q-1.

DD-2 Please see the response to Comment R-1.

DD-3 The commenter notes that a water use figure of 82.9 AF/yr is referenced on page 18-2 of the Draft EIR. As suspected by the commenter, this figure is incorrect. The text on page 18-2 of the Draft EIR has been updated as shown below. Water supply and demand on site are discussed in detail on pages 18-3 through 18-6 of the Draft EIR, and the commenter is referenced to that discussion for details regarding proposed/anticipated water demand, supply, and anticipated supply sources.

One groundwater well is presently located on site, and is currently used to supply on site operations. The well is screened at a depth of 440 feet, and has a production rate of 16 gpm or 25.8 AF per year (AF/yr). ~~This production rate from the existing well would satisfy approximately 30 percent of the total 82.9 AF/yr of water required in support of the Site 40 Alternative. In the event that groundwater were selected as the sole source of water supply for the Site 40 Alternative, additional groundwater wells could potentially be installed in order to meet total Site 40 Alternative water demand.~~ Four additional wells located adjacent to Site 40 were identified via a DWR well log records search. These wells are located on adjacent properties immediately east and south of Site 40. Records indicate that these wells are screened at depths ranging from 68 to 500 feet below ground surface (bgs), and range in production rate from 10 to 25 gpm.

DD-4 The commenter makes the assumption that existing water uses at Site 40 (primarily for pasture irrigation) would continue, and that the proposed 130 AF/yr of water needed for composting operations would be in addition to existing use of approximately 496 AF/yr. This assumption is, however, incorrect. Implementation of the Site 40 Alternative would result in the discontinuance of existing pasture irrigation. Therefore, the proposed water usage rate on site would be considerably less than existing water use (approximately 130 AF/yr rather than approximately 496 AF/yr). As discussed on pages 18-3 through 18-6 of the Draft EIR, sufficient water supply is expected to be available to support the Site 40 Alternative, based almost exclusively on recycled water available from the City of Petaluma, plus minimal use of groundwater for potable supplies. Please see also the response to Comment K-9.

DD-5 The SCWMA is currently in conversation with the City of Petaluma regarding use of recycled water for the Site 40 Alternative. As noted in response to Comment DD-4, the

volume of recycled water that would be supplied to the site for composting from the City would be considerably less than the volume that has historically been supplied to the site in support of agriculture. Additionally, based on the water supply assessment (Draft EIR Appendix WSA; summarized in Draft EIR Chapter 18) completed for the Site 40 Alternative, available recycled water supplies would be sufficient to meet demand for recycled water for the Site 40 Alternative. With respect to the existing reservoir, as discussed on pages 18-3 through 18-6 of the Draft EIR, water from the existing reservoir is not proposed for use in support of composting activities at Site 40.

The commenter mentions a “new detention basin.” The detention basin proposed for the site would collect stormwater from the site and store it on site. The detention basin would be constructed in accordance with state and regional water board requirements, as applicable. The commenter’s assertion that the detention basin would require water availability analysis is not accurate because the detention basin would only be used to manage stormwater generated on site.

The commenter is correct regarding the utilization rate of groundwater. Please see also the response to Comment DD-4.

- DD-6** The commenter is referred to the revised conclusion regarding the environmentally superior alternative contained in the Recirculated Draft EIR. Based on the analysis provided in the Recirculated Draft EIR for the Central Site Alternative, the updated Central Site Alternative is considered to be the environmentally superior alternative.
- DD-7** Please see the response to Comment DD-1.
- DD-8** The SCWMA acknowledges the commenter’s preference for the Central Site Alternative, and the reasons behind this preference as stated in the Comment. Please see the Recirculated Draft EIR for the analysis of potential effects of expanding the compost facility at the Central Site, and a comparison to the other alternatives.
- DD-9** The SCWMA has determined that processing 200,000 tons of compost material is potentially feasible at the Central Site. Please see the Recirculated Draft EIR for full discussion and analysis of the Central Site alternative.
- DD-10** The project goal of processing 200,000 tons of compost material was established in a report prepared for the County by Brown and Caldwell, entitled *Sonoma Countywide Composting Feasibility Study, Final Report* (2005).
- DD-11** Please see the response to Comment DD-8, above.

Patrick Carter

Sonoma County Waste Agency

2300 County Center Drive, B100

Santa Rosa, CA 95403

Dear Mr. Carter and Agency Board,

We appreciate the time you spent, listening to our rural neighborhood, on Jan. 18. If you recall, we have the dairy ranch immediately south west of Site 40. We have been here since 1979. In 2007, we transitioned to organic, shipping to Clover in Petaluma. We take pride in producing a quality, clean organic product. Having short notice to study the DEIR, it appears to address many of the impacts to the site, but not to the adjoining agricultural businesses and residents.

EE-1

This area is zoned for Land Extensive Agriculture. The Teixeira Ranch has been used for a dairy and grazing operations since the 1950's and prior, under Vallejos Rancho. In a period of high feed costs to cattle, it provides needed pasture, keeping agriculture and its support services viable in Sonoma county. It is part of the Williamson Act. It provides open space, scenic views coming into Petaluma, and halts urban growth as prime agriculture land. Changing the zoning and losing the Williamson Act protection will make this a highly industrialized corner amid our bucolic pastures.

EE-2

Site 40 is an inappropriate use of this property. The commercial aspects of the compost operation will impact surrounding businesses with increased traffic, odors, noise, and possible water issues, as stated at the hearing Jan. 18, 2012.

While water may be provided to the site by the city of Petaluma Wastewater facility, that is only between May and October. How does the compost facility plan to maintain water content in their piles the remaining part of the year? The

EE-3

delivery during the irrigation season is not reliable. They have not supplied water on weekends in recent years and often shut down for 2 or more weeks during the summer for breakdowns or maintenance. The cost of pumping from the Lakeville plant will add substantial maintenance expense to the project. Drilling more, deeper wells may impact the groundwater levels in the area. The dam water is permitted for irrigation, landscaping, and stock water use only. The DEIR states more study is necessary on groundwater impact. The dam levy also needs repairs, upon change of ownership, to the tune of approximately \$40,000.

EE-3
cont.

During irrigation season, and intermittingly throughout the year, our ranch crosses cattle on Stage Gulch Rd.. Increased traffic will create a major hazard for us and urban motorists. We cross our herd up to 4 times a day from May to October. Foggy mornings are a particular challenge. Increased traffic for a commercial compost operation will be a disaster. Will the county provide an underpass or do we lose use of our best pastures? The increased use of water for the compost may limit what we are allowed to use for water. The added conflict of traffic, pasture use, and limited irrigated pasture will definitely impact our business. As organic, we must maintain a minimum of 120 days/ 30% natural pasture for our animals. We depend upon access to irrigated pasture to meet this qualification. Losing access to our best pastures across Stage Gulch would end our economic viability. Also access to Lakeville and Adobe will need signals. During Sears Point races and rerouting of traffic on Stage Gulch in the event of accidents on surrounding roads, cars are often backed up over a mile.

EE-4

EE-5

EE-6

The release of ozone and particulate matter is noted to be an eye and lung irritant. Our employees will be moving pipe and cattle directly next to Site 40. Their families and ourselves will be breathing this 24/7. AS Tom Altenreuther stated, these "particulate receptors are my children and grandchildren," and my employees and their children. Our organic cattle and organic pasture will suffer the effects of air born contaminants and increased vectors. There is no study on how leveling and filling the hills will affect air flow. Currently, it blows right down on us, Tolay Valley and the vineyards to the south east and west. Our organic certifier, QAI (Quality Assurance International) has stated that while they have no control over what goes in next door, we will definitely be impacted by air born

EE-7

contaminants and vectors.....there are no treatments, organically, for the diseases that may be picked up by our cattle or the effects to our pasture.

EE-7
cont.

Although the Western Pond turtle can be " gently picked up and moved, if found," the resident kites and golden eagle will be disturbed, as well as the occasional loggerhead shrikes. Badgers, deer and other species also inhabit the site or adjoining property.

EE-8

By utilizing the ASP system, many of the issues can be mitigated, but there will always be some air and noise issues and traffic /water use remain ongoing problems. The fact that this is zoned for agriculture and should remain so does not change either. Even going one step further, to a completely closed system as in the horizontal invessel systems that Frank Mitloehner suggested, will not solve the Site 40 or 5A problems. That closed system could be utilized at the Central Site, however, as it would encompass a smaller footprint and meet all the needs of the county.

EE-9

There is room to expand the Mecham composting site on the former Gray property adjoining it. We encourage further study to maintaining the facility at the central county site, as well as addressing the impact on agriculture and the county by trucking waste to Site 40 or any distant county site, for that matter. Even the existing management at the Central site, Sonoma Compost, states there is room to expand. If the new, modern methods (silo type) were used, that should solve the problems.

EE-10

It would seem that the county/ county Waste Agency could spend their money more wisely to maintain the Central site rather than purchasing new land, fixing a reservoir, applying for new permits for water use, repairing and maintaining the City of Petaluma waste water delivery system, adding new signals at Adobe and Lakeville/ Stage Gulch Rd. intersections, an underpass on Stage Gulch, fighting workman comp claims from adjoining properties, plus lawsuits for loss of grape production, etc. The Agency only needs 48 acres of the Teixeira land, which begs the question.....what is the intent for the remaining 339 acres?

EE-11

I am also sending information from the Hotrot web site that provides information on other options that should be included in the EIR. I would hope that our comments have been received with an open mind and that more time will be spent studying the impact on the agriculture industry in this valley and better ways to do composting on appropriate sites.

JLT Ranch, neighbor to Teixeira Ranch

Jim, J.V. and Luci Mendoza, partners

Handwritten signature of Jim Mendoza, with a large 'J' and 'M'.

601 Stage Gulch Rd.

Petaluma, CA 94954

January 20, 2012

Quick recap of points needing further study for Site 40:

1. Land use/zoning change/projected use of remaining 339 acres
2. Unreliable city water/additional maintenance and repair costs
3. impact on groundwater for surrounding area
4. traffic.....need for signals and underpass
5. wind patterns.....no study on change after grading
6. completely enclosed invessel system needs to be addressed
7. availability of land next to Central site allowing for expansion not addressed

cc: Sonoma County Board of Supervisors



You are here: Our solution

Our solution - HotRot in-vessel composting

HotRot guarantees that plant designed, installed and operated according to our guidelines will not result in odour problems for your business.

The composting process releases gases that smell. HotRot ensures that these gases are adequately managed and do not reach noses that may be offended by them.

Our OdourFree Guarantee is underpinned by:

- operating procedures to minimise odour generation
- containment by design
- effective odour treatment



Length overall - 7.15m (23' 6")

Width overall - 1.40m (4' 7")

Height overall - 2.70m (8' 10") (1.6m (5' 3") with exhaust duct removed)

Main drive - 1.5kW, single or three-phase options

Energy requirement - 20-25 kW/day

Nominal capacity* - 0.3-0.4 tonnes per day

HotRot 1509

The original commercial HotRot unit has recently been redesigned. Ideal for processing sewage grit and screenings and food and garden waste from smaller isolated communities. Units have been installed at sewage treatment works in New Zealand and a remote LNG project in Indonesia.

Length overall - 10.63m (34' 10")

Width overall - 1.92m (6' 4")

Height overall - 2.12m (6' 11")

Main drive - 3.0 or 4.0kW three-phase

Energy requirement - 30-40 kW/day

Nominal Capacity* - up to 1.1 tonnes per day with bin-lifter feed unit; up to 1.5 tonne per day with integrated feed hopper

HotRot 1811

The 1811 represent the third generation unit, ideal for medium sized installations. Several units have been installed together as part of facilities processing "dirty" organics, fruit and vegetable waste and source-separated kitchen and garden organics.

Length overall - 12.80m (42' 0")

Width overall - 2.17m (7' 2")

Height overall - 2.33m (7' 8")

Main drive - 5.5kW three-phase

Energy requirement - 65-75 kW/day

Nominal capacity* - up to 2.1 tonnes per day with bin-lifter feed unit; up to 2.5 tonnes per day with integrated feed hopper

HotRot 3518

The HotRot 3518 is the largest single unit and is constructed from more than 150 tonne of pre-cast concrete hull-sections. Designed to be used by larger municipalities and process up to 150 tonne of organic waste per day by using multiple units.

Length overall - 21.97m (72' 1")

Width overall - 4.92m (16' 2")

Height overall - 4.25m (13' 11")

Main drive - 37.0kW three-phase

Energy requirement - 280-300 kW/day

Nominal capacity* - 9.5-11.5 tonnes per day

* "Nominal Capacity" is defined as the expected daily throughput for wastes meeting all the criteria laid out in HotRot Composting Equipment Specifications for Use and the plant being operated within these specifications, and within all criteria laid out in the HotRot Operating and Maintenance Manuals.



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Why is HotRot different

The HotRot composting unit is a fully enclosed continuous in-vessel composting module. Each unit incorporates a u-shaped hull section with sealed lids. A central tine bearing shaft runs longitudinally through the vessel. This shaft rotates periodically and slowly, providing mixing and assisting with aeration.

The overall design of the unit produces a composting system that produces highly stable and mature compost in a minimum time period.

Odour is the biggest issue facing composting operations and odour management can be the biggest cost - either through ongoing control and mitigation methods or the economic impact of plant closure. HotRot offers its clients a contractual OdourFree Guarantee.

Leachate is another operational cost faced by most composting systems. The ability of HotRot systems to avoid leachate further simplifies operations, removes another environmental risk and saves the operator money.

A HotRot system can be operated by 25-50% less labour than other similarly sized operations.



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Welcome To HotRot

If you're interested in Anaerobic Digestion, small or large scale composting then you've come to the right place.

The vast majority of over 20 million tonnes of organic waste produced in the UK & Eire is disposed of to landfill, where it takes up space and contributes to problematic leachate and methane gas emissions. Landfill is becoming increasingly expensive and unacceptable, with EU legislation restricting disposal of organic waste via taxation, penalties and total bans.

HotRot is your one stop solution provider to diverting this waste from landfill, generating renewable heat and power and returning much needed carbon and nutrients to the soil.

Small Scale



Suitable for small sites producing as little as 200kgs (1 wheelie bin) a day to over 20,000 tonnes a year; the HotRot range of composters are designed to fit on a very small footprint, be completely automated and produce no leachate or odour.

Tunnel Composting



A completely precast solution to a traditional problem. Easy and fast to install, the MIDAS range of tunnel composters can be arranged in tunnels, bunkers, halls, etc to treat a wide range of organic material in aerated static piles.

Renewable Energy



The BEKON anaerobic digestion technology is able to robustly digest anywhere between 10% and 60% dry solids in a static batch system. Importantly this technology can and will digest feed from combined kitchen and garden waste collections.

2011/06/02

New Caledonia, New Composting Units

28.04.11

Kent firm is the first in UK to invest in HotRot 3518 machines

23.02.2011

Messages of Support from England to our New Zealand Colleagues based in Christchurch

[> News Archive](#)

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Anaerobic digester - as mentioned by Ernie Carpenter on Jan 18

EE. Jim and Luci Mendoza

- EE-1** Please see the following responses to the commenter's specific concerns regarding impacts to agriculture. Please note that the Draft EIR was circulated for public review and comment for a period of 45 days, as required by the CEQA statute, the comment period was extended by the SCWMA by an additional 15 days.
- EE-2** The potential cancellation of the Williamson Act contract at Site 40 would affect only the area occupied by the composting facility (48 acres), and not the entire 390 acre property. The proposed cancellation (and proposed rezoning) would not allow for additional urban uses, nor is there any incentive for non-agricultural uses to expand near the composting facility. Composting, by providing an agricultural-supportive product, can be distinguished from other industrial activities (e.g. manufacturing). As discussed in the Draft EIR (Chapters 14 through 23), there are several potentially significant impacts relative to the development of Site 40.
- EE-3** The commenter indicates that recycled water provided by the City of Petaluma to Site 40 would not be available outside of the agricultural irrigation season. However, based on initial conversations with the City and as noted in the Water Supply Assessment provided in Appendix WSA of the Draft EIR, such restrictions are not anticipated. With respect to availability of recycled water, please refer to the responses to Comment K-9. With respect to groundwater wells and potential impacts associated with groundwater use, please refer to the response to Comment DD-3. With respect to the existing reservoir, as discussed on pages 18-3 through 18-6 of the Draft EIR and in the response to Comment K-9, water from the existing reservoir is not proposed for use in support of composting activities at Site 40. Finally, the commenter provides an estimate of cost required for on site maintenance. However, project cost is not typically considered within the scope of a CEQA analysis; please see also the response to Comment BB-8.
- EE-4** Chapter 22 of the Draft EIR analyzes potential traffic and traffic safety impacts for the Site 40 Alternative and determines that, with implementation of mitigation measures, the impacts associated with the Site 40 Alternative would be less than significant. Regarding the commenters' concerns regarding the impacts of traffic generated by the Site 40 Alternative on the current practice of cattle crossing Stage Gulch Road (State Route 116), the cattle crossing of this state highway is an existing condition, with associated potential traffic hazards. The project-generated traffic would not substantially increase the existing potential for conflicts because as described on pages 22-7 and 22-12 of the Draft EIR, the majority of the Site 40 traffic would travel to and from Adobe Road on Stage Gulch Road (i.e., not on the segment of Stage Gulch Road near Lakeville Highway/Road where the commenter's ranch is located). Also, the safety practices currently used when cattle cross the state highway can be reasonably assumed to continue, ensuring a less-than-significant project impact.

- EE-5** Please see the response to Comment EE-4 regarding traffic volumes and safety on Stage Gulch Road (SR 116). Economic effects are not, by themselves, environmental impacts to be analyzed within an EIR. However, all comments, including economic and social concerns, will be considered by the SCWMA when deliberating on the proposed project.
- EE-6** Chapter 22 of the Draft EIR analyzes potential traffic and traffic safety impacts in relation to County standards, and determines that, with implementation of mitigation measures, the impacts associated with the Site 40 Alternative would be less than significant. No new traffic signals would be warranted.
- EE-7** Please see the response to Comment S-2 regarding toxic air contaminant impacts. Meteorology assumptions for Site 40 are described in Appendix AIR-4 of the Draft EIR, and in the response to Comment W-6. As stated in Chapter 15 of the Draft EIR, after implementation of Mitigation Measure 15.3 (Fugitive Dust Control), emissions from dust at Site 40 would be less than significant. The impact to the organic status of the pasture and cattle described by the commenter would be based on economics, however, the economic effects of a project are not treated as an adverse physical change in the environment (per CEQA Guidelines Section 15131), and therefore are not identified in an impact statement in the Draft EIR. Economic and social factors may be considered by the lead agency when determining the significance of an impact or the feasibility of a mitigation measure. Effects of air emissions from composting on the organic certification of surrounding agricultural uses is speculative at this time. However, it should be noted that there are existing agricultural facilities that have their own composting processes.
- EE-8** Biological resources found on Site 40, including avian species, are discussed on Draft EIR pages 16-6 through 16-8. A list of species anticipated to occur is included in Draft EIR Appendix Bio-2. Special status species that have potential to occur on site were evaluated as discussed on page 16-2 of the Draft EIR. Briefly, special status species lists maintained by agencies including the California Natural Diversity Database (CNDDB), California Native Plant Society (CNPS), U.S. Fish and Wildlife Service (USFWS) and others were reviewed in order to compile an inventory of all possible special status species that could occur on site. A field reconnaissance was also completed. Species that are not reported either do not occur based on inventory or range data, as well as habitat suitability based on climate, elevation, and field observation. Special status species other than those indicated to be potentially present in the Draft EIR are therefore not anticipated to be impacted by implementation of the Site 40 Alternative.
- EE-9** The SCWMA acknowledges the commenters' opinion that the Central Site Alternative is the best option for the composting operations.
- EE-10** The commenter believes the Central Site Alternative is the best option for the compost operations, and encourages additional study and evaluation of that site. The Recirculated Draft EIR addresses additional composting options at the Central Site, and the commenter is referred to the Recirculated Draft EIR for additional discussion and analysis.

EE-11 The SCWMA understands the commenters' concerns regarding the potential level of effort that would be needed to install a composting facility at Site 40. However, the Draft EIR, which provides evaluations of three alternative sites for the proposed compost facility, reflects the final planning stages in the SCWMA's process with respect to increasing composting capacity. The Draft EIR provides a comparison of the three alternative sites, including environmental impacts and, where appropriate and relevant to the environmental analysis, permitting requirements. The SCWMA will use the results from the Draft EIR, along with other available information, to make a final decision regarding if and where to implement the project. With respect to project costs, costs may be a factor in the SCWMA's decision-making process, but analysis and evaluation of cost is not required under CEQA.

Regarding potential future uses for the remaining portion of the existing Teixeira Ranch, if the SCWMA were to proceed with the Site 40 Alternative, there are no current or anticipated plans for the installation of other infrastructure or other new uses on the remaining portion of the existing Teixeira Ranch. If in the future the SCWMA were to pursue other uses, those uses would be subject to independent CEQA review.

EE-12 Please refer to the response to Comment R-1 for a discussion of enclosed/continuous in-vessel composting modules, of which the Hotrot system is an example. The Draft EIR examined six alternatives to the project, and considered several other alternatives that were rejected for specific reasons. Rejected alternatives include anaerobic digestion and enclosing the composting facility in a building. The alternatives analysis fulfills the CEQA requirement to consider a reasonable range of feasible alternatives (CEQA Guidelines section 15126.6).

Sonoma County Board of Supervisors

Sonoma County Waste Agency

On January 10, my husband and I drove up to Chico to view the in-vessel composter at Sierra Nevada Brewery. Our hosts stated that the Sonoma County Water Agency had been there a year before to view their solar panels, as well as the composter. We are providing this information as a service to your constituents in Sonoma County. The DEIR for Sonoma County Waste relocation of composting services has neglected to address the most beneficial, environmental, and financially viable alternative possible. With the future restrictions/regulations imposed on air quality, an in-vessel composting system is the only way to direct county planning for development of waste control/disposal.

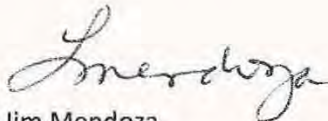
FF-1

The Hotrot system for composting can be designed to fit the size/use of the business/municipality that requires composting of green and food wastes. It has a small footprint; no odor; and minimal labor/maintenance compared to maintaining a windrow or ASP compost system. Additional information may be obtained from their website or by contacting Gerald Tibbo at gtibbo@hatch.ca.

I am submitting the following photos and files for your information. I would hope that you would consider this alternative to purchasing Sonoma County farmland and developing a compost system that will probably need to be modified or replaced within the next decade. It would make more sense to protect your constituents and develop a system that will serve their needs, minimize pollution, protect agricultural land, and be financially viable now and in future years. The Hotrot system will fit in the current landfill site or may be developed in localized urban areas without disrupting adjoining businesses.

Please take the time to learn about this system and consider it as an alternative to the proposed DEIR on waste disposal.

Thank you.



Luci and Jim Mendoza

601 Stage Gulch Rd.

Petaluma, CA 94954



② Composter approximately
12 x 60' — moves
waste thru in 10
days.



① All types of waste are
fed into hopper —
Food from Sierra Nevada
Restaurant + paper goods.

③ Looking
into tube
from exit
end —
teeth move
waste back +
forth —



④ These
2 young
ladies
spend
approx. 20
hours a
week



monitoring, lubing, unloading the
compost.



**Technical Specifications
HotRot 3518 Composting Unit
and Ancillary Equipment**

Prepared by

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NEW ZEALAND

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Introduction

This document provides a brief technical specification of the HotRot 3518 composting unit and associated ancillary equipment.

Specifications are for guidance only and are correct at time of writing but are subject to change without notification.

HotRot 3518

The HotRot composting unit is a U-shaped vessel with a central tine-bearing shaft passing longitudinally through the main vessel. The shaft is rotated periodically to provide mixing and aid aeration. Primary aeration is provided by air injection nozzles positioned along the length of the hull. Excess air is continually drawn from the composting vessel and treated through a biofilter.

The hull of the HotRot 3518 is manufactured using ten precast concrete modules and two concrete end-plates; lids are also pre-cast concrete. These concrete hull modules are generally manufactured locally then transported to site, positioned and post-tensioned together to form an integrated hull module. Once the hull module is assembled then mechanical components such as shaft, bearings, motor and gearbox, and temperature probes and air injection system are all installed.



HotRot 3518 concrete modules being installed

Overall dimensions:	22.0m (l) x 4.92m (w) x 4.25m (h)
Approximate weight empty:	150,000kg
Approximate weight fully loaded:	300,000kg
Main drive:	Brevini SL50005 FAR gearbox, 800,000Nm max. Torque; driven by 3-phase 6-pole electric motor
Air injection:	Four HB729 side channel blowers connected to 4 injection ports each, 3-phase, 4-pole electric motors
Inlet slide gate:	Stainless steel with SEW gearbox, worm drive
Processing capacity:	8.0 – 12.0 tonne per day (typical 9.5-10.5tpd)

HotRot[®] OdourFree

COMPOSTING SYSTEMS GUARANTEE



HotRot 3518 complete with 20m³ feed hopper; similar to that proposed.

HotRot Exhaust Fans and Ducting

High efficiency Vortex FX or FS series stainless steel centrifugal exhaust fans are supplied with each HotRot composting unit. The fan is mounted directly adjacent to the biofilter and is coupled to a variable speed drive (VSD) to regulate air-draw from the composting vessel.

Flow-rate HotRot 3518:	2500-4000m ³ /h
Working pressure:	1000-1500Pa
Static efficiency:	50-60%
Estimated fan noise:	60-80dBA
Motor:	3-phase, 2-pole, 2800rpm
Ducting:	300mm n.b PVC, solvent joints

Feed Hopper/Auger

The feed hopper / feed auger combination is supplied to enable maximum throughput, provide storage of waste for a period of 1-2 days and minimise operator involvement. The hopper consists of a multi-auger "live-bottom" bin with a nominal capacity of 20 or 40m³ coupled to an inclined and horizontal feed auger. A single feed auger can be used to supply waste to up to 3 HotRot 3518 composting units.

Hopper discharge rate:	10000-14000kg/h nominal at 500kg/m ³ ; hopper would normally operate for 3-4mins per hour
Hopper capacity:	20 or 40m ³
Hopper dimensions:	20m ³ – 4.5m (l) x 2.6m (w) x 1.7m (h, above screws) 40m ³ – 5.5m (l) x 3.2m (w) x 2.3m (h, above screws)
Hopper construction:	5mm mild steel (stainless steel available as an option)
Floor augers:	40m ³ – 6.5m long x 500mm dia variable pitch x 12mm mild steel 100mm NB, Schedule 80 shaft – 6 of
Drives:	Five or Six Brevini torque-arm mounted reduction gearboxes

Exterior surfaces are sand-blasted, zinc-primed and finished with one coat of high-build epoxy (unless manufactured from stainless steel).

HotRot
COMPOSTING SYSTEMS

OdourFree
GUARANTEE



Smaller 4.5m³ Feed Hopper and elevating feed auger

Incline feed auger length:	10,800mm
Trough:	u-shaped fabricated from 5mm mild steel, lined with 12mm UHMW abrasive resistant liner, with ship-lap joints
Auger specifications:	450mm dia x 300mm pitch x 20mm thick, carbon steel, shaftless
Drive:	Brevini shaft mounted 12-15rpm 3-phase 4-pole motor
Lids:	2mm 304 stainless steel

HotRot Discharge Auger

A shaftless incline screw conveyor is used to elevate the compost from the back of each HotRot unit to a drop height of approximately 3.5m and transfer the product to a horizontal spreading auger. The spreading auger allows a trailer, bin or skip to be evenly filled with product prior to transfer to storage or screening. Alternatively, the material can be discharge directly into a concrete bunker for periodic clearing by small loader. It is recommended that any bunker, trailer, bin or skip be surrounded by a structure to protect the discharge from wind, which can cause material to be blown around the site.

Incline auger length:	5500-6200mm
Trough:	u-shaped fabricated from 5mm mild steel, lined with 12mm UHMW abrasive resistant liner, with ship-lap joints
Auger specifications:	HotRot 3518 - 400mm dia x 300mm pitch x 20mm thick, carbon steel, shaftless
Drive:	Brevini shaft mounted 12-15rpm, 3-phase 4-pole motor
Lids:	2mm 304 stainless steel

HotRot[®] OdourFree

COMPOSTING SYSTEMS GUARANTEE



Incline discharge auger installed on smaller HotRot 1811 composting unit

A spreading auger can be used to evenly fill a larger bunker or container. A spreading auger can be any length up to approximately 8-10m and can be fitted with a number of drop-out points sealed with slide gates.

Spreading auger length:	up to 10,000mm
Trough:	u-shaped fabricated from 5mm mild steel, lined with 12mm UHMW abrasive resistant liner, with ship-lap joints
Auger specifications:	400mm dia x 300mm pitch x 20mm thick, carbon steel, shaftless
Drive:	Brevini shaft mounted 12-15rpm, 3-phase 4-pole motor
Lids:	2mm 304 stainless steel

Exterior surfaces are sand-blasted, zinc-primed and finished with one coat of high-build epoxy.

Electrical and Control System

An integrated electrical and control system is fitted with a Beijer T70 HMI¹, or similar, through which the operator can adjust key processing conditions, monitor process temperatures and conditions, and identify and rectify faults. The Beijer HMI is also capable of being viewed directly via a LAN connection; allowing monitoring from remote on-site computers.

The MCC will be supplied as a floor or wall-mount unit for location in a nearby office or control room. On site field wiring is normally conducted by local contractors.

Enclosure:	Rittal IP54 powder coated
PLC:	Compactlogix Ethernet processor
Drives:	One reversing SoftStart for the HotRot main drive, One VSD for the exhaust fan, One reversing DOL starter for each slide-gate DOL starters for each injection fan DOL starter for discharge auger

¹ Human machine interface

HotRot
COMPOSTING SYSTEMS

OdourFree
GUARANTEE

Main switch:	150A
Controls:	24Vdc via step-down transformer
Power supply:	380-420Vac, 50-Hz ² , 3-phase neutral plus earth, power supply must be compatible with VSD drives (i.e. type-B RCD or ELD if present)

A separate small control cabinet containing motor starters and controls specific to the feed hopper may be mounted directly on this unit.



MCC located in small "porta-cabin" building

² Alternative power supply voltage and frequency can be supplied on request.



HotRot
ORGANIC SOLUTIONS

CHECK IT OUT

Growth from waste

Check out our website or the technical documents,
video and photos on the enclosed disk, or contact us directly:

HotRot Organic Solutions (NZ) Ltd
PO Box 4442, Christchurch 8140, New Zealand

Ph: +64 3 377 8822, Fax: +64 3 379 911
info@hotrotsolutions.com www.hotrotsolutions.com

A RANGE OF APPLICATIONS



HotRot
can
design
the plant
for you.

From the private treatment of local waste through to centralized facilities for municipal source-separated organics or sludge, HotRot can design the plant for you. HotRot units have been installed at refineries, breweries, airports, universities and wastewater treatment plants as well as for municipalities and waste companies or landfill and waste transfer stations.

A SIZE FOR ALL

HotRot units are manufactured in four sizes.



1509



3518



1811



1206

Two smaller units (HotRot 1206 and 1509) are designed for smaller on-site applications. The largest unit, the HotRot 3518 with a throughput of 10-12 tonnes per day is designed for multi-unit installations for municipalities and larger waste management companies. The fourth, the intermediate sized HotRot 1811, can either be used as an on-site solution or in multi-unit installations for smaller municipalities and local waste management contracts.

*Sized for
municipal operations*

LOW LABOUR

A HotRot system can be operated with 50-75% less labour than other similarly sized operations.



Because the HotRot system is a continuous process and is run from waste addition to compost discharge, the operator simply needs to add incoming waste to the feed system and move compost from the end of the discharge system.

STABLE, MATURE COMPOST FAST

HotRot is a uniquely designed, high-efficiency composting system.



The system's continuous operation and maintenance of optimal processing conditions, including a neutral pH, ensures stable compost is produced.

Compost discharged from the HotRot system can be used with little or no storage.



NO LEACHATE

Leachate is another operational cost faced by most composting systems.



The Hot Rot system's ability to avoid leachate further simplifies operations, removes another environmental risk and saves the operator money.

Hot Rot can reduce effluent disposal charges by 22.0%.

ODOURFREE GUARANTEE

HotRot offers clients a contractual OdourFree Guarantee.



Odour is the biggest issue facing most composting operations and can be the biggest cost - either through on-going control and mitigation methods or the economic impact of plant closure.

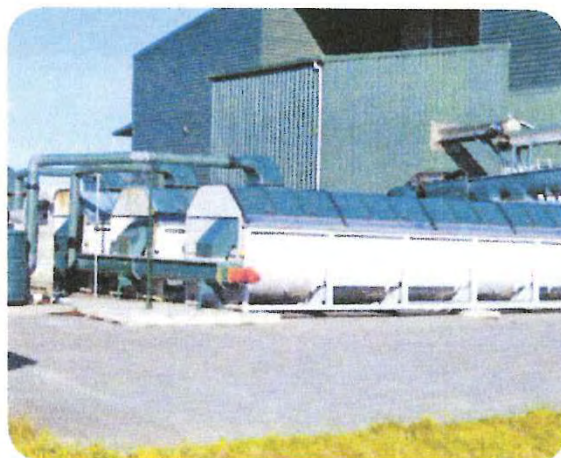
The HotRot design ensures the management of odour is simple and involves little or no on-going costs.



OdourFree
GUARANTEED

NEW SOLUTIONS

HoltRot offers a complete in-vessel composting solution that is compact, quiet, and odour, leachate, dust and noise free.



HoltRot works with customers to clarify their needs and provide an integrated solution from waste reception, through pre-processing, composting and final product handling and use.



Test for Degradation of Degradable Cutlery and Dishes

Introduction

At the request of Mr. George Kneisel of e2e Foodpack, New Era Technologies carried out testing for the bio degradability of his company's products in a HotRot composting vessel.

Materials:

The Company supplied the following materials for testing in the unit:

**12 Small Containers - 12 Large Containers - 12 small plates - 12 large plates
24 knives - 24 spoons - 24 forks**



Cutlery, Plates, Trays and Lids

The various plates and bowls were stated to be manufactured from bagasse while the cutlery was manufactured from a GS PLA resin.

All items were placed directly into the front end of a HotRot 1811 composting unit which was processing SSO (Source Separated Organic) waste which had been collected from the residential and commercial sectors of Halifax Regional Municipality. All of the material was introduced in an "as received state", without shredding or chopping or tearing of any sort.

The operators log and findings are attached to this report which clearly states as a conclusion that all of the test materials which were introduced to the HotRot unit as a part of this trial, had completely disappeared. Based on the operator's log, none of the materials introduced for the trial was ever observed after October 10th.

The photo below is a sample of the product discharged from the HotRot unit. Although the discharge from the unit was checked every day for more than ten days, there was no evidence that any of the test products had failed to completely break down. The operator did find several pieces of plastic tableware in the screenings but these were determined not to have been from the products being tested.



If you require further information regarding any details of this trial, please contact:

Gerald Tibbo
General Manager
New Era Technologies

Email: gtibbo@hatch.ca

HotRot 1811

Biodegradable Tableware Trails

HotRot 1811

Steven M. Woodman
10/21/2008

Biodegradable Tableware Trials

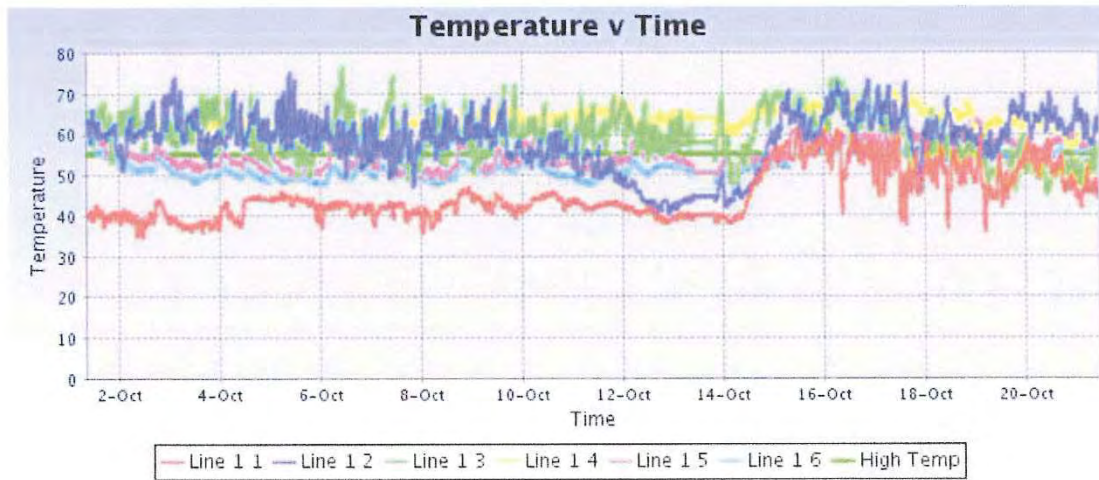
On October 6, 2008, at 1:47 pm, 12 small plates, 12 large plates, 12 small containers, 12 large containers, 24 forks, 24 knives and 24 spoons made of a decomposable material were placed in the HotRot 1811 unit. The cutlery had a similar look and feel as standard plastic cutlery except for the off-white color. The plates and containers were also comparable to standard cardboard tableware except, again, for the off-white color. These were placed in the first hatch of the unit into material which had a moisture level of 48.15 % and a pH of 5.4. The temperatures across the unit at the time of placement were:

- Temp 1 – 42.1
- Temp 2 – 60.9
- Temp 3 – 68.1
- Temp 4 – 61.6
- Temp 5 – 53.2
- Temp 6 – 49.6

The Purpose of this placement was to determine how much, if any, of the decomposable tableware would be degraded in the HotRot Composting System.

The product was collected from the discharge container for 14 days after placement occurred (Oct 6 – Oct 20) at which point it was screened and searched through meticulously for signs of any non-broken down tableware. During the time of testing the average product temperature in the unit was 56.2, the average high temp was 65.6 and the average low temp was 46.1 degrees Celsius.

Upon completion of these trials it was found that only 2 spoons, 1 knife and a fork were still complete and multiple small pieces of cutlery were not broken down. The cutlery found was examined and compared to original e2e pieces and were found to be of another type. It can now be concluded that there are absolutely no signs of the plates, containers or cutlery in the finished product. The temperature chart and full log taken during this time can be seen below.



Temperature chart for the period of testing

Date	Time	Product Seen Yes/No	Comments	Temp 1	Temp 2	Temp 3	Temp 4	Temp 5	Temp 6	Average Temp	Min Temp	Max Temp
06-Oct-08	1:47 PM	Placed in unit		42.1	60.9	68.1	61.6	53.2	49.6	55.9	42.1	68.1
07-Oct-08	8:21 AM	Yes	One fork between hatch's 1 and 2	41.9	58.8	67.2	58.8	54.8	51.0	55.4	41.9	67.2
07-Oct-08	10:00	No		40.9	61.4	71.4	57.6	53.4	49.3	55.7	40.9	71.4
07-Oct-08	1:50 PM	No		42.7	53.6	54.5	62.4	50.3	50.9	52.4	42.7	62.4
08-Oct-08	9:09 AM	Yes	One knife, still looked in good condition (hatch 1 and 2)	40.8	58.8	61.7	63.3	51.4	48.8	54.1	40.8	63.3
08-Oct-08	10:27 AM	No		42.3	60.1	60.0	62.3	49.8	48.6	53.9	42.3	62.3
08-Oct-08	11:45 AM	No		42.5	59.4	61.6	62.7	50.2	49.9	54.4	42.5	62.7
08-Oct-08	3:41 PM	Yes	Piece of plate or container, bad shape (Hatch 2)	40.8	61.9	61.1	63.1	52.3	49.2	54.7	40.8	63.1
09-Oct-08	8:25 AM	No		42.8	67.3	59.5	61.6	51.1	48.9	55.2	42.8	67.3
09-Oct-08	11:50 AM	No		41.9	61.2	58.7	62.4	52.4	50.6	54.5	41.8	62.4
09-Oct-08	1:46 PM	Yes	Piece of plate, good shape (between 1 and 2)	44.2	65.0	64.4	63.4	56.2	52.7	57.7	44.2	65.0
09-Oct-08	2:55 PM	No		43.2	69.8	62.4	62.8	53.5	50.2	56.8	43.2	68.8
10-Oct-08	8:45 AM	Yes	One spoon in good shape in hatch 2	45.0	53.9	59.9	63.4	55.8	51.9	55.0	45.0	63.4
10-Oct-08	11:14 AM	No		44.8	53.9	64.7	63.6	55.3	51.7	55.7	44.8	64.7
10-Oct-08	2:48 PM	Yes	piece of container bad shape (hatch 2)	45.3	52.4	55.8	63.9	52.6	50.1	53.4	45.3	63.9
14-Oct-08	8:15 AM	No		39.3	44.5	52.5	62.6	51.3	50.7	50.2	39.3	62.6
14-Oct-08	10:22 AM	No		41.2	45.5	56.9	63.4	53.1	51.0	51.9	41.2	63.4
14-Oct-08	12:56 PM	Yes	One Fork in good shape (hatch 5)	45.7	46.8	55.7	54.8	54.2	51.5	53.1	45.7	64.8
14-Oct-08	3:41 PM	No		47.8	49.9	60.3	66.0	54.8	52.7	55.3	47.8	66.0
15-Oct-08	10:20 AM	No		57.9	63.2	67.0	66.4	60.4	56.0	61.8	56.0	67.0
15-Oct-08	11:50 AM	No		58.3	64.5	69.0	66.0	60.5	55.2	62.3	55.2	69.0
15-Oct-08	2:50 PM	No		54.5	60.6	64.2	66.3	59.8	56.2	60.3	54.5	66.3
16-Oct-08	8:13 AM	No		47.2	69.9	70.8	66.7	57.7	55.1	61.2	47.2	70.8
16-Oct-08	1:03 PM	No		58.3	61.6	61.3	65.7	58.3	55.6	60.1	55.6	65.7
16-Oct-08	4:30 PM	Yes	One spoon in bad shape (hatch 4)	57.4	64.1	64.9	68.1	58.3	55.1	61.3	55.1	68.1
17-Oct-08	8:28 AM	No		57.9	60.9	57.0	70.4	61.1	56.7	60.7	56.7	70.4
17-Oct-08	1:30 PM		Dishcharged product was looked through									
20-Oct-08	11:30 AM		Dishcharged product was looked through again									
20-Oct-08	9:50 AM	No		55.6	64.5	52.4	61.6	52.4	50.4	56.2	50.4	64.5
21-Oct-08	8:10 AM	No		44.4	61.7	57.0	59.0	56.3	56.0	55.7	44.4	61.7
Average				46.7	59.1	61.4	63.6	54.7	52.0	56.2	46.1	65.6

Log of tableware sightings within the unit and corresponding temperatures

FF. Jim and Luci Mendoza (2)

FF-1 The SCWMA appreciates the information provided by the commenter on the Hotrot system. In-vessel composting systems, including the Hotrot system, were considered by the agency during earlier planning stages, but rejected. Please refer to response to Comment R-1 for a discussion of enclosed/continuous in-vessel composting modules, of which the Hotrot system is an example. The Draft EIR analyzes a composting operation using the aerated static pile (ASP) system, which achieves much of the same process control and emissions reduction as in-vessel systems such as the Hotrot system, but at considerably reduced cost. In addition, ASP systems have the advantage of greater flexibility in terms of site layout and ease of expansion. In-vessel systems share many of the same technical and operational drawbacks as described for indoor composting operations in Chapter 4, Alternatives, in the Draft EIR. The Draft EIR's analysis of two different composting methods, open windrow and ASP, provides a reasonable range of alternative composting technologies. Other technologies, including anaerobic digestion and indoor composting, were considered in Chapter 4 of the Draft EIR, but rejected for the reasons stated in that chapter. An in-vessel system, such as the hotrot system, would not substantially reduce or avoid project impacts, compared to the ASP system, since, as stated above, the ASP system achieves essentially the same level of process and emissions controls as an in-vessel system.

Please see also the discussion of alternatives in the response to Comment EE-12.

Public Comment Card
 Draft EIR – SCWMA Compost Facility
 Guido A. Murnig
 1200 Stage Gulch Road, Petaluma, CA 94954 707.781-9527, fraguido@msn.com

Salient points regarding the proposed 'mulching' station on Stage Gulch Road.

- | | |
|---|------|
| • We live in an agricultural zone | GG-1 |
| • There are dairy ranches | |
| • There are beef cattle ranches | |
| • There are grape vines every where | |
| • There are olive orchards | |
| • People make their livings with these animals and crops | |
| • Air quality would be dramatically impacted | GG-2 |
| • Rodents will be a major element that we will have to deal with | GG-3 |
| • Insects will increase significantly and new varieties will arrive. | |
| • Is the county prepared to deal with the law suits that will result from | GG-4 |
| ○ Impact on the dairy cows and quality of milk | |
| ○ Impact on the grapes from the foul air | |
| ○ Impact on the local dairy and ranch land and the natural grass lands | |
| ○ Loss of income to the ranchers that will result | |
| ○ Damaged quality of produce, grapes and olives | |
| • Property values already impacted by the economy will be greatly impacted by the presence of such a facility. | GG-5 |
| • Local land owners and growers are opposed to this enmass and will make every legal effort as required to see that this facility in not located here. | GG-6 |
| • The current owner of the land wants to sell the property and this is in there personal interest but damages all the properties surrounding. | GG-7 |
| • Perhaps they should consider reducing the selling price in order to attract a buyer that will use the land as intended. | |
| • As Olive ranchers we already have to contend with the olive fly. This disposal site would increase the insect population dramatically and impact any attempt at organic ranching. This presence will also affect the quality of my olive oil. | GG-8 |

GG. Guido Murnig

- GG-1** Chapter 4, Draft EIR Chapter 4, Alternatives, describes the rural character and agricultural uses in the area around Site 40 (starting on page 4-11 of the Draft EIR).
- GG-2** Air Quality impacts from Site 40 are discussed in Draft EIR Chapter 15, Air Quality.
- GG-3** For a discussion of rodents and insect pests, as well as other nuisance pests, please refer to the response to Comment L-5.
- GG-4** The project proponent is the Sonoma County Waste Management Agency. The Agency is required to conduct CEQA review for the project and litigation is a concern when preparing CEQA documents.
- GG-5** In general, economic effects are not considered significant impacts under CEQA unless they result in physical changes in the environment. No evidence of physical changes has been cited by the commenter. Potential economic effects may be considered by the decision makers when considering project approval.
- GG-6** Please see the response to Comment GG-4.
- GG-7** This comment does not raise an environmental issue under CEQA. No further response is warranted.
- GG-8** For a discussion of rodents and insect pests, as well as other nuisance pests, please refer to the response to Comment L-5.

email

to Patrick Carter (patrick.carter@sonoma-county.org)
from Herb Roche (herbroche@sbcglobal.net)
subject Re: Site 5A

In general: my observation is the current traffic use on Lakeville Road is currently in excess of what the road was designed (re-designed) to handle. It appears to have become a major artery from I-80 to 101 N. The addition of more heavy vehicle traffic is compounding the existing volume problem along the road, in addition to impacts 12.2,12.4,12.5,& 12.6 .

HH-1

Also;

Is there any assessment of the impact to the scenic value of the area as viewed from the Petaluma River?

HH-2

What is the expected nutrient run-off into the Petaluma River, surface/sub-surface?

HH-3

Thank you.

Herb Roche
5175 Lakeville Road
Petaluma CA 94954

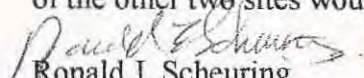
HH. Herb Roche

- HH-1** Draft EIR Chapter 12, Traffic, analyzes potential traffic and traffic safety impacts and determines that with implementation of mitigation measures, the impacts associated with the project at Site 5A would be less than significant. This includes an analysis of traffic and traffic safety impacts on Lakeville Road and Lakeville Highway.
- HH-2** The visual resources of Site 5A are analyzed in Draft EIR Chapter 13, Aesthetics. Using the Sonoma County *Visual Assessment Guidelines*, the Draft EIR analysis determines that the visual impacts associated with Site 5A are less than significant. The Draft EIR did consider the views of the project site from the Petaluma River, and recognized the potential sensitivity of recreational viewers from that viewpoint; please see the response to Comment Z-10.
- HH-3** Mitigation Measure 8.1 (starting on page 8-18 of the Draft EIR) would prevent or reduce the potential for the emission of water quality pollutants, and thereby reduce potential impacts associated with water quality degradation.

1/1/12

JAN 5 '12 PM 12:54

As a property owner in southern Sonoma Co. (asse # 068 110 031 000) I would like to express my objection to the proposed site 5A for ASCWMA Compost Facility. Either of the other two sites would be more appropriate.


Ronald J. Scheuring

II-1

II. Ronald Scheuring

- II-1** The SCWMA acknowledges the commenter's objection to siting a composting facility at Site 5A.

**LESS & WEAVER
ATTORNEYS AT LAW**

Lawrence James Less
Robert N. Weaver

SUTTER PLAZA
1388 SUTTER STREET, SUITE 800
SAN FRANCISCO, CALIFORNIA, 94109-5453
TEL 415/398-9800 • FAX 415/989-0841

OF COUNSEL
Brian H. Getz

February 4, 2012

Patrick Carter
Waste Management Specialist
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

Re: Sonoma County Waste Management Agency Compost Facility
Draft Environmental Impact Report
State Clearinghouse # 2008122007

Dear Mr. Carter:

I am the trustee for the trust that owns a significant interest in the farmland at 1074 Stage Gulch Road, and a partner in Stage Gulch Vineyards. I have been the trustee and partner for over 20 years. The vineyard and property are adjacent to the Site 40 Alternative that is one of the subjects of the DEIR. My familiarity with the area surrounding Site 40, and my review of the DEIR, lead me to the unavoidable conclusion that the DEIR is inadequate as drafted. If all proper considerations of the site were objectively examined, the Site 40 Alternative would be rejected as a potential site for a permanent composting facility in Sonoma County.

JJ-1

Although my comments primarily address Site 40, they are generally applicable to Site 5A on Lakeville Highway. Both sites are currently designated as "Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance and Grazing Land." Both sites are surrounded by "Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance and Grazing Land." Both sites are zoned for agriculture uses and enjoy an LEA (Land Extensive Agricultural Land use) designation under the Sonoma County General Plan. These agricultural designations are inconsistent with the proposed permanent composting facility. Both sites are adjacent to mature and producing vineyards and in the immediate vicinity of an extensive network of vineyards and other longstanding agricultural uses of property. Placing a composting facility at either location will not just eliminate the site from agricultural uses, it will have a significant permanent and negative impact on the agricultural use of the land surrounding the project. Although the DEIR attempts to study noise, dust, general pollution and traffic on **residents** in the area, nowhere does it make any attempt to address the impact on **surrounding agricultural uses** of property in the greater Lakeville area. As such, it is fatally flawed and cannot serve as a basis for satisfying the requirements of CEQA.

JJ-2

Patrick Carter
 Sonoma County Waste Management Agency
 February 6, 2012
 Page 2

CEQA GUIDELINES

CEQA guidelines require a special quantitative evaluation of the effects on the environment from converting agricultural land to other uses. *See*, Public Resources Code §21095. The guidelines have led to the development of the California LESA Model. Only six factors are deemed so important to the analysis that they are included in the LESA scoring guidelines. One of those six factors is the impact that the project will have on “surrounding agricultural lands.”

JJ-3

The DEIR quantitative LESA Model analysis concludes that the permanent composting facility will have a “significant effect” on the environment. Significant effect is terminology defined by Public Resources Code §21068 as an effect that has a **substantial, or potentially substantial, adverse change in the environment**. An examination of the LESA Model results in the DEIR reveals that the highest score (i.e. largest adverse environmental impact) in the six mandated LESA categories is the impact the project will have on “surrounding agricultural lands.” Curiously, although the DEIR concludes that the project will have a “Significant Impact” on the environment (i.e. agricultural resources) it offers a less than satisfying suggestion for mitigation. Mitigation measure 9.4 suggests that Site 40 be taken out of the Williamson Act - a suggestion that in reality is to eliminate Site 40 (and Site 5a) as agricultural land. Apparently if it is not agricultural land the LESA Model analysis is deemed irrelevant. Redefining terminology is not an answer to the problems of a “substantial adverse change in the environment,” it is just a politically expedient way to sidestep an unacceptable adverse change in the environment.

ENVIRONMENTAL IMPACT ON SURROUNDING AGRICULTURAL LAND

The sophistry of redefining terms to dodge unavoidable conclusions is not the only problem with the DEIR analysis. The actual impact on surrounding agricultural lands is critical to making any decision to relocate the permanent composting facility. Yet, the DEIR is silent on what relocation will mean to agriculture in the vicinity of Site 40 and Site 5A. I am most familiar with Site 40, so I will limit my comments to that proposed alternative.

The Site 40 Alternative is in an area surrounded by farms, dairies and vineyards. The land has been in agriculture for generations. 1074 Stage Gulch Road has been in the same family for three generations, with a fourth already beginning to learn the necessary skills to be a productive farmer. For nearly 100 years, it has been used by the same family as a dairy, for hay production, grazing (both milk and beef cows) and, since 1992, for production of high quality wine grapes. At great expense, and **in direct reliance on the County General Plan**, over 90 acres have been converted to vineyards - Stage Gulch Vineyards. This was one of the first viticulture enterprises in the Lakeville area, but others soon followed. There are easily over 1,000 acres now in production in the vicinity immediate vicinity of Site 40 and on either side of Lakeville Highway.

JJ-4

Patrick Carter
 Sonoma County Waste Management Agency
 February 6, 2012
 Page 3

The proximity of Stage Gulch Vineyards to Site 40 is important to a proper Environmental Impact Report for several key reasons. The unique topography of the valley creates a constant and steady wind pattern. It is in the Petaluma Gap region, renowned in wine and viticulture circles for steady winds. At the Petaluma Airport, 3 1/2 miles NW of Site 40, BAAQMD determined that daily wind velocity **averages 7 mph** annually. In the Tolay/Stage Gulch Valley the average is significantly more. Winds are generally in the 8mph to 12 mph range during the "quiet" Winter months. In the Summer and Fall, when coast temperatures are low and the Sacramento Valley temperatures approach 100 degrees, it is rare to have a day when winds are not in the 15 mph to 20 mph range, and regularly over 20 mph. Although the DEIR mentions that winds at Site 40 are higher than other alternative sites, nowhere does it attempt to quantify the winds or address the impact that the winds will have on surrounding agriculture.

Winds at Site 40 are not just extreme, but extremely constant. Absent storms, **wind is always from the north west direction**. (The rows of vines at Stage Gulch Vineyards - and parallel roads - were designed to be in the direction of winds observed over decades of farming. The attached photograph "A" provides a view of the prevailing wind pattern.) What this means to Stage Gulch Vineyards is that wind from the proposed composting facility will blow directly over the proposed facility into the vineyards planted at 1074 Stage Gulch Road. The proposed composting facility is less than 100 yards from the plants. The proposed entry road is less than 50 yards from plants. This means that it will only take airborne contaminants 3 minutes on a normal "quiet" day to travel from the composting facility to Stage Gulch Vineyards and less than 2 minutes on a blustery Summer day. It will take just seconds from the entrance to Proposed Site 40.

What is the significance of these measurements? Odors, dust, insects and contaminants will find their way to the vineyard and fruit. Will this have an impact on the farming operations? Yes. We fully expect, and have already heard from grape buyers, that it is likely that grape contracts will be terminated in the area. Odors and dust will settle on grapes, and those odors will manifest themselves in taste - all of which is anathema to the eventual production and sale of wine. How far the effects will be felt are unknown. What we do know is that sometime in the last decade the use of the herbicide "Roundup" on a windy day in the Tolay/Stage Gulch Valley had a negative impact several miles away.

Insects present another serious problem. The DEIR itself indicates that vineyard prunings are expected to be processed at the site, as well as other Agricultural Materials. At a time when evidence of a single European Grapevine Moth ("EGVM") in a vineyard can lead to wide scale quarantine, the proposed relocation is going to provide a dumping ground for backyard grape growers (commercial growers generally do not export their cuttings) in the Sonoma Valley to export a potentially industry killing pest into a new area. The risk will not be limited to the EGVM. Other potentially devastating insects from other parts of Sonoma County will be brought into an area generally protected by wind patterns - the vineyards in the area upwind of other growing areas and prevailing winds tend to shield the local vineyards from natural migrations. The DEIR is silent on the impact of importing new insect species to the area.

JJ-4
 cont.

JJ-5

Patrick Carter
 Sonoma County Waste Management Agency
 February 6, 2012
 Page 4

Further, the introduction of "Food Materials" will provide a breeding ground for new species of insects even if they don't migrate to surrounding farms. Just as importantly new molds and bacteria not already resident to the area will be introduced. No mention is made in the DEIR of the anticipated impact of the imported insect populations, or the impact on farming from imported molds and bacteria that can be expected from a facility processing waste food. Regardless of whether the composting will be by means of Open Windrow or Aerated Static Piles, materials will have to be imported, unloaded, ground, and (even with the Static Pile method) churned and exposed for significant periods. The presence of Insects and food scraps will attract and establish resident flocks of starlings, already a problem when grapes are reaching maturity - and a problem that has the potential of wiping out entire crops. Yet, no mention is made of these certain adverse impacts on surrounding farm land, and how they will likely eliminate productive farming in the area, at least with respect to vineyards. The impact of airborne molds and bacteria are not addressed whatsoever, despite the clear fact that they will spread over the area.

Smells, odors, dust and insects will not just destroy Stage Gulch Vineyards, these same problems will plague other vineyards in the immediate area. *See* Photo "B" showing other vineyards in the area of Site 40. Further, if insects migrate to Stage Gulch Vineyards, they will be able to establish resident colonies and then move on their own account, or be wind driven, to other established vineyards in the area. Yet, despite the high risk, and obvious negative impacts (and one already admitted in the LESA results) no study is included in the DEIR to address what the impacts may be or how they can be mitigated. I would suggest that the results will be devastating ("Substantially Adverse" or "Significant") and cannot be mitigated. Avoidance of the issue is a transparent effort to ignore a problem that has no solution. The DEIR is inadequate.

The impact of resident populations of pests and the introduction of odors will be felt not only by the vineyards in the area, but also the organic dairy adjacent to Site 40 and the organic vegetable row crops of Tolay Valley Farms on Stage Gulch Road. As organic producers (the dairy is certified organic and Tolay Valley Farms uses organic methods) neither of these agricultural businesses has any aggressive way to fight insect populations without losing their organic status. They will each be devastated by the use of Site 40 as a permanent composting facility. Despite the impact, the DEIR has no mention of either, no study of how they will be impacted and no solution of how the impact will be mitigated. The DEIR is inadequate.

THE GENERAL PLAN PROHIBITS SELECTION OF SITE 40 AND 5A

A primary goal of the Sonoma County General Plan is to protect its agricultural lands. It recognizes that "Agriculture is a major part of Sonoma County's economy." It is also a part of the ambient nature of the county that attracts tourists and new residents, and encourages native residents to stay.

JJ-5
 cont.

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The General Plan's goal is to:

Protect lands currently in agricultural production and lands with soils and other characteristics that make them potentially suitable for agricultural use.
 Retain large parcel sizes and **avoid incompatible non agricultural uses.**

General Plan Goal LU-9

The DEIR cites the General Plan as an obstacle to selection of Site 40, but nakedly asserts that the Plan can be amended. What it does not do is analyze how the amendment can logically be defended or how any amendment relative to Site 40 or Site 5A can conceivably be done in isolation to the agricultural areas surrounding the sites. Even if the sites themselves are changed, they cannot be changed in isolation. Any change will have to address how the change can be made and still protect surrounding lands currently in agricultural production. Since the DEIR makes no reasonable attempt to even study the impacts of the composting facility on surrounding lands, its conclusion that the General Plan can be changed is less than complete in its analysis. In effect, the DEIR suggests a form of "spot" zoning, and one that may require a general election to the extent it materially changes the general plan, and like all spot zoning suggestions it is subject to defeat if it has an adverse effect on other protected interests.

JJ-6

The DEIR states that the General Plan, may be changed/approved if an overriding public benefit exists. It is unclear that Policy LU-9d referenced in the DEIR carves out a special approval process for public benefits changes, without also satisfying the four criteria for amendment (which the DEIR admits cannot be met). Even if there is a special procedure that allows amendment without not meeting the LU-9d criteria, there is no demonstration of an overriding public benefit from moving the facility from its current site. The public will certainly not benefit from the acquisition of a new site at a bare land cost of \$6.9 million (the cost cited for acquisition of Site 40), and construction of a new facility at an unknown cost. The public will certainly not benefit from elimination of land from its bank of Prime Farmland of Local and Statewide Importance. The public will certainly not benefit from operation of a permanent composting facility at a location that jeopardizes more Prime Farmland of Local and Statewide Importance.

The DEIR has to address logical issues - it does not have to foresee the future. However, the logical issues that will be subject to scrutiny in any land use designation change will require an analysis of how the proposed project can be reconciled with the objective of the General Plan to protect lands currently in agricultural production and **to avoid uses incomparable with the agricultural uses in the area.** The DEIR is inadequate because it recognizes that the project is incomparable with the General Plan and Zoning for Sites 40 and 5A, but fails to address the factors of incompatibility relative to the surrounding farming community. Again, it focuses inwards to the sites themselves and addresses negative impacts on residents, but wholly ignores the outward environmental impact on area vineyards, farms and dairies.

JJ-7

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ALTERNATIVES IMPROPERLY ELIMINATED FROM FURTHER CONSIDERATION

The DEIR is required to consider alternatives. In Section 4.3 it briefly mentions, and discounts, the possibility of one or more Anaerobic Digester ("AD") facilities to lessen the volume impact on the Central Site. The DEIR concludes that the technology is "not developed in California to the degree that this could be considered a feasible alternative for analysis at this time." The statement is perhaps true in California (although doubtful) but certainly ignores the success of AD facilities elsewhere. For example, Harvest Power (www.harvestpower.com) boasts that it has Canadian facilities where a 1.5 acre site is able to process 30,000 tons a year - and produce electricity while converting waste material into compost. *See, also*, Exhibit "C" attached hereto. The added appeal of an AD facility is that it has a small footprint and is fully enclosed. It is more like a small manufacturing facility than a county dump. It can be constructed in an industrial park designed to handle added traffic, and can be located in an area with no impact on agriculture.

JJ-8

The development of commercial sized AD facilities is certainly not a "Buck Rogers" fantasy, it is a reality. Even the DEIR recognizes that the California Department of Resources (CalRecycle) anticipates that "AD facilities will be developed across the state to meet the increasing need to divert organic waste from landfills" but against that projection eliminates them from consideration as a viable alternative to the long range solution to the anticipated needs of Sonoma County.

It is as though we are in the 1920s and the recommendation is that the county build Zeppelin hangers to handle the anticipated travel mode of the future. Things change. When this project was first given consideration, the only feasible alternative may have been traditional open windrow composting, but that is certainly no longer the case. It will certainly not be the case when the volume of materials to be processed approach the projected 200,000 tons in the next 20 years. Absent serious consideration of viable alternative such as the Anaerobic Digester, the DEIR is dishonest in its approach and liable to encourage the Sonoma County Waste Management Agency to purchase and develop land that is Prime Farmland, negatively impact surrounding farmland in full production, create additional traffic burdens on the County, invite a lengthy and expensive fight to change the General Plan, and ultimately acquire and develop a facility that will likely be obsolete even before it is completed. Without serious consideration of the Anaerobic Digester alternative (and perhaps multiple Anaerobic Digester facilities at easily accessible locations throughout Sonoma County), the DEIR is fatally defective.

TRAFFIC AND WATER

Other interested residents in the areas of Site 40 and 5A will doubtless address the traffic problems created by each site. It appears that the basic traffic dangers are addressed (but inappropriately discounted) in the Site 5A analysis. However, the analysis of traffic impacts on a Site 40 facility seems to ignore the fact that it will have identical traffic and identical safety issues.

JJ-9

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If a truck or automobile has to make a turn across traffic on Lakeville Highway at Site 5A it will have the same exact problem with approaching Site 40 from Lakeville Highway or Old Adobe Road. Because all commercial vehicles will be required to approach from Old Adobe Road, the traffic at Old Adobe/Stage Gulch will be an extreme addition to traffic patters that are already at near bumper to bumper congestion on weekends and during the Summer. As a regular user of the Stage Gulch/Lakeville intersection, I already feel that I am sometimes risking life and limb crossing Lakeville to make a left turn. Adding the volume of cars and trucks projected is simply not adequately analyzed, and not looked at in terms of the high volume of tourists that traverse through both intersections while half lost looking for Sonoma County wineries or Infineon Raceway.

JJ-9
 cont.

Access to water is a serious issue. The DEIR suggests that the Petaluma waste water facility would be accessible for the increased water needs of Site 40, and that additional water could somehow be obtained from one of more additional wells. The DEIR makes no mention of existing contracts with farmers in the area for treated Petaluma waste water (which is unavailable at all during certain months of the year) or the potential that the treated waste water will simply not be available because of restrictions placed on its distribution when voters approved funding for the facility. As far as more wells to obtain potable water, the DEIR certainly failed to do even a minimum of due diligence. Water is scarce in the area. All farming water is obtained from the Petaluma waste water facility or reservoirs filled from rain runoff. Potable water from wells is limited - so much so that everyone in the area has stories of running out of water in dry years, and conserving water usage almost every year to avoid depleting the water table. It may be an inconvenience to take a bath in 6 inches of water, but it will potentially be a catastrophe to be deprived of drinking water if the permanent composting facility depletes the water table. More study needs to be conducted on water availability, historic water shortages in the area, and availability of Petaluma waste water for the DEIR to be adequate.

JJ-10

CONCLUSION

Farmland is one of the most important assets of Sonoma County. What was a dairy yesterday, may become a vineyard today and a source of fruit or vegetables tomorrow. Once taken out of farming, the use cannot be restored. Both Site 40 and Site 5A are by themselves important to the continued viability of farming in Sonoma County. Eliminating either from farming cannot be mitigated. If eliminated and converted to composting the farmland is lost - forever.

JJ-11
 cont.

Just as importantly, placing a composting facility in the middle of Prime Farmland will have significant and permanent negative impacts on adjacent and surrounding farmland. The impacts are not adequately addressed in the DEIR, and in good conscience cannot be addressed in a positive manner. Vehicles may not be traversing over the adjacent and surrounding land and composting materials may not be covering that land, but odors, dust, insects, molds, bacteria and traffic will critically alter the utility of farms and dairies in the area both studied sites. It may not produce a full blown cancer, but it will certainly introduce a cancer that will cause dramatic changes to continued

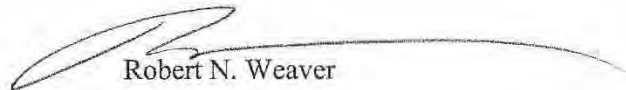
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viability of farming in the area. And like any cancer it is likely to spread. If a composting facility is allowed at either site, the next step is light industry or business parks as alternative uses to diminished farming utility. The extent of the cancer, and the long term impact on existing crops, dairies and farming operations in the area are not analyzed or studied in the DEIR and for that reason alone it is defective.

JJ-11
cont.

Very truly yours,

LESS & WEAVER



Robert N. Weaver

RNW/me
enclosures

EXHIBIT A



EXHIBIT B

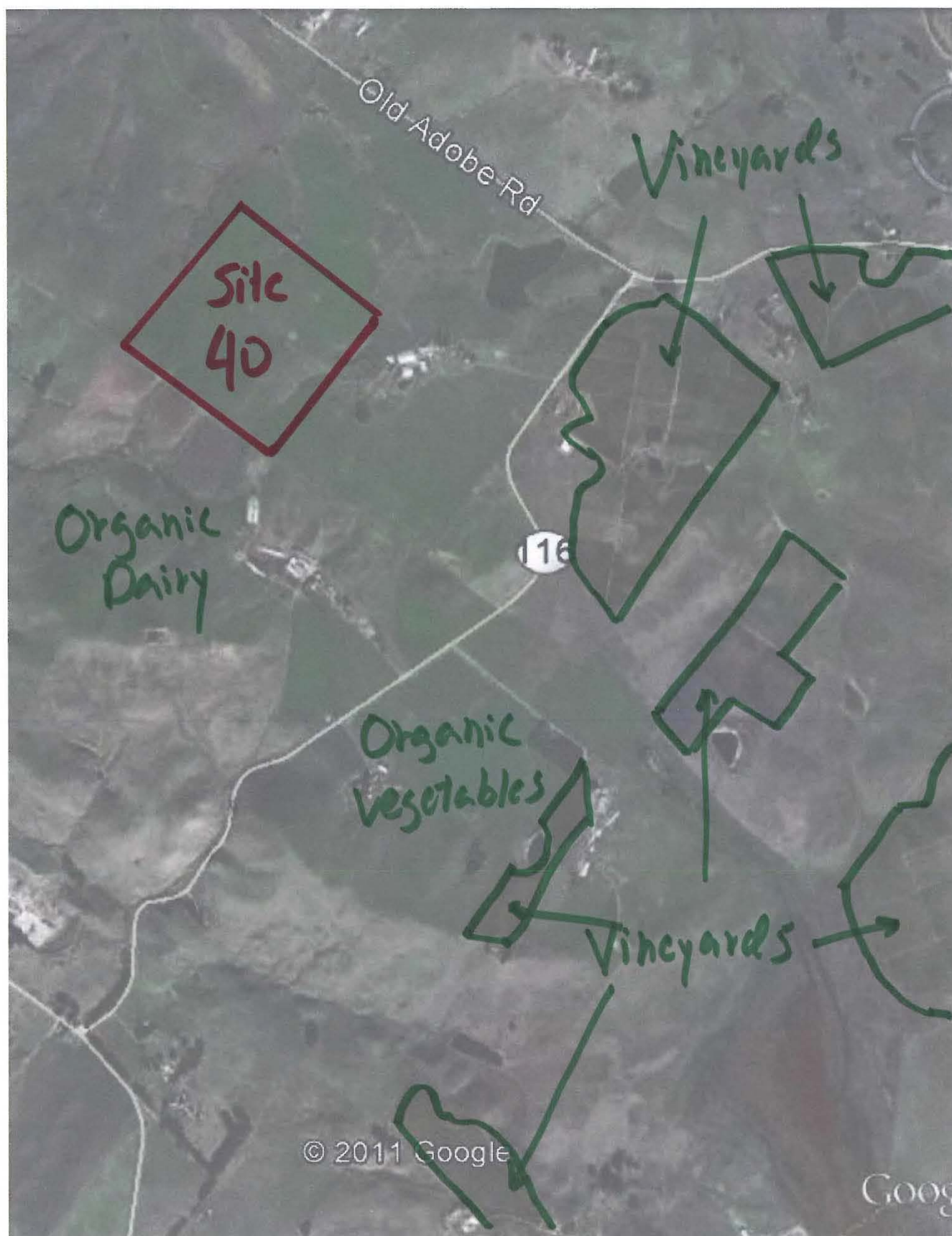



EXHIBIT C


10/26/2010




Energy from Anaerobic Digestion

Managing Urban Organic Waste Locally and Sustainably

Northwest Environmental Business Council
Future Energy Conference
November 10, 2010
Seattle, Washington



Jan Allen, PE, CTO
Harvest Power Inc.



Background: Going Commercial With AD

- **The Pacific Northwest is an improving environment for commercial AD**
 - Zero waste and foodwaste recycling initiatives are advancing in Washington.
 - British Columbia and Oregon have progressive energy programs that make the Pacific Northwest a good place to "go commercial" with AD.
 - Residential mixed organics collection is gradually being implemented
- **Germany has 4,000 commercial digesters**
 - Mostly owned and operated by farmers producing energy crops (corn) and manure
 - This infrastructure is generally not driven by recycling or zero waste; it's driven by energy policy
 - Owner-operators can bank on getting \$0.17-0.24/kWh due to a "standing offer" from the power grid (\$0.05-0.10/kWh is more typical in North America)
- **Commercial Source Separated Organics collection is showing success in some places**
 - Commercial organics have the highest biomethane potential (vs. residential)
 - Vancouver, Seattle, Portland, San Francisco emerging as early AD adopters
 - Composting is currently offered in each region
 - AD is under development in each region

10/26/2010



About Harvest

Founded in 2008, we provide industry recognized expertise, innovative technologies and project development capability to harness the renewable energy and soil-building potential in organic waste.

Corporate Profile

- Recognized industry leading experience in organics waste management, plant operations, and odor control; 5 proprietary patents
- Financial investments from Kleiner Perkins Caulfield & Byers, Munich Venture Partners, Waste Management Inc.
- ~150 full-time employees to date
- Expanding technology portfolio supported by industry-leading science and technology advisors

Developing & Operating Facilities

- Own and operate Fraser Richmond Soil & Fibre, the largest, most efficient composter of food and yard waste in Canada
 - Developing high solids anaerobic digestion facility to process additional organic waste and generate renewable energy
- Urban Wood Waste: Construction and Demolition processing producing alternative fuels
- Mustang Generation: Renewable energy from AD in Ontario, Canada

3



A New Vision for Organics



10/26/2010



What is exciting for Harvest Power

- Significant new value creation from organic waste
 - Renewable energy offers opportunity to add \$25-\$40 per ton of increased revenue from capturing and selling electricity and natural gas
- Municipality focus on zero waste and diversion of organic materials, particularly food waste
 - Multiple cities moving to required composting of food waste (SEA, SFO, VBC, PDX, others)
 - Commercial and multifamily organics have high calorific value for energy production
- Technology to capture renewable energy from organic materials is at a tipping point
 - Dry AD fermentation and gasification recently commercially viable – nearly all are European-based technologies
 - Local development is essential for successful projects
 - Local design and construction critical – simply importing European technology is insufficient
- Product marketing is a critical element
 - Turn potential cost center into high value bagged or bulk finished product
- Clean Technology is growing into an industry
 - Biofuel, renewable energy, lower toxicity, recycling, and urban power production are all cleantech

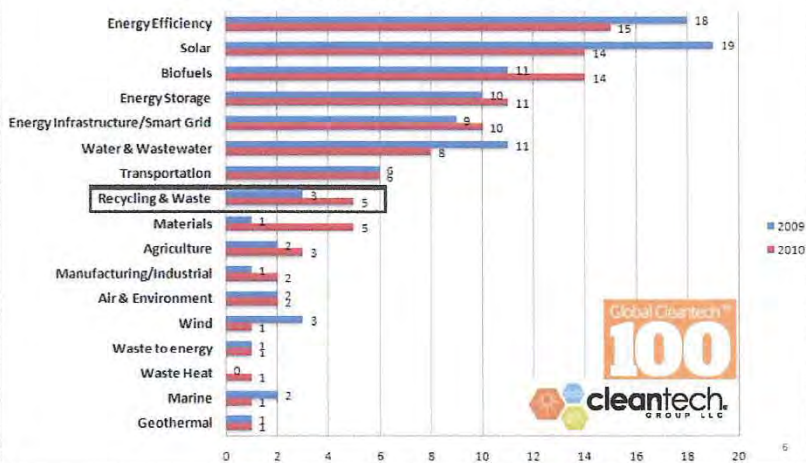


5



Harvest - Global Cleantech 100 Selection

Sectors represented in the 2009 and 2010 lists



10/26/2010



Specific Diversion and Energy Production Opportunities

- Installing AD or gasification at transfer stations (renewable energy + lower trucking costs from volume reduction)
- Installing AD or gasification at compost sites (extract energy value prior to composting and reduce odor issues through destruction of volatile solids in enclosed digesters)
- Installing AD at landfills (No source separation required – MSW de-bagged and placed directly into fermentation chambers – results in 60-70% mass reduction before placing into landfill and produces renewable energy)
- Combined Heat and Power (CHP) production – simultaneously generate electricity and hot water for district heating
- Compressed Natural Gas (CNG) production – use methane produced from organic waste to fuel fleet vehicles, alternative fuel vehicles, or keep it uncompressed for pipeline gas



7



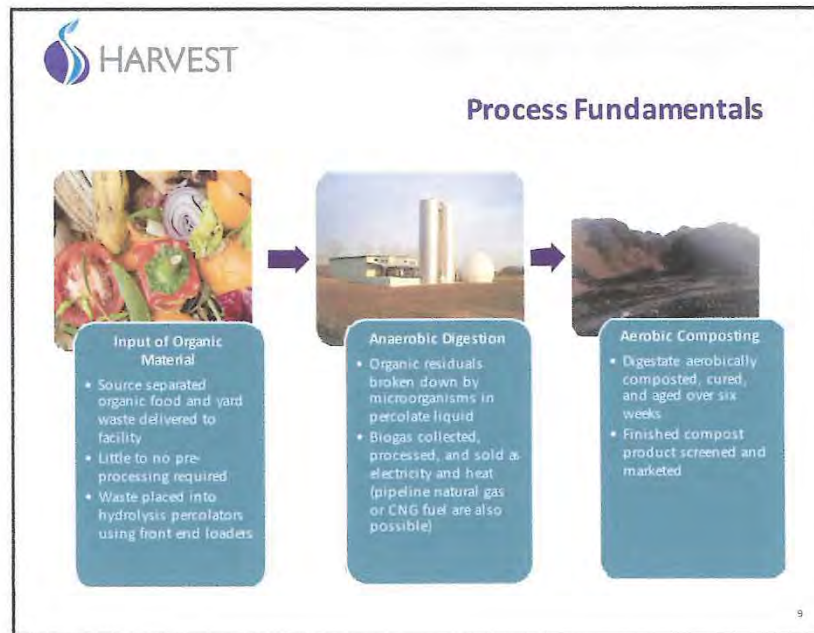
Process Fundamentals




Proprietary & Confidential


8

10/26/2010



 **Urban AD Benefits**

- **Significant renewable energy yield** – gross yields of 1,900 - 3,700 cubic feet of methane per ton
- **Important safety features** – patented gas evacuation system ensures that all biogas is evacuated or diffused prior to the opening of the chambers
- **Clean tech jobs in the city** – blend of well paid jobs and technology insures sustainability
- **Fully enclosed with odor control** – receiving, mixing, digestion, reclaiming, transfer
- **Initial feedstock preparation is fast and simple** – no grinding, screening, picking, or mechanical mixing is necessary (bags should be broken open and OCC boxes should be shredded)
- **Automated digester and gas handling systems** – can be web based for remote monitoring
- **High quality compost production** – substantial volatile solids degradation during anaerobic digestion process followed by aerobic composting yields a nutrient rich, high quality, compost



10/26/2010



The British Columbia Example



Composting and Soil Marketing

- Owner and operator of Fraser Richmond Soil & Fibre
- Processed over 200,000 metric tonnes in 2009
- Completely sold out of product each year
- Virtually no odor complaints with regulators in over five years



Construction and Demolition Recycling

- Owner and operator of Urban Wood Waste Recyclers
- Clean wood recovery for AD, composting, gasification, alternative fuel
- Processed over 150,000 metric tonnes in 2009
- Metals, paper, and plastics recovery for recycling

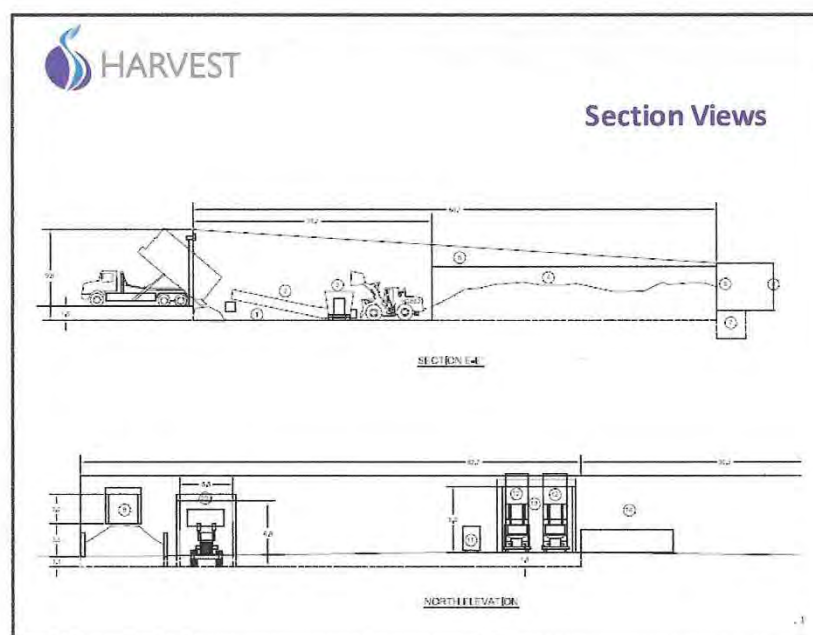
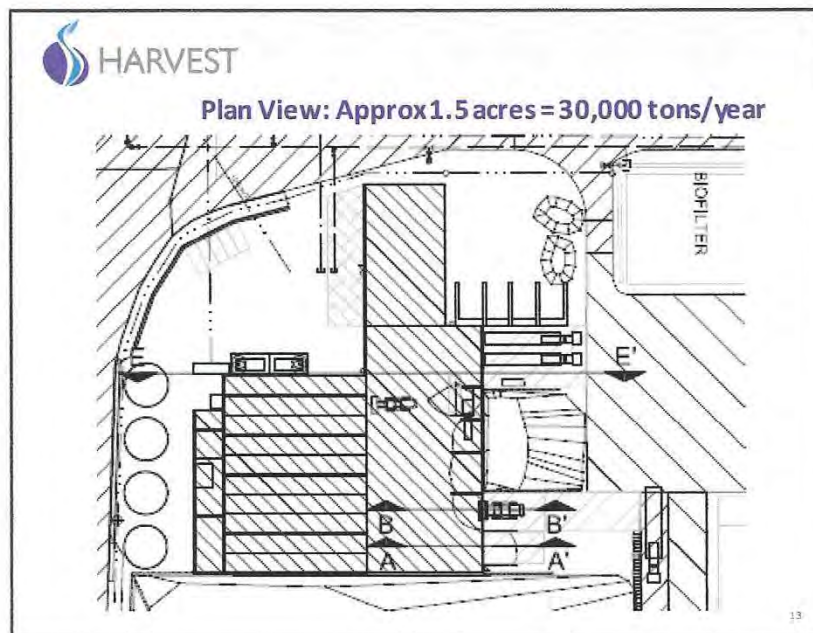


Celebrating British Columbia's Leadership in Clean Technology



On October 15th, 2010, Fraser Richmond Soil & Fibre hosted Al Gore and BC leaders for a discussion of climate change solutions. Harvest's AD project, which will convert 30,000 tons of commercial food scraps and landscape waste into clean renewable energy, was the centerpiece. Mr. Gore highlighted this innovated technology as the next generation of organics management *and* climate change technology.

10/26/2010



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Summary



Composting is shifting to Anaerobic Digestion + Composting + Soil Marketing – to extract energy from waste, extend life of landfills, recycle nutrients, and reduce carbon emissions



Shift is Driven by highly cost effective methods at the operations end - with very low labor, fuel, wear part, moving part costs



Decision is based on utilization of "best in class" technologies – safe working environment, low labor input, fully enclosure with odor control, simple and fast feedstock prep, automated digester and gas handling systems

15



Contact:

Jan Allen

Seattle, WA

206-569-0340

jaallen@harvestpower.com

JAN ALLEN, P.E., is Chief Technology Officer for Harvest. Jan was a principal technologist at CH2M Hill's Environmental Services Business Group and is recognized as an industry leader in organic conversion technology and research. He specializes in environmental engineering, construction management, and industrial operations of solid waste management, composting, bulk material handling, microbiological systems, and odor control facilities. Jan is a Civil Engineer and certified Compost Facility Operator. He is registered inventor on a series of patents for composting systems and biofiltration. He graduated with distinction from Purdue University with a B.S. degree.

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JJ. Robert Weaver; Less and Weaver (Attorneys)

- JJ-1** The commenter’s specific comments on the Draft EIR are responded to below.
- JJ-2** The Draft EIR discloses the fact that both Site 40 and 5A contain “Important Farmland” as defined by the State of California, and analyzes the impacts to those farmlands. While many standards for compatibility (such as noise) are designed mainly with sensitive receptors in mind (such as residential uses), the impact analysis and the thresholds used apply to a variety of land uses, including agricultural uses. The issue of land use compatibility will ultimately be determined by Sonoma County, taking into account a variety of factors. It is noteworthy that the County has amended its development code to allow composting as an accessory use in LEA districts. Please see, however, the response to Comment I-3 regarding General Plan consistency.
- JJ-3** It should be noted that while the development of the LESA model is mandated by Public Resources Code Section 21095, the use of that model is “optional” as stated in Section 21095(a). Nevertheless, the LESA model was used to evaluate potential impacts to agricultural resources for the Site 40 and Site 5A Alternatives. The commenter’s characterization of the Draft EIR analysis is incorrect. The Draft EIR identifies agricultural impacts at Site 40 to be significant and unavoidable, despite the implementation of mitigation measures. Impacts at Site 5A are found to be less than significant, using the LESA model. Both sites would require cancellation of a Williamson Act contract. This is taken into account in the LESA methodology, however, the act of cancellation itself is a regulatory act, and not necessarily a significant physical change (the physical change is the effect of conversion, as analyzed in the LESA model).
- JJ-4** Regarding winds at Site 40, please see the response to Comment W-6. Regarding potential effects of odors and dust on grape quality, please see the response to Comment Q-1. Impact 15.2 includes Mitigation Measure 15.2b in order to control fugitive dust emissions. See also response to Comments I-11 and K-4 pertaining to additional dust mitigation.
- JJ-5** For a discussion of effects related to agricultural pests, vectors, and diseases, please see the response to Comment L-5. As noted therein, pests, diseases, and vectors would be minimized. Thus potential effects of pests, diseases, and vectors on neighboring vineyards and organic farms would also be minimized. For a discussion of effects related to odors and dust, please refer to response to Comment Q-1.
- JJ-6** California courts have recognized that general plans include a variety of goals. Development projects will rarely further each and every policy, so a project must be compared to the entirety of a plan. Individual general plan policies may be used to determine the significance of physical changes—and this is the basis of finding significant land use impacts for Site 40. However, it should be noted that Sonoma County, in its comment letter dated February 21, 2012, found that a proposed composting

operation would help the County achieve the goal of reducing the quantity of waste deposited in landfills and fostering a sustainable future, consistent with the General Plan. For a discussion of spot zoning, please see the response to Comment CC-1.

- JJ-7** The Draft EIR identifies significant and unavoidable impacts for the Site 40 Alternative related to agricultural resources and air quality. Significant and unavoidable impacts related to Site 5A include agricultural resources, air quality, hydrology (flooding), and land use. The analyses consider the context of the adjacent land uses, which is primarily agricultural. Please see also the responses to Comments JJ-4 and JJ-5.
- JJ-8** CEQA requires that an EIR review “a range of reasonable alternatives to the project...” and “evaluate the comparative merits of the alternatives.” However, “An EIR need not consider every conceivable alternative to a project” (CEQA Guidelines Section 15126.6(a)). Thus the Draft EIR is not required to consider every possible alternative. Anaerobic digestion was considered as a project alternative in the Draft EIR, but rejected as infeasible because, as stated on page 4-5 of the Draft EIR, the technology is not developed in California to the degree that this could be considered a feasible alternative for analysis at this time. As noted on page 4-4 of the Draft EIR, anaerobic digestion at the scale that would be required in support of the proposed facility has not yet been implemented in California: based on a review of current and proposed anaerobic digestions projects in California, the largest in the State currently has a capacity of approximately 36,000 tons per year, or about 18% of the proposed facility when operating at capacity. While larger anaerobic digestion facilities have been installed and proposed in Europe, the technology has not been successfully implemented with a capacity near 200,000 tons per year in the California regulatory environment. Additionally, even if technically feasible, use of anaerobic digestion technology would not substantially reduce or avoid the potentially significant environmental impacts associated with the ASP composting method analyzed in the Draft EIR. The ASP system achieves much the same process and emissions control as anaerobic digestion. For these reasons, anaerobic digestion was considered, but eliminated as an alternative for full analysis in the Draft EIR.
- JJ-9** Chapter 22 of the Draft EIR analyzes potential traffic and traffic safety impacts related to turning movements at the Site 40 access intersection on Stage Gulch Road, and at other area intersections, and determines that, with implementation of mitigation measures, the impacts would be less than significant. Please see the responses to Comments K-3 and O-2, regarding project vehicle distribution patterns and turning movements at area intersections.
- JJ-10** Water supply for Site 40 is discussed on pages 18-2 through 18-6 of the Draft EIR. Additionally, a Water Supply Assessment (WSA) was completed, in compliance with California Public Resources Code §21151.9. The WSA provides an evaluation of water demand by the Project and sufficiency of available water supply, including groundwater and recycled water supply. Based on the findings of the WSA, which reviewed potential surface water, groundwater, and recycled wastewater supplies, sufficient water supply

would be available to meet anticipated demand. Additionally, the discussion of potential for groundwater use, including the installation of new wells, has been updated to reflect anticipated project use of water. For additional information, please refer to the response to Comment DD-3.

Regarding the availability of recycled wastewater from the City of Petaluma and existing contracts with other farmers in the area, the existing Teixeira Ranch (where the Site 40 Alternative would be located) currently contracts with the City for recycled wastewater. Based on conversations with City staff, the proposed compost facility would receive recycled wastewater from the City under a continuation (and renegotiation) of the current contract. The SCWMA does not anticipate requesting an additional volume of recycled wastewater beyond that which is currently delivered, and therefore such deliveries would not interfere with other existing delivery contracts. Please see also the response to Comment K-9.

JJ-11 This Comment summarizes the points made in the preceding Comments. Please see the responses above.

February 20, 2012

Sonoma County Waste Management Agency
2300 County Center Drive, Suite B 100
Santa Rosa, CA 95403

Attention: Mr. Patrick Carter
Waste Management Specialist

Dear Mr. Carter

I'm writing to express my strong opposition to the proposal to relocate the county mulching facility to site 40. Locating the facility at site 40 will create immediate and long term irreversible damage to the area and its residents. Such damage includes, but is not limited to:

1. Conversion of Prime Farmland of statewide importance to semi-industrial use. No other site under consideration would be located on such an important and no-renewable natural resource. Prime Farmland cannot be relocated or replaced to suit public needs, but a recycle facility certainly can.

KK-1

2. Dependence on recycled water from the City of Petaluma. Site 40 is located in an area of marginal water supply which cannot support the proposed mulching operation. Proponents of site 41 stated publicly they are "optimistic" City water will be available to meet future needs indefinitely. There is no legal binding commitment from the City to justify such optimism; and even if it existed, unforeseen circumstances beyond anyone's control could interrupt the supply at any time.

KK-2

3. Introduction of new insects and organic infestations from all areas of the county into Prime Farmland. The area immediately surrounding site 40 includes an organic dairy farm, organic olive orchard, and numerous vineyards. All would be negatively impacted by the proposed operation, and exposed to new pests and disease.

KK-3

4. Pest attraction. The proposed facility will attract all manner of scavengers, including birds, mice and rats. The increase in these pests will affect surrounding agricultural operations, dairies and residents. Chemical pest control measures unintentionally poison local predators, making effective control doubly difficult.

KK-4

5. Odor. The draft EIR describes anticipated odor as insignificant. This subjective conclusion is meaningless since the mulching operational process is still undecided. Furthermore, any unpleasant odors present in vineyards are perceived to adversely affect wine flavor, and therefore substantially reduces grape value

KK-5

6. Traffic intrusion. The near-term traffic draw is expected to be up to 500 additional vehicles per day, yet the draft EIR characterizes this increase as "insignificant." It must be pointed out that much of the traffic will flow on the 2-mile section of Stage Gulch Road between Lakeville Rd. and site 40, which is very narrow, twisty, and has numerous unprotected drop-offs.

KK-6

7. The draft EIR virtually ignores the impact site 40 will have on surrounding Prime Farmland. It's understood any proposal for operations that may impact such farm land must, by regulation, include an EIR addressing the effects the proposed operation will have on such Prime Farmland.

KK-7

The proposed site 40 production facility will have an immediate and permanent negative impact on surrounding agricultural and dairy farmers, the quality of life for local residents, and depreciate property values.

Sincerely,

Charles W. Zegler

707-763-9029

1250 Stage Gulch Road

Petaluma CA 94954

KK. Charles Zeglin

KK-1 Please see the response to Comment V-1.

KK-2 Please see the response to Comment V-2.

KK-3 Please see the response to Comment V-3.

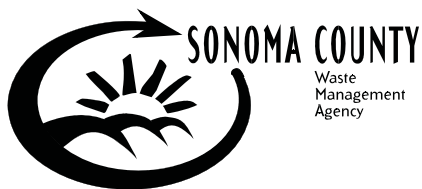
KK-4 Please see the response to Comment V-4.

KK-5 Please see the response to Comment V-5.

KK-6 Please see the response to Comment V-6.

KK-7 Please see the response to Comment V-7.

KK-8 Please see the response to Comment V-8.

**Agenda Item # 4.1**Minutes of January 18, 2012

The Sonoma County Waste Management Agency (SCWMA) met on January 18, 2012, at the City of Santa Rosa Council Chambers, 100 Santa Rosa Avenue, Santa Rosa, California

Present:

City of Healdsburg	Mike Kirn, Chair (2011)
City of Cloverdale	Nina Regor, Chair (2012)
City of Cotati	Marsha Sue Lustig
City of Petaluma	John Brown
City of Rohnert Park	Linda Babonis
City of Santa Rosa	Dell Tredinnick
City of Sebastopol	Jack Griffin
City of Sonoma	Steve Barbose
County of Sonoma	Susan Klassen
Town of Windsor	Matt Mullan

Staff Present:

Counsel	Janet Coleson
Staff	Patrick Carter
	Karina Chilcott
	Charlotte Fisher
	Henry Mikus
	Lisa Steinman
Clerk	Debra Dowdell

1. Call to Order/Introductions

The meeting was called to order at 9:06 a.m.

2. Agenda Approval

Chair Kirn requested a modification to the agenda. He suggested Items #9, #10 and #12 be moved immediately after the Consent Calendar.

Matt Mullan, Town of Windsor, moved to approve the modified agenda. Steve Barbose, City of Sonoma, seconded. Agenda approved.

3. Attachments/Correspondence

Chair Kirn called attention to the Director's Agenda Notes, Reports by Staff and Others; January and February 2012 Outreach Events, Eco Desk (English and Spanish) 2011 Annual Reports, Website www.recyclenow.org 2011 Annual Report, and Education 2011 Outreach Summary

4. On File with Clerk

Chair Kirn noted resolution approved in November 2011 authorizing the SCWMA to submit all CalRecycle Grant Applications.

5. Public Comments (items not on the agenda)

None.

6. Election of 2012 Officers

Marsha Sue Lustig, City of Cotati, nominated Nina Regor, City of Cloverdale, as Chair. Dell Tredinnick, City of Santa Rosa, seconded. Motion carried unanimously.

Mike Kirn, City of Healdsburg, nominated Marsha Sue Lustig, City of Cotati, as Vice Chair. Linda Babonis, City of Rohnert Park, seconded. Motion carried unanimously.

Susan Klassen, County of Sonoma, nominated Mike Kirn as Chair Pro Tempore. Linda Babonis, City of Rohnert Park, seconded. Motion carried unanimously.

The new officers for 2012 are; Nina Regor, City of Cloverdale, Chair; Marsha Sue Lustig, City of Cotati, Vice Chair; Mike Kirn, City of Healdsburg, Chair Pro Tempore.

Consent Calendar (w/attachments)

- 7.1 Minutes of November 16, 2011
- 7.2 Home Compost Education and Pesticide Use Reduction Program Report 2010-2011
- 7.3 Beverage Container Recycling Program Purchase

Jack Griffin, City of Sebastopol, moved to approve the consent calendar. Steve Barbose, City of Sonoma seconded. Consent calendar approved unanimously.

Regular Calendar

9. Clean Harbors Contract Amendment (continued)

Lisa Steinman reported that since June 2002 the SCWMA and Clean Harbors have had a contract to operate the Household Hazardous Waste Facility and Mobile Toxic Collection programs. The contract expires January 6, 2013, but has an option to extend. At the November 2011 Board meeting SCWMA staff recommended extending the current contract through January 6, 2014. The Board recommended staff bring back options including discussion of distributing a Request For Proposal (RFP) versus extending the agreement. Background information and option details were presented to the Board.

Boardmember Discussion

John Brown, City of Petaluma, inquired about the funding source for Clean Harbors. Charlotte Fisher answered the funding comes from the surcharge tipping fee.

Dell Tredinnick, City of Santa Rosa, requested the name and service area of the other service provider. Ms. Steinman replied the provider was Phillip's Services and they work all over the United States.

Matt Mullan, Town of Windsor, questioned if staff was aware of the company PG&E uses for their hazardous mitigation around their franchise areas. Lisa Steinman responded she was unaware of P.G. & E.'s provider. Henry Mikus, Executive Director, stated Mr. Mullan had given him the company's information.

Matt Mullan, Town of Windsor, inquired if the outreach to potential vendors would include the current landfill operator, Republic Services. Lisa Steinman replied the distribution of the RFP would include anyone expressing interest.

John Brown, City of Petaluma, commented that ten years is a long time to maintain a contract without looking at other alternatives. He also inquired if staff had considered keeping the existing contract without the CPI increase. Lisa Steinman advised that the contract is negotiable; the CPI doesn't have to be offered.

Public Comment

None.

Board Comment

Matt Mullan, Town of Windsor, remarked ten years has been invested in this contract and with ten annual amendments there are negotiations over the basis for an increase. Most long term contracts are written with terms clear to both the contractor and the contracting agency what the services being provided and how adjustments are made on an annualized basis. The contract and services being provided should be scrutinized. There is an obligation as a Board to be competitive.

Steve Barbose, City of Sonoma, said the contract provides for an increase based on the CPI. Point made by Petaluma and Windsor with respect to the economic reality leads to the suggestion staff approach the contractor to get a flat contract in exchange for extending the term.

Susan Klassen, County of Sonoma, is in support of staff contacting the provider to present that offer before going through the RFP process.

Marsha Sue Lustig, City of Cotati, wondered if a long term contract would be impacted by the unknown status of the Landfill.

Henry Mikus, Executive Director, explained the real limit refers to the SCWMA not the Landfill.

Susan Klassen, County of Sonoma, commented she did not see the status of the landfill as an impediment at this time

Steve Barbose, City of Sonoma, moved to direct staff to negotiate with existing provider for a flat contract and bring back findings to the next meeting in order to make a decision on the RFP at that time. John Brown, City of Petaluma, seconded. Town of Windsor opposes. Motion carried.

10. Oil Grant Planned Expenditures (continued)

Lisa Steinman reported the SCWMA currently has overlapping funds through CalRecycle's used Oil Block Grant and the new Oil Payment Program. Due to this overlap there is a one-time surplus that must be spent by the end of FY11-12. The total funds currently available for expenditures are \$221,612. Staff proposes a combination of a contract amendment with C² Alternative Services (C²) as well as other projects to utilize the money. C²'s proposed budget for additional services is \$74,730.00 and is included in the agenda item. Due to the additional oil funds available staff is requesting the Board delegate signing authority for oil program related expenses, outside of the C² contract, to the SCWMA Executive Director. This would allow staff to expand radio advertising, print additional car care brochures, purchase storm drain labels and take advantage of any additional advertising and outreach opportunities as they become available.

Board Discussion

Dell Tredinnick, City of Santa Rosa, is aware that Kragen Auto Parts was purchased by O'Reilly and wondered if outreach continued. Connie Cloak, C², reported O'Reilly is very cooperative and is negotiating to do filter exchange events as a way of promoting filter recycling.

Matt Mullan, Town of Windsor, wanted to confirm his understanding that the contract would expire on June 30, 2012. Ms. Steinman replied yes.

Matt Mullan, Town of Windsor, asked if the intent was to bid competitively. Ms. Steinman said this item will be back to the Board next month for direction.

Chair Regor, asked what would happen if the money is not spent by the end of the fiscal year. Ms. Steinman responded the SCWMA would be required to return the grant funds to CalRecycle.

Chair Regor, inquired if it was feasible to do these projects listed by the end of the fiscal year. Ms. Steinman replied it was possible.

Public Comment

None.

Matt Mullan, Town of Windsor, moved to adopt the resolution giving signing authority to Executive Director and adding direction to staff to prepare this contract for competitive bidding in FY 12-13. The motion was seconded by Mike Kirn, City of Healdsburg. Jack Griffin, City of Sebastopol, opposed. Due to lack of a unanimous vote, the motion fails.

Board Comments

Jack Griffin, City of Sebastopol, requested hearing staff's recommendation next month with respect to the future contract and not necessarily decide without hearing the recommendation first.

Steve Barbose, City of Sonoma, supported moving forward with the recommendation as presented and waiting for the recommendation for the bid process to be proposed by staff.

Jack Griffin, City of Sebastopol, moved to approve staff's recommendation as presented. The motion was seconded Steve Barbose, City of Sonoma.

John Brown, City of Petaluma, thinks it would be appropriate to resolve the question of future contract extensions including the use of the RFP process whenever feasible or possible.

Matt Mullan, Town of Windsor, added he was interested in giving staff time for a competitive process, particularly with respect to the consideration of the current contract being discussed.

Chair Regor, stated her understanding is staff will proceed forward with the recommendation outlined in this item and return at the next regularly scheduled Board meeting with a proposal for an RFP process.

Dell Tredinnick, City of Santa Rosa, requested clarification of his understanding that staff will be presenting an item generally about SCWMA bid process and won't be in reference to a specific contract.

Chair Regor replied that was her understanding.

Henry Mikus, Executive Director, reminded the Board that a comprehensive listing of all SCWMA contracts was presented specifically for this type of discussion and will be presented as a part of agenda item at next month's meeting.

Chair Regor called for a vote to the motion on the floor. There were no opposing votes. The motion carried unanimously.

12. Public Hearing for Receiving Comments on Draft EIR

Patrick Carter reported that in August 2007 the SCWMA Board entered into an agreement with Environmental Science Associates (ESA) to assist the SCWMA in the selection, conceptual design and preparation of California Environmental Quality Assessment (CEQA) documents for a new compost site in Sonoma County. Numerous staff reports have been provided since that time. In June 2008, SCWMA Board selected a preferred site (Site 5a) and two alternative sites (Sites 13 and 14) for further study. In May 2009, Site 40 was added to be studied at an equal level of detail as Site 5a. In February 2010, the Central Disposal Site was added to the Environmental Impact Report (EIR) to be studied at an equal level as Sites 5a and 40. Site 40 was ranked as the preferred site. On December 21, 2011, the Notice of Availability of the Draft EIR was mailed out to interested parties and relevant public agencies. The Notification of Completion was delivered to the California State Clearinghouse, which began the forty-five day comment period in accordance with CEQA guidelines. On December 23, 2011, a notice was published in the Press Democrat announcing the availability of the Draft EIR.

Paul Miller, Environmental Services Associates, furnished a presentation providing a broad overview of the information contained in the Draft EIR.

Public Comments

Marilyn Herzog, Sleepy Hollow Dairy, 7689 Lakeville Hwy., Petaluma, CA 94954

Good morning my name is Marilyn Herzog. My husband and I own Sleepy Hollow Dairy on Lakeville Highway. Our family has owned our land since 1923 and this land and neighboring lands are all devoted to productive green agriculture. Site 5a makes no sense. County residents have gone to the voting booths twice and voted overwhelmingly to preserve open space and maintain agriculture. This is the priority of our County residents. Originally, it was told that the Central Site could not support and meet the projected growth of the composting operation. That is simply no longer the case. Central can potentially take care of the projected 200,000 tons per year. Central is environmentally superior to the other sites. Drainage ponds are already in place there. Noise is handled at central without much opposition. The trucks that haul to Central are split and so after dumping the recycling at Central they would then have to drive another 10 to 15 miles to dump the green waste at Teixeira, Site 40 or 5a on Lakeville. That does not make economic or environmental sense and it creates excess traffic. Both Lakeville and Adobe Roads are main commuter arteries. They serve as gateways to Sonoma County. Lakeville is a designated scenic corridor in comparison there is not much commuter traffic on Mecham Road. Lakeville Highway is a highly trafficked road and over 20,000 cars and trucks a day go through the middle of our ranch. In 2011 there were 30 traffic crashes on Lakeville alone. Adding more big trucks turning on to this road is the recipe for more traffic accidents. When 101 is closed for accidents all of the traffic diverts to Highway 37 and Lakeville and traffic can be backed up for miles. You have an existing site that works and will continue to work and there is absolutely no need to move from where you are. Thank you.

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Jim and Luci Mendoza, Ranchers, 601 Stage Gulch Road, Petaluma, CA

Luci Mendoza – Hi, we have the ranch immediately adjacent to the Site 40 and while they're counting on wastewater from Petaluma that water is delivered between May and October from the plants on Lakeville. It is intermittent at best. There is no water on weekends most of the summer and there's no water during the winter months. So will they be paying for, will the waste agency be paying for additional pumping costs to maintain the system and get water the rest of the year? The well on the property is not the best and there is, would definitely need to be ground water testing and it could impact our surrounding wells and the dam is only permitted for stock water use and landscape water not an irrigation, not for compost or commercial use. Traffic is going to be a major issue. You're going to need signals probably at both Lakeville and Adobe. Left hand turns out of there are impossible during commute time and when there are accidents, like Marilyn said on other sections of the road traffic is routed on Stage Gulch.

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Jim Mendoza – Furthermore, over the last 30 years we've trafficked cows across that road

during those months. During irrigation season four times a day. This increased amount of traffic is going to endanger us, it's going to endanger our animals and we've tried to get an underpass put in there for years. It's going to take another environmental impact report and it's going to be very costly to us and very costly to somebody. But it is going to affect our business and essentially it's going to negate us from using half of our ranch and we are a ranch. We are considerate about air pollution and things like that but, we can discuss that later. That's our main concern and the water situation can be very volatile. The City of Petaluma's pumps are old and decrepit and they're going to have to rebuild them to supply you with water. But we deal with them every year. They shut us off for weeks sometimes they tried to shut us off for a month a few years ago. So the water delivery is inconsistent and I'm sure they're going to rely on your agency to help them pay for their problems because they don't have the money to pay for it. So you're the one. So that's something to think about. Thank you.

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cont.

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Dr. Frank Mitloehner, UC Davis

Good morning ladies and gentlemen my name is Frank Mitloehner. I'm an Associate Professor and Air Quality Specialist at UC Davis and I'm the Director of the Air Quality Center there. I'm challenged bringing my comments down to three minutes. So part of what I do is dealing with composting facilities and what I can tell you is that throughout my world I'm often asked to be an expert in lawsuits dealing with similar situations as the one that you are about to face. I'm also often confronted with regulatory agencies that try to find out whether or not composting facilities should go into their county or jurisdiction. The reason why compost facilities have the potential to cause friction amongst stakeholders is that indeed there are emissions coming off those facilities and these facilities or these facility emissions can be mitigated. The worst of all facility types with respect to compost are open windrows. And if you look at the EIR the draft EIR you will see that the current facility emits large amounts of what's called ROG's Reactive Organic Gases also volatile organic compounds. This can form smog but most importantly to the immediate neighbors there are also in many cases odors and that is what gets people into court. People complain about the odors which can be very pungent. So open windrow facilities are in any case are as the name indicates are open as they are mechanically turned and because of that compost material can leave the facility and get into the neighborhood. Aerated static piles are often times also open and not encapsulated so open but in contrast to the windrow they have air pipes inside which pump air into the compost. The compost is always in the aerated process it needs oxygen to allow the microbes to do their work. What I've seen in this EIR is that an in vessel ASP is proposed. In vessel means that the aerated static pile will be capped and that's a better version. That's a much better version compared to the windrow alternative. The windrow is basically a situation where you have material that can blow off and will volatilize off the gases and also part of the compounds, in my opinion the worst of all possible solutions. The aerated static pile is improved because now you have more control of the microbes in processes. Decomposition will occur at a better rate. In vessel aerated static pile is a further improvement because now you have it capped. But in my opinion the best solution would be a total in vessel solution where the entire material goes into something that looks like a silo turned on its side. You put the material in on one side it makes its way through the in vessel facility within a week period and it comes out fully composted on the other end. Under those conditions you have basically no nuisances and that's really the reason why I am here. The reason why I am here is because neighbors of Site 40 asked me to ascertain whether or not there could be potential effects to neighboring organic dairies and/or wineries and my assessment is that yes indeed there could be those effects. If windrow were the only option offered I'm fairly certain there would be impacts both on particulate matter, on reactive organic gases, on odors, potentially on other criteria pollutants as well and also on pests. So I think it's much more important that the question of windrow versus aerated static pile is the question, in vessel or not in vessel? Will the compost be covered or not? That will be absolutely critical for the air quality of the specter. In my opinion there are avoidable consequences and avoidable consequences could be that the in vessel practice would be mandated. I think that would be a feasible way to process and otherwise there might be

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consequences then that might not be advantageous. Of course, I'm happy to help you in any way. In three minutes I can't do much but we have dozens of faculty members within the University of California that would be happy to assist you in any anyway, shape or form. So thank you very much.

LL-9
cont.

Robert Weaver, 1388 Sutter St., #800, San Francisco, CA 94109

I'm with Stage Gulch Vineyards. My name is Robert Weaver and Stage Gulch Vineyards is the property that is directly downwind from Project 40. I say directly downwind because if you take a look at the roads that are on the vineyards those go with the prevailing wind. The prevailing wind in this area is around 10 miles per hour day in and day out. In the summer time the winds are between 15 and 20 miles. In the time that I'm going to get to speak, three minutes, it takes less time than that at 20 miles per hour for the wind to go from the project Site to the vineyard. Now what in fact does that have on us? The impact that it has is the same impact that when this was a dairy and manure was spread on the front area it would come over to the vineyard. It would impact the grapes. Impact the grapes so much so that we had sometimes trouble selling grapes. So that we coordinated with the old operator of the dairy, Frank, to when he could actually spread manure on his area. Now what's going to happen here is whatever volatiles, ROG's, dust, everything that is going to be generated here is going to come onto our vineyard. That's a given. One problem we have with the draft EIR is it looks inward. It doesn't look outward and it needs to look outward because we are not the only farming operation in this vicinity and were not the only farm operations down wind. In this chart this is Site 40, this is our vineyard here, there's a vineyard here, there's a vineyard here, there's a vineyard here, this is the organic dairy you just heard about immediately adjacent to that property and there's actually row crops out there. This is farmland. The comment made by the fellow that made the presentation concerning the draft EIR was that it was potentially in conflict with the general plan of the County and with the zoning. There's no potential about it. It's directly in conflict. This entire area, if you take a look at the map to the left, all of that area, all of that property is farmland of statewide importance of local importance. The County has made the determination that this is land that needs to be protected. The LESA analysis that was performed that's supposed to take into consideration areas around the property not just the project itself, I don't know how far it went out because it's really unclear. It's supposed to go out a quarter mile plus from an area bounded by a rectangle from the entire project area. I don't know if it took into consideration the road or not, it certainly should have. Which means it takes into consideration this vineyard and other properties also. But even if it didn't it came out with a determination that it was significantly going to impact the environment. And what that means is that the significant effect that they determined means that there's substantial adverse change in the environment that needs to be addressed. It was not addressed anywhere. The only mitigation that was mentioned at all in the report was we're going to change the designation from farmland into something else.

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Bob Bogel, 1190 Stage Gulch Road, Petaluma, CA

I'm Bob Bogel a resident on Stage Gulch Road. I think the key element that we're looking at here is that this project proposes conversion of prime farmland of statewide importance for use as a processing plant to convert green waste and food scraps to compost. We can always choose various locations for composting plants we can't choose the location of prime farmland of statewide importance. The EIR addresses concerns respecting the plant itself and what is occurring at the plant however, as was stated earlier it really ignores the impact on grape quality production, organic dairy farmers and olive growers, all of which are in the immediate area and would be effected long term by this operation. We also talked a bit about water, the report states that the water consumption will run from 52 to 104 thousand gallons a day depending on which system is going to be implemented and again they're going to, the plan is to use the City of Petaluma's recycled water and as was stated earlier the likelihood is that will be available in the future. Well it's the same water that we know is used by local farmers for their irrigation purposes and they can't always get what they need as it is now. My concern in

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with regard to that is what if water availability becomes a problem for whatever reason? What if it simply falls to the point where there's just not enough for everybody that needs it? Is the County going to allow 560 tons of waste per day to accumulate and perhaps rot on the Site or are they going to cutoff the farmer's supply of water to keep the composting facility going? Neither of those options are really attractive or acceptable. And it could happen. It's a reality. Among health risks that are quoted in report is that it's stated that the Site will lead to toxic air contaminants exposure exceeding air quality threshold and constitute a significant impact to the close neighbors. I read the mitigation part of it. I'm not sure whether that was thoroughly mitigated to acceptable levels or not. It just wasn't that understandable however, there's no question during the one year construction period that they will exceed irrespective of any mitigation efforts that may be made. Also, there's a cancer risk. Five carcinogens will be produced by the Site and cancer risks to closets neighbors will remain significant even after mitigation measures. With regard to traffic the report says that the impact is going to be less than significant and at the same time states that the traffic in the near term will jump from 20 vehicles, less than 20 vehicles a day entering the Site to about 500. And that 150 of those will be the heavy haul trucks.

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Jim Haire, Grape Grower, 5933 Haire Lane,

My name is Jim Haire. I'm a grape grower in Carneros which is the southern ends of the Napa and Sonoma Valleys. I've been using compost from Jepson Prairie over by Fairfield for about eight years and its makeup is food waste and green waste. Three things quickly I just want to say and you've heard some of them. If you have vineyards in the area of your proposed project dust is a problem and that problem would more than likely be one of the ones important is that dust will have a taste in the juice that's going to be tried to make into wine and into stock fermentation and other things. Number two is I haul all my own compost. I've been at the Site of Jepson Prairie and at times the smell will knock your socks off. Three, if you have grapes that are in the process of ripening and are ready to be picked the birds are unbelievable. We fight birds every year. So when you have a facility like this I'm sure like Jepson Prairie is going to draw in thousands and thousands of birds especially the starlings. You have got a problem. Thank you for your time.

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Tito Sasaki, North Bay Agricultural Alliance

Good morning my name is Tito Sasaki of North Bay Agricultural Alliance. Our members own farm and manage over 50,000 acres of land in the southern Sonoma County and adjoining Marin and Napa Counties. All our members are very much concerned about your project, about the selection process. Because we all appreciate your efforts to improve the composting operations at the county landfill. The selection apparently pending for Site 40 worries us. As far as the completeness and accuracy of the draft EIR we like to have some more time to study carefully your documents and make appropriate reason comments on those aspects. Just one minor question that I have is that the main conclusion was that Site 40 as well as Site 5a is better than Central Site in terms of meeting the 3 objectives. But the 3 objectives is number 1 is relocate the facility from the central facility so naturally the central facility doesn't meet that objective and I'm just wondering if that's the point of this arrangement by the consultant and if so why is this location from the central facility still one of those objectives one you voted to include the central facility as a viable alternative? There's some contradiction there. I don't understand. Is this a mistake there? Any explanation for that? **Chair Regor responded:** It needs to move from its current Site. **Sasaki:** Pardon. **Chair Regor:** It needs to move from its current Site. It can't stay there permanently. **Sasaki:** You say it cannot stay there. **Chair Regor:** Right because of the landfill operations and where it is right now. **Sasaki:** But still you are examining the Central Site as a viable location. **Chair Regor:** Right, at a different location on the Central Landfill. **Sasaki:** Okay so the objective means that that's small Site. **Chair Regor:** Exactly. **Sasaki:** So it's kind of, so that even the **Chair Regor:** But our purpose is to hear your comments I don't want to take up your time. **Sasaki:** Okay, then in that case then all 3 should have equal superiority in a sense. As far as the objection or concern at

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Site 40 is primarily that it is a very important piece of agricultural land and many people have already addressed that one that's why we prefer you concentrate your effort on examining the Central Site more in depth. Thank you.

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cont.

Craig Jacobsen, 5070 Lakeville Hwy., Petaluma, CA

Good morning my name is Craig Jacobsen. I live on Lakeville Highway. Every morning I leave my driveway at 6:30a.m., 6:45a.m., and I'm there for 2, 3 minutes sometimes trying to make a right turn and you add as many trucks as you're talking about in and out it's going to affect all of the, everyone on either Lakeville or Adobe. I have an organic field just downwind of Site 5a that ends up going to the Mendoza Dairy. You know I haven't studied this but if the grape people are worried about dust and those kinds of things on their crops I'm sure that would be a factor on the organic side also. Stage Gulch Road if you add that many vehicles in order for the Mendoza's to stay in business they're going to need an undercrossing for their livestock to get to the other half of their ranch. I just don't understand sending trucks an extra 13 miles; 10 to 15 miles whatever it is to these other Sites. The diesel, the wear and the tear of the tires all that stuff that's going to add to more recycle. Thank you.

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Gigi Hendricks, Ranch, 6614 Lakeville Road, Petaluma, CA

Hi my name is Gigi Hendricks. We live at Rockin H Ranch right on Lakeville Highway or Lakeville Road which is turned into a highway. Again I don't want to be redundant our neighbors have very eloquently stated our case here. It is just, it's inconceivable to me it just seems like the most inappropriate place to put a, basically a dump on this beautiful bucolic wetlands. I mean we are a wetlands on the Petaluma River. Everybody has worked so hard this past decade to make that a pristine recreational area for boaters for water skiers and to have the smells coming off of a plant like this would severely impact I think all that recreational river traffic as well as just keeping the river clean and pristine from any leeching into the ground of wastes again it's just, it seems insane to put something on the Petaluma River, just adjacent to the Petaluma River like this. Secondly, we can't say enough about the horrendous traffic problem. This is a two lane road. It's turned into a highway. We all live there. We have properties, homes, vineyards, farms. We've worked so hard to make that a no passing zone and to keep it a 55 miles per hour area and to have all this truck traffic as we have all already mentioned and trucks backing up with the beeping, beeping all night all day in this facility in this plant would just be horrendous. It will turn it into a nightmare because it's already well documented as one of the most dangerous corridors in California. So we certainly don't need more truck traffic. There using as it is as basically a shortcut so that they can divert and not go all the way to 101. They use Lakeville from 37 to 101 and it's horrendous. It's a horrendous problem for all of us. So we ate to see any more traffic there. And they had mentioned we are in a flood zone. So this project would be located within the 100 year flood plain. I see that as a problem. Levees break. It's going to displace the flood waters. God knows what will leech into the river as a result of problems like that. So I don't understand putting a facility like this in a flood plain. It just makes no sense. And the property certainly hasn't been zoned as we've mentioned for any kind of a dump facility. These are farmlands, these are residential areas, we've all put considerable money, time, oop. In any event think, think, please think.

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Pam Davis, Sonoma Compost

Good morning Chairman of the Board and Members of the Board. I'm Pam Davis with Sonoma Compost. First, I just want to acknowledge this process has been going on for a long time and congratulations on finally getting to this point. Sonoma Compost is going to be submitting some written comments along with some engineered our engineer proposal prior to the close of the comment period. We think that our proposal is going to offer an economic solution that meets the goals of the Agency including relocation of the permanent Site with adequate capacity and supporting the jurisdictions and meeting the AB 939 goals as provided on the EIR. This proposal we believe is going to meet all the regulatory requirements and also address all of the neighborhood concerns that we've heard here today as well as meeting

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environmental concerns. So we'll be submitting that to you prior to February 3rd and I appreciate your time on this long ongoing process. Thank you

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cont.

Debbie Murnig, 1200 Stage Gulch, Petaluma

I'll pass. I'll submit written comments.

Tom Altenreuther, 520 Stage Gulch Road, Petaluma, CA 94954

Our family has two driveways we live right on Stage Gulch which is about less than a mile from Site 40. We have two driveways and a business parking lot that enter Highway 116. We feel that the traffic analysis done for Site 40 alternative is inadequate considering the extreme pressure the composting Site will place on this narrow windy stretch of 116. With existing 55 mile per hour speed limit entering and exiting this highway is already life threatening and the addition of a large commercial facility like your proposed Site 40 in our exclusively agricultural community would require many improvements to ensure safe movement on the road. Your traffic studies are spotty and inconclusive at best and do not address the huge influx of summer traffic and event traffic from Infineon Racetrack and increase Sonoma County contractor's hauling compost and compostable products from Marin County using Lakeville Highway. Site 40 is located on the hill above the north end of Tolay Valley. The propose Site 40 will loom over the north end of the basin and because of the topographic structure of the basin any noises become amplified so we can hear conversations heard a quarter of a mile away. Assessment of noise and any mitigation has not addressed the unique structure of this valley and equipment with backup alarms and all night aeration fans would cause extreme disruption of the basins tranquil environment and we feel that further testing and monitoring is needed to ensure that mitigation measures are adequate. We also feel that the odor will be a huge problem not only because of prevailing winds of west to southwest but because of the unique structure of the north Tolay basin and the location of the proposed Site 40 upwind and above it. In addition to the wind late night and early morning cold air inversion will bring undesirable and unavoidable composting odors of the proposed Site 40 to our doorstep. Your proposed mitigations are again inadequate and your yet to be revealed protocols for the mitigation of the odor sound more like voodoo than science. Finally I come to the most dangerous impact of all and that is the listing of five cancer causing agents on the Site 40. You refer to these people as residential receptors and I refer to them as my children and grandchildren, Thank you.

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Ernest Altenreuther, Lakeville Service Station, 5100 Lakeville Hwy., Petaluma, CA, 94954

I have Lakeville Service Station which is on the corner of 116 and Stage Gulch or Lakeville Highway and Tolay Valley Farms and to avoid being redundant I'll stick to just a couple of things. One is the environmental impact report doesn't seem to go into enough detail about nitrates entering the water from the facility. You already have partially contaminated wells in the area and this Site is going to continue to leech more nitrates into the groundwater that might bring the wells to an unusable state. The other thing is this Site being a vector for pests, insects, rodents, birds and diseases that could affect crops and animals in the area. And the other main thing that everyone has said is the traffic which is very bad at both intersections onto this section of Stage Gulch Road and I don't think that road can handle much more big trucks without being even more dangerous than it already is. Thank you.

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Jens Kullberg, Stage Gulch Vineyards, Petaluma Crop Winegrowers

Hello my name is Jens Kullberg my family own and operates Stage Gulch Vineyard a 90 acre vineyard across the street from Site 40 which is also known as the Teixeira Ranch. I have some concerns about the compatibility of the compost operations since they're industrial in nature with Site 40 which is agricultural in nature. There are some deficiencies of the EIR. I have to skip some things because I'm limited here but. Chapter 5 there's no mention of fungus, insects, pathogens or bacterial disease being introduced into the air and becoming airborne. These vectors, fungus and bacteria will adversely affects around grapes. I

LL-39

understand that the compost itself will be free of these problems but 200,000 tons of green waste, viticulture waste, pruning's, manure and food scraps dumped in mass are bound to contain, generate and release harmful compounds into the air. There are some terms they use in the EIR. There's 3 terms; significant which means there has to be some mitigation, less than significant means that there's some mitigation that's taken care of the problem; and significant and unavoidable which is the problem has not/cannot be solved or remedied. This is a big strike against any project Site. Page 19-6 and figure 19-1 according to the California Department of Conservation Farmland Mapping and Monitoring Program Site 40 is classified as prime farmland, farmland of statewide importance, farmland of local importance and grazing land. Under these categories of project agriculture impact is considered significant under the California LESA Model. The mitigation measure suggested is number 9.4 which is described on page 19-14 which is to cancel the Williamson Act by purchasing the property. Now how this mitigation measure will address the problem of converting prime farmland to an industrial use needs further explanation. But even with mitigation the project's impact is considered significant and unavoidable. In other words the problem of converting prime farmland cannot be solved. Under the agricultural section of all the chapters only the Williamson Act is discussed and no discussions about economical impacts to surrounding agricultural operations. On page 2-2 and 2-3, Site 5a has significant and unavoidable adverse impacts, Site 40 has 6 significant and unavoidable impacts and the Central Site has only 1, which is involved increase in ours. The vineyard prunings, pumice, viticulture products, food scraps and manure will be trucked to the compost facility. This will introduce pathogens that surrounding vineyards are not currently exposed to. My vineyard is upwind from other vineyards and is not exposed to many of the grapevine diseases plaguing other vineyards. Our isolation is an asset and would be jeopardized if the compost facility was located across the street. Also, the most, biggest concern is the value of my grapes will be adversely affected.

Margaret Kullberg, Kullberg Farms, Stage Gulch Vineyards, 1036 Stage Gulch Road, Petaluma, My name is Margaret Kullberg. I live across the street from Site 40 on Stage Gulch Road for 63 years. Yes, I'm 85 years old. Our ranch consists of over 200 acres which has been in my husband's family for over 100 years. My husband passed away so my son and daughter manage the 90 acres of grapes. There are some 500 acres of vineyards in the surrounding area, as well as an organic dairy and a row crop farm. Tour buses go along this Highway 116 as it's the beginning of the grape acreage in this area. Site 40 is not the place for a compost Site for many reasons. The compost consists of not only greenery, steak and vegetable scrap and meat scrap which will certainly attract rats, all kinds of viruses and strong odors when the compost is turned over. The wind will blow directly from it affecting the grape taste and we will be unable to sell them. Traffic from trucks hauling 100 to 200 tons of material is not well addressed. They say they will put a sign on Lakeville and Adobe Road saying trucks crossing. I don't think that would help the congestion. The addition of 350 vehicle trips and 500 on the weekend is anticipated with 30% being heavy hauling trucks on a small two lane highway which would be inadequate even if the road were widened. Bicyclists would not be able to travel our street easily. There was a study in the summer of 2009 where Stage Gulch was used by 30 to 80 bicyclists per day. The noise of construction would be huge 35 trucks per day and it would take a year to construct and the noise of the aerated static piles processing the compost would be ongoing 24 hours per day and sound carries very far in the country. The cost of Site 40 has not been addressed. I believe it is 6.9 million. No cost is mentioned for the one in 5a. In fact there is no mention of land or construction cost. Isn't this important in this difficult time? Doesn't the Board of Supervisors also have to locate any land purchased? My conclusion is not only Site 40 but also Site 5a off of Lakeville Highway will have the same problems with odor, traffic and pathogens affecting the grapes in the area. 5a is also in the 100 year flood plain zone and it's also under the Williamson Act. Agriculture is under the Williamson Act. Agriculture is the most important thing in this county. Milk and grapes bring the biggest income in this county and you want to put a compost Site in the most beautiful agricultural land there is in the area. I would like to invite any and all of you to take a

trip in our car to see these different Sites so you understand what we have and what our problems are. Thank you. I leave my number if you wish to call me to take the trips.

LL-48
cont.

Douglas McElroy, Rodney Strong Vineyards

Good Morning. Douglas McElroy, Rodney Strong Vineyard. I'm the Director of Wine Growing for Rodney Strong. We operate a lease on the Sleepy Hollow Dairy property, 140 acres of wine grapes. I'm here to basically give you my experience with purchasing grapes and farming around areas like this. The people that have spoken to the lesser value of grapes is accurate. Winemaker's do have difficulty with grapes being grown adjacent to operations like this and as a matter of fact I have cancelled several contracts over the years of my grape purchasing which have been adjacent to operations like this because of the affects on the wine quality the off flavors that you get and the difficulty by which it is to remove them from the wine once you've processed grapes from areas like this. So I'm very concerned for our own operations but I'm also very concerned obviously for all the other vineyards around any of the Sites your proposing. The Site that I mentioned was Site 5a that we have farm around. Thank you.

LL-49

J.T. Wick, Scallywag Ranch, 7670 Lakeville Hwy., Petaluma, CA

Good Morning. I represent Scallywag Ranch which is at 7670 Lakeville Highway. We're at the end of Twin House Ranch Road. A one lane ag road that leads from Lakeville all the way to the Petaluma River. Where our business partner Craig Jacobsen grows conventional and organic hay. We object to Site 5a for two principle reasons and that's not complete reading of the full EIR. First, access when we look at the easement that we all share to get out to Lakeville it seems to us that the conversion of this portion of the 5a Site from agricultural to industrial will overburden the easement by the type of use and by the intensity of use. We are an old or Twin House Ranch Road is an old one lane road that's only been paved once. It has no road base, it has sharp turns, it's really meant for just an intermittent use of farm equipment as it's used today. To increase its use to an agricultural one is really going to impose safety conflicts before you even get out to Lakeville where the IR spends a good deal of its analysis with traffic concerns. The other concern we have our objections is groundwater contamination. They don't call us Lakeville for nothing. Groundwater where we are is about 18 inches below the service of the land. So if you have another facility that already has another way of catching that leeching making sure it doesn't get into groundwater that seems far more superior. Speaking now in a different capacity, as Board Chair of Friends of the Petaluma River, we normally don't get involved in evaluation of large scale projects like this but to take a regional environmental prospective, we already have the central Site that has mitigated all of the impacts that my neighbors and friends here have addressed this morning. At the Central Site we're actually talking about a different water shed. The Central Site drains to the coastal esteros. What we would be doing here is if we went into Site 40 or Site 5a would be transferring all those environmental burdens into the Petaluma River water shed and that just seems completely unacceptable to us. So we ask you to think about focusing on the Central Site and making a compost facility work successfully there. Thank you.

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LL-52

Rene Cardinaux, 4233 Browns Lane, Petaluma, CA

Good morning. My name is Rene Cardinaux. I'm the southwest neighbor of Site 40 in Petaluma. We're on the downhill downwind side. So a lot of the issues that my neighbors have we won't have. But I would like to clarify a few things. At the top corner of the back of our ranch if you were to put up a pile of compost there and just leave it there I would guarantee you within a month it would be disappeared because the wind up there is steady and continuous and it just moves everything. Noise is the same thing. The amount of traffic noise we get from Lakeville Highway is pretty substantial. We're more than a mile away. I can imagine a 1000 feet away of this composting work the sound would be much greater. People that don't live on large parcels of land think 1000 feet is a long ways but not when there's sound or wind involved. It's right next door. The other thing I want to point out is the water that we get from Petaluma the reclaimed water that feeds this ranch goes right through our ranch.

LL-53

LL-54

LL-55

We've been using this water for 25 years. The city runs a great project. But they've been doing such a great job of cleaning the water and using it that there's less and less available for agriculture. I promise you that we have serious concerns that the water will be there in 2030. We keep hoping it will because of its benefit. But we've always worried that it wouldn't be there when we need it. I don't know how the assurances can be made but the compost facility even if I supported the concept I don't want to give up water to make it work. We need that water. The other thing that I wanted to point out is that we are very worried about the operation of this plant. During the construction and during all the first mitigations of this instead of using a windrow you can put it inside this plastic. It's a great idea but it's like any other operation. If we have to be neighbors to this equipment and all that's going on is that the quality of your new operator the person you contract with to do this work we are very, very concerned about how that will continue. You may have great intent, you may write a great contract. But things deteriorate, budgets get cut and then later on we may wind up with an operation that just isn't what we thought we were going to get. So I really worry about the long term operation of this. It's typical of government agencies that things get cut in cost. That they don't want to pay this much money and all the nice things that we agreed to, they just gradually disappear. And that really concerns us as the neighbors to that potential facility. I've already written six pages of comments so I'm not going to reissue all those. I won't bore you with that. Thank you.

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cont.

LL-56

Ken Wells, AB 939 LTF, Guidance Sustainability

Good morning Chair Regor and Boardmembers, Ken Wells, Guiding Sustainability. I'm here to speak to you as the Sierra Club's representative to the AB 939 Local Task Force. As you all know the AB 939 Local Task Force is your advisory body for anything to deal with this programs we have and I would have a brief comment today that I would like to see the comment period extended. So essentially the Local Task Force could have the opportunity to discuss this and come up with some comments and responses to the draft EIR and I think I'd like to wrap up just by saying the composting program in Sonoma County is the single most important diversion program you all are responsible for in terms of tons, in terms of greenhouse gases, in terms of satisfying the draft EIR so I look forward to a successful outcome of this EIR and I would just ask for a little bit more time perhaps a month to provide an opportunity for the LTF to consider this and to prepare comments. Thank you.

LL-57

Ashley Herman, Riverside Equestrian Center, 7600 Lakeville Hwy., Petaluma, CA 94954

Hi, this is in reference to Site 5a. My name is Ashley Herman and I own Riverside Equestrian Center and Sonoma Horse Park which are located at 7600 Lakeville. Twin House Ranch Road is the access to our facility. I just want to reiterate and stress that if this Site is selected for this project it will create a incredibly dangerous traffic situation. As everyone has mention and commented on Site 5a. Already Lakeville Highway is one of the most dangerous roads in Sonoma County. Every year there are fatalities. In particular the concern is the left hand turn lane coming off of Lakeville as well as large trucks turning left back onto Lakeville that follows directly after a blind turn and often time cars fly by there. And I am certain that if this project were to come to fruition that there would be increased fatalities. It's a incredibly dangerous prospect as far as traffic. Thank you.

LL-58

Linda Yenni, Wine Realty International, 24875 Arnold Dr., Sonoma, CA 95476

Hi I'm Linda Yenni. So to avoid redundancy because I think the life style and the residence impacts to the neighboring properties have been well articulated so I'm only go to speak to the economics of this. The return on investment for a very expensive improvement on that roadway that was put in and the connectivity between the Sonoma Valley and the Petaluma Valley is paramount so I'm trusting that Sonoma and Petaluma will pay specific attention. I have a Victorian in Petaluma in the city district and a 100 acres of farmland in the Sonoma Valley. So I frequent that corridor often. I've also sold 3-5 million worth or brokered/negotiated contracts for wine grapes and so everything that was said about the impact on those grapes is very, very significant. Especially for the Petaluma gap area that has been kind of at a standstill

LL-59

with the current economy. We finally see red grapes starting to rise again and they're going to be not looked at by potential buyers if there contiguous or adjacent to or within proximity of this facility, if people could go elsewhere. Most importantly I'm thinking of when we talk about visual appeal being far removed from the highway and up on the mountaintop are rolling hills and mountaintops are the highest and best used are winery terraces and facilities because they look back down on the property. So that argument I find from what I see with property values and wineries that's a highly desired and highly best used. Now a property like Green Acre the kind of property that's going to be near there what we want to see is them build a winery facility down there. So you put a green waste facility here why would anybody do that. You also have the watersheds, you have Tolay Creek. So the perfect use is for people to be able to use private funded money where they can actually afford to make these beautiful public use lands. They can look down on those restoration projects. So this project 40 I just can't even believe it's even being considered. As I drive in and I look at it every day since I heard of this which was from Margaret which at very short order if not insufficient time to look at a 1500 page EIR report. I think about not only the people you are impacting who own the properties today, that's a given, but all the people of those properties which will not develop, will not put value added to consumer cheese factories, organic cheese factories not build beautiful wineries because of this short term decision today. Thank you for your time.

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LL-61

Clark Thompson, 1013 Palmetto Way, Petaluma, CA

Good morning my name is Clark Thompson 1013 Palmetto Way, Petaluma and initially I'd like to address the water issue. I know that the Rooster Run Golf Course and the Adobe Creek in Petaluma are using the water presently. And as far as Rooster Run's concerned they don't always get a chance to us it because there isn't enough water and we have to go to ground water. In times of draught we know the less water used by the citizens so therefore there's going to be less water to be used by any of the users in the city. The rate payers in Petaluma have spent a fortune on the new processing plant or new whatever we are calling it. What are we calling it Joe? **Joe:** Water recycle. I'm sure the rate payers would not be happy to send the water up to Site 40 to use for composting when the need is in the city. And I know that every opportunity that the city has to use that water for irrigation of the parks, for all the other uses, they're going to use it and they have priority. So the use of this water is very questionable. Also, I know that the parcel that Dick Grey used to own next to the Central Site is now owned by the owner of North Bay Corporation, the garbage hauler and has anybody addressed that? To use that site. And another quick thing the composting, I think the gentleman from UC Davis there's probably some kind of facilities that we can incorporate into the study where it's more compact. He mentioned his last thing was some large container where the compost would come out at the end in 45 days or something. So maybe we don't need all this land that we're proposing. We're going to spend 6.9 million dollars on this property and all we're going to be using is 40 acres. I mean there's no economy of scale there. I do realize that it's in enterprise tax funds so we don't have to go to the tax payers but that's a big question in my mind. Why are we spending so much money when we already have an existing Site? Thank you and good afternoon to you.

LL-62

LL-63

Ernie Carpenter, 14113 Occidental Road, Sebastopol, CA 95472

Good morning Ernie Carpenter Sebastopol, CA. Welcome to the wide world of trying to redirect the waste stream. Just a couple of comments: I've long thought that continuing the use on Central Landfill was the best option and I've heard nothing that would change my mind on that. A compliment to the City of Santa Rosa they've done such a good job with the wastewater. I don't know if you oversubscribe but the pipelines, the leech runs two ways. And the most alarming thing I've heard today is the amount of water usage, if in fact Santa Rosa has water from central treatment that can be run back to Central Landfill that might take care of part of the problem. What I really want to speak to though is that and believe me I'm a late convert to this but many of those are talking about an anaerobic digester to generate power. I really don't know if that's going to work. They are several of those projects happening around

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the state. But it comes to this point, the County owns Central Landfill. They're doing an analysis of reopening and presumably a merge sometime in the future it's also the current Site of the compost. Perhaps in combination with whatever the County chooses their project could continue to be the Site. The food waste could be perhaps if analysis bears it out turned into power that could be used as an anaerobic digester and cut down the amount of land that's needed at the Central Landfill. A no name garbage group has discussed this quite a bit recently with no conclusions except for waiting for the County's status. I know you've got HDR and you've got EIR and you've got potentially a new project Site. I guess what I'm saying is to avoid any segmentation our other kinds of issues I think we should look now at this entire question of whether or not it's going to be merged with an anaerobic digester to cut down on green waste and whether Central can be used by moving. Upgrade your process and we can all be happy. Thank you very much.

Mike Kirn, City of Healdsburg, moved to close the Public Hearing. Steve Barbose, City of Sonoma, seconded. Motion carried unanimously.

Board Discussion

Chair Regor, asked staff for the next steps in the Draft EIR process. Mr. Carter responded that SCWMA will be receiving written comments until February 3, 2012 at 4:00p.m. After completion of the comment period, all communications will be forwarded to ESA, who will address each of them in the Final EIR, which is expected to be presented in late spring or early summer.

Chair Regor noted there were requests to extend the public comment period, which the Board needs to address since the next Board meeting would fall after the close of the public comment period. Janet Coleson, Agency Counsel, recommended extending the comment period no more than a total of 60 days. Everyone who was originally notified of the comment period would need to be re-notified of the extension.

Chair Regor asked if extending the comment period would have significant affects on the overall project. Mr. Carter stated the extension would push back the process longer.

John Brown, City of Petaluma, stated he would be in favor of extending the comment period and wanted to know where the 60 days would take the comment period. Janet Coleson, Agency Counsel, answered that extending for a total of 60 days would allow for an additional 15 days for comments.

Board Comments

Dell Tredinnick, City of Santa Rosa, questioned if the AB 939 Local Task Force (LTF) felt the fifteen day extension would be sufficient.

Marsha Sue Lustig, City of Cotati, asked how the LTF is involved in the process.

Mr. Carter replied the LTF was initially involved in developing the screening criteria for the site study.

Steve Barbose, City of Sonoma, suggested the LTF call a special meeting to discuss and comment on the draft EIR.

John Brown, City of Petaluma, moved to extend the comment period an additional fifteen days. Marsha Sue Lustig, City of Cotati, seconded. Motion carried unanimously.

Janet Coleson, Agency Counsel, suggested setting a concrete date to end comment period due to the holidays in February. The date set by the Board is Tuesday, February 21, 2012 at 4:00p.m.

Chair Regor, called for a brief break and upon return wanted to discuss agenda management.

Chair Regor, called the meeting back to order at 11:33a.m. Due to Boardmember time constraints, it was decided to skip Item #8 and move on to Items #11 and #13.

8. Sonoma County/City Solid Waste Advisory (SWAG)

This item was skipped and Boardmembers were encouraged to read the email that was sent about the last SWAG meeting.

11. Compost Operations Request for Qualifications

Patrick Carter informed the Board that the SCWMA received eight responses to the Request For Qualifications. Staff suggests forming a subcommittee of two SCWMA staff and two Boardmembers to conduct interviews of the top four candidates over a two day period then an additional two days to debrief and make recommendations. Recommendations would be brought forth at the February 15, 2012 Board meeting.

Public Comments

None.

Board Comments

Susan Klassen had concerns about only two Boardmembers being on the subcommittee. She suggested allowing staff to have a vote.

Henry Mikus, Executive Director, acknowledged the time constraints, but felt that two people should be able to come to a consensus to be presented to the Board.

Matt Mullan, Town of Windsor, believes the Board has given clear direction. He suggested putting trust into SCWMA staff to handle this and come back to the Board with their findings.

Marsha Sue Lustig, City of Cotati, Boardmember assistance would be appreciated, but she realizes the time constraints of all.

Steve Barbose, City of Sonoma, endorses Mr. Mullin's suggestion because he wouldn't have time to serve on the subcommittee.

Chair Regor, confirmed that the direction of the Board is for SCWMA staff to conduct the interviews and bring the recommendations to the Board.

13. Carryout Bags Ordinance Direction

Patrick Carter recommended using the Veteran of Foreign Wars' (VFW) buildings to host the stakeholder meetings. An attachment to the agenda for single-use bag ban ordinance options has been provided. Funding impact for rental of seven VFW facilities would incur a maximum cost of \$2,100.00. Since there is no VFW building in Healdsburg another venue would be arranged.

Board Discussion

Matt Mullan, Town of Windsor, asked if SCWMA would be categorically exempt if a single use bag ban was enacted. Mr. Carter answered that determination has not been made.

Matt Mullan, Town of Windsor, inquired about the use of the ordinance recently adopted in San Jose for SCWMA's purposes. Mr. Carter said the ordinance could very easily be brought forward.

Linda Babonis, City of Rohnert Park, requested a stakeholder meeting be considered for Rohnert Park. Henry Mikus, Executive Director, noted the possibility of using the VFW Building in Cotati to hold a joint stakeholders meeting for Rohnert Park and Cotati.

Steve Barbose, City of Sonoma, agrees that the San Jose ordinance should be brought forward along with staff's suggested modifications.

Public Comment

None.

Board Comments

Chair Regor, stated the Board recommends use of the seven VFW building for stakeholder meetings as well as adding additional meetings for Healdsburg and Rohnert Park. Meetings will not to be held until after the February 15, 2012 Board meeting so framework for the bag ban ordinance can be brought to the Board for discussion. Funding for rental of venues should be worded as not to exceed a particular dollar amount.

14. Boardmember Comments

Chair Regor, asked if SCWMA staff would be providing the Statement of Economic Interest (Form 700), which are due April 1, 2012. Charlotte Fisher replied staff would be sending them to the Board.

15. Staff Comments

Henry Mikus, Executive Director, introduced Anne Sherman and Melissa Bushway, project contract assistants for the Mandatory Commercial Recycling project, and reported the progress made thus far.

Patrick Carter stated the use of Beverage Container Grant funds would continue as it has in the past with Mandatory Commercial outreach education and purchasing containers with the Boards approval.

Charlotte Fisher reminded the Board the Non-profit Grant Program application has been posted on the web with a deadline of February 29, 2012. If Boardmembers know of any non-profits who might be interested they should encourage them to apply.

16. Next SCWMA Meeting – February 15, 2012

17. Adjournment

Meeting adjourned at 11:53 a.m.

Respectfully submitted,
Debra Dowdell

Distributed at meeting:
Handout of ESA's PowerPoint presentation on the Sonoma County Waste Management Agency Compost Facility Environmental Impact Report.

LL. Public Hearing Comments

- LL-1** Please see Draft EIR Chapter 9, Land Use and Agriculture, for the land use consistency analysis of Site 5A and the conversion of farmland into non agricultural use. Please see also the response to Comment I-3 regarding recent changes to the County code, and the resulting effects on General Plan consistency for Site 5A and the Site 40 Alternative.
- LL-2** The commenter is correct in that the Central Site Alternative was determined to be the environmentally superior alternative in the Recirculated DEIR. Traffic impacts associated with the Site 5A and Site 40 Alternatives are described in Chapters 12 and 22 of the DEIR, respectively.
- LL-3** Please see the response to Comment K-9 regarding recycled water availability.
- LL-4** A discussion of groundwater and anticipated groundwater use for Site 40 is provided in Chapter 18 of the Draft EIR.
- LL-5** Please see the response to Comment C-4 regarding traffic safety impacts associated with Site 40.
- LL-6** Please see the response to Comment K-9 regarding recycled water availability.
- LL-7** Please see Draft EIR Chapter 5 regarding air quality impacts for the project (Site 5A) and Chapter 15 for the Site 40 Alternative. Please see Recirculated Draft EIR Chapter 24 for air quality impacts for the Central Site Alternative.
- LL-8** The Draft EIR examines both open windrow composting and Aerated Static Pile composting for the project (Site 5A) and the Site 40 Alternative.
- LL-9** Please see the response to Comment R-1 regarding in-vessel composting versus other types of composting considered. For a discussion of potential air quality impacts of the Site 40 Alternative, including particulate matter, reactive organic gases/ozone precursors, odors, and other criteria air pollutants, please refer to Draft EIR Chapter 15. For a discussion of potential impacts associated with pests and vectors, please refer to response to Comment L-5. Whether or not the compost is covered will depend on the type of composting implemented on site, as discussed throughout the Draft EIR.
- LL-10** As stated in Chapter 15 of the Draft EIR, after implementation of Mitigation Measure 15.3 Fugitive Dust Control, and Measure 5.5 Odor Control, emissions from dust and odors at Site 40 would be less than significant. Regarding wind direction and speed at Site 40, please see the response to Comment W-6. Please see also the response to Comment Q-1 regarding potential impacts on grape quality.
- LL-11** Please see the response to Comments AA-2 and L-6 regarding agricultural and zoning impacts associated with the Site 40 Alternative. Regarding use of the LESA model to

evaluate impacts on agricultural lands, please see the LESA Summary and Worksheets Appendix in Volume II of the Draft EIR. As shown in this appendix, the LESA analysis performed for the Site 40 Alternative did include an examination of surrounding lands. Please see also the response to Comment I-3 regarding recent changes to the County code, and the resulting effects on General Plan consistency for Site 5A and the Site 40 Alternative.

LL-12 Land use conversion of farmland at Site 40 was found to be a significant and unavoidable impact in Chapter 19, Land Use and Agriculture. See, however, the response to Comment I-3 regarding changes to the County code that may affect this determination.

LL-13 Please see the responses to Comments L-5 and Q-1 regarding impacts of pests and odors on surrounding agriculture.

LL-14 Please see the response to Comment K-9 regarding water supply for Site 40.

LL-15 Please see the response to Comment S-2 regarding potential health risk and mitigation at Site 40.

LL-16 Please see the response to Comment C-4 regarding potential traffic and safety impacts associated with Site 40.

LL-17 Please see the response to Comments Z-9, S-1, and Q-1 regarding dust and odor associated with Site 5A and Site 40.

LL-18 Please see the response to Comment LL-17.

LL-19 Please see the response to Comment L-5 regarding pests.

LL-20 The SCWMA acknowledges the commenter's concern regarding Site 40.

LL-21 The Draft EIR was circulated for a 45-day period for public review and comment; the 45 day period was extended for an additional 15 days to allow for adequate time for review and comment.

LL-22 The Project objectives are stated in the Draft EIR, on Page 3-2.

LL-23 The Central Site Alternative was re-evaluated in the Recirculated Draft EIR, and determined to be the Environmentally Superior Alternative. Land use conversion of Site 40 was identified as a significant unavoidable impact in Draft EIR Chapter 19, Land Use and Agriculture (Impact 19.3). Please see also the response to Comment I-3 regarding recent changes to the County code, and the resulting effects on General Plan consistency for Site 5A and the Site 40 Alternative.

- LL-24** Chapter 12 of the Draft EIR analyzes potential traffic and traffic safety impacts and determines that, with implementation of mitigation measures, the impacts associated with the project at Site 5A would be less than significant.
- LL-25** The potential for air emissions from composting to affect the organic certification of surrounding agricultural uses is speculative. However, it should be noted that there are existing agricultural facilities that have their own composting processes, including vineyards.
- LL-26** Please see the response to Comment C-4 regarding potential traffic and safety impacts associated with Site 40. Regarding potential conflicts with cattle crossing the road, please see the response to Comment EE-4. As described in the Draft EIR, fuel use and roadway wear and tear were not the only considerations involved in identifying Site 5A and Site 40 as potential facility sites. Please see the discussion of site selection on Draft EIR pages 1-3 and 1-4.
- LL-27** For a discussion of odors related to the project at Site 5a, please refer to the Draft EIR Chapter 5, which indicates that the odor impact of Site 5A (Impact 5.5) would be less than significant after mitigation. With respect to recreation along the Petaluma River, the project would not interfere with boating, water skiing, or other water-based recreational activities along the Petaluma River; the project would not alter flows in the river, would not result in the construction of facilities that would interfere with navigation of the river, and would not otherwise interfere with recreational uses of the river. Please see the response to Comment Z-10 regarding potential effects on views from the Petaluma River. For a discussion of potential leaching of nutrients into groundwater from the facility, please refer to response to Comment Y-9. Impacts of the project on wetlands are discussed in Draft EIR Chapter 6. Please see Impacts 6-1 and 6-2, both of which are identified as significant, but both of which would be less than significant after mitigation.
- LL-28** Please see the response to Comment LL-24 regarding potential traffic safety impacts associated with Site 5A.
- LL-29** Please see the response to Comments E-2 and E-3 regarding potential flood impacts associated with Site 5A.
- LL-30** Please see Draft EIR Chapter 9, Land Use and Agriculture, for the land use consistency analysis of Site 5A and the conversion of farmland into nonagricultural use. Please see also the response to Comment I-3 regarding recent changes to the County code, and the resulting effects on General Plan consistency for Site 5A and the Site 40 Alternative.
- LL-31** The new composting facility design referred to by the commenter is the subject of the revised description and analysis contained in the Recirculated Draft EIR. Please refer to that document.

- LL-32** Please see the response to Comment T-1 regarding potential traffic impacts associated with the Site 40 Alternative.
- LL-33** Please see the response to Comment T-2 regarding Site 40 Alternative noise impacts.
- LL-34** Please see the response to Comment W-6 regarding Site 40 meteorology and response to Comment S-1 regarding odors.
- LL-35** Please see the response to Comment S-2 regarding potential health risk and mitigation for the Site 40 Alternative.
- LL-36** Please see the response to Comment Y-9 regarding potential impacts of nitrates and other groundwater pollutants from the proposed composting activities.
- LL-37** For a discussion of potential impacts associated with pests and vectors, please refer to the response to Comment L-5.
- LL-38** Please see the response to Comment C-4 regarding potential traffic and safety impacts associated with Site 40.
- LL-39** Please see the response to Comment L-5 regarding potential impacts from pests, bacteria, and fungus on surrounding agriculture.
- LL-40** Please see the response to Comments AA-1 and AA-2, and also the response to Comment JJ-3 regarding potential impacts to farmland and the LESA model. Please see also the response to Comment I-3 regarding recent changes to the County code, and the resulting effects on General Plan consistency for Site 5A and the Site 40 Alternative.
- LL-41** Please see the response to Comment AA-2 for a discussion of economic impacts associated with the project.
- LL-42** Because each alternative considered (including the project site, Site 5A) would result in significant unavoidable impacts, the SCWMA would have to adopt a “Statement of Overriding Considerations,” pursuant to CEQA Guidelines section 15093, before approving the project at any of these locations.
- LL-43** Please see the response to Comment L-5 regarding potential impacts from pests, bacteria, and fungus on surrounding agriculture. Regarding economic impacts, please see the response to Comment AA-2.
- LL-44** Please see the responses to Comments Q-1 and L-5 for a discussion of odor and pest impacts on grape quality.
- LL-45** Chapter 22 of the Draft EIR analyzes potential traffic and traffic safety impacts, as well as impacts on bicyclist use, in relation to County standards, and determines that with implementation of mitigation measures, the impacts associated with the Site 40

- Alternative would be less than significant. Please see the response to Comment K-25 regarding impacts to bicyclists.
- LL-46** As stated in Draft EIR Chapter 20, Noise, noise from construction and operation of Site 40 would be less than significant after mitigation (Mitigation Measures 20.1 and 20.2). Please see the response to Comment T-2.
- LL-47** While the purchase price of the land for Site 40 may increase project cost for this Alternative, it does not render this Alternative technically infeasible. An economic analysis of the relative cost of developing and operating the composting operation at the various alternatives sites is beyond the scope of an EIR.
- LL-48** Please see the response to Comment BB-12.
- LL-49** Please see the response to Comment Q-1 regarding odors and grapes.
- LL-50** Chapter 12 of the Draft EIR analyzes potential traffic and traffic safety impacts in relation to County standards, and determines that with implementation of mitigation measures, the potential traffic impacts associated with the project at Site 5a would be less than significant. Development of Site 5A would require improvement of access roads, including internal roads and Twin House Ranch Road. Please see Impact 12.2 and Mitigation Measures 12.2a and 12.2b in Draft EIR Chapter 12, Traffic and Transportation.
- LL-51** For discussion of potential impacts to groundwater quality, please refer to response to Comment Y-9.
- LL-52** As discussed in Draft EIR Chapter 8, Hydrology and Water Quality, potential effects on water quality would be minimized, and water quality within the Petaluma River and its tributaries would not be significantly affected as a result of siting the facility at Site 5a. As discussed therein, potential impacts to water quality would be avoided or mitigated to less-than-significant levels.
- LL-53** Please see the response to Comment W-6 regarding Site 40 meteorology.
- LL-54** As stated in Draft EIR Chapter 20, Noise, noise from construction (including construction traffic) and operation of Site 40 would be less than significant after mitigation (Mitigation Measures 20.1 and 20.2). Operational traffic noise associated with the Site 40 Alternative was examined in Impact 20-3, and found to be less than significant. Please see the response to Comment T-2.
- LL-55** Please see the response to Comment K-9 regarding water supply considerations for Site 40.
- LL-56** Please see the response to Comment W-13 regarding concerns over the eventual management of the proposed composting facility.

- LL-57** The comment period on the Draft EIR was extended by an additional 15 days, to a total of 60 days of circulation.
- LL-58** Chapter 12 of the Draft EIR analyzes potential traffic and traffic safety impacts and determines that, with implementation of mitigation measures, the impacts associated with the project at Site 5A would be less than significant.
- LL-59** Please see the response to Comment Q-1 regarding effects on grape quality.
- LL-60** Visual and aesthetic effects of the Site 40 Alternative are examined in Draft EIR Chapter 23.
- LL-61** The points raised by the commenter are possible economic effects of the project, and as such are not considered in the EIR.
- LL-62** Please see the response to Comment K-9 regarding recycled water availability.
- LL-63** The SCWMA acknowledges the Comment regarding transfer of the Grey property. Please note that the Central Site Alternative has been updated and modified, as discussed in the Recirculated Draft EIR. Regarding the comments made by Frank Mitloehner of UC Davis, please refer to response to Comments R-1 and LL7 through LL-9. Regarding project cost, cost is not a potential environmental impact and is not analyzed in the EIR.
- LL-64.** Regarding water supply for the Central Site Alternative, please see Recirculated Draft EIR page 27-9 and Impact 27.2.
- LL-65** Please see the response to Comment JJ-8, with regard to anaerobic digestion as a composting option.



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

November 20, 2012

11-26-12P03:44 RCVD

Patrick Carter
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

Subject: Sonoma County Compost Facility
SCH#: 2008122007

Dear Patrick Carter:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on November 19, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report State Clearinghouse Data Base

SCH# 2008122007
Project Title Sonoma County Compost Facility
Lead Agency Sonoma County

Type EIR Draft EIR
Description NOTE: Recirculated

The Sonoma County Waste Management Agency is a joint powers authority composed of the County of Sonoma and the nine incorporated jurisdictions within Sonoma County: Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma and Windsor. SCWMA has prepared this DEIR to assess the environmental effects of the construction of a new compost facility in Sonoma County that would replace the existing composting facility at the Central Disposal Site. SCWMA, as the Lead Agency responsible for administering the environmental review for the proposed project, determined that preparation of an EIR is needed because the project has the potential to cause significant effects on the environment. The proposed project would process (either through windrow or aerated static pile [ASP] methods) up to 200,000 tons of compost materials per year. The new compost facility may be selected from the three sites studied at project-level in this document.

Lead Agency Contact

Name	Patrick Carter		
Agency	Sonoma County Waste Management Agency		
Phone	707 565 3579	Fax	
email			
Address	2300 County Center Drive, Suite B100		
City	Santa Rosa	State	CA Zip 95403

Project Location

County	Sonoma		
City			
Region			
Lat / Long	38° 18' 6" N / 122° 45' 18" W		
Cross Streets	Mecham Road and Stony Point Road		
Parcel No.	024-080-019		
Township	Range	Section	Base

Proximity to:

Highways	Gravenstein Hwy (SR 116)
Airports	No
Railways	No
Waterways	Gossage Creek, Stemple Creek
Schools	Dunham ES
Land Use	Present Use: Grazing and Hay Farming Zoning & GPD: Land Extensive Agriculture

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 3; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Resources, Recycling and Recovery; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 4; Regional Water Quality Control Board, Region 2; Native American Heritage

Document Details Report
State Clearinghouse Data Base

Commission; State Lands Commission; CA Department of Public Health

<i>Date Received</i>	10/04/2012	<i>Start of Review</i>	10/04/2012	<i>End of Review</i>	11/19/2012
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A1. Governor's Office of Planning and Research (State Clearinghouse)

- A1-1** This comment from the Governor's Office of Planning and Research acknowledges that the SCWMA has complied with the State Clearinghouse review requirements for the Recirculated Draft EIR, pursuant to CEQA.



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • P.O. BOX 4025, SACRAMENTO, CA 95814-4025

(916) 322-4027 • WWW.CALRECYCLE.CA.GOV

November 19, 2012

Mr. Patrick Carter, Waste Management Specialist
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, California 95403

Subject: **State Clearinghouse (SCH) No. 2008122007** – Recirculated Draft Environmental Impact Report, dated October 2012, for the development and operation of a permanent long-term (2030) composting facility, *Sonoma County Waste Management Agency Compost Facility (SCCF)*, requiring the issuance of a revised Solid Waste Facility Permit (SWFP), No. 49-AA-0260, Sonoma County.

Dear Mr. Carter:

The California Department of Resources Recycling and Recovery (CalRecycle or Department) staff appreciates the opportunity to review and comment on the preferred composting location analyzed in the Recirculated Environmental Impact Report (RDEIR). CalRecycle understands that the project proposal is for the significant supplemental information not analyzed in the Draft Environmental Impact Report (DEIR), dated December 2011, analyzing three potential sites, including the preferred site, for the proposed SCCF project. Comments on the 2011 DEIR have been incorporated into the RDEIR and the environmental analysis has been revised to reflect the changes in the RDEIR. All the comments received from the 2011 DEIR and new comments received from the RDEIR will be addressed in the Final EIR. The RDEIR project requiring additional analysis is an increase in the amount of material processed at the Central Compost Site 110,000 tons per year (analyzed in the 2011 DEIR) to 200,000 tons per year (analyzed in this RDEIR).

The Final Environmental Impact Report (FEIR) will be certified by the decision-making body of the Sonoma County Waste Management Agency. CalRecycle staff have reviewed the RDEIR offer the following comments in addition to the comments provided by CalRecycle on the 2011 DEIR.

CALRECYCLE STAFF'S QUESTIONS AND COMMENTS

Proposed Throughput Traffic

During construction project traffic would average 110 vehicles per day (vpd) over an approximate five month period. Proposed traffic for the project is to be 402 vpd on weekdays

B1-1



and 558 vpd on weekends (primarily due to self-haul and compost sales), according to the projected one-way trip generation of 803 and 1,116, respectively (draft EIR Table 12-6). The project anticipates that the project growth rate to be “about three percent per year” (draft EIR page 12-10). CalRecycle staff requests that it is made clear in the FEIR that these are peak total vehicles to be permitted to enter the SCCF. If they are not peak numbers, then the analysis may require further CEQA review and compliance before a SWFP can be issued.

B1-1
cont.

Proposed Traffic Improvements

ESA Consultants completed a traffic study for the proposed project, dated May 2011. Weekday peak daily trips are proposed to be 471 daily trips; and on the weekend: 632 peak daily trips are proposed. This is not a significant change from the analysis in the 2011 DEIR, therefore CalRecycle staff have no further comments on throughput.

B1-2

However, CalRecycle staff request that the lead agency confer with CalTrans, as a responsible agency for overseeing the implementation of Mitigation Measure 31.5. Mitigation Measure 31.5 should be addressed in the Final EIR as there may be long-term cumulative traffic volumes from this alternative upon full build-out in 2030. If CalTrans does not approve this mitigation measure a Statement of Overriding Considerations will need to be adopted at the time the Final RDEIR is certified.

Odor

Page 24.7, Mitigation Measure 24.4 defers to Mitigation Measure 5.5 in the 2011 DEIR. An Odor Impact Minimization Plan (OIMP) does not state specific mitigation measures in this RDEIR. Please be specific as to what controls will be implemented to control odors in the Final RDEIR. For example, the use of a food pre-processing building, the use of covered aerated static piles (compared to windrow composting for the existing operations); as well as any other measures that would be included in the OIMP.

B1-3

Volatile Organic Compound (VOC) Generation during Composting

Mitigation Measure 5.2a: Composting VOC Reduction via Pseudo-Biofilters. The SCWMA shall implement the following control measure to reduce off-gas emissions from composting organic materials:

B1-4

- Apply finished compost as a pseudo-biofilter to cap active windrows. Estimated VOC reduction of 75 percent (CIWMB, 2007).

The CIWMB study referred to in this mitigation measure was for greenwaste composting and not for food waste composting. Food waste has significantly more nitrogen compared to green waste, therefore the food waste augmented compost would decompose faster and generate considerably more NO_x and ozone precursors in the short term than would be generated by greenwaste composting alone.

Composting Facility Design Components

Please be aware that the Regional Water Quality Control Boards are in the process of adopting and implementing new *General Waste Discharge Requirements for the Discharge of Wastes at Compost Management Units* (Order). This may affect the proposed design of the facility to control leachate and surface water drainage.

B1-5

Mitigation Reporting or Monitoring Program (MRMP)

As required by Public Resources Code (PRC) Section 21081.6, the lead agency should submit an MRMP at the time of local certification of the final REIR. This program should identify the mitigation measures or reporting program or both associated with the proposed project to reduce impacts to a less than significant level, where feasible. The MRMP should contain agencies responsible for ensuring the implementation of the proposed mitigation and conditions of approval are successful, and specify a monitoring/tracking mechanism. PRC §21080(c)(2) requires that mitigation measures "...avoid the effects or mitigate the effects to the point where clearly no significant effects on the environment would occur." The MRMP is required to be completed as a condition of project approval. PRC §21081.6(b) requires that "A public agency shall provide the measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures."

B1-6

CONCLUSION

Thank you for the opportunity to comment on the proposed SCCF project. In accordance with PRC §21092.5(b), CalRecycle staff requests that the Department be notified of the date, time and location of any future hearings on the proposed project. CalRecycle staff are available for scoping meetings, workshops or other public meetings upon request.

B1-7

If you have any questions regarding these comments, please contact me at (916) 341-6327, facsimile at (916) 319-7213, or e-mail me at john.loane@CalRecycle.ca.gov.

Sincerely,

Original Signed by:

John Loane, Integrated Waste Management Specialist (IWMS)
 Permitting and Assistance North Central Section
 Permitting and Assistance Branch
 Waste Permitting, Compliance and Mitigation Division
CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

cc: State Clearinghouse
 Office of Planning and Research
 P.O. Box 3044
 Sacramento, CA 95812-3044

SCCF draft Recirculated EIR Comments

November 19, 2012

Page 4 of 4

Kevin Taylor, Manager
Permitting and Assistance North Central Section
Permitting and Assistance Branch
Waste Permitting, Compliance and Mitigation Division
CalRecycle

Nevin Yeates, IWMS
Permitting and Assistance North Central Section
Permitting and Assistance Branch
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CalRecycle

Leslye Choate, Sonoma County LEA
County of Sonoma
Department of Health Services
625 5th Street
Santa Rosa, CA 95404
Phone: 707-565-6560

B1. Department of Resource Recycling and Recovery

- B1-1** The proposed throughput traffic volumes cited in the Recirculated Draft EIR are peak volumes.
- B1-2** The SCWMA will coordinate with Caltrans regarding implementation of Mitigation Measure 31.5, should the Central Site Alternative be selected. It is acknowledged in the Recirculated Draft EIR, on page 31-14 under Significance after Mitigation, that Caltrans must approve implementation of the mitigation measure, and that without their approval, the impact would be significant and unavoidable. The commenter is correct that without Caltrans approval, a Statement of Overriding Considerations will need to be adopted at the time the Final RDEIR is certified.
- B1-3** As noted in the discussion of Impact 24-4, in Recirculated Draft EIR Chapter 24, Air Quality, specific measures to reduce and control odors for the Central Site Alternative would include use of a food pre-processing building, and the use of covered aerated static piles with biofilters. In addition, location of the composting facility would be to the west of the current compost operation, and farther from most sensitive receptors, including the Happy Acres subdivision.
- B1-4** It is understood that with food mixed into the greenwaste feedstock, VOC emissions would be greater than with just greenwaste and, therefore, a CIWMB food/greenwaste VOC emission factor had been used in the Draft EIR analysis to reflect this difference. However, the pseudo-biofilter mitigation would reduce VOCs from windrow composting (whether the material is greenwaste or mixed green and foodwaste), and was not applied to NOx emissions, which are not typically associated with composting. The percent reduction in emissions from the pseudo-biofilter is considered the best available information.
- B1-5** The County is aware that new General Waste Discharge Requirements for the Discharge of Wastes at Compost Management Units (i.e., a new General Order) is in the process of being composed, and that the requirements stipulated in this General Order could be applicable to the proposed facility. The County and the Project Applicant would adhere to all applicable requirements, to the extent required by State and federal law, and in accordance with water board policy and permitting requirements.
- B1-6** Per CEQA requirements, the SCWMA will prepare and approve a Mitigation Monitoring and Reporting Plan (MMRP) that identifies the required mitigation measures, the parties responsible for implementation, and the method of monitoring or reporting the implementation of the measures, if the project or one of the project alternatives is approved.
- B1-7** The SCWMA will notify CalRecycle, as a commenting responsible agency, of any public hearings regarding the proposed project, per PRC §21092.5(b).



North Coast Regional Water Quality Control Board

November 21, 2012

State Clearinghouse
PO Box 3044
Sacramento, CA 95812-3044
State.Clearinghouse@opr.ca.gov

SUBJECT: Sonoma County Waste Management Agency Compost Facility, Recirculated Draft Environmental Impact Report (DEIR), SCH # 2008122007

File(s): Sonoma County Waste Management Agency Compost Facility
Sonoma County DPW, Central Solid Waste Disposal Site, 500 Mecham Road,
Petaluma, Sonoma County

On January 17, 2012, we received the Sonoma County Waste Management Agency Compost Facility Draft Environmental Impact Report (DEIR), prepared by ESA Associates. The North Coast Regional Water Quality Control Board (Regional Water Board), as a responsible agency under the California Environmental Quality Act (CEQA), provided comments on this document.

Our office has received a Recirculated Draft Environmental Impact Report (Recirculated DEIR), dated October 22, 2012, amending the original document. Our office is providing additional comments on portions of the Recirculated DEIR.

The DEIR discusses four locations, three primary and one adjunct, for potential construction of a large compost facility within Sonoma County. Two of the studied alternatives (Site 5A and Site 40) are located within the jurisdictional area of the San Francisco Bay Area Regional Water Quality Control Board (Region 2). The third alternative site (Central Site Alternative) and the adjunct site (Limited Public Access Alternative) are located within the jurisdictional area of the North Coast Regional Water Board (Region 1). For the purpose of this review, we have focused on the Central Site Alternative.

DAVID M. NORDEN, CHAIR | MATTHEW ST. JOHN, EXECUTIVE OFFICER

5550 Skylane Blvd., Suite A, Santa Rosa, CA 95403 | www.waterboards.ca.gov/northcoast

The Project as presented involves a proposal to expand and relocate the existing County composting operations to a permanent facility comprising roughly 70 acres of a 100 acre parcel, using either an Open Windrow operation and/or an Aerated Static Pile operation. Expansion of the existing operation is necessary to accommodate increasing diversions of ~16,000 tons per year of woodwaste and ~ 200,000 tons per year of greenwastes, agricultural wastes and foodwastes over the next 30+ years. New sources of diverted waste are to include grocery stores, institutional cafeterias, prisons, schools, hospitals and residential food scrap collection in addition to duck farm waste materials, chicken feathers, rice hulls and other agricultural materials. Compost processing waters may include storm water collected onsite, gray water, and industrial process waters, such as from winery production, etc.

Based upon our review of the Recirculated DEIR, we have the following comments:

1. The owner/operator of the facility will need to submit a Report of Waste Discharge (ROWD) and obtain a permit from the Regional Water Board. The project will be subject to the requirements of the California Code of Regulations Title 27 for waste containment and monitoring, including liner requirements for the working pad(s) and containment pond. The project description mentions a number of working pads, including: grinding and curing pad, final storage pad, finished compost pad and loadout pad. The ROWD for the facility must include liner design specifications and details for each of these operating pads. The ROWD should also include waste characterization for all feedstocks and a design for waste disposal and/or any appropriate land application or reuse program for contact water and leachate.

C1-1

In addition, any storm water from non-industrial portions of the operations may be subject to regulation under the Industrial Storm Water General Permit. A clear delineation between "storm water only" and "industrial areas" must be made during the project description and subsequent design.

C1-2

2. The performance objectives for a project of this nature, for the purposes of water quality protection, are zero discharge to surface waters and appropriate Title 27-compliant waste containment, based on waste characterization, for the protection of ground water.

C1-3

A. The RWQCB has previously stated its goal of a zero discharge facility. It is our understanding that the County and its operator had agreed to this concept. Furthermore, in a meeting about a year ago with Regional Water Board staff, the compost operator provided our staff with a conceptual design to this effect. However, the Recirculated DEIR does not clearly discuss the need to incorporate all contact water back into compost operations

B. Mitigation Measure 27.4b states that agricultural irrigation of water may occur. This is not a "zero discharge" option.

C1-4

C. The Water Quality Control Plan for the North Coast Region (Basin Plan) generally prohibits new point source discharges of waste to coastal streams and natural drainages that flow directly to the ocean and requires that existing discharges to these waters be eliminated at the earliest practicable date. Options related to surface water discharge should be removed from the document.

C1-5

D. Industrial septic systems, described in the document, are not designed to effectively treat this type of waste and are not an acceptable option for disposal.

C1-6

The Recirculated DEIR should be revised to reflect a "zero discharge design" for the facility.

C1-7

3. The Recirculated DEIR provides a definition of "leachate" as water reaching the bottom of the compost windrows". This definition is arbitrary and does not reflect the current position of the Regional Water Board or State Water Board in this matter as such it should be deleted or modified. It is also likely that this change will impact the water balance at the facility, which may need revision.

C1-8

Any water coming into contact with finished compost, active compost or feedstocks may result in pollutants entering storm water. As such this water is considered leachate and not storm water. Since the Industrial General Permit prohibits the discharge of industrial process waters, the discharge of this water under the guise of "storm water" is not allowable.

Since "storm water" under the current definitions in the Recirculated DEIR may actually be industrial water that cannot be discharged offsite under the Industrial General Permit, re-evaluating the volume necessary for "storm water" retention ponds vs. "leachate" containment ponds is advisable.

4. In order to minimize the potential for leachate generation which has been an ongoing problem with the current operations, we recommend that the DEIR include consideration of the option of phased installation of roof structures. Clean water can be discharged offsite. This may be the most responsible and economically sound option for long term operations, is consistent with other operations within the North Coast, and represents the preferred option for compost operations in the North Coast. The Recirculated DEIR is incomplete from a standpoint of evaluating alternatives without considering this option. In light of commitments by all parties for a "zero discharge option," use of roof structures may be the best alternative to balance environmental protection and reduce the cost of drainage improvements.

C1-9

These comments are focused on the Recirculated DEIR. Comments by our office on the initial DEIR should also be reviewed and considered, and are not superseded by these comments.

C1-10

Thank you for the opportunity to comment on the Recirculated DEIR. If you have any questions please contact Rick Azevedo of our staff at (707) 576-2679.

Sincerely,

Original signed by

Diana Henriouille
Senior Water Resources Control Engineer

121121_RGA_dp_CentralSWDS_CompostOpComments

cc: Patrick Carter, Sonoma County Waste Management Agency, 2300 County Center
Drive, Suite B100, Santa Rosa, CA 95403-3012 Patrick.Carter@sonoma-county.org

C1. North Coast Regional Water Quality Control Board

- C1-1** The SCWMA acknowledges that agency would be required to submit a Report of Waste Discharge (ROWD) and obtain a permit from the North Coast Regional Water Quality Control Board (NCRWQCB), in the event that the Central Site Alternative is selected. The SCWMA would comply with all applicable regulatory and legal requirements in the development and operation of the facility.
- C1-2** The SCWMA acknowledges that the facility could be subject to permitting requirements during facility operation, and that the facility could be required to obtain coverage under the Statewide Industrial Storm Water General Permit, and to comply with all permit requirements.
- C1-3** Based on preliminary conversations between the SCWMA's EIR consultant team and NCRWQB staff, discharge of stormwater during major flood events, for example during events larger than a 25-year storm event, may be consistent with NCRWQCB requirements. (Note that the Central Site Alternative would manage flows on site up to the 25-year event, at minimum; see discussion in Chapter 27 of the Recirculated Draft EIR and additional discussion below.) However, the SCWMA recognizes that new General Waste Discharge Requirements for the Discharge of Wastes at Compost Management Units (i.e., a new General Order) is currently being considered by the State Water Resources Control Board, and that the regulatory environment with respect to composting facilities may change.

As a result, the Recirculated Draft EIR incorporates a number of potential management options that could be implemented in order to manage stormwater on site. As discussed in the Recirculated Draft EIR, the landfill's existing leachate collection system has sufficient capacity to convey to a treatment facility all stormwater from the proposed compost facility, up to a 100-year event, and use of this system could support a zero discharge stormwater management strategy, even under major flood conditions. Other options discussed in the Recirculated Draft EIR include discharge of flows to natural waterways during the 25-year (and greater) event.

While discharge and zero discharge options were included in the Recirculated Draft EIR in order to provide flexibility for project development, in the end, the type of stormwater management deployed on site will be worked out in accordance with local, State, and federal requirements including, as applicable, those administered by the NCRWQCB. The SCWMA could not and will not implement a system that failed to comply with State law, including laws and requirements regarding stormwater or wastewater discharge from the compost facility. The analysis in the Recirculated Draft EIR incorporates enough flexibility to allow the best and most relevant stormwater management system to be selected, in accordance with permitting requirements, and in the face of the current regulatory uncertainty.

- C1-4** Please see the response to Comment C1-3.
- C1-5** Please see the response to Comment C1-3.
- C1-6** The previously circulated version of the Draft EIR, for the Central Site Alternative, contained language regarding the potential for use of an industrial septic system. However, the Recirculated Draft EIR removed this language, and also added discussion indicating that an industrial septic system is unlikely to be approved without a variance from Sonoma County PRMD, and that as a result of this and other considerations, the use of such a facility would be unlikely. For additional discussion, please refer to page 27-9 of the Recirculated Draft EIR. Additionally, please note that all wastewater and stormwater would be managed in accordance with applicable regulations and requirements, as discussed in response to Comment C1-3.
- C1-7** Please see the response to Comment C1-3.
- C1-8** The SCWMA acknowledges that the definition of leachate versus stormwater could affect potential options available for the composting facility, with respect to stormwater or leachate management. We also note that the current regulatory definition of “leachate” lacks clarity and certainty, and that the definition of leachate, and the distinction between leachate and clean stormwater, may change with adoption of a General Order (as discussed in the response to Comment C1-3). Under a positive pressure aerated static pile configuration (in which compost piles would be covered by a membrane), stormwater would not come into contact with actively composting material. As noted in the response to Comment C1-3, all wastewater and stormwater would be managed in accordance with applicable regulations and permitting requirements.
- Even in the unlikely event that *all* stormwater on site were to be considered as leachate, the Recirculated Draft EIR identifies water management options that could be used to prevent the discharge of such leachate from the site, even up to a 100-year flood event. Specifically, as discussed for response to Comment C1-3, water could be discharged into the landfill’s leachate system for conveyance and treatment at the Laguna Wastewater Treatment Plant, which provides tertiary level treatment even during wet weather flows. Therefore, irrespective of the definition of leachate versus clean stormwater, the analysis provided in the Recirculated Draft EIR contains options that would be sufficient to handle anticipated flows in accordance with NCRWQCB and other applicable regulations and requirements. As noted in the response to Comment C1-3, the methods used to control and treat wastewater and clean stormwater will be established through the permitting process.
- C1-9** The SCWMA recognizes the NCRWQCB’s concern regarding water management on site, including the generation and management of leachate. As discussed in the response to Comment C1-3, the Recirculated Draft EIR already identifies water management options that could support zero discharge, even during major storm and flooding events. The use of a covered building is considered in Draft EIR Chapter 4, Alternatives, and

discussed on pages 4-5 and 4-5. This alternative, however, is rejected as unnecessary for reducing significant impacts of the project, and because use of a building adds operational constraints, inflexibility, and cost, and because it may result in other impacts, such as visual impacts.

C1-10 NCRWQCB comments on the Draft EIR are addressed in the responses to Comments F-1 through F-7.

10-24-12P04:03 RCVD

KULLBERG RANCH
Margaret Kullberg
1036 Stage Gulch Rd. – Hwy 116
Petaluma, CA 94954
707 762-8066
October 20, 2012

Sonoma County Waste Management Agency
Mr. Patrick Carter Department Analyst
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

Comments regarding the adequacy of the Recirculated Draft EIR

According to the Recirculated Draft Environmental Impact Report (RDEIR) for the SCWMA Compost Facility the Central Site Facility is the most practical site for the compost. The report states (page R4-1) that the other sites; 5A Lakeville site and site 40 on Stage Gulch Rd. would both require a General Plan amendment for zoning change. Also, the Williamson Act contracts on them would have to be nullified. All these changes would be difficult. It also states the Central Site Alternative meets all of the primary objectives.

A major factor in the original EIR was the processing from 110,000 ton/yr. to a projected 200,000 ton/yr. Due to new technology this can now be accomplished at the Central Site.

Page 3-3 states that the Central Site is now the environmentally superior and preferred alternative to the project. Therefore I find the RDEIR very adequate.


Margaret Kullberg

D1-1

D1. Margaret Kullberg, Letter Dated October 20, 2012

- D1-1** As noted by the commenter, the Recirculated Draft EIR identifies the Central Site Alternative as the Environmentally Superior Alternative. Regarding General Plan consistency for sites 5A and 40, please see the response to Comment I-3.

11-02-12P01:52 RCVD

KULLBERG RANCH
Margaret Kullberg
1036 Stage Gulch Rd. – Hwy 116
Petaluma, Ca. 94954
707 762-8066
November 1, 2012

Sonoma County Waste Management Agency
Mr. Patrick Carter Department Analyst
2300 County Center Drive, Suite 8100
Santa Rosa, Ca. 95403

Comments regarding the adequacy of the Recirculated Draft EIR

After the public meeting for the REDEIR on Oct. 24th, I feel compelled to reply to a gentleman who spoke in favor of site 40 on Stage Gulch Rd. I could not hear if he mentioned he is the real estate broker who has the listing of this property, and it is for sale for 6.9 million dollars.

Site 40 is zoned agricultural LEA (Land Extensive Agriculture) and is under the Williamson Act. He suggested that the County's zoning ordinance has changed so that a commercial composting operation is allowed in a parcel zoned LEA with a Use Permit. The General Plan consistency analysis (prepared by the County and included in the Draft EIR) says a General Plan Amendment to change LEA zoning would be necessary. The General Plan consistency analysis has not changed since this Draft EIR. On Page 9-11 on the Draft EIR it states "support of agriculture is not the main function of the facility."

Therefore there are many reasons for the decision In favor of the present Central Site.

Sincerely


Margaret Kullberg

E1-1

E1. Margaret Kullberg, Letter Dated November 1, 2012

- E1-1** Please see the response to Comment I-3 regarding General Plan consistency for Site 40. The SCWMA acknowledges that the commenter supports locating the facility at the Central Site.

Allan Tose
561 Broadway
Sonoma, CA 95476
707-738-1398

November 15, 2012

Mr. Patrick Carter, Department Analyst
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

RE: Recirculated Draft EIR Sonoma County Waste Management Agency Compost Facility

Dear Patrick:

The Draft EIR fails to include significant new information pertaining to Site 40 considerably different from others previously analysed that would clearly lessen the environmental impacts of the project, but the projects proponents decline to adopt it. The conclusions listed in 4.11, Other Site Challenges, are incorrect for Site 40.

The only issues to be discussed in this analysis are:

Would require general plan amendment, zoning change, dealing with Williamson Act contract.

The Sonoma County Board of Supervisors, on January 31, 2012 adopted ordinance number 5963 and 5964, to bring the Sonoma County Zoning Ordinance into compliance with CA Code Title 14 Natural Resources Division 7 Chapter 3.1, and compliance with Government Code Section 51200 (the Williamson Act.)

The most significant factor that the adoption of ordinance 5964 does is that it changes the definition of what composting is when it is done on a site that is zoned agricultural. This change only includes LIA, LEA and DA zoning. The adopted definition of composting "means the controlled or uncontrolled biological decomposition of organic wastes." So by definition the biological process of composting is agriculture. Agriculture to qualify for the Williamson act is the production of food or fiber, so composting is the production of fiber by the growth of microbes. The adoption of the ordinance includes commercial composting as a permitted use with a use permit in LEA zoning.

Ordinance 5963 and 5964 also included amendments to definitions:

F1-1

F1-2

SECTION II. Amendments to Definitions. Section 26-02-140 (Definitions) of Chapter 26 of the Sonoma County Code is amended to insert in alphabetical order and change the following definition with deletions shown in ~~strikeout~~ and additions underlined.

Agricultural Employee means a person employed in the operation of an agricultural enterprise.

Agricultural Enterprise means an operation of a property owner/operator that derives their primary and principal income from the production of agricultural commodities for commercial purposes, including but not limited to the following: growing of crops or horticultural commodities; breeding and raising of livestock, poultry, bees, furbearing animals, horses; agricultural processing; and preparation of commodities for market. An agricultural enterprise excludes boarding of horses, forestry and lumbering operations, and commercial transportation of prepared products to market.

Composting means the controlled or uncontrolled biological decomposition of organic wastes.

Commercial Composting means a commercial facility that is operated for the purpose of producing compost from the onsite and/or offsite organic material fraction of the waste stream and is permitted, designed, and operated in compliance with the applicable regulations contained in the California Code of Regulations, Title 14, Division 7, as may be amended from time to time. Non-commercial composting that is an incidental part of an agricultural operation and relies primarily upon onsite material for onsite use is not included within this definition.

SECTION XIV. Environmental Determination. The Board of Supervisors hereby finds and determines that the adoption of this ordinance is exempt from the California Environmental Quality Act ("CEQA") under the General Rule Section 15061(b)(3), because the adoption of this ordinance will have no physical effect on the environment related to changes to reflect the update of the County's Uniform Rules for Administering Ag Preserve because the changes reflect no increase in the scope or intensity of use and further clarify or restrict allowable land uses on contracted lands. The adoption of this ordinance is categorically exempt pursuant to State CEQA Guidelines section 15307 and 15308 in that it is authorized by state law to assure the preservation and conservation of the state's agricultural and open space resources, and the maintenance, restoration, enhancement, and protection of the natural resources and the environment.

The Board further finds that changes to the zoning code to implement the General Plan policies related to allowing agricultural processing in the AR zoning district and allowing agricultural farmstays in all three agricultural zoning districts (LIA, LEA and DA) were analyzed in the General Plan 2020 FEIR. Standards have been incorporated into the proposed zoning code changes to ensure potential impacts are reduced to less than significant for the agricultural processing in the AR zoning district, including limitations on the size of processing buildings that ensure that the scale of such facilities will be in keeping with the residential nature of the zoning district. The structures allowed by the ordinance are those that can be considered small structures pursuant to State CEQA Guidelines section 15303. Any such agricultural processing will be subject to a discretionary use permit that will be subject to health and safety standards, further environmental review, and conditions of approval to reduce any impacts to less than significant. Likewise, CEQA Guideline section 15303 would apply to an agricultural farmstay use because the standards only allow the use in structures that qualify as small structures in the CEQA Guidelines.

The subject parcel is under a Williamson Act Contract, of which commercial composting is now considered agriculture and an allowable use. Any development on property subject to a Williamson act contract must be related to the primary use of the land for agriculture purposes and in compliance with local uniform rules or ordinances. Any such use on a parcel under a Williamson Act contract must also be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations(Ordinances 5963 and 5964, Adopted January 31, 2012. (see attached).

F1-3

A use is related when it is required for or part of the agricultural use and is valued in line with the expected return of the agriculture on the parcel. Compatible uses on Williamson ACT lands are defined in GC#51201(e). Additionally, each participating local government is required to adopt rules consistent with the principles of compatibility found in Government Code #51230.1, 51238 and 51238.1. (see attached)

F1-4

One condition of the Williamson Act compliance relates to the subject parcel being on a scenic corridor. The aesthetics study adequately addresses that concern.(See attached)

F1-5

The General Plan Consistency Analysis for Site 40, dated April 11, 2011 that is included in the Draft EIR, is obsolete. As of January 31, 2012.

F1-6

With these recent changes in Sonoma County Zoning Regulations, and compliance with California State codes, Site 40 is probably once again the best environmental option.

F1-7

Best regards,


Allan Tose

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Zoning Ordinance

ORDINANCE NO. _____

① An Ordinance Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Amending Text Of Chapter 26 (Zoning Ordinance) Of The Sonoma County Code To: 1) Implement The Sonoma County 2020 General Plan Policies; 2) Make Changes And Clarifications Related To Uses Allowed On Agricultural Lands, Consistent With Government Code § 51200 Et. Seq. (Land Conservation Act) And The County Of Sonoma's Uniform Rules For Agricultural Preserves & Farmland Security Zones, And 3) Streamline Procedures By Eliminating The RRDWA Zoning District And Rezoning All Properties From RRDWA To RRD Retaining Existing Combining Zones.

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

SECTION I. Findings. The Board finds and declares that the adoption of this Ordinance is necessary to implement the Sonoma County 2020 General Plan and make changes, clarifications, and minor corrections related to uses of agricultural lands, consistent with the current update of the County of Sonoma's Uniform Rules for Agricultural Preserves and Farmland Security Zones. The Board hereby finds that the facts supporting the adoption of this ordinance are as follows:

1. Eliminating the Resource and Rural Development (Agricultural Preserve) (RRDWA) zoning district and expanding the Resource and Rural Development (RRD) zone district to cover the area now zoned RRDWA will facilitate participation in the County's Land Conservation Act program. There is no legal or policy need for a separate RRDWA zone district applicable only to parcels restricted by Land Conservation Act (a.k.a. Williamson Act) contracts, and the continued existence of said RRDWA zone district creates a burden on persons who own land within the RRD zone district and who desire to participate in the County's Land Conservation Act program, as such persons must obtain a zone change in order to participate in the program, while other agricultural zoning districts do not require a zone change to participate in the program. Rezoning the parcels in the RRDWA to RRD with clarification of allowable uses on contracted land will streamline procedures to agricultural properties in the RRD zoning district.

2. The County's Uniform Rules for Agricultural Preserves and Farmland Security Zones implement the Williamson Act by establishing procedures and eligibility requirements to which each participating landowner must adhere in order to receive a reduction in tax assessment. The Uniform Rules, which list allowable uses for contracted land, do not authorize any development on agricultural or open space land that is not otherwise permitted by the applicable zone district. However, the Uniform Rules may be more restrictive than the underlying zoning. In order to ensure the public benefit of the Williamson Act Program, provide clear and consistent information to property owners

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Zoning Ordinance

and the public and avoid potential breach of a Williamson Act contract, the uses restricted or prohibited under the Rules should be clarified in each of the agricultural and resource zoning districts.

3. Existing regulations concerning allowed agricultural employec, caretaker, and farmworker housing require greater clarity and flexibility in the standards for permit issuance, which can be evaluated on a case by case basis through a use permit process.

4. On December 8, 2009, the Board of Supervisors amended the Land Use Element of the 2020 General Plan. Additional amendments to the Agriculture and Residential (AR) zoning district to allow limited agricultural processing of products grown or raised on site are needed to implement General Plan policy LU-6d. Amendments to the allowable uses in the Land Intensive Agriculture zoning district to prohibit schools, hospitals, places of religious worship and similar places of public or community assembly are necessary to implement General Plan Policy LU-6e (2).

5. Additional minor clarifications of, and modifications to, requirements for permitting compatible non-agricultural uses within agricultural zone districts are needed to provide consistency with the updated Uniform Rules for Agricultural Preserves and Farmland Security Zones where possible.

6. This ordinance will further implement the policies and programs of the County's Williamson Act Program, the Uniform Rules for Agricultural Preserves and Farmland Security Zones, and the Sonoma County General Plan 2020, and is consistent with that General Plan and its goals, objectives, policies and programs.

SECTION II. Amendments to Definitions. Section 26-02-140 (Definitions) of Chapter 26 of the Sonoma County Code is amended to insert in alphabetical order and change the following definition with deletions shown in strikeout and additions underlined.

Agricultural Employee means a person employed in the operation of an agricultural enterprise.

Agricultural Enterprise means an operation of a property owner/operator that derives their primary and principal income from the production of agricultural commodities for commercial purposes, including but not limited to the following: growing of crops or horticultural commodities; breeding and raising of livestock, poultry, bees, furbearing animals, horses; agricultural processing; and preparation of commodities for market. An agricultural enterprise excludes boarding of horses, forestry and lumbering operations, and commercial transportation of prepared products to market.

Composting means the controlled or uncontrolled biological decomposition of organic wastes.

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Commercial Composting means a commercial facility that is operated for the purpose of producing compost from the onsite and/or offsite organic material fraction of the waste stream and is permitted, designed, and operated in compliance with the applicable regulations contained in the California Code of Regulations, Title 14, Division 7, as may be amended from time to time. Non-commercial composting that is an incidental part of an agricultural operation and relies primarily upon onsite material for onsite use is not included within this definition.

Family day care home means a home which regularly provides care, protection and supervision to ~~twelve (12)~~ fourteen (14) or fewer children, in the provider's own home, for periods of less than twenty-four (24) hours per day, while the parents or guardians are away, and includes the following:

- (a) Large family day care home means a home which provides family day care to ~~seven (7) to twelve (12)~~ nine (9) to fourteen (14) children, inclusive, including children under the age of twelve (12) who reside at the home.
- (b) Small family day care home means a home which provides family day care to ~~six (6)~~ eight (8) or fewer children, including children under the age of twelve (12) who reside at the home.

Farmstay or farm homestay. See Lodging - Agricultural Farmstay.

Farmworker. See Agricultural Employee.

Lodging - Agricultural farmstay means transient lodging accommodations containing five or fewer guestrooms in a single family dwelling or guest house provided as part of a farming operation, with an on-site farmer in residence, that includes all meals provided in the price of the lodging, and that meets all of the standards in Section 26-88-085.

SECTION III. Amendments to Chapter 26, Article 04, LIA Land Intensive Agricultural District. Article 04, Section 26-04-005 through 26-04- 030, of Chapter 26 of the Sonoma County Code is amended as shown in Exhibit A, which is attached hereto and incorporated by reference.

SECTION IV. Amendments to Chapter 26, Article 06, LEA Land Extensive Agricultural District. Article 06, Section 26-06-005 through 26-06- 030, of Chapter 26 of the Sonoma County Code is amended as shown in Exhibit B, which is attached hereto and incorporated by reference.

SECTION V. Amendments to Chapter 26, Article 08, DA Diverse Agricultural District. Article 08, Section 26-08-005 through 26-08- 030, of Chapter 26 of the Sonoma County Code is amended as shown in Exhibit C, which is attached hereto and incorporated by reference.

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Zoning Ordinance

SECTION VI. Amendments to Chapter 26, Article 10. RRD Resources and Rural Development District. Article 10, Section 26-10-005 through 26-10- 030, of Chapter 26 of the Sonoma County Code is amended as shown in Exhibit D, which is attached hereto and incorporated by reference.

SECTION VII. Amendments to Chapter 26, Article 16. AR Agricultural and Residential District. Article 08, Section 26-16-005 through 26-16- 030, of Chapter 26 of the Sonoma County Code is amended as shown in Exhibit E, which is attached hereto and incorporated by reference.

SECTION VIII. Amendments to Chapter 26, Article 88. General Use and Bulk Exceptions; Building Lines. Article 88, Section 26-88-010 (l) Seasonal Farmworker Housing, of Chapter 26 of the Sonoma County Code is amended as shown in Exhibit F, which is attached hereto and incorporated by reference.

SECTION IX. Amendments to Chapter 26, Article 88. General Use and Bulk Exceptions; Building Lines. Article 88, Section 26-88-010 (o) Year-round Farmworker Housing, of Chapter 26 of the Sonoma County Code is amended as shown in Exhibit G, which is attached hereto and incorporated by reference.

SECTION X. Amendments to Chapter 26, Article 88. General Use and Bulk Exceptions; Building Lines. Article 88, Section 26-88-085, Agricultural Homestays, of Chapter 26 of the Sonoma County Code is hereby added to the code as shown in Exhibit H, which is attached hereto and incorporated by reference.

SECTION XI. Repeal of Article 12 of Chapter 26. Resource and Rural Development (Agricultural Preserves) Zone District (RRDWA), Article 12, Chapter 26, Sections 26-12-050 through 26-12-030, is hereby repealed.

SECTION XII: The official zoning database of the County, adopted by reference by Section 26-02-110 of the Sonoma County Code, is amended by reclassifying all real property zoned Resource and Rural Development Agricultural Preserve (RRDWA) to the Resources and Rural Development Zone District (RRD) retaining all existing combining zones. The Director of the Permit and Resource Management Department is directed to reflect this amendment to the Official Zoning Database of the County as shown in the attached Exhibit I, which is attached hereto and incorporated by reference.

SECTION XIII. Exception for Vacation Rentals: Notwithstanding the fact that vacation rentals are not listed as an allowable use in Article 4, Land Intensive Agricultural Zoning District, existing vacation rentals that are registered with the Sonoma County Auditor and Tax Collectors office and have paid Transient Occupancy Tax for any period during the previous 24 months from January 1, 2012, may be permitted with either a zoning permit that shall expire upon transfer or sale of the property or may apply for and obtain a use permit that would run with the land, provided that they conform to all operating

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Zoning Ordinance

standards of Section 26-88-120, and further provided that any septic system serving a vacation rental permitted with a zoning permit shall be properly functioning and shall meet Class 3 standards or better, as verified by a registered Civil Engineer, registered Environmental Health Specialist or C-42 contractor. Vacation rentals permitted with a use permit shall meet all current standards for septic systems. Property owners must submit a complete application for the zoning or use permit to qualify for this exception by March 1, 2012. Enforcement actions related only to lack of zoning or use permits for existing vacation rentals that have submitted applications by the March 1st, 2012, deadline shall be stayed until the permits are acted upon by the decision-making authority. No new vacation rentals shall be permitted in the LIA zoning district, unless and until a zoning text amendment is adopted to specifically permit vacation rentals.

SECTION XIV. Environmental Determination. The Board of Supervisors hereby finds and determines that the adoption of this ordinance is exempt from the California Environmental Quality Act ("CEQA") under the General Rule Section 15061(b)(3), because the adoption of this ordinance will have no physical effect on the environment related to changes to reflect the update of the County's Uniform Rules for Administering Ag Preserve because the changes reflect no increase in the scope or intensity of use and further clarify or restrict allowable land uses on contracted lands. The adoption of this ordinance is categorically exempt pursuant to State CEQA Guidelines section 15307 and 15308 in that it is authorized by state law to assure the preservation and conservation of the state's agricultural and open space resources, and the maintenance, restoration, enhancement, and protection of the natural resources and the environment.

The Board further finds that changes to the zoning code to implement the General Plan policies related to allowing agricultural processing in the AR zoning district and allowing agricultural farmstays in all three agricultural zoning districts (LIA, LEA and DA) were analyzed in the General Plan 2020 FEIR. Standards have been incorporated into the proposed zoning code changes to ensure potential impacts are reduced to less than significant for the agricultural processing in the AR zoning district, including limitations on the size of processing buildings that ensure that the scale of such facilities will be in keeping with the residential nature of the zoning district. The structures allowed by the ordinance are those that can be considered small structures pursuant to State CEQA Guidelines section 15303. Any such agricultural processing will be subject to a discretionary use permit that will be subject to health and safety standards, further environmental review, and conditions of approval to reduce any impacts to less than significant. Likewise, CEQA Guideline section 15303 would apply to an agricultural farmstay use because the standards only allow the use in structures that qualify as small structures in the CEQA Guidelines.

Additional changes to terminology for farmworker housing and allowing day care homes as a permitted use conform the zoning to state law and are likewise exempt as based on the standards for such uses already included in the zoning code. Reduced lot coverage standards are also exempt under the General Rule Section 15061(b)(3) as it can be seen with certainty that reducing lot coverage would not have an adverse physical effect on the environment. The Director of Permit and Resource Management is directed to file a

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Zoning Ordinance

Notice of Exemption and a Notice of Determination in accordance with CEQA and the state CEQA Guidelines.

SECTION XV. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion(s) of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION XVI. Notice to Assessor. Notice of this Ordinance and rezone shall be given to the Assessor within 30 days of its adoption, pursuant to Gov. Code 56863.5.

SECTION XVII. Effective Date. This Ordinance and all amendments to the Sonoma County Code as set forth within shall become effective on the 31st day following its passage. This Ordinance shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California.

SECTION XVIII. Custodian of Documents. The clerk of the Board of Supervisors shall be the custodian of the documents and other materials which constitute the record of the proceedings upon which the Board's decision is based.

IN REGULAR SESSION of the Board of Supervisors of the County of Sonoma, introduced, passed, and adopted this ____ day of ____, 2011, on regular roll call of the members of said Board by the following vote:

SUPERVISOR VOTE:

Brown:	Rabbitt	Zane:	McGuire:	Carrillo:
Ayes:	Noes:	Absent:	Abstain:	

WHEREUPON, the Chair declared the above foregoing Ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

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Zoning Ordinance

Veronica Ferguson
Clerk of the Board of Supervisors

A complete copy of each exhibit referenced in the Ordinance is on file with the Clerk of the Board of Supervisors, 575 Administration Drive, Room 100a, Santa Rosa, California, and is available for public inspection and copying at that office.

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GOVERNMENT CODE

SECTION 51200-51207

51200. This chapter shall be known as the California Land Conservation Act of 1965 or as the Williamson Act.

51201. As used in this chapter, unless otherwise apparent from the context, the following terms have the following meanings:

(a) "Agricultural commodity" means any and all plant and animal products produced in this state for commercial purposes, including, but not limited to, plant products used for producing biofuels.

(b) "Agricultural use" means use of land, including but not limited to greenhouses, for the purpose of producing an agricultural commodity for commercial purposes.

(c) "Prime agricultural land" means any of the following:

(1) All land that qualifies for rating as class I or class II in the Natural Resource Conservation Service land use capability classifications.

(2) Land which qualifies for rating 80 through 100 in the Storie Index Rating.

(3) Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.

(4) Land planted with fruit- or nut-bearing trees, vines, bushes, or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars (\$200) per acre.

(5) Land which has returned from the production of unprocessed agricultural plant products an annual gross value of not less than two hundred dollars (\$200) per acre for three of the previous five years.

(d) "Agricultural preserve" means an area devoted to either agricultural use, as defined in subdivision (b), recreational use as defined in subdivision (n), or open-space use as defined in subdivision (o), or any combination of those uses and which is established in accordance with the provisions of this chapter.

(e) "Compatible use" is any use determined by the county or city administering the preserve pursuant to Section 51231, 51238, or 51238.1 or by this act to be compatible with the agricultural, recreational, or open-space use of land within the preserve and subject to contract. "Compatible use" includes agricultural use, recreational use or open-space use unless the board or council finds after notice and hearing that the use is not compatible with the agricultural, recreational or open-space use to which the land is restricted by contract pursuant to this chapter.

(f) "Board" means the board of supervisors of a county which establishes or proposes to establish an agricultural preserve or which enters or proposes to enter into a contract on land within an

agricultural preserve pursuant to this chapter.

(g) "Council" means the city council of a city which establishes or proposes to establish an agricultural preserve or which enters or proposes to enter into a contract on land within an agricultural preserve pursuant to this chapter.

(h) Except where it is otherwise apparent from the context, "county" or "city" means the county or city having jurisdiction over the land.

(i) A "scenic highway corridor" is an area adjacent to, and within view of, the right-of-way of:

(1) An existing or proposed state scenic highway in the state scenic highway system established by the Legislature pursuant to Article 2.5 (commencing with Section 260) of Chapter 2 of Division 1 of the Streets and Highways Code and which has been officially designated by the Department of Transportation as an official state scenic highway; or

(2) A county scenic highway established pursuant to Article 2.5 (commencing with Section 260) of Chapter 2 of Division 1 of the Streets and Highways Code, if each of the following conditions have been met:

(A) The scenic highway is included in an adopted general plan of the county or city; and

(B) The scenic highway corridor is included in an adopted specific plan of the county or city; and

(C) Specific proposals for implementing the plan, including regulation of land use, have been approved by the Advisory Committee on a Master Plan for Scenic Highways, and the county or city highway has been officially designated by the Department of Transportation as an official county scenic highway.

(j) A "wildlife habitat area" is a land or water area designated by a board or council, after consulting with and considering the recommendation of the Department of Fish and Game, as an area of importance for the protection or enhancement of the wildlife resources of the state.

(k) A "saltpond" is an area which, for at least three consecutive years immediately prior to being placed within an agricultural preserve pursuant to this chapter, has been used for the solar evaporation of seawater in the course of salt production for commercial purposes.

(l) A "managed wetland area" is an area, which may be an area diked off from the ocean or any bay, river or stream to which water is occasionally admitted, and which, for at least three consecutive years immediately prior to being placed within an agricultural preserve pursuant to this chapter, was used and maintained as a waterfowl hunting preserve or game refuge or for agricultural purposes.

(m) A "submerged area" is any land determined by the board or council to be submerged or subject to tidal action and found by the board or council to be of great value to the state as open space.

(n) "Recreational use" is the use of land in its agricultural or natural state by the public, with or without charge, for any of the following: walking, hiking, picnicking, camping, swimming, boating, fishing, hunting, or other outdoor games or sports for which facilities are provided for public participation. Any fee charged for the recreational use of land as defined in this subdivision shall be in a reasonable amount and shall not have the effect of unduly limiting its use by the public. Any ancillary structures necessary

1/20/12

CA Codes (gov:51200-51207)

for a recreational use shall comply with the provisions of Section 51238.1.

(o) "Open-space use" is the use or maintenance of land in a manner that preserves its natural characteristics, beauty, or openness for the benefit and enjoyment of the public, to provide habitat for wildlife, or for the solar evaporation of seawater in the course of salt production for commercial purposes, if the land is within:

- (1) A scenic highway corridor, as defined in subdivision (i).
- (2) A wildlife habitat area, as defined in subdivision (j).
- (3) A saltpond, as defined in subdivision (k).
- (4) A managed wetland area, as defined in subdivision (l).
- (5) A submerged area, as defined in subdivision (m).

(6) An area enrolled in the United States Department of Agriculture Conservation Reserve Program or Conservation Reserve Enhancement Program.

(p) "Development" means, as used in Section 51223, the construction of buildings or the use of the restricted property if the buildings or use are unrelated to the agricultural use, the open-space use, or uses compatible with either agricultural or open-space uses of the property, or substantially impair the agricultural, open-space, or a combination of the agricultural and open-space uses of the property. Agricultural use, open-space use, uses compatible with either agricultural or open-space uses, or the acquisition of land or an interest in land are not development.

51203. (a) The assessor shall determine the current fair market value of the land as if it were free of the contractual restriction pursuant to Section 51283. The Department of Conservation or the landowner, also referred to in this section as "parties," may provide information to assist the assessor to determine the value. Any information provided to the assessor shall be served on the other party, unless the information was provided at the request of the assessor, and would be confidential under law if required of an assessee.

(b) Within 45 days of receiving the assessor's notice pursuant to subdivision (a) of Section 51283 or Section 51283.4, if the Department of Conservation or the landowner believes that the current fair market valuation certified pursuant to subdivision (b) of Section 51283 or Section 51283.4 is not accurate, the department or the landowner may request formal review from the county assessor in the county considering the petition to cancel the contract. The department or the landowner shall submit to the assessor and the other party the reasons for believing the valuation is not accurate and the additional information the requesting party believes may substantiate a recalculation of the property valuation. The assessor may recover his or her reasonable costs of the formal review from the party requesting the review, and may provide an estimate of those costs to the requesting party. The recovery of these costs from the department may be deducted by the city or county from cancellation fees received pursuant to this chapter prior to transmittal to the Controller for deposit in the Soil Conservation Fund. The assessor may require a deposit from the landowner to cover the contingency that payment of a cancellation fee will not necessarily result from the completion of a formal review. This subdivision shall not be construed as a limitation on the authority provided in Section 51287

for cities or counties to recover their costs in the cancellation process, except that the assessor's costs of conducting a formal review shall not be borne by the nonrequesting party.

(1) If no request is made within 45 days of receiving notice by certified mail of the valuation, the assessor's valuation shall be used to calculate the fee.

(2) Upon receiving a request for formal review, the assessor shall formally review his or her valuation if, based on the determination of the assessor, the information may have a material effect on valuation of the property. The assessor shall notify the parties that the formal review is being undertaken and that information to aid the assessor's review shall be submitted within 30 days of the date of the notice to the parties. Any information submitted to the assessor shall be served on the other party who shall have 30 days to respond to that information to the assessor. If the response to the assessor contains new information, the party receiving that response shall have 20 days to respond to the assessor as to the new information. All submittals and responses to the assessor shall be served on the other party by personal service or an affidavit of mailing. The assessor shall avoid ex parte contacts during the formal review and shall report any such contacts to the department and the landowner at the same time the review is complete. The assessor shall complete the review no later than 120 days of receiving the request.

(3) At the conclusion of the formal review, the assessor shall either revise the cancellation valuation or determine that the original cancellation valuation is accurate. The assessor shall send the revised valuation or notice of the determination that the valuation is accurate to the department, the landowner, and the board or council considering the petition to cancel the contract. The assessor shall include a brief narrative of what consideration was given to the items of information and responses directly relating to the cancellation value submitted by the parties. The assessor shall give no consideration to a party's information or response that was not served on the other party. If the assessor denies a formal review, a brief narrative shall be provided to the parties indicating the basis for the denial, if requested.

(c) For purposes of this section, the valuation date of any revised valuation pursuant to formal review or following judicial challenge shall remain the date of the assessor's initial valuation, or his or her initial recomputation pursuant to Section 51283.4. For purposes of cancellation fee calculation in a tentative cancellation as provided in Section 51283, or in a recomputation for final cancellation as provided in Section 51283.4, a cancellation value shall be considered current for one year after its determination and certification by the assessor.

(d) Notwithstanding any other provision of this section, the department and the landowner may agree on a cancellation valuation of the land. The agreed valuation shall serve as the cancellation valuation pursuant to Section 51283 or Section 51283.4. The agreement shall be transmitted to the board or council considering the petition to cancel the contract.

(e) This section represents the exclusive administrative procedure for appealing a cancellation valuation calculated pursuant to this section. The Department of Conservation shall represent the interests of the state in the administrative and judicial remedies for challenging the determination of a cancellation valuation or cancellation fee.

51205. Notwithstanding any provisions of this chapter to the contrary, land devoted to recreational use or land within a scenic highway corridor, a wildlife habitat area, a saltpond, a managed wetland area, or a submerged area may be included within an agricultural preserve pursuant to this chapter. When such land is included within an agricultural preserve, the city or county within which it is situated may contract with the owner for the purpose of restricting the land to recreational or open space use and uses compatible therewith in the same manner as provided in this chapter for land devoted to agricultural use. For purposes of this section, where the term "agricultural land" is used in this chapter, it shall be deemed to include land devoted to recreational use and land within a scenic highway corridor, a wildlife habitat area, a saltpond, a managed wetland area, or a submerged area, and where the term "agricultural use" is used in this chapter, it shall be deemed to include recreational and open space use.

51205.1. Notwithstanding any provisions of this chapter to the contrary, land within a scenic highway corridor, as defined in subdivision (i) of Section 51201, shall, upon the request of the owner, be included in an agricultural preserve pursuant to this chapter. When such land is included within an agricultural preserve, the city or county within which it is situated shall contract with the owner for the purpose of restricting the land to agricultural use as defined in subdivision (b), recreational use as defined in subdivision (n), open-space use as defined in subdivision (o), compatible use as defined in subdivision (e), or any combination of such uses.

51206. The Department of Conservation may meet with and assist local, regional, state, and federal agencies, organizations, landowners, or any other person or entity in the interpretation of this chapter. The department may research, publish, and disseminate information regarding the policies, purposes, procedures, administration, and implementation of this chapter. This section shall be liberally construed to permit the department to advise any interested person or entity regarding this chapter.

51207. (a) On or before May 1 of every other year, the Department of Conservation shall report to the Legislature regarding the implementation of this chapter by cities and counties.

(b) The report shall contain, but not be limited to, the number of acres of land under contract in each category and the number of acres of land which were removed from contract through cancellation, eminent domain, annexation, or nonrenewal.

(c) The report shall also contain the following specific information relating to not less than one-third of all cities and counties participating in the Williamson Act program:

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(1) The number of contract cancellation requests for which notices of hearings were mailed to the Director of Conservation pursuant to Section 51284 which were approved by boards or councils during the prior two years or for which approval is still pending by boards or councils.

(2) The amount of cancellation fees payable to the county treasurer as deferred taxes and which are required to be transmitted to the Controller pursuant to subdivision (d) of Section 51283 which have not been collected or which remain unpaid.

(3) The total number of acres covered by certificates of cancellation of contracts during the previous two years.

(4) The number of nonrenewal and withdrawal of renewal notices received pursuant to Section 51245 and the number of expiration notices received pursuant to Section 51246 during the previous two years.

(5) The number of acres covered by nonrenewal notices that were not withdrawn and expiration notices during the previous two years.

(d) The department may recommend changes to this chapter which would further promote its purposes.

(e) The Legislature may, upon request of the department, appropriate funds from the deferred taxes deposited in the General Fund pursuant to subdivision (d) of Section 51283 in an amount sufficient to prepare the report required by this section.

GOVERNMENT CODE

SECTION 51230-51239

51230. Beginning January 1, 1971, any county or city having a general plan, and until December 31, 1970, any county or city, by resolution, and after a public hearing may establish an agricultural preserve. Notice of the hearing shall be published pursuant to Section 6061, and shall include a legal description, or the assessor's parcel number, of the land which is proposed to be included within the preserve. The preserves shall be established for the purpose of defining the boundaries of those areas within which the city or county will be willing to enter into contracts pursuant to this act. An agricultural preserve shall consist of no less than 100 acres; provided, that in order to meet this requirement two or more parcels may be combined if they are contiguous or if they are in common ownership; and further provided, that in order to meet this requirement land zoned as timberland production pursuant to Chapter 6.7 (commencing with Section 51100) may be taken into account.

A county or city may establish agricultural preserves of less than 100 acres if it finds that smaller preserves are necessary due to the unique characteristics of the agricultural enterprises in the area and that the establishment of preserves of less than 100 acres is consistent with the general plan of the county or city.

An agricultural preserve may contain land other than agricultural land, but the use of any land within the preserve and not under contract shall within two years of the effective date of any contract on land within the preserve be restricted by zoning, including appropriate minimum parcel sizes that are at a minimum consistent with this chapter, in such a way as not to be incompatible with the agricultural use of the land, the use of which is limited by contract in accordance with this chapter.

Failure on the part of the board or council to restrict the use of land within a preserve but not subject to contract shall not be sufficient reason to cancel or otherwise invalidate a contract.

51230.1. (a) Nothing contained in this chapter shall prevent the transfer of ownership from one immediate family member to another of a portion of land which is currently designated as an agricultural preserve in accordance with the provisions of this chapter, if all of the following conditions are satisfied:

(1) The parcel to be transferred is at least 10 acres in size in the case of prime agricultural land or at least 40 acres in size in the case of land which is not prime agricultural land, and otherwise meets the requirements of Section 51222.

(2) The parcel to be transferred conforms to the applicable local zoning and land division ordinances and any applicable local coastal program certified pursuant to Chapter 6 (commencing with Section 30500) of Division 20 of the Public Resources Code.

(3) The parcel to be transferred complies with all applicable

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requirements relating to agricultural income and permanent agricultural improvements which are imposed by the county or city as a condition of a contract executed pursuant to Article 3 (commencing with Section 51240) covering the land of which the parcel to be transferred is a portion. For purposes of this paragraph, if the contracted land already complies with these requirements, the portion of that land to be transferred shall be deemed to comply with these requirements.

(4) There exists a written agreement between the immediate family members who are parties to the proposed transfer that the land which is subject to a contract executed pursuant to Article 3 (commencing with Section 51240) and the portion of that land which is to be transferred will be operated under the joint management of the parties subject to the terms and conditions and for the duration of the contract executed pursuant to Article 3 (commencing with Section 51240).

(b) A transfer of ownership described in subdivision (a) shall have no effect on any contract executed pursuant to Article 3 (commencing with Section 51240) covering the land of which a portion was the subject of that transfer. The portion so transferred shall remain subject to that contract.

(c) For purposes of this section, "immediate family" means the spouse of the landowner, the natural or adopted children of the landowner, the parents of the landowner, or the siblings of the landowner.

51230.2. (a) Except as provided in Section 51238, and notwithstanding Section 51222 or 66474.4, a landowner may subdivide land that is currently designated as an agricultural preserve if all of the following apply:

(1) The parcel to be sold or leased is no more than five acres.

(2) The parcel shall be sold or leased to a nonprofit organization, a city, a county, a housing authority, or a state agency. A lessee that is a nonprofit organization shall not sublease that parcel without the written consent of the landowner.

(3) The parcel to be sold or leased shall be subject to a deed restriction that limits the use of the parcel to agricultural laborer housing facilities for not less than 30 years. That deed restriction shall also require that parcel to be merged with the parcel from which it was subdivided when the parcel ceases to be used for agricultural laborer housing.

(4) There is a written agreement between the parties to the sale or lease and their successors to operate the parcel to be sold or leased under joint management of the parties, subject to the terms and conditions and for the duration of the contract executed pursuant to Article 3 (commencing with Section 51240).

(5) The parcel to be sold or leased is (A) within a city or (B) in an unincorporated territory or sphere of influence that is contiguous to one or more parcels that are already zoned residential, commercial, or industrial and developed with existing residential, commercial, or industrial uses.

(b) The agricultural labor housing project shall be designed to abate, to the extent practicable, impacts on adjacent landowners' agricultural husbandry practices. The final plan for the housing shall include an addendum that explains what features will be

consistent with the general plan, and the board or council shall make a finding to that effect. Final action upon the establishment of an agricultural preserve may not be taken by the board or council until the report required by this section is received from the planning department or planning commission, or until the required 30 days have elapsed and any extension thereof granted by the board or council has elapsed.

51235. An agricultural preserve shall continue in full effect following annexation, detachment, incorporation or disincorporation of land within the preserve.

Any city or county acquiring jurisdiction over land in a preserve by annexation, detachment, incorporation or disincorporation shall have all the rights and responsibilities specified in this act for cities or counties including the right to enlarge, diminish or disestablish an agricultural preserve within its jurisdiction.

51236. The effect of removal of land under contract from an agricultural preserve shall be the equivalent of notice of nonrenewal by the city or county removing the land from the agricultural preserve and such city or county shall, at least 60 days prior to the next renewal date following the removal, serve a notice of nonrenewal as provided in Section 51245. Such notice of nonrenewal shall be recorded as provided in Section 51248.

51237. Whenever an agricultural preserve is established, and so long as it shall be in effect, a map of such agricultural preserve and the resolution under which the preserve was established shall be filed and kept current by the city or county with the county recorder.

51237.5. On or before the first day of September of each year, each city or county in which any agricultural preserve is located shall file with the Director of Conservation a map of each city or county and designate thereon all agricultural preserves in existence at the end of the preceding fiscal year.

51238. (a) (1) Notwithstanding any determination of compatible uses by the county or city pursuant to this article, unless the board or council after notice and hearing makes a finding to the contrary, the erection, construction, alteration, or maintenance of gas, electric, water, communication, or agricultural laborer housing facilities are hereby determined to be compatible uses within any agricultural preserve.

(2) No land occupied by gas, electric, water, communication, or agricultural laborer housing facilities shall be excluded from an agricultural preserve by reason of that use.

agricultural preserve pursuant to this chapter.

(g) "Council" means the city council of a city which establishes or proposes to establish an agricultural preserve or which enters or proposes to enter into a contract on land within an agricultural preserve pursuant to this chapter.

(h) Except where it is otherwise apparent from the context, "county" or "city" means the county or city having jurisdiction over the land.

(i) A "scenic highway corridor" is an area adjacent to, and within view of, the right-of-way of:

(1) An existing or proposed state scenic highway in the state scenic highway system established by the Legislature pursuant to Article 2.5 (commencing with Section 260) of Chapter 2 of Division 1 of the Streets and Highways Code and which has been officially designated by the Department of Transportation as an official state scenic highway; or

(2) A county scenic highway established pursuant to Article 2.5 (commencing with Section 260) of Chapter 2 of Division 1 of the Streets and Highways Code, if each of the following conditions have been met:

(A) The scenic highway is included in an adopted general plan of the county or city; and

(B) The scenic highway corridor is included in an adopted specific plan of the county or city; and

(C) Specific proposals for implementing the plan, including regulation of land use, have been approved by the Advisory Committee on a Master Plan for Scenic Highways, and the county or city highway has been officially designated by the Department of Transportation as an official county scenic highway.

(j) A "wildlife habitat area" is a land or water area designated by a board or council, after consulting with and considering the recommendation of the Department of Fish and Game, as an area of importance for the protection or enhancement of the wildlife resources of the state.

(k) A "saltpond" is an area which, for at least three consecutive years immediately prior to being placed within an agricultural preserve pursuant to this chapter, has been used for the solar evaporation of seawater in the course of salt production for commercial purposes.

(l) A "managed wetland area" is an area, which may be an area diked off from the ocean or any bay, river or stream to which water is occasionally admitted, and which, for at least three consecutive years immediately prior to being placed within an agricultural preserve pursuant to this chapter, was used and maintained as a waterfowl hunting preserve or game refuge or for agricultural purposes.

(m) A "submerged area" is any land determined by the board or council to be submerged or subject to tidal action and found by the board or council to be of great value to the state as open space.

(n) "Recreational use" is the use of land in its agricultural or natural state by the public, with or without charge, for any of the following: walking, hiking, picnicking, camping, swimming, boating, fishing, hunting, or other outdoor games or sports for which facilities are provided for public participation. Any fee charged for the recreational use of land as defined in this subdivision shall be in a reasonable amount and shall not have the effect of unduly limiting its use by the public. Any ancillary structures necessary

(b) The board of supervisors may impose conditions on lands or land uses to be placed within preserves to permit and encourage compatible uses in conformity with Section 51238.1, particularly public outdoor recreational uses.

51238.1. (a) Uses approved on contracted lands shall be consistent with all of the following principles of compatibility:

(1) The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.

(2) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.

(3) The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.

In evaluating compatibility a board or council shall consider the impacts on noncontracted lands in the agricultural preserve or preserves.

(b) A board or council may include in its compatible use rules or ordinance conditional uses which, without conditions or mitigations, would not be in compliance with this section. These conditional uses shall conform to the principles of compatibility set forth in subdivision (a) or, for nonprime lands only, satisfy the requirements of subdivision (c).

(c) In applying the criteria pursuant to subdivision (a), the board or council may approve a use on nonprime land which, because of onsite or offsite impacts, would not be in compliance with paragraphs (1) and (2) of subdivision (a), provided the use is approved pursuant to a conditional use permit that shall set forth findings, based on substantial evidence in the record, demonstrating the following:

(1) Conditions have been required for, or incorporated into, the use that mitigate or avoid those onsite and offsite impacts so as to make the use consistent with the principles set forth in paragraphs (1) and (2) of subdivision (a) to the greatest extent possible while maintaining the purpose of the use.

(2) The productive capability of the subject land has been considered as well as the extent to which the use may displace or impair agricultural operations.

(3) The use is consistent with the purposes of this chapter to preserve agricultural and open-space land or supports the continuation of agricultural uses, as defined in Section 51205, or the use or conservation of natural resources, on the subject parcel or on other parcels in the agricultural preserve. The use of mineral resources shall comply with Section 51238.2.

(4) The use does not include a residential subdivision.

For the purposes of this section, a board or council may define nonprime land as land not defined as "prime agricultural land" pursuant to subdivision (c) of Section 51201 or as land not

CHAPTER 23

Aesthetics/Site 40 Alternative

23.1 Introduction

This chapter discusses the existing visual character of Site 40 and analyzes the potential for the alternative to affect the existing visual characteristics and views of Site 40. A site visit was conducted on July 29, 2009 to evaluate views from Site 40 and on September 2, 2009 to evaluate views of Site 40 from the surrounding area. The information presented in this chapter is unique to Site 40 and the reader is referred to Chapter 13, Aesthetics, in cases where aesthetic setting information and/or impact analysis is the same for Site 40 as the project site.

23.2 Setting

Regional Characteristics

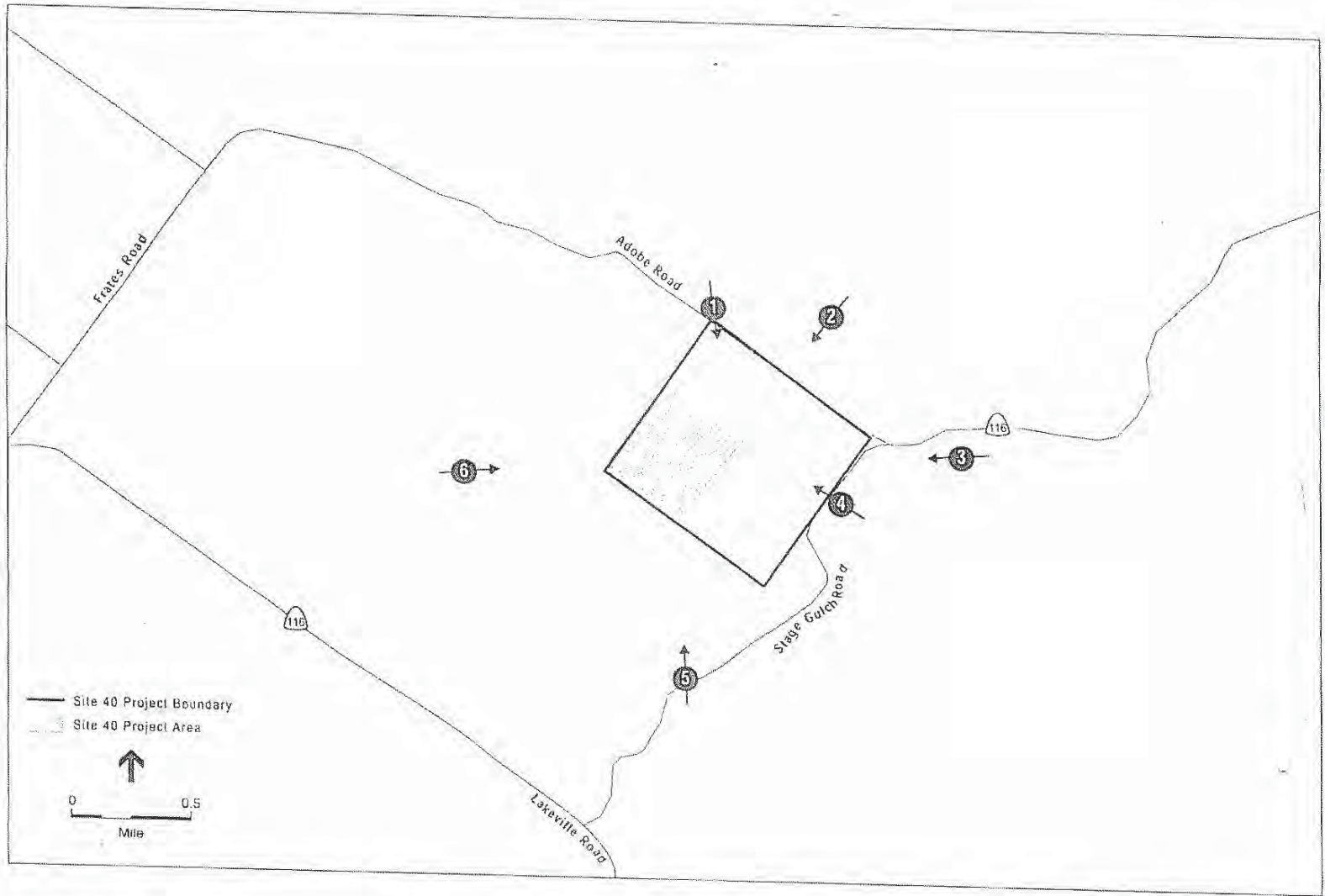
Site 40 is also located within the Petaluma and Environs Planning Area. The regional characteristics of this area are discussed in Chapter 13, Aesthetics. Site 40 is located in a rural and agrarian area, near active agricultural operations just east of the City of Petaluma.

Site 40 Characteristics

Site 40 consists of agricultural land which is currently used for cattle grazing. The site contains structures associated with past dairy farming operations. The immediate vicinity includes rural residences, grazing lands, vineyards and open space. Site 40 is located in an area with rolling hills. Site elevation ranges from approximately 150 to 400 feet above mean sea level. Site 40 is not within an area designated as a community separator or scenic landscape unit. State Route 116 (or Stage Gulch Road) and Adobe Road are designated as scenic corridors by Sonoma County.

Viewpoints

The Site 40 composting area would be visible from the surrounding area. A definition of short-range and long-range is provided in Chapter 13, Aesthetics. Due to the location of the composting area on Site 40, there are no short-range views of the site. Based on a review of aerial photography and July/September 2009 site visits, several long-range viewpoints were chosen to characterize off-site views, as shown on **Figure 23-1**.



SOURCE: ESA, 2009

SCWMA Compost Facility EIR . 207312

Figure 23-1
Site 40 Viewpoint Map

Long-Range Views

Long-range views of Site 40 include public roadways and private property. Private properties include single-family residences and commercial agricultural operations such as dairy farming or vineyards. Figure 23-2a and 2b provides photographs of several long-range views of Site 40. Site 40 is visible from Adobe Road (Viewpoint 1), Stage Gulch Road (east of the site, Viewpoint 4) and partially visible from Riscioni Road (Viewpoint 3). From these off-site views Site 40 blends with the surrounding grazing land and open space with rolling hills. Motorist views along these roads are short due to the speed of travel, and intermittent due to topography. From Soldat Road (Viewpoint 2) there is not a direct view of the site due to a hill and trees between this point and Site 40. Stage Gulch Road from the south (Viewpoints 5) and Periera Road (Viewpoint 6) are located on the opposite side of large hills which block views of Site 40.

Visual Sensitivity

The Sonoma County's Permit and Resource Management Department provides Visual Assessment Guidelines which are discussed in Chapter 13, Aesthetics. Site 40 would be considered of moderate visual quality. Site 40 and the surrounding vicinity are rural and characterized by agricultural uses and open space on rolling hills. Site 40 is not located within a scenic corridor setback (defined as 30 percent of the depth of the lot to a maximum of 200 feet from the centerline of the roadway), and the site's zoning and land use designation do not identify it as a protected scenic resource. The rolling hills and agricultural use on Site 40 contribute to the rural character along the nearby scenic corridors. The site itself does not contain individual landscape or architectural features with significant aesthetics value.

Regulatory Environment

California Scenic Highway Program and Scenic Corridor Protection Program

The State's Scenic Highway Program is described in Chapter 13, Aesthetics. State Route 116 is not an officially designated or eligible state scenic highway in the vicinity of Site 40 (California Scenic Highway Mapping System, 2007).

Sonoma County General Plan 2020

The relevant objectives and policies of the Sonoma County General Plan 2020 for aesthetic issues are discussed in Chapter 13, Aesthetics. Site 40 is not located within a community separator area or scenic landscape unit. A scenic landscape unit is located approximately 0.5 miles west of Site 40. State Route 116 and Adobe Road are designated as scenic corridors.

23.3 Impacts and Mitigation Measures

Significance Criteria

The significance criteria are the same as those discussed in Chapter 13, Aesthetics.

Impact Discussion

Impact 23.1: The Site 40 Alternative would alter the visual character of Site 40. (Significant)

While SCWMA is not required to use County Visual Assessment Guidelines, they provide a useful method for analyzing visual impacts within Sonoma County. As discussed in the Visual Sensitivity setting information above, Site 40 is considered of moderate visual sensitivity. The visual dominance of the Site 40 alternative is dependent on many elements or characteristics of the development (See Chapter 13, Aesthetics, Table 13-2). 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 (See Chapter 13, Aesthetics, Table 13-3). Due to the subjective nature of the assessment, it is possible that the dominance of this alternative for off-site viewers is a **significant** impact.

Mitigation Measure

Mitigation Measure 23.1: The alternative shall incorporate landscaping or other screening measures, such as the use of native trees and/or a vegetated berm, along the northeastern and southeastern boundaries of the Site 40 composting area.

Significance after Mitigation: Less than significant.

Impact 23.2: This alternative could result in the production of new sources of light and/or glare. (Significant)

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 Measure 23.1 discussed above would aid in reducing day-time glare. Typical hours of operation for the 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. This impact is **significant**.

Mitigation Measure

Mitigation Measure 23.2: Implement Mitigation Measure 13.2.

Significance after Mitigation: Less than significant.

23.4 References

- California Scenic Highway Mapping System, 2007. Officially Designated and Eligible Scenic Highways in Sonoma County. Last updated 12-07-2007. Available at: http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm
- Sonoma County, 2008. *Sonoma County General Plan 2020*. Sonoma County Permits and Resource Management Department, Sonoma, CA. Adopted by Resolution No. 08-0808 of the Sonoma County Board of Supervisors on September 23, 2008. Available at: <http://www.sonoma-county.org/prmd/gp2020/adopted/index.htm>.



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Regulations: Title 14, Natural Resources--Division 7, CIWMB

Chapter 3.1. Compostable Materials Handling Operations and Facilities Regulatory Requirements

Article 1. General

Section 17850. Authority and Scope.

(a) This Chapter is adopted pursuant to and for the purpose of implementing the California Integrated Waste Management Act of 1989 (Act) commencing with section 40000 of the Public Resources Code, as amended. These regulations should be read together with the Act.

(b) This Chapter implements those provisions of the Act relating to composting. Nothing in this Chapter is intended to limit the power of any federal, state, or local agency to enforce any provision of law that it is authorized or required to enforce or administer.

(c) Biological decomposition of organic material can be both a naturally occurring or artificially controlled process. This Chapter establishes standards and regulatory requirements for intentional and inadvertent composting resulting from the handling of compostable materials, including but not limited to feedstock, compost, or chipped and ground materials as defined in section 17852.

(d) Nothing in these standards shall be construed as relieving any owner, operator, or designee from the obligation of obtaining all required permits, licenses, or other clearances and complying with all orders, laws, regulations, or reports, or other requirements of other regulatory or EA, including but not limited to, local health entities, regional water quality control boards, air quality management districts or air pollution control districts, local land use authorities, and fire authorities.

(e) Nothing in these standards precludes the EA or the board from inspecting an activity, operation or facility to determine if it is subject to these standards.

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

Section 17852. Definitions.

(a) For the purposes of this Chapter:

(1) "Active Compost" means compost feedstock that is in the process of being rapidly decomposed and is unstable. Active compost is generating temperatures of at least 50 degrees Celsius (122 degrees Fahrenheit) during decomposition; or is releasing carbon dioxide at a rate of at least 15 milligrams per gram of compost per day, or the equivalent of oxygen uptake.

(2) "Additives" means material mixed with feedstock or active compost in order to adjust the moisture level, carbon to nitrogen ratio, or porosity to create a favorable condition. Additives include, but are not limited to, fertilizers and urea. Additives do not include septage, biosolids, or compost feedstock.

(3) "Aerated Static Pile" means a composting process that uses an air distribution system to either blow or draw air through the pile. Little or no pile agitation or turning is performed.

(4) "Aerobic Decomposition" means the biological decomposition of organic substances in the presence of oxygen.

(5) "Agricultural Material" means material of plant or animal origin, which result from the production and processing of farm, ranch, agricultural, horticultural, aquacultural, silvicultural, floricultural, vermicultural, or viticultural products, including manures, orchard and vineyard prunings, and crop residues.

(6) "Agricultural Material Composting Operation" means an operation that produces compost from green or agricultural additives, and/or amendments.

(7) "Amendments" means materials added to stabilized or cured compost to provide attributes for certain compost products, such as product bulk, product nutrient value, product pH, and soils blend. Amendments do not include septage, biosolids, or compost feedstock.

(8) "Anaerobic Decomposition" means the biological decomposition of organic substances in the absence of oxygen.

(9) "Biosolids" means solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Biosolids includes, but is not limited to, treated domestic septage and scum or solids removed in primary, secondary, or advanced wastewater treatment processes. Biosolids does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during the preliminary treatment of domestic sewage in a treatment works.

(10) "Chipping and Grinding Operations and Facilities" means an operation or facility, that does not produce compost, that mechanically reduces the size or otherwise engages in the handling, of compostable material and:

(A) The site does the following:

1. The site handles only material, excluding manure, allowed at a green material composting operation or facility as set forth in section 17852(a)(22); and
2. Each load of green material is removed from the site within 48 hours of receipt. The EA may allow a site to keep green material on-site for up to 7 days if the EA determines that the additional time does not increase the potential for violations of this Chapter.

(B) If the site fails to meet the definition of green material because it exceeds the contamination limits in section 17852(a)(21), the site shall be regulated as set forth in the Transfer/Processing Regulatory requirements (commencing at section 17400).

(C) If the site fails to meet the definition of this section because the green material remains on-site for a longer period of time than allowed, then the site shall be regulated as a compostable material handling operation or facility, as set forth in this Chapter.

(11) "Compostable Material" means any organic material that when accumulated will become active compost as defined in section 17852(a)(1).


(12) "Compostable Material Handling Operation" or "Facility" means an operation or facility that processes, transfers, or stores compostable material. Handling of

compostable materials results in controlled biological decomposition. Handling includes composting, screening, chipping and grinding, and storage activities related to the production of compost, compost feedstocks, and chipped and ground materials. "Compostable Materials Handling Operation or Facility" does not include activities excluded from regulation in section 17855. "Compostable Materials Handling Operation or Facility" also includes:

- (A) agricultural material composting operations;
- (B) green material composting operations and facilities;
- (C) research composting operations; and
- (D) chipping and grinding operations and facilities.

(13) "Curing" means the final stage of the composting process that occurs after compost has undergone pathogen reduction, as described in section 17868.3, and after most of the readily metabolized material has been decomposed and stabilized.

(14) "Domestic Sewage" means waste and wastewater from humans or household operations that is discharged to or otherwise enters a treatment works.

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(15) "Disposal" means:

(A) stockpiling of compostable material onto land for a combined period of time greater than six months, or agricultural and green material for twelve months on prime agricultural land as defined in [Government Code section 51201](#), unless the RWQCB in consultation with the EA makes a written finding that the material may remain within the operations area for a period of time greater than specified.

(B) disposal does not include the use of compostable material for alternative daily cover material at a solid waste landfill. Notwithstanding this section, use of compostable organic material as a alternative daily cover material shall still require approval for use pursuant to Title 27, California Code of Regulations, section 20680 and may require additional approvals from other governmental agencies, including, but not limited to RWQCB and Air Districts.

(C) disposal does not include land application of compostable organic material. "Land Application" means the application of compostable material, excluding food material or mixed solid waste for the following applications: to forest, agricultural, and range land at agronomic rates; in accordance with California Department of Food and Agriculture (CDFA) requirements for beneficial use as authorized by [Food and Agricultural Code section 14501](#) et seq.; or for beneficial uses that may be otherwise exempt or excluded from regulation by CDFA.

(D) Should the EA have information that a compostable material handler is engaging in other activities that meet the definition of disposal, the burden of proof shall be on the land owner or operator to demonstrate otherwise.

(E) If the activities at a site meet the definition of disposal, the site shall be regulated as set forth in the Consolidated Regulations for Treatment, Storage, Processing or Disposal of Solid Waste (commencing at Title 27, California Code of Regulations, section 20005).

(16) "Dry Weight Basis" means weight calculated on the basis of having been dried until reaching a constant mass, that results in essentially 100 percent solids content.

(17) "Enclosed Composting Process" means a composting process where the area that is used for the processing, composting, stabilizing, and curing of organic materials, is covered on all exposed sides and rests on a stable surface with environmental controls for moisture and airborne emissions present.

(18) "EA" means enforcement agency.

(19) "Feedstock" means any compostable material used in the production of compost or chipped and ground material including, but not limited to, agricultural material, green material, food material, biosolids, and mixed solid waste. Feedstocks shall not be considered as either additives or amendments.

(20) "Food Material" means any material that was acquired for animal or human consumption, is separated from the municipal solid waste stream, and that does not meet the definition of "agricultural material." Food material may include material from food facilities as defined in Health and Safety Code section 113785, grocery stores, institutional cafeterias (such as, prisons, schools and hospitals) or residential food scrap collection.

(21) "Green Material" means any plant material that is separated at the point of generation, contains no greater than 1.0 percent of physical contaminants by weight, and meets the requirements of section 17868.5. Green material includes, but is not limited to, yard trimmings, untreated wood wastes, natural fiber products, and construction and demolition wood waste. Green material does not include food material, biosolids, mixed solid waste, material processed from commingled collection, wood containing lead-based paint or wood preservative, mixed construction or mixed demolition debris.

(22) "Green Material Composting Operation" or "Facility" is an operation or facility that composts green material, additives, and/or amendments. A green material composting operation or facility may also handle manure and paper products. An operation or facility that handles a feedstock that is not green material, manure, or paper products, shall not be considered a green material composting operation or facility. "Green Material Composting Operation" or "Facility" does not include activities excluded from regulation in section 17855.

(23) "Handling" means the processing, transfer, and storage of compostable materials. Handling of compostable materials results in controlled biological decomposition. Handling includes composting, screening, chipping and grinding, and storage activities related to the production of compost, compost feedstocks, and chipped and ground materials.

(24) "Insulating Material" means material used for the purpose of minimizing the loss of heat from a compost pile undergoing the "Process to Further Reduce Pathogens" (PFRP), as described in section 17868.3. Insulating material includes, but is not limited to, soil and stabilized compost.

(25) "Manure" is an agricultural material and means accumulated herbivore or avian excrement. This definition shall include feces and urine, and any bedding material, spilled feed, or soil that is mixed with feces or urine.

(26) "Mixed Solid Waste" means any material that is part of the municipal solid waste stream, and is mixed with or contains non-organics, processed industrial materials, or plastics. A feedstock that is not separated or contains 1.0% or more physical contaminants by weight is mixed solid waste. Compostable material that contains mixed demolition or mixed construction debris shall be considered mixed solid waste.

(27) "Mushroom Farm" means an activity that produces mushrooms. The handling of compostable material at a mushroom farm prior to and after use as a growth medium is subject to regulation pursuant to this chapter and is not considered mushroom

farming.

(28) "Operations Area" means the following areas within the boundary of a compostable material handling operation or facility:

- (A) equipment cleaning, maintenance, and storage areas;
- (B) feedstock, active, curing and stabilized compost processing or stockpiling areas; and
- (C) process water and stormwater drainage control systems.

(29) "Operator" means the owner, or other person who through a lease, franchise agreement or other arrangement with the owner, becomes legally responsible for the following:

- (A) complying with regulatory requirements set forth in this Chapter;
- (B) complying with all applicable federal, state and local requirements;
- (C) the design, construction, and physical operation of the site; and
- (D) site restoration.

(30) "Owner" means the person or persons who own, in whole or in part, a compostable material handling operation or facility, or the land on which these operations or facilities are located.

(31) "Pathogenic Organism" means disease-causing organisms.

(32) "Physical Contamination" or "Contaminants" means human-made inert products contained within feedstocks, including, but not limited to, glass, metal, and plastic.

(33) "Process Water" means liquid that is generated during or used in the production of compost or chipped and ground materials.

(34) "Research Composting Operation" means a composting operation, that is operated for the purpose of gathering research information on composting.

(35) "Separated At The Point of Generation" includes material separated from the solid waste stream by the generator of that material. It may also include material from a centralized facility as long as that material was kept separate from the waste stream prior to receipt by that facility and the material was not commingled with other materials during handling.

(36) "Stabilized Compost" means any organic material that has undergone the Process to Further Reduce Pathogens (PFRP), as described in section 17868.3, and has reached a stage of reduced biological activity as indicated by reduced temperature and rate of respiration below that of active compost.

(37) "Static Pile" means a composting process that is similar to the aerated static pile except that the air source may or may not be controlled.

(38) "Vector" includes any insect or other arthropod, rodent, or other animal capable of transmitting the causative agents of human disease.

(39) "Vermicomposting" means an activity that produces worm castings through worm activity. The EA may determine whether an activity is or is not vermicomposting. The handling of compostable material prior to and after use as a growth medium is subject to regulation pursuant to this chapter and is not considered vermicomposting.

(40) "Windrow Composting Process" means the process in which compostable material is placed in elongated piles. The piles or "windrows" are aerated and/or

mechanically turned on a periodic basis.

(41) "Within-vessel Composting Process" means a process in which compostable material is enclosed in a drum, silo, bin, tunnel, reactor, or other container for the purpose of producing compost, maintained under uniform conditions of temperature and moisture where air-borne emissions are controlled.

(42) "Wood Waste" means solid waste consisting of wood pieces or particles which are generated from the manufacturing or production of wood products, harvesting, processing or storage of raw wood materials, or construction and demolition activities.

(43) "Yard Trimmings" means any wastes generated from the maintenance or alteration of public, commercial or residential landscapes including, but not limited to, yard clippings, leaves, tree trimmings, prunings, brush, and weeds.

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

Section 17853.0. Approval of Alternatives.

(a) Approvals, determinations and other requirements that the EA is authorized to make in this Chapter shall be provided in writing by the EA to the operator. The operator shall place a copy of these approvals, in addition to those records identified in sections 17869, in the operating record.

(b) Some of the provisions of this Chapter allow the EA to approve a reduced inspection frequency. The EA shall only approve a reduced inspection frequency if the EA finds that it is as protective of the public health and safety and the environment as the standard inspection frequency.

(c) Some of the standards contained in this Chapter allow the EA to approve an alternative method of compliance with the standard. These provisions are not intended to allow the EA to change the particular standard, but are intended to allow the EA flexibility to approve, in advance, an alternative method of meeting the existing standard. For facilities that require a full solid waste facilities permit, the EA may choose to include the approved method as a term and condition of the solid waste facilities permit, rather than in the manner authorized by subdivision (a) of this section. If the method is included in the Compostable Materials Handling Facility Permit, a change to the method may require a revision to the solid waste facilities permit in accordance with the procedures set forth in Title 27, Division 2, Subdivision 1, Chapter 4, Subchapter 3, Articles 2, 3, and 3.1 (commencing with section 21570).


Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

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Article 2. Regulatory Tiers for Composting Operations and Facilities

Section 17854. Compostable Materials Handling Facility Permit Requirements.

Except as specified in this Article, all compostable materials handling activities shall obtain a Compostable Materials Handling Facility Permit pursuant to the requirements of Title 27, California Code of Regulations, Division 2, Subdivision 1, Chapter 4, Subchapter 1 and Subchapter 3, Articles 1, 2, 3 and 3.1 (commencing with section 21450) prior to commencing operations.

Note:**Authority cited:**

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

Section 17855. Excluded Activities.

(a) The activities listed in this section do not constitute compostable material handling operations or facilities for the purposes of this Chapter and are not required to meet the requirements set forth herein. Nothing in this section precludes the EA or the board from inspecting an excluded activity to verify that the activity is being conducted in a manner that qualifies as an excluded activity or from taking any appropriate enforcement action.

(1) An activity is excluded if it handles agricultural material derived from an agricultural site, and returns a similar amount of the material produced to that same agricultural site, or an agricultural site owned or leased by the owner, parent, or subsidiary of the composting activity. No more than an incidental amount of up to 1,000 cubic yards of compost product may be given away or sold annually.

(2) Vermicomposting is an excluded activity. The handling of compostable material prior to and after use as a growth medium is not an excluded activity and is subject to the requirements of this chapter. Handling of agricultural material on the site of a vermicomposting activity, for use as a growth medium on that same site, is an excluded activity if it complies with section 17855(a)(1).

(3) Mushroom farming is an excluded activity. The handling of compostable material prior to and after use as a growth medium is not an excluded activity and is subject to the requirements of this chapter. Handling of agricultural material on the site of a mushroom farm, for use as mushroom bedding on that same site, is an excluded activity if it complies with section 17855(a)(1).

(4) Handling of green material, feedstock, additives, amendments, compost, or chipped and ground material is an excluded activity if 500 cubic yards or less is on-site at any one time, the compostable materials are generated on-site and if no more than 1,000 cubic yards of materials are either sold or given away annually. The compostable material may also include up to 10% food material by volume.

(5) The handling of compostable materials is an excluded activity if:

(A) the activity is located at a facility (i.e., landfill or transfer/processing facility) that has a tiered or full permit as defined in section 18101,

1. has a Report of Facility Information which is completed and submitted to the EA that identifies and describes the activity and meets the requirements of Titles 14 or 27; and,

2. will only use the material on the facility site, or

(B) the activity is solely for the temporary storage of biosolids sludge at a Publicly Operated Treatment Works (POTW), or

(C) the activity is located at the site of biomass conversion and is for use in biomass conversion as defined in Public Resources Code section 40106; or

(D) the activity is part of a silvicultural operation or a wood, paper, or wood product manufacturing operation; or

(E) the activity is part of an agricultural operation and is used to temporarily store or process agricultural material not used in the production of compost or mulch; or

(F) the activity is part of an operation used to chip and grind materials derived from and applied to lands owned or leased by the owner, parent, or subsidiary of the operation; or

(G) the activity is part of an agricultural operation used to chip and grind agricultural material produced on lands owned or leased by the owner, parent, or subsidiary of the agricultural operation, for use in biomass conversion; or

(H) the activity is part of an animal food manufacturing or rendering operation.

(I) the activity is the storage of yard trimmings at a publicly designated site for the collection of lot clearing necessary for fire protection provided that the public agency designating the site has notified the fire protection agency; or

(J) the materials are handled in such a way to preclude their reaching temperatures at or above 122 degrees Fahrenheit as determined by the EA.

(6) Non-commercial composting with less than one cubic yard of food material is excluded provided that all compostable material is generated and used on-site.

(7) Storage of bagged products from compostable material is an excluded activity provided that such bags are no greater than 5 cubic yards.

(8) Within-vessel composting process activities with less than 50 cubic yard capacity are excluded.

(9) Beneficial use of compostable materials is an excluded activity. Beneficial use includes, but is not limited to slope stabilization, weed suppression, alternative daily cover, and similar uses, as determined by the EA; land application in accordance with California Department of Food and Agriculture requirements for a beneficial use as authorized by Food and Agricultural Code section 14501 et seq.; and reclamation projects in accordance with the requirements of the Office of Mine Reclamation of the Department of Conservation as authorized by Public Resources Code section 2770 et seq.

Section 17855.2. Prohibitions.

(a) The composting of unprocessed mammalian tissue, including but not limited to, flesh, organs, hide, blood, bone and marrow is prohibited, except when from the food service industry, grocery stores, or residential food scrap collection, or as part of a research composting operation for the purpose of obtaining data on pathogen reduction or other public health, animal health, safety, or environmental concern, in accordance with section 17862.

(b) The composting of medical waste is prohibited.

(c) The composting of hazardous waste is prohibited.

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

Section 17855.3. Permit Name.

Any permit issued pursuant to this Article, except for one issued pursuant to section 17862.1(b), shall be entitled: "Compostable Materials Handling Facility Permit."

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Section 17855.4. Pre-existing Permits and Notifications.

(a) If a facility had previously obtained a Registration or Standardized Permit in accordance with the regulations in effect prior to April 4, 2003, that facility may continue to operate in accordance with its permit, until the EA conducts a permit review pursuant to Title 14, California Code of Regulations, section 18104.7 and 18105.9 and determines that a Compostable Materials Handling Facility Permit is required. If the EA makes such a determination, the operator shall comply with the Compostable Materials Handling Facility Permit requirements set forth in Title 27, California Code of Regulations, Division 2, Subdivision 1, Chapter 4, Subchapter 1 and Subchapter 3, Articles 1, 2, 3, and 3.1 (commencing with section 21450) within two years of that determination.

(b) If an operation had previously been operating pursuant to an EA Notification in accordance with the regulations in effect prior to April 4, 2003, that operation may continue to operate in accordance with its EA Notification or regulatory authorization until the EA determines that a Compostable Materials Handling Facility Permit is required. The EA shall make this determination no sooner than 120 days and no later than two years from April 4, 2003. If the EA determines that a Compostable Materials Handling Facility Permit is required, the operator shall comply with the Compostable Materials Handling Facility Permit requirements set forth in Title 27, California Code of Regulations, Division 2, Subdivision 1, Chapter 4, Subchapter 1 and Subchapter 3, Articles 1, 2, 3, and 3.1 (commencing with section 21450) within two years of that determination.

(c) If an activity has previously been excluded from the regulations in effect prior to April 4, 2003, that activity may continue to operate in accordance with its regulatory exclusion until the EA determines that a Compostable Materials Handling Facility Permit is required. The EA shall make this determination no sooner than 120 days and no later than two years from April 4, 2003. If the EA determines that a Compostable Materials Handling Facility Permit is required, the operator shall comply with the Compostable Material Handling Facility Permit requirements set forth in Title 27, California Code of Regulations, Division 2, Subdivision 1, Chapter 4, Subchapter 1 and Subchapter 3, Articles 1, 2, 3, and 3.1 (commencing with section 21450) within two years of that determination.

(d) Notwithstanding other provisions of this section, a Chipping and Grinding activity that is currently operating in accordance with the regulations in effect prior to April 4, 2003, may continue to operate in accordance with its regulatory authorization until the EA determines that a different authorization is required. The EA shall make this determination within 120 days from April 4, 2003.

(1) If the EA determines that the activity is required to comply with the EA Notification requirements, the operator shall comply with the EA Notification requirements set forth in Title 14, California Code of Regulations, Division 7, Chapter 5.0, Article 3.0 (commencing with section 18100), within 120 days from that determination.

(2) If the EA determines that the activity is required to comply with the Registration requirements, the operator shall comply with the Registration requirements set forth in Title 14, California Code of Regulations, Division 7, Chapter 5.0, Article 3.0 (commencing with section 18100) within 120 days from that determination.

(3) If the EA determines that the activity is required to comply with the Compostable Materials Handling Facility Permit requirements, the operator shall comply with the Compostable Material Handling Facility Permit requirements set forth in Title 27, California Code of Regulations, Division 2, Subdivision 1, Chapter 4, Subchapter 1 and Subchapter 3, Articles 1, 2, 3, and 3.1 (commencing with section 21450) within two years from that determination.

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

Section 17856. Agricultural Material Composting Operations.

(a) All agricultural material composting operations and chipping and grinding operations shall comply with the Enforcement Agency Notification requirements set forth in Title 14, California Code of Regulations, Division 7, Chapter 5.0, Article 3.0 (commencing with section 18100), except as otherwise provided by this Chapter. Agricultural Compostable Materials Handling Operations shall only be subject to the requirements of section 17863.4 if the EA makes a written determination that the operation has violated the requirements for odor impacts of section 17867.

(b) Compost produced by an agricultural material composting operation or chipping and grinding operation which uses only agricultural material may be sold or given away in unrestricted quantities. These operations shall be inspected by the EA at least once annually.

(c) Compost produced by an agricultural material composting operation which uses agricultural material and/or green material, as specified in section 17852 (a)(21), may be sold or given-away in accordance with the following restrictions.

(1) Those sites that do not sell or give-away more than 1,000 cubic yards of material per year shall be inspected by the EA at least once annually when actively composting. If more than 12,500 cubic yards of green material, including feedstock, compost, or chipped and ground material, is to be handled on-site of productive farmland as defined in Government Code section 51201, the operator shall give advance notice to the EA. The EA shall only prohibit the on-site storage of additional materials, or impose a greater inspection frequency, if the EA makes a written finding that it will pose an additional risk to public health and safety and the environment. The EA shall forward a copy of the request and approval to the Board.

(2) Those operations that sell or give-away more than 1,000 cubic yards of material per year, shall have not more than 12,500 cubic yards of green material, including feedstock, compost, or chipped and ground material, on-site at any one time and shall be inspected by the EA once every three (3) months.

(3) These sites shall record the quantity received of green material.

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

Section 17857.1. Green Material Composting Operations and Facilities.

(a) A green material composting operation that has up to 12,500 cubic yards of feedstock, compost, or chipped and ground material on-site at any one time shall comply with the EA Notification requirements set forth in Title 14, California Code of Regulations, Division 7, Chapter 5.0, Article 3.0 (commencing with section 18100).

(b) A green material composting operation that has up to 12,500 cubic yards of feedstock, compost, or chipped and ground material on-site at any one time shall be inspected by the EA at least once every three (3) months, unless an operator request for a reduced inspection frequency of no less than annually is approved by the EA. The EA shall only approve a lesser inspection frequency, if the EA finds that it will not pose an additional risk to public health and safety and the environment. The EA shall forward a copy of the request and approval to the Board.

Title 14 CCR, Division 7, Chapter 3.1, Articles 1-4 (California Code of Regul...

(c) A green material composting facility that has more than 12,500 cubic yards of feedstock, compost, or chipped and ground material on-site at any one time shall obtain a Compostable Materials Handling Facility Permit pursuant to the requirements of Title 27, California Code of Regulations, Division 2, Subdivision 1, Chapter 4, Subchapter 1 and Subchapter 3, Articles 1, 2, 3, and 3.1 (commencing with section 21450) prior to commencing operations.

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

Section 17859.1. Biosolids Composting at POTWs.

(a) Except as provided in section 17855(a)(5)(B), the composting of biosolids on-site at a Publicly Operated Treatment Works (POTW) shall comply with the EA Notification requirements set forth in Title 14, California Code of Regulations, Division 7, Chapter 5.0, Article 3.0 (commencing with section 18100).

(b) All other composting of biosolids shall comply with section 17854.

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

Title 40, Chapter I, Subchapter O, Part 503, of the Code of Federal Regulations.

17862. Research Composting Operations.

(a) An operator conducting research composting operations shall not have more than 5,000 cubic-yards of feedstock, additives, amendments, chipped and ground material, and compost on-site at any one time, and shall comply with the EA Notification requirements set forth in Title 14, California Code of Regulations, Division 7, Chapter 5.0, Article 3.0 (commencing with section 18100), except as otherwise provided by this Chapter.

(b) An operator conducting research composting operations utilizing within-vessel processing, may exceed 5,000 cubic-yards of feedstock, additives, amendments, chipped and ground material and compost, if the EA determines that such increased volume will not pose additional risk to the public health, safety and the environment.

(c) In addition to the EA Notification requirements set forth in Title 14, California Code of Regulations, Division 7, Chapter 5.0, Article 3.0, section 18103.1 (a)(3), the operator shall provide a description of the research to be performed, research objectives, methodology/protocol to be employed, data to be gathered, analysis to be performed, how the requirements of this subchapter will be met, and the projected timeframe for completion of the research operation.

(d) The EA Notification for a research composting operation shall be reviewed after each two-year period of operation. Review criteria shall include the results and conclusions drawn from the research.

(e) Research composting operations that will be using unprocessed mammalian tissue as a feedstock for the purpose of obtaining data on pathogen reduction or other public health, animal health, safety, or environmental protection concern, shall satisfy the following additional requirements:

(1) Unprocessed mammalian tissue used as feedstock shall be generated from on-site agricultural operations, and all products derived from unprocessed mammalian tissue shall be beneficially used on-site.

(2) The operator shall prepare, implement and maintain a site-specific, research

composting operation site security plan. The research composting site security plan shall include a description of the methods and facilities to be employed for the purpose of limiting site access and preventing the movement of unauthorized material on to or off of the site.

(3) The EA Notification for the research composting operation using unprocessed mammalian tissue as feedstock and documentation of additional requirements of this section shall be reviewed after each six month period of operation.

(f) The operator shall submit all additional documentation required by subsections (c) and (e) (2) to the EA with the EA Notification and prior to the composting of any feedstock. The EA shall determine that the EA Notification for research composting operations is complete and correct only if the additional documentation requirements of this section have been met.

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

Section 17862.1. Chipping and Grinding Operations and Facilities.

(a) A chipping and grinding operation that receives up to 200 tons per day of material that may be handled by a green material composting operation shall comply with the EA Notification requirements set forth in Title 14, California Code of Regulations, Division 7, Chapter 5.0, Article 3.0 (commencing with section 18100), except as otherwise provided by this Chapter.

(b) A chipping and grinding facility that receives more than 200 tons per day, and up to 500 tons per day of material that may be handled by a green material composting operation shall obtain a Registration Permit pursuant to the requirements of Title 14, California Code of Regulations, Division 7, Chapter 5.0, Article 3.0, prior to commencing operations.

(c) A chipping and grinding facility that receives more than 500 tons per day of material that may be handled by a green material composting operation shall obtain a Compostable Materials Handling Facility Permit pursuant to the requirements of Title 27, California Code of Regulations, Division 2, Subdivision 1, Chapter 4, Subchapter 1 and Subchapter 3, Articles 1, 2, 3, and 3.1 (commencing with section 21450) prior to commencing operations.

(d) A chipping and grinding operation or facility shall not be subject to the provisions of sections 17868.1 through 17868.3 of this Chapter.

(e) If a chipping and grinding operation or facility exceeds the contamination limits in section 17852(a)(21), it shall be regulated as set forth in the Transfer/Processing Regulatory requirements (commencing at section 17400).

(f) If a chipping and grinding operation or facility stores material for a longer period of time than is allowed by section 17852(a)(10)(A)(2), then the site shall be regulated as a green material handling operation or facility, as set forth in this Chapter.


Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

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Article 3. Report of Facility Information

17863. Report of Composting Site Information.

Each operator of a compostable material handling facility that is required to obtain a Compostable Materials Handling Facility Permit, as specified in Article 2 of this Chapter, shall, at the time of application, file a Report of Composting Site Information with the EA. If the operator intends to alter the permitted feedstock, these changes must be reported to the EA for maintenance of permit status. Such changes may become the basis for revisions to the permit or for revocation of the permit.

Note:

Authority cited:

Sections 40502, 43020 and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

17863.4. Odor Impact Minimization Plan.

(a) All compostable material handling operations and facilities shall prepare, implement and maintain a site-specific odor impact minimization plan. A complete plan shall be submitted to the EA with the EA Notification or permit application.

(b) Odor impact minimization plans shall provide guidance to on-site operation personnel by describing, at a minimum, the following items. If the operator will not be implementing any of these procedures, the plan shall explain why it is not necessary.

(1) an odor monitoring protocol which describes the proximity of possible odor receptors and a method for assessing odor impacts at the locations of the possible odor receptors; and,

(2) a description of meteorological conditions effecting migration of odors and/or transport of odor-causing material off-site. Seasonal variations that effect wind velocity and direction shall also be described; and,

(3) a complaint response protocol; and,

(4) a description of design considerations and/or projected ranges of optimal operation to be employed in minimizing odor, including method and degree of aeration, moisture content of materials, feedstock characteristics, airborne emission production, process water distribution, pad and site drainage and permeability, equipment reliability, personnel training, weather event impacts, utility service interruptions, and site specific concerns; and,

(5) a description of operating procedures for minimizing odor, including aeration, moisture management, feedstock quality, drainage controls, pad maintenance, wastewater pond controls, storage practices (e.g., storage time and pile geometry), contingency plans (i.e., equipment, water, power, and personnel), biofiltration, and tarping.

(c) The odor impact minimization plan shall be revised to reflect any changes, and a copy shall be provided to the EA, within 30 days of those changes.

(d) The odor impact minimization plans shall be reviewed annually by the operator to determine if any revisions are necessary.

(e) The odor impact minimization plan shall be used by the EA to determine whether or not the operation or facility is following the procedures established by the operator. If the EA determines that the odor impact minimization plan is not being followed, the EA may issue a Notice and Order (pursuant to section 18304) to require the operator to either comply with the odor impact minimization plan or to revise it.


(f) If the odor impact minimization plan is being followed, but the odor impacts are still occurring, the EA may issue a Notice and Order (pursuant to section 18304) requiring the operator to take additional reasonable and feasible measures to minimize odors.

Note:**Authority cited:**

Sections 40502, 43020, 43021 and 43209.1 of the Public Resources Code.

Reference:

Sections 43020, 43201 and 43209.1 of the Public Resources Code.

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 Section 17870

Article 5. Composting Operation and Facility Siting and Design Standards

Section 17865. Siting On Landfills.

(a) Compostable materials handling operations and facilities located atop closed solid waste landfills shall meet postclosure land use requirements pursuant to Title 27, California Code of Regulations, Division 2, Subdivision 1, Chapter 3, Subchapter 5, Article 2, section 21190.

(b) Compostable materials handling operations and facilities sited on intermediate cover on a solid waste landfill shall locate operations areas on foundation substrate that is stabilized, either by natural or mechanical compaction, to minimize differential settlement, ponding, soil liquefaction, or failure of pads or structural foundations.

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

Section 17866. General Design Requirements.

(a) Compostable materials handling operations and facilities shall be designed and constructed in such a manner as to enable the operations and facilities to comply with the operational requirements set forth in Article 6 of this Chapter.

(b) The design of a compostable materials handling facility shall utilize advice, as appropriate, from persons competent in engineering architecture, landscape design, traffic engineering, air quality control, and design of structures.

(1) The engineering design of a compostable materials handling facility shall be in accordance with the principles and disciplines in the State of California generally accepted for design of this type of facility. The design of a composting facility requiring a Compostable Materials Handling Facility Permit shall accompany the Report of Composting Site Information, pursuant to section 17863 of this Chapter.

(2) The engineering design shall be based on appropriate data regarding the service area, anticipated nature and quantity of material to be received, climatological factors, physical settings, adjacent land use (existing and planned), types and numbers of vehicles anticipated to enter the station, drainage control, the hours of operation and other pertinent information. If the station is to be used by the general public, the design of the facility shall take account of features that may be needed to accommodate such public use.

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

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Article 6. Composting Operating Standards

Section 17867. General Operating Standards.

(a) All compostable materials handling operations and facilities shall meet the following requirements:

- (1) All handling activities are prohibited from composting any material specified in section 17855.2 of this Chapter.
- (2) All handling activities shall be conducted in a manner that minimizes vectors, odor impacts, litter, hazards, nuisances, and noise impacts; and minimizes human contact with, inhalation, ingestion, and transportation of dust, particulates, and pathogenic organisms.
- (3) Random load checks of feedstocks, additives, and amendments for contaminants shall be conducted.
- (4) Contamination of compostable materials that has undergone pathogen reduction, pursuant to section 17868.3 of this Chapter, with feedstocks, compost, or wastes that have not undergone pathogen reduction, pursuant to section 17868.3 of this Chapter, or additives shall be prevented.
- (5) Unauthorized human or animal access to the facility shall be prevented.
- (6) Traffic flow into, on, and out of the composting operation or facility shall be controlled in a safe manner.
- (7) All compostable materials handling operations and facilities, that are open for public business, shall post legible signs at all public entrances. These signs shall include the following information:
 - (A) name of the operation or facility,
 - (B) name of the operator,
 - (C) facility hours of operation,
 - (D) materials that will and will not be accepted, if applicable,
 - (E) schedule of charges, if applicable, and
 - (F) phone number where operator or designee can be reached in case of an emergency.
- (8) The operator shall provide fire prevention, protection and control measures, including, but not limited to, temperature monitoring of windrows and piles, adequate water supply for fire suppression, and the isolation of potential ignition sources from combustible materials. Firelanes shall be provided to allow fire control equipment access to all operation areas.
- (9) The operator shall provide telephone or radio communication capability for emergency purposes.
- (10) Physical Contaminants and refuse removed from feedstock, compost, or chipped and ground material shall be removed from the site within 7 days and transported to an appropriate facility.
- (11) Enclosed operations and facilities shall provide ventilation to prevent adverse public health effects from decomposition gases.
- (12) The operator shall ensure that leachate is controlled to prevent contact with the

public.

(13) The operator shall prevent or remove physical contaminants in compost and chipped and ground materials that may cause injury to humans.

(14) An attendant shall be on duty during business hours if the operation or facility is open to the public.

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

Section 17867.5. Training.

(a) Compostable materials handling operations and facilities shall meet the following requirements:

(1) Operators shall ensure that all personnel assigned to the operation shall be trained in subjects pertinent to operations and maintenance, including the requirements of this article, physical contaminants and hazardous materials recognition and screening, with emphasis on odor impact management and emergency procedures. A record of such training shall be maintained on the site.


Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

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Article 7. Environmental Health Standards

Section 17868.1. Sampling Requirements.

All composting operations that sell or give away greater than 1,000 cubic yards of compost annually, and all facilities shall meet the following requirements:

(a) Operators shall verify that compost meets the maximum acceptable metal concentration limits specified in section 17868.2, and pathogen reduction requirements specified in section 17868.3. Verification of pathogen reduction requirements shall occur at the point where compost is sold and removed from the site, bagged for sale, given away for beneficial use and removed from the site or otherwise beneficially used. This verification shall be performed by taking and analyzing at least one composite sample of compost, following the requirements of this section as follows:

(1) An operator who composts green material, food material, or mixed solid waste shall take and analyze one composite sample for every 5,000 cubic-yards of compost produced.

(2) An operator who composts biosolids shall meet the sampling schedule described in Table 1 below.

Table 1

Frequencies of Compost Sampling for Biosolids Composting Facilities

Amount of Biosolids Compost Feedstock (metric tons per 365 day period)	Frequency
Greater than zero but annually fewer than 290	annually

Equal to or greater than 290 but fewer than 1,500	quarterly
Equal to or greater than 1,500 but fewer than 15,000	bimonthly
Equal to or greater than 15,000	monthly

(A) The amount of biosolids compost feedstock shall be calculated in dry weight metric tons.

(3) Composite sample analysis for maximum acceptable metal concentrations, specified in section 17868.2, shall be conducted at a laboratory certified by the California Department of Health Services, pursuant to the Health and Safety Code.

(b) A composite sample shall be representative and random, and may be obtained by taking twelve (12) mixed samples as described below.

(1) The twelve samples shall be of equal volume.

(2) The twelve samples shall be extracted from within the compost pile as follows:

(A) Four samples from one-half the width of the pile, each at a different cross-section;

(B) Four samples from one-fourth the width of the pile, each at a different cross-section; and,

(C) Four samples from one-eighth the width of the pile, each at a different cross-section.

(c) The EA may approve alternative methods of sampling for a green material composting operation or facility that ensures the maximum metal concentration requirements of section 17868.2 and the pathogen reduction requirements of section 17868.3 are met.

Note:

Authority cited:
Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:
Sections 43020 and 43021 of the Public Resources Code.

Section 17868.2. Maximum Metal Concentrations.

(a) Compost products derived from compostable materials that contains any metal in amounts that exceed the maximum acceptable metal concentrations shown in Table 2 shall be designated for disposal, additional processing, or other use as approved by state or federal agencies having appropriate jurisdiction.

Table 2
Maximum Acceptable Metal Concentrations

Constituent	Concentration (mg/kg) on dry weight basis
Arsenic (As)	41
Cadmium (Cd)	39
Chromium (Cr)	1200
Copper (Cu)	1500
Lead (Pb)	300

Mercury (Hg) 17

Nickel (Ni) 420

Selenium (Se) 36

Zinc (Zn) 2800

(b) Alternative methods of compliance to meet the requirements of Subdivision (a) of this section, including but not limited to sampling frequencies, may be approved by the EA for green and food materials composting operations and facilities if the EA determines that the alternative method will ensure that the maximum acceptable metal concentrations shown in Table 2 are not exceeded.

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

Section 17868.3. Pathogen Reduction.

(a) Compost products derived from compostable materials, that contains pathogens in amounts that exceed the maximum acceptable pathogen concentrations described in Subdivision (b) of this section shall be designated for disposal, additional processing, or other use as approved by state or federal agencies having appropriate jurisdiction.

(b) Operators that produce compost shall ensure that:

(1) The density of fecal coliform in compost, that is or has at one time been active compost, shall be less than 1,000 Most Probable Number per gram of total solids (dry weight basis), and the density of *Salmonella* sp. bacteria in compost shall be less than three (3) Most Probable Number per four (4) grams of total solids (dry weight basis).

(2) At enclosed or within-vessel composting process operations and facilities, active compost shall be maintained at a temperature of 55 degrees Celsius (131 degrees Fahrenheit) or higher for a pathogen reduction period of 3 days.

(A) Due to variations among enclosed and within-vessel composting system designs, including tunnels, the operator shall submit a system-specific temperature monitoring plan with the permit application to meet the requirements of Subdivision (b)(2) of this section.

(3) If the operation or facility uses a windrow composting process, active compost shall be maintained under aerobic conditions at a temperature of 55 degrees Celsius (131 degrees Fahrenheit) or higher for a pathogen reduction period of 15 days or longer. During the period when the compost is maintained at 55 degrees Celsius or higher, there shall be a minimum of five (5) turnings of the windrow.

(4) If the operation or facility uses an aerated static pile composting process, all active compost shall be covered with 6 to 12 inches of insulating material, and the active compost shall be maintained at a temperature of 55 degrees Celsius (131 degrees Fahrenheit) or higher for a pathogen reduction period of 3 days.

(c) Alternative methods of compliance to meet the requirements of Subdivision (b) of this section may be approved by the EA if the EA determines that the alternative method will provide equivalent pathogen reduction.

(d) Compost operations and facilities shall be monitored as follows to ensure that the standards in Subdivision (b) of this section are met:

(1) Each day during the pathogen reduction period, at least one temperature reading

shall be taken per every 150 feet of windrow, or fraction thereof, or for every 200 cubic-yards of active compost, or fraction thereof.

(2) Temperature measurements for pathogen reduction shall be measured as follows:

(A) Windrow composting processes and agitated bays shall be monitored twelve (12) to twenty-four (24) inches below the pile surface;

(B) Aerated static pile composting processes shall be monitored twelve (12) to eighteen (18) inches from the point where the insulation cover meets the active compost.

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

Section 17868.5. Green Material Processing Requirements.

In order for a feedstock to be considered green material, as defined in section 17852(a)(21), the following requirements shall be met:

(a) The feedstock shall undergo load checking to ensure that physical contaminants are no greater than 1.0 percent of total weight. Load checking shall include both visual observation of incoming waste loads and load sorting to quantify percentage of contaminating materials.

(1) A minimum of one percent of daily incoming feedstock volume or at least one truck per day, whichever is greater, shall be inspected visually. If a visual load check indicates a contamination level greater than 1.0 percent, a representative sample shall be taken, physical contaminants shall be collected and weighed, and the percentage of physical contaminants determined. The load shall be rejected if physical contaminants are greater than 1.0 percent of total weight.

(b) Upon request of the EA, the operator shall take a representative sample of feedstock, physical contaminants shall be collected and weighed, and the percentage of physical contaminants determined.

(c) Any agricultural material handling operation using this material shall ensure the feedstock meets the metal concentration limits specified in Table 2 of section 17868.2.

(d) Facility personnel shall be adequately trained to perform the activities specified in this section.

(e) Any operation or facility using this feedstock shall maintain records demonstrating compliance with this section.

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

Article 8. Composting Operation and Facility Records

Section 17869. General Record Keeping Requirements.

Except as provided in subsection (d), all compostable materials handling operations and facilities shall meet the following requirements:

(a) All records required by this Chapter shall be kept in one location and accessible for five (5) years and shall be available for inspection by authorized representatives of the board, EA, local health entity, and other duly authorized regulatory and EAs during normal working

hours.

(b) The operator shall record any special occurrences encountered during operation and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures.

(c) The operator shall record any public complaints received by the operator, including:

- (1) the nature of the complaint,
- (2) the date the complaint was received,
- (3) if available, the name, address, and telephone number of the person or persons making the complaint, and
- (4) any actions taken to respond to the complaint.

(d) The operator shall record the quantity and type of feedstock received and quantity of compost and chipped and ground material produced. Agricultural compostable materials handling operations shall maintain records only for compostable material accepted from off-site.

(e) The operator shall record the number of load checks performed and loads rejected.

(f) The operator shall record all test results generated by compliance with Article 7 of this Chapter, including but not limited to, metal concentrations, fecal coliform and Salmonella sp. densities, temperature measurements, and dates of windrow turnings.

(1) The operator shall retain records detailing pathogen reduction methods.

(g) The operator shall record and retain records of any serious injury to the public occurring on-site and any complaint of adverse health effects to the public attributed to operations. Serious injury means any injury that requires inpatient hospitalization for a period in excess of 24 hours or in which a member of the public suffers a loss of any member of the body or suffers any degree of permanent disfigurement.

(h) The operator shall retain a record of training and instruction completed in accordance with section 17867.5.

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

Article 9. Composting Facility Site Restoration

17870. Site Restoration.

All compostable materials handling operations and facilities shall meet the following requirements:

(a) The operator shall provide the EA written notice of intent to perform site restoration, at least 30 days prior to beginning site restoration.

(b) The operator(s) and owner(s) shall provide site restoration necessary to protect public health, safety, and the environment.

(c) The operator shall ensure that the following site restoration procedures are performed upon completion of operations and termination of service:

- (1) The operation and facility grounds, ponds, and drainage areas shall be cleaned of all residues including, but not limited to, compost materials, construction scraps, and

other materials related to the operations, and these residues legally recycled, reused, or disposed of.

(2) All machinery shall be cleaned and removed or stored securely.

(3) All remaining structures shall be cleaned of compost materials, dust, particulates, or other residues related to the composting and site restoration operations.


Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference:

Sections 43020 and 43021 of the Public Resources Code.

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F1. Allan Tose, Letter Dated November 15, 2012

This letter also contains as attachments a draft of the recently-adopted County ordinance amending the Zoning Code; excerpts from the County Code itself, from the Draft EIR, and from CCR Title 14 Composting Regulations. These attachments are not considered comments and do not require a response.

- F1-1** Please see Comment I-3 and the response to Comment I-3.
- F1-2** Please see the response to Comment I-3, and also Appendix A, which contains a revised General Plan Consistency Analysis (including Williamson Act considerations) for the Site 40 Alternative.
- F1-3** Please see the response to Comment I-3 and Appendix A.
- F1-4** The possible need to cancel an existing Williamson Act contract on Site 40 is considered in Draft EIR Impact 19.4; please see also the response to Comment I-3 and Appendix A.
- F1-5** Draft EIR Chapter 3 includes a discussion of scenic corridors and viewsheds pertaining to the Site 40 Alternative.
- F1-6** Please see the response to Comment I-3 and Appendix A.
- F1-7** The Central Site Alternative was re-evaluated in the Recirculated Draft EIR, and determined to be the Environmentally Superior Alternative (pages R3-2 and R3-3). Land use conversion of Site 40 was identified as a significant unavoidable impact in Draft EIR Chapter 19, Land Use and Agriculture (Impact 19.3). As discussed in the response to Comment I-3, the recent changes to the County code do not affect the conclusion of significant unavoidable land use impacts for the Site 40 Alternative, and therefore do not affect the evaluation of the Environmentally Superior Alternative.

Allan Tose
561 Broadway
Sonoma, CA 95476
707-738-1398

November 19, 2012

Mr. Patrick Carter, Department Analyst
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

RE: Recirculated Draft EIR Sonoma County Waste Management Agency Compost Facility

Dear Patrick:

The Draft EIR fails to include significant new information pertaining to Site 40 considerably different from others previously analysed that would clearly lessen the environmental impacts of the project, but the projects proponents decline to adopt it. The conclusions listed in 4.11, Other Site Challenges, are incorrect for Site 40.

G1-1

The only issues to be discussed in this analysis are:

G1-2

An Aerated Static Pile (ASP) composting system would be required to mitigate potential air quality impacts. Windrow composting would probably not be acceptable.

The Sonoma County Board of Supervisors, on January 31, 2012 adopted ordinance number 5963 and 5964, to bring the Sonoma County Zoning Ordinance into compliance with CA Code Title 14 Natural Resources Division 7 Chapter 3.1, and compliance with Government Code Section 51200 (the Williamson Act.)

The most significant factor that the adoption of ordinance 5964 does is that it changes the definition of what composting is when it is done on a site that is zoned agricultural. This change only includes LIA, LEA and DA zoning. The adopted definition of composting "means the controlled or uncontrolled biological decomposition of organic wastes." So by definition the biological process of composting is agriculture. Agriculture to qualify for the Williamson act is the production of food or fiber, so composting is the production of fiber by the growth of microbes. The adoption of the ordinance includes commercial composting as a permitted use with a use permit in LEA zoning.

Ordinance 5963 and 5964 also included amendments to definitions:

SECTION II. Amendments to Definitions. Section 26-02-140 (Definitions) of Chapter 26 of the Sonoma County Code is amended to insert in alphabetical order and change the following definition with deletions shown in strikeout and additions underlined.

Agricultural Employee means a person employed in the operation of an agricultural enterprise.

Agricultural Enterprise means an operation of a property owner/operator that derives their primary and principal income from the production of agricultural commodities for commercial purposes, including but not limited to the following: growing of crops or horticultural commodities; breeding and raising of livestock, poultry, bees, furbearing animals, horses; agricultural processing; and preparation of commodities for market. An agricultural enterprise excludes boarding of horses, forestry and lumbering operations, and commercial transportation of prepared products to market.

Composting means the controlled or uncontrolled biological decomposition of organic wastes.

Commercial Composting means a commercial facility that is operated for the purpose of producing compost from the onsite and/or offsite organic material fraction of the waste stream and is permitted, designed, and operated in compliance with the applicable regulations contained in the California Code of Regulations, Title 14, Division 7, as may be amended from time to time. Non-commercial composting that is an incidental part of an agricultural operation and relies primarily upon onsite material for onsite use is not included within this definition.

SECTION XIV. Environmental Determination. The Board of Supervisors hereby finds and determines that the adoption of this ordinance is exempt from the California Environmental Quality Act ("CEQA") under the General Rule Section 15061(b)(3), because the adoption of this ordinance will have no physical effect on the environment related to changes to reflect the update of the County's Uniform Rules for Administering Ag Preserve because the changes reflect no increase in the scope or intensity of use and further clarify or restrict allowable land uses on contracted lands. The adoption of this ordinance is categorically exempt pursuant to State CEQA Guidelines section 15307 and 15308 in that it is authorized by state law to assure the preservation and conservation of the state's agricultural and open space resources, and the maintenance, restoration, enhancement, and protection of the natural resources and the environment.

The Board further finds that changes to the zoning code to implement the General Plan policies related to allowing agricultural processing in the AR zoning district and allowing agricultural farmstays in all three agricultural zoning districts (LIA, LEA and DA) were analyzed in the General Plan 2020 FEIR. Standards have been incorporated into the proposed zoning code changes to ensure potential impacts are reduced to less than significant for the agricultural processing in the AR zoning district, including limitations on the size of processing buildings that ensure that the scale of such facilities will be in keeping with the residential nature of the zoning district. The structures allowed by the ordinance are those that can be considered small structures pursuant to State CEQA Guidelines section 15303. Any such agricultural processing will be subject to a discretionary use permit that will be subject to health and safety standards, further environmental review, and conditions of approval to reduce any impacts to less than significant. Likewise, CEQA Guideline section 15303 would apply to an agricultural farmstay use because the standards only allow the use in structures that qualify as small structures in the CEQA Guidelines.

A use is related when it is required for or part of the agricultural use and is valued in line with the expected return of the agriculture on the parcel. Compatible uses on Williamson ACT lands are defined in GC#51201(e). Additionally, each participating local government is required to adopt rules consistent with the principles of compatibility found in Government Code #51230.1, 51238 and 51238.1. (see attached)

G1-3

Since commercial composting is now considered an agricultural process, on lands zoned for agriculture, the Sonoma County Right to Farm Ordinance would apply along with the regulations in Title 14 Natural Resources Division 7 Chapter 3.1. Open windrow composting would be in compliance with the current county and state ordinances and would be allowed on site 40. Open windrow composting would still not be allowed at the Central Site as it is not zoned for agriculture.

G1-4

With these recent changes in Sonoma County Zoning Regulations, and compliance with California State codes, Site 40 is probably once again the best environmental and economic option.

G1-5

Best regards,



Allan Tose

G1. Allan Tose, Letter Dated November 19, 2012

G1-1 Please see the response to Comment F1-1.

G1-2 Please see the response to Comment F1-2.

G1-3 Please see the response to Comment F1-4.

G1-4 The commenter asserts that open windrow composting would be acceptable at Site 40 due to land use compatibility considerations. However, the aerated static pile (ASP) mitigation for Site 40 would be required to reduce health risk impacts rather than land use compatibility issues. The comment does not change the impact conclusions or mitigation for Site 40. Furthermore, open windrow composting is not proposed at the Central Site due to capacity and design requirements.

G1-5 Please see the response to Comment F1-7.

Mr. Patrick Carter, Department Analyst
 Sonoma County Waste Management Agency
 2300 County Center Drive, Suite B100
 Santa Rosa, CA 95403

November 18, 2012

Dear Mr. Carter

In regard to the adequacy of the RDEIR for the SCWMA Compost Facility, I noticed that bioaerosols were not considered.

H1-1

For the last twenty plus years I have listened to residents of the Dunham school and Happy Valley communities complain of odor and health problems in relationship to the Central Site. With the new covered system for composting, it appears that the odor problem is going to be greatly improved. Improvement in respiratory and other inflammatory health complaints remains to be seen. The long-suffering residents of the Central Site community who have felt their conditions may be related to the composting facility do not appear to either be cranks, with nothing better to do with their time than to complain, or hypochondriacs looking to target the composting company. They and their doctors are often genuinely puzzled by the source of their problems and suspect there may be a link to the Central Site. That link may be bioaerosols. Fugitive bioaerosols from the compost site may infiltrate and become trapped in building interiors as well as exceed acceptable levels in the outdoor environment.

H1-2

H1-3

Regarding bioaerosols**, I would like to quote from the Annals of Occupational Hygiene*.

H1-4

The interest in bioaerosol exposure has increased over the last few decades. This is largely because it is now appropriately recognized that exposures to biological agents in both the occupational and residential indoor environment are associated with a wide range of adverse health effects with major public health impact, including...allergies and cancer. Several new industrial activities have emerged in recent years in which exposures to biological agents can be abundant. One example is the waste recycling industry.

*Annals of Occupational Hygiene, volume 47, issue 3, pp. 187-200, 2002.

**"Bioaerosols are usually defined as aerosols or particulate matter of microbial, plant or animal origin that is synonymously used with organic dust."

It may be that effective and economical risk assessment methods pertaining to bioaerosols are not yet available but the active interest in producing such, due to the expanding composting industry will in all likelihood make them available early on during the multi-decade period of the Central Site contract.

H1-4
cont.

I would like to request that as the county prepares new contracts for the Central Site, in order to protect the health of its citizens, it require at identified sensitive receptor sites, on-going monitoring and/or periodic testing for both bioaerosols and TAC emissions (the quantities given in the DEIR are at this point in time only projections from models).

H1-5

This would create tremendous goodwill in the community by assuaging fears of the unknown, provide its doctors with information which is impossible for them to possess at the present time, allowing them a better opportunity to rule out proximity to the composting facility as a contributing factor. It would give the composting company opportunity to identify and correct potential problems. It would allow county leaders to safeguard us from the potential position of sacrificing health for green. Lets not let shortsightedness put us in situations similar to MTBE (clean air vs. clean water) or the flame retardant controversy (fire safety vs. health risks).

Ongoing monitoring and/or periodic testing of bioaerosols and TACs, both on-site and at sensitive receptor sites, are an essential part of a state of the art green facility.

Sincerely,
Nea Bradford
5995 Orchard Station Road
Petaluma, CA 94952

H1. Nea Bradford

H1-1 Please see the response to Comment AA-5.

H1-2 As described in Impact 24.5 and Appendix AIR-6 of the Recirculated Draft EIR, with the Aerated Static Pile (ASP) composting process, acute, chronic, and carcinogenic health risks for sensitive receptors in the Central Site Alternative vicinity (including residents of Happy Acres subdivision and children at Dunham School) would be less than the existing windrow operation. As discussed in the response to Comment AA-5, while composting facilities have been shown to emit bioaerosols, which can adversely affect human health, the levels return to typical background concentrations after about 800 feet (Stagg et al, 2010). Therefore, bioaerosol exposure would not be expected to be elevated at the Happy Acres subdivision and Dunham School, which are located 4,500 feet and 4,000 feet, respectively, from the Central Site Alternative composting facility location. Dust control measures have been shown to reduce the generation of these organic particles. Measures that reduce the fugitive dust emitted from the compost piles would also be effective in reducing bioaerosol emissions. Thus, implementation of ASP composting would reduce fugitive dust and bioaerosols from compost piles compared to windrow turning since the piles would be covered and would not be disturbed by windrow turning.

H1-3 Please see the response to Comment H1-2.

H1-4 Please see the response to Comment H1-2.

H1-5 Please see the response to Comment H1-2.

I1. Oral Comments from the Public Meeting of October 24, 2012:**Margaret Kullberg – 1036 Stage Gulch Road, Petaluma**

My name is Margaret Kullberg and I live at 1036 Stage Gulch Road across from Site 40 which I commented on in the original Draft EIR. I wish to comment now on the adequacy of the recirculated Draft EIR. According to the RDEIR the SCWMA compost facility the Central Site Facility is the most practical site for the compost. The report states on page 4 that the other sites, 5A and the Lakeville Site and the site across from me Site 40 would both require a general plan amendment for zoning change and also the Williamson Act contracts on them would have to be nullified. All these changes would be difficult. It also states that the Central Site alternative meets all the primary objectives as he so stated. One of the big major factors was that the original EIR was that the processing from 110,000 tons per year is going to be projected to 200,000 tons per year and due to the new technology this can now be accomplished at the Central Site. Page 3 states that the Central Site is now environmentally superior and the preferred alternative to the project. Therefore, I find the RDEIR very adequate. I'm very thankful that the RDEIR decides that this site is the most logical and I hope that you will concur with this because it is the cheapest definitely and the most practical place to have the compost facility. Thank you.

I1-1

I1-2

I1-3

Allan Tose – 561 Broadway (Site 40 Representative)

Hi I'm Allan Tose. I'm the representative for the owners of Site 40 and there's been an omission in the EIR update. The County Board of Supervisors changed the zoning requirement for composting facilities in LEA zoning in January with the adoption of Ordinance 6954. So, commercial composting is now allowed in LEA zoning. As well as it complies with the Williamson Act because they've changed the designation from basically industrial and agricultural zoning to composting is now an agricultural function. So the ordinance that they passed apparently the General Plan consistency analysis with which the EIR is based on is obsolete at this point. It was done in about a year ago and in the interim the County has passed this ordinance that brings it into compliance with the state recycling code and also in compliance with the Williamson Act. So General Plan amendment is no longer needed. All that's needed to provide build the composting facility on Site 40 is a use permit and it will be in full compliance. So the comments that in the recirculated EIR for Site 40 for the comments that they say that make it less desirable are would require General Plan amendment a zoning change and dealing with the Williamson Act none of those apply anymore. Also, it said it would require an aerated static pile system would be required and that a windrow composting wouldn't be allowed but actually it would be because it's agricultural rather than an industrial function at this point. So as far as if you look at the cost which is in part of the EIR having to do this very expensive composting at the Central Site compared to shipping it out of the County which is probably about a third the cost of composting it this way and composting it at Site 40 would be the cheapest by far because you could actually still windrow them the yard waste and such. So I from reviewing this would looks like Site 40 really probably is the best environmental site if you take into account the new information of the Board of Supervisors passing a new resolution.

I1-4

I1-5

I1-6

I1-7

I1-8

I1-9

Nia Radford

I have several sets of questions. One of them pertains to the description of the advanced composting technology. I don't understand those terms of cement push walls, special covers, and my just from a little rudimentary building science I have when you have positive pressure building it's pushing things out so how does positive pressure within a building composed of where things are composting keep emissions from going out. I mean if positive pressure is pushing the emissions out I mean I know that must be wrong but I don't quite get it. Why you would want positive pressure within the composting building in order to maintain emissions. So that's one set. Their terms used in this the new technologies that's going to make this work which was the cement walls, special covers and I'd be curious to know I looked that up as to kind of know what special covers means it's kind of a vague term. So they can be made of vinyl or geotech or micropore and for example I understand the micropore depending on how well it's used covers can be fit as low as 50% effective up to 95% effective whether different rates of effectiveness for vinyl covers or Gore-Tex or the geotech covers. So I'd like to know what kind of covers the special covers are going to be and let's see and I just as a layman try to understand what the advantage of positive pressure is and then that's one set the other set of questions has to do with am I understanding this correctly that the composting is going to take place within a building and its going to have special covers and a positive pressure within the building and there's some kind of computer thing that's going to monitor this and what those terms mean and then a related question is. What how are the emission contained on the compost the raw materials before they are put in this building and on the what are the emissions containment for the compost products after their finished when there so at different stages when is the composting material covered and not covered and what's the emission containment on it? The other thing I didn't understand is on looking at the recirculated thing it said well obviously options A and B don't work. I didn't quite understand why they didn't work because I went through and tallied up on that chart of comparing all the different sites to 5 I think it was 5A and compared them and A and B got the low the most low the most L's which is the least impact and so but then at the bottom of the table it just said but obviously these aren't useful or these aren't good sites. Why aren't they? They seem to have the best rating compared to 5A and then I guess that's one other question I wanted to ask and maybe this is not the appropriate meeting and are the cities and the County trying to indemnify themselves from this project so those of us in these neighborhoods if something goes wrong we're just kind of left holding the bag or are you all willing to be our partners in making Sonoma County green so if something goes wrong you are on the hook with us? That's the end of my questions.

I1-10

I1-11

I1-12

Pam Davis – Sonoma Compost Company

Good morning I'm Pam Davis with Sonoma Compost and just a couple of quick comments. First I just want to say that we support the selection of the Central Site alternative for developing a new compost facility that will meet the future needs of residents of Sonoma County and provide a facility that can meet the increased environmental standards. The compost program is already operating adjacent to the proposed site and with meeting increased air and water

I1-13

quality regulations we think the impacts on the new facility will be decreased overall. Just in terms of some of the conflicts that are mentioned here specific to the noise impacts during operations is limited to one adjacent house and we think that with the additional sound mitigations that could be reduced even further. As far as the traffic goes the material that's being accepted at the site right now and the additional material that's being proposed to be accepted at compost is already being delivered to that location. So we don't really anticipate much of if any increase of traffic to the facility and then leaving the facility because a lot of the proposed material right now were processing as you know about 100,000 tons a year and the facility is going to be rated for 200,000 tons which will take some time to develop that but a lot of that material that their talking about increasing coming to the facility is going to be food waste, food scraps which is a very high water content so we're not going to see a doubling of material leaving. There might be 60 to 70% because we're going to lose a lot of that moisture there. So we don't think that the you know we're not going to see a doubling of the traffic occurring. Finally, just to real briefly speak to the technology you know we're the proposed technology is meeting is going to meet increased air and quality standards so it's a very different process than what we're doing right now. Right now we have an open windrow system. We are going to indeed have covered piles that meet the increased imposed standards for I guess San Joaquin Air Quality District has some new proposed standards that are going to be the highest in the state and before they get watered down and actually accept this technology that we are proposing meets those higher standards so we're confident that we're going to see much less emissions well were definitely going to be seeing a lots less emissions than we're currently having and I think that it will be quite satisfactory so anyway just want to say that we support the central alternative site and thank you very much. Look forward to continuing to work with you.

I1-14

I1-15

I1-16

I1-17

I1. Public Hearing Comments (Meeting of October 24, 2012)

- I1-1** The commenter's comments on the Draft EIR are included here as Letter BB. The conclusion reached in the Recirculated Draft EIR regarding the environmental superiority of the Central Site Alternative may be found on Recirculated Draft EIR pages R3-2 and R3-3.
- I1-2** Please see the response to Comment I-3 regarding General Plan consistency for Sites 5A and 40.
- I1-3** The SCWMA acknowledges the commenter's preference for the Central Site Alternative.
- I1-4** Please see the response to Comment F1-1.
- I1-5** Please see the response to Comment F1-3.
- I1-6** Please see the response to Comment F1-2.
- I1-7** Please see the response to Comment F1-2.
- I1-8** Economic issues and impacts are not the subject of an EIR.
- I1-9** Please see the response to Comment F1-7.
- I1-10** Descriptions of proposed composting facility materials and methods, including cement push walls, special covers, and positive pressure, may be found on Recirculated Draft EIR page R4-9.
- I1-11** Please see the discussion of the Environmentally Superior Alternative on Recirculated Draft EIR pages R3-2 and R3-3.
- I1-12** The issues raised in this Comment do not pertain to the environmental analysis contained in the EIR.
- I1-13** The SCWMA acknowledges the commenter's support for the Central Site Alternative.
- I1-14** Noise impacts for the Central Site Alternative are discussed in Recirculated Draft EIR Chapter 29, which concludes that, even with mitigation, operational noise would cause a significant and unavoidable impact (Impact 29-2).
- I1-15** As noted on page 31-7 of the Recirculated Draft EIR, because the existing facility is at the Central Site, the relevant analysis of potential traffic impacts associated with expanded composting operations at the Central Site is based on the net increase in trips to the Central Site, which would be the difference between the trips shown in Tables 12-4 and 12-6 of the 2011 Draft EIR, plus trips associated with the Commercial Food Waste Composting Program. If the actual number of trips associated with transportation of

materials from the site is lower than anticipated in the Recirculated Draft EIR, as suggested by the commenter, this would not cause a new or more severe environmental impact. The Recirculated Draft EIR finds in Chapter 31, Traffic and Transportation, that all traffic and traffic safety impacts of the Central Site Alternative can be mitigated to less than significant; however, as discussed on page 31-14, if implementation of Mitigation Measure 31.5 (modify the traffic signal timing settings at the intersection of Gravenstein Highway (SR 116) / Stony Point Road) was not approved by Caltrans (the jurisdiction responsible for SR 116), the impact would be significant and unavoidable.

I1-16 Recirculated Draft EIR Chapter 24, Air Quality, finds that, with mitigation, all air quality impacts of the Central Site Alternative would be less than significant.

I1-17 The SCWMA acknowledges the commenter's support for the Central Site Alternative.

References Cited in the Responses to Comments

Stagg, Stephen; Alison Bowry; Adrian Kelsey; and Brian Crook, 2010, *Bioaerosol Emissions from Waste Composting and the Potential for Workers' Exposure*. Health and Safety Executive Research Report (RR786). United Kingdom: HSE Books.

CHAPTER 3

Revisions to the Draft EIR

A. Introduction

The following revisions are made to the Draft EIR, and incorporated as part of the Final EIR. Revised or new language is underlined. Deleted language is indicated by ~~striketrough~~ text. Text and figure changes have been made in response to comments received (see Chapter 2, Comments and Responses to Comments), to new information received since publication of the Recirculated Draft EIR, or to correct errata discovered in the Draft EIR. Please note that there are no revisions to the Recirculated Draft EIR.

B. Revisions to the Draft EIR

Revisions to Chapter 3, Project Description

Page 3-10 of the Draft EIR is revised as follows:

As described above, once processed, the materials would be moved into the composting area for composting. The materials would be composted using either a turned windrow technology (elongated piles) or an aerated static pile technology or a combination of the two. For example, feedstock materials containing a large proportion of food scraps would ~~could~~ be mixed with processed green material, and could then be placed into an aerated static pile for a prescribed period of time for the initial composting phase. Once the initial composting is completed, the material could be moved into a windrow stage of composting.

Draft EIR pages 3-18 and 3-19 are revised as follows:

Other Governmental Agency Approvals

Additional subsequent approvals and other permits that may be required from local, regional, state, and federal agencies are identified below.

- The Bay Area Air Quality Management District (BAAQMD) will require an authority to construct and a permit to operate for equipment that emits air pollution related to the operation of the project. BAAQMD may also consider regulating emissions from the compost process itself.

- The Department of Resources Recycling & Reuse (CalRecycle) must concur with the LEA issuance of the Compostables Materials Handling Permit.
- Discharges of stormwater from the project site would be required to acquire coverage under and adhere to the conditions of the Construction General Stormwater Permit during project construction, and the Industrial General Stormwater Permit during project operation.
- ~~San Francisco Regional Water Quality Control Board may issue Waste Discharge Requirements.~~ The San Francisco Regional Water Quality Control Board or the North Coast Regional Water Quality Control Board may require submission of a Report of Waste Discharge (ROWD) including liner design specifications and operating characteristics of the project.
- State Historic Preservation Office – project may need to comply with Historic Preservation Act Section 106 if a 404 Permit is required
- California Department of Fish and Game – Section 1600 et. seq. Streambed Alteration Agreement
- U.S Army Corps of Engineers – Clean Water Act Section 404 Permit, if the project affects jurisdictional waters; review of site levee design.
- RWQCB – Clean Water Act Section 401 Water Quality Certification, if the project affects jurisdictional waters
- Department of Conservation – approval of public acquisition of land under a Williamson Act contract

Revisions to Chapter 5, Air Quality

Mitigation Measure 5.1 on pages 5-27 and 5-28 of the Draft EIR is revised as follows:

Mitigation Measure 5.1: Construction Emission Controls. 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 ~~can~~ 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~~ should 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 NO_x 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 NO_x and PM.
- Requiring all contractors use equipment that meets CARB's most recent certification standard for off-road heavy duty diesel engines.

Mitigation Measure 5.2b on page 5-30 of the Draft EIR is revised as follows:

Mitigation Measure 5.2b: Fugitive Dust Control. The SCWMA shall implement best management practices for fugitive dust emission control, including, but not limited to the following:

- Water exposed surfaces two times per day, except during rainy days. Hydroseed or apply non-toxic, biodegradable soil stabilizers to inactive areas (undisturbed for 10 days or more) of previously graded exposed soil.
- All vehicle speeds on unpaved roads shall be limited to 15 mph. Signage with this speed restriction shall be imposed where appropriate and applicable.

Revisions to Chapter 6, Biological Resources

Impact 6.2 and Mitigation Measure 6.2 on pages 6-19 through 6-21 of the Draft EIR are revised as follows:

Impact 6.2: Implementation of the project has the potential to result in a loss of waters of the United States and/or waters of the state, including drainages, saline emergent wetlands, freshwater emergent wetlands, and seasonal wetlands, or to impact Sonoma County designated streams and riparian corridors. (Significant)

The project 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. Sonoma County General Plan Policy OSRC-8b requires that developments are set back from streams designated in the General Plan, in order to protect riparian areas. Setbacks are from 50 to 200 feet depending on stream type and location.

Prior to project 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, and a determination of whether any of the water courses on site are considered “designated streams” subject to the General Plan riparian corridor setback policy. 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,~~ and Sonoma County, this impact is considered **significant**.

Mitigation Measure 6.2 requires the preparation and verification of a wetland delineation, submittal of the appropriate permits (depending on the results of the wetland delineation), and avoidance, minimization and compensation for impacts on wetlands and other waters of the U.S. Mitigation Measure 6.2 also requires the SCWMA to determine whether any of the watercourses on the site are Sonoma County designated streams, and if so, to adhere to the applicable General Plan setback requirement. A project site has not yet been selected for this project, but this measure spells out the appropriate measures to ensure this impact is reduced to a less-than-significant level. The final terms and conditions of the permits will be determined in consultation with the agencies, following project approval.

Mitigation Measures

Mitigation Measure 6.2: Avoid Disturbance of, or Compensate for Loss and Disturbance of, Jurisdictional Waters of the U.S. and/or Waters of the State and/or Sonoma County “Designated Streams” Resulting from Construction Activities.

- The SCWMA shall prepare a wetland delineation prior to project construction, the results of which will determine the type and acreage of wetland habitat present on the project site, for verification by the Corps. Following the verification, if jurisdictional wetlands and/or other waters of the U.S. occur within the project site, the SCWMA shall obtain and comply with federal and state permit requirements pertaining to impacts to wetlands and/or waters of the U.S., including a Section 404 permit and a Section 401 Water Quality Certification. If it is determined that there are no Waters of the U.S. on the project site, SCWMA shall prepare a report of waste discharge under the Porter Cologne Act. The SCWMA shall protect wetland habitats that occur near the project site by installing environmentally sensitive area fencing at least 20 feet

from the edge of the feature. Depending on site-specific conditions and permit requirements, this buffer may be wider than 20 feet. 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.

- The SCWMA shall comply with the no net loss of wetland habitat and no significant impacts to potential jurisdictional features policy. The project shall compensate for the unavoidable loss of wetlands at a ratio no less than 1:1. Compensation shall take the form of wetland preservation or creation in accordance with Corps and CDFG mitigation requirements, as required under project permits. Preservation and creation may occur onsite through a conservation agreement or offsite through purchasing credits at a Corps approved mitigation bank. Compensation may be a combination of onsite restoration/creation, off-site restoration, or mitigation credits. Final compensation will be determined in consultation with the Corps.
- A draft restoration, mitigation and monitoring plan shall be developed in accordance with the Corps' federal guidelines (33 CFR 332.4(c)/40 CFR 230.92.4(c). The plan shall describe how wetlands shall be created and monitored over a minimum period of time.
- If the results of the wetland delineation, as verified by the Corps, indicate that project activities may result in a substantial modification to a river, stream, or lake the SCWMA shall submit an application for a Section 1602 Streambed Alteration Agreement to the CDFG.
- The SCWMA shall also determine whether any of the sloughs or channels existing on the site are considered "Designated Streams" according to Sonoma County General Plan Policy OSRC-8b. The SCWMA shall protect designated streams by adhering to the applicable setback requirement contained in Policy OSRC-8b.

Significance after Mitigation: Less than significant.

Revisions to Chapter 8, Hydrology and Water Quality

The first sentence on page 8-22 of the Draft EIR is revised as follows:

Installation of the project would result in the construction of approximately 10.8 acres of new impervious surfaces.

Page 8-22 of the Draft EIR, Mitigation Measure 8.2, has been revised as follows:

Mitigation Measure 8.2a: 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. ~~In the event that unacceptable rates of groundwater drawdown are indicated, as dictated by County policy, the project operator shall work with Sonoma County to identify alternative source(s) of water supply, to be implemented in lieu of or in tandem with on site groundwater pumping. Other viable water supply options may include drawing water from a well at a different location, or use of a separate or supplementary water supply system, such as recycled water or surface water.~~

Mitigation Measure 8.2b: 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; and
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 ~~four~~ 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.

Mitigation Measure 8.2c: Prior to the initiation of construction activities, SCWMA shall ensure that the project adheres to PRMD permitting requirements for the implementation of this facility, which would result in the use of groundwater sourced from a low-lying area in support of the project. As required by PRMD, SCWMA shall complete a hydrogeologic study to evaluate groundwater supply that is likely to be available to the project. Additionally, to the extent required by PRMD, SCWMA may also be required to complete a saltwater intrusion analysis in support of the project. SCWMA shall prepare these evaluations and submit to PRMD for review, in accordance with PRMD technical standards and submission requirements. Implementation of this mitigation measure would ensure that SCWMA adheres to PRMD requirements for the project.

Impact 8.4 on pages 8-24 and 8-25 of the Draft EIR is revised as follows:

Impact 8.4: The project 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. (Significant)

Impervious surfaces prevent infiltration of stormwater, resulting in increased stormwater runoff, which can result in flooding, erosion, sedimentation, or transport of pollutants on site or off site. Implementation of the project would result in the installation of a compost facility on the project site. Most of the compost facility would remain as pervious surfaces,

associated with compost piles, work areas, and other non-developed areas. However, installation of impervious surfaces would also be required, including the following facilities: entrance road and scale; arriving and departing circulation area; administration and maintenance building; and various roads and sidewalks needed to enable operation of the facility. ~~The compost operations area would also be impervious to allow for year-round operations.~~

As discussed in Chapter 3, Project Description, the project would include installation of stormwater control facilities, including a 32 AF stormwater detention pond. All drainage from the composting site, including impervious surfaces associated with roadways, the administration building, and other impervious surfaces, as relevant, would be directed into the stormwater detention pond, thereby preventing any off-site discharges. As a result, all stormwater flows, including additional flows emanating from impervious surfaces, would be contained on site in detention ponds, and would not result in flooding, erosion, sedimentation, or other effects on downstream areas. Water from the ponds would be reapplied to the compost areas. Without proper management of stormwater (including proper sizing and placement of facilities) this impact would be **significant**.

Revisions to Chapter 18, Hydrology and Water Quality/Site 40 Alternative

Page 18-2 of the Draft EIR is revised as follows:

One groundwater well is presently located on site, and is currently used to supply on site operations. The well is screened at a depth of 440 feet, and has a production rate of 16 gpm or 25.8 AF per year (AF/yr). ~~This production rate from the existing well would satisfy approximately 30 percent of the total 82.9 AF/yr of water required in support of the Site 40 Alternative. In the event that groundwater were selected as the sole source of water supply for the Site 40 Alternative, additional groundwater wells could potentially be installed in order to meet total Site 40 Alternative water demand.~~ Four additional wells located adjacent to Site 40 were identified via a DWR well log records search. These wells are located on adjacent properties immediately east and south of Site 40. Records indicate that these wells are screened at depths ranging from 68 to 500 feet below ground surface (bgs), and range in production rate from 10 to 25 gpm.

The first full paragraph of page 18-8 of the Draft EIR is revised as follows:

Installation of the project would result in the construction of approximately 8.1 acres 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...

Revisions to Chapter 22, Traffic and Transportation/Site 40 Alternative

Mitigation Measure 22.4 on page 22-13 of the Draft EIR is revised to read as follows:

Mitigation Measure 22.4: Prior to the start of Site 40 Alternative operations the SCWMA shall post warning signs on both sides of Stage Gulch Road 250 feet in advance of the access driveway (Site 40) that cautions drivers about truck traffic entering and exiting the roadway.

The warning signs shall follow guidelines set forth in the *California Manual on Uniform Traffic Control Devices* (Caltrans, 2010).

Revisions to Chapter 33, Other CEQA Considerations

Page 33-2 of the Draft EIR is revised as follows:

The IPCC has attempted to predict the amount of sea-level rise that is likely to occur in the future under various worldwide GHG emissions scenarios over the next century. Results from that study indicate that global sea level could increase by an estimated 7 to 23 inches by 2099, or about 0.6 to 3.8 inches every 10 years (IPCC, 2007b). While several other assessments have been made and there is some disagreement and uncertainty about sea-level rise projections (Munk, 2002), the 2007 IPCC report contains what is probably the most highly regarded of global scale sea level rise projections published to date. Specific to the San Francisco Bay Area, the Bay Conservation and Development Commission released a study that provides sea level rise projections within the San Francisco Bay, including the vicinity of the project. Estimates included therein indicate that estimated potential sea level rise in San Francisco Bay could reach 10 to 17 inches by 2050, 17 to 32 inches by 2070, and 31 to 69 inches by 2100 (BCDC, 2011).

Page 33-6 of the Draft EIR is revised to include the following reference:

Bay Conservation and Development Commission (BCDC), 2011. San Francisco Bay Plan. Available at: http://www.bcdc.ca.gov/laws_plans/plans/sfbay_plan.shtml Accessed May 26, 2012.

APPENDIX A

Updated General Plan Consistency Analysis

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SONOMA COUNTY

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue Santa Rosa, CA 95403 (707) 565-1900 FAX (707) 565-8343

GENERAL PLAN CONSISTENCY ANALYSIS

(References are to the Sonoma County General Plan as amended to date unless stated otherwise.)

General Plan policies relevant to this project are stated on the pages following this analysis.)

Date: January 16, 2013
Project Applicant: Sonoma County Waste Management Agency (SCWMA)
Project File Number: To be determined
Project Location / APN: 2535 Stage Gulch Road, Petaluma / APN: 068-040-015.
Project Title: Sonoma County Compost Facility - Site 40 / Teixeira Ranch.

Note: the Sonoma County Zoning code (Chapter 26 of the County Code) was amended on January 31, 2012, to allow commercial composting operations to subject to the approval of a use permit. These code changes were determined to be consistent with the General Plan. As such, this revised General Plan Consistency determination has been prepared to supersede the prior determinations and more accurately reflect the consistency of the proposed Sonoma County Compost Facility at Site 40 with General Plan policies

Project Description: The SCWMA is considering purchase the above 390 acre site for the purpose of constructing and operating a new county-wide compost facility on approximately 48 acres in the western corner of the site to replace the existing compost facility at the Central Disposal Site. At full production, the proposed facility would have capacity to process a maximum of 200,000 tons of compostable materials each year which is expected to be sufficient capacity to handle the waste stream for the existing and projected population through the year 2031.

Compostable materials imported to the site would include: green material (yard waste), wood waste, food material, and agricultural materials. The agricultural wastes that may be utilized are expected to be similar to those used at the existing facility on Mechem Road. Examples of compost feedstock that have been utilized include: green materials, chicken feathers, rice hulls and bedding material from poultry farms, and food materials. Non-hazardous liquid wastes may also be accepted as a substitute for the water that is added for efficient composting. Up to ten percent of the raw materials may include agricultural wastes and about fifteen percent of the finished product is sold to agricultural operations. However the majority of the input and output of the composting operation is not agriculturally related.

Materials would be processed and mixed and composted using either the current windrow turning system or an Aerated Static Pile (ASP) system which requires less mechanical turning and composts material in place under closed covers which allow enhance air circulation and filtration controls. Depending on the methodology the compost processing generally takes two to three months after which finished compost products would be sold from the premises. About 15% of the compost and mulch material is subsequently sold to agriculture operations (vineyards, etc.) with the remaining material sold for use by landscape companies, and other companies and or individuals.

Implementation of the project would require the construction of an impervious pad, water detention pond, and a small administrative office and septic system. The facility would also include areas for material sorting and processing, windrow composting, on-site access roads, buffer zones, a sales

April 25, 2011 GPCR for
SCWMA composting at Site 40/Teixeira Ranch

area for mulch and compost products, and storage areas. Site will be designed so that entire facility is on an impervious pad and will be self contained with respect to storm runoff such that all storm runoff will be retained on site within the 48 acres. Use for the remainder of the parcel is not anticipated or proposed and it is expected to remain as currently used irrigated rangeland grazing.

At maximum capacity, the composting facility may require up to 82.9 acre feet of water per year. Treated water from the Ellis Creek Water Recycling Facility approximately two miles to the west is already pumped to the site via an existing pipeline for irrigation purposes. If approved, agreements will be sought to continue to use the pipeline to deliver water to the composting operation. No modifications to the pipeline are necessary. Other water supply options including use of well water and water from the site's existing ponds.

Composted materials and mulch products would be marketed and distributed from the site. Current traffic levels for the compost operation at the landfill site are 352 per weekday) and 484 per weekend. These traffic levels are expected to increase to 803 per weekday and 1116 per weekend by the year 2030.

Conclusion:

As a result of Zoning code amendments adopted in 2012, a commercial composting operation could be approved and authorized on Site 40 provided that it obtains prior use permit approval from the county. The hearing body must find the proposal consistent with the General Plan before it could approve any such use permit request.

The proposal could be considered consistent depending upon the weight, and significance assigned to different goals, objectives and policies by the hearing body. Though the project would clearly be consistent with several of the County's General Plan goals with respect to waste reduction and sustainability, it could conflict with several other General Plan policies regarding the preservation of agricultural lands and minimizing impacts on agricultural production.

The General Plan requires agricultural production be the highest priority and primary use on the site and the LEA zoning district requires that the compost operation be incidental and subordinate to the agricultural production and that it minimize impacts to the agricultural production. However, the General Plan does not establish firm thresholds for making the above determinations. There are arguments both pro and con as to whether the proposed compost operation sufficiently avoids conflicts with agriculture and is incidental to onsite agriculture. It is ultimately left up to judgment of the hearing body to determine whether the proposed composting operation is consistent with the above policy directives.

That being said, the project could be designed and conditioned to be consistent with the General Plan if it:

- minimizes the conversion of agricultural lands,
- minimizes impacts to agricultural production,
- Provides a protective easement over the remaining agricultural lands on site, and
- Implements mitigations identified in the project EIR.
- Phase out or cancellation of the Williamson Act contract on the project area or reduce the size of the project to meet the area limitations (not more than 5 acres and 15% of area) specified in the Agricultural Preserve guidelines, or the Board of Supervisors otherwise makes specified findings to consider the project compatible.

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To the extent that the project is not found to be consistent with the General Plan's LEA land use or GP Policy AR-4a, a possible alternative approach, not addressed in this GPCD, which may allow the operation to be considered consistent with the General Plan would be to pursue redesignation of the site to the "PQP-Public/Quasipublic " land use Category which accommodates public facilities.

ANALYSIS

The following General Plan Goals, Objectives and Policies are pertinent to the proposed project and were considered in reaching the above conclusions regarding consistency.

LAND USE ELEMENT: The Land Use Element provides the distribution, location and extent of uses of land establishes standards for each land use category and establishes policies to guide growth and the development and use of land. The General Plan currently designates the proposed project site and surrounding area in the “LEA - Land Extensive Agriculture” Land Use Category. LEA Land Use has the primary purpose of enhancing and protecting lands with relatively low production per acre which are capable of and generally used for animal husbandry and the production of food, fiber, and plant materials. In addition to agricultural production, this land use category allows consideration of agricultural support uses and other uses consistent with the Agricultural Resources Element as provided in the Development Code.

The Land Use Element includes the following goals and objectives, in addition to those included in the Agricultural Resources Element, with respect to the protection of agricultural lands and the avoidance or agricultural land conversions and incompatible uses.

GOAL LU-9: Protect lands currently in agricultural production and lands with soils and other characteristics that make them potentially suitable for agricultural use. Retain large parcel sizes and avoid incompatible non agricultural uses.*

Objective LU-9.1: Avoid conversion of lands currently used for agricultural production to non agricultural use.

Objective LU-9.4: Discourage uses in agricultural areas that are not compatible with long term agricultural production.

Discussion: “Commercial Composting facilities” are specifically listed in Section 26-06-020 (P) (21) in the development code as a non-agricultural use which may be permitted with a use permit approval in the LEA provided that the use meets a local need, avoids conflict with agricultural activities, is incidental to the agricultural use of the site, and is consistent with Objective AR-4.1 and Policy AR-4a of the Agricultural Resources Element. As such, the applicant could apply for a discretionary use permit for a commercial composting operation on the subject LEA parcel without requiring any concurrent rezoning or land use changes. However, the permit approval would depend upon the hearing body’s consistency determinations.

The above goals and objectives compliment similar goals, objective and policies set forth in the Agricultural Resources Element to protect and conserve agricultural lands and regulate non agricultural uses on agricultural lands. These policies do not establish firm standards or thresholds by which a project would be clearly ascertained to be consistent or inconsistent. A review of these policies suggests that different conclusions could be drawn based on the significance and weight given to different policies and criteria.

To be considered consistent with the LEA district, the compost operation must be incidental and subordinate to the agricultural production and should minimize impacts to the agricultural production. These considerations are discussed more fully in the following discussion of Agricultural Resource Element Policies

If alternative sites exist to accommodate the compost operation, then conversion of the agricultural lands on the project site may be inconsistent with objective LU-9.1 above which seeks to avoid unnecessary conversions of agricultural land.

However, the project's consistency with the General Plan land use policies does not rest solely with a determination of its consistency with agricultural preservation policies. These policies must be weighed and balanced against other land use policies in the Land Use Element. For instance, Policy LU-11h encourages:

"... development and land uses that pursue reduction and re-use of by products and waste, especially approaches that also employ waste as a resource, such as ecoindustrial development."

A composting operation which promotes reuse of the organic wastes, converts them into a resource and reduces the waste stream would be consistent with the above policy.

It is not uncommon that some goals and objectives may conflict with each other since they serve different aims. Full compliance with each policy may not be possible. The different goals and objectives of the General Plan need to be balanced with each other. Where the General Plan calls for certain activities to be avoided, certain impacts to be minimized and certain practices discouraged or encouraged, projects should seek to achieve the maximum compliance possible. Since the project is serving an alternative, equally weighted general plan goal, some impact to agricultural lands may be considered tolerable provided that the composting operation is incidental to agricultural uses of the parcel, and the area of conversion and the impacts to agricultural production are minimized to the maximum degree practical. In such circumstance, the proposed composting operation could nevertheless be considered in substantial compliance with the General Plan Agricultural land policies.

Given that the proposed composting facility is a public use akin to a sewage treatment plant or park, it may be approved if an overriding public benefit exists. A composting operation which promotes reuse of the organic wastes, converts them into a resource and reduces the waste stream could be considered an overriding public benefit.

AGRICULTURAL RESOURCES ELEMENT: The Agricultural Resources Element policies pertinent to the project are:

Objective AR-4.1: ...Apply agricultural land use categories only to areas or parcels capable of the commercial production of food, fiber and plant material, or the raising and maintaining of farm animals ... Establish agricultural production as the highest priority use in these areas or parcels..."

Policy AR-4a: The primary use of any parcel within the three agricultural land use categories shall be agricultural production and related processing, support services, and visitor serving uses.

Policy AR-5e: Only permit agricultural support services that support local agricultural production consistent with the specific requirements of each of the three agricultural land use categories. Insure that such uses are subordinate to on-site agricultural production and do not adversely affect agricultural production in the area. Consider the following factors in determining whether or not an agricultural support service is subordinate to on-site agricultural production:

- (1) The portion of the site devoted to the service as opposed to production.
- (2) The extent of structure needed for the service as opposed to production.
- (3) The relative number of employees devoted to the support service use in comparison

- to that needed for agricultural production.
- (4) The history of agricultural production on the site.
- (5) The potential for the service facility to be converted to non agricultural uses due to its location and access.

Policy AR-5f: Use the following guidelines for approving zoning or permits for agricultural support services:

- (1) The use will not require the extension of sewer or water,
- (2) The use does not substantially detract from agricultural production on-site,
- (3) The use does not create a concentration of commercial uses in the immediate area,
- (4) The use is compatible with and does not adversely impact surrounding residential neighborhoods.

Discussion: Objective AR4.1 and Policy Ar-4a require that agricultural production be the highest priority and primary use of the LEA parcel. Similar to the land use policies above, These policies do not establish firm standards or thresholds by which a project would be clearly ascertained to be consistent or inconsistent.

However some guidance may be drawn from policy AR-5e and AR5f which similarly requires that agricultural support services be “subordinate” to on-site agricultural production and that they not adversely affect agricultural production in the area. Policy AR-5e And AR5f are also used to assess the consistency of fertilizer plants or yards in the LEA District. AR-5e and Ar-5f indicate a number of factors to be used in making such determinations. A review of the criteria suggests that the subject proposal for a compost facility is not a clear-cut case where it can be clearly found consistent or inconsistent. Rather, it could be found to be either based on the weight and importance given to certain criteria by the decision-making body

For instance the first factor listed under policy AR-5e is the portion of the property devoted to the operation. Since over 342 acres of the 390 acre site, or 88%percent of the land would remain in agricultural production and the composting operation would provide support services by handling agricultural wastes, the project could be found consistent with Policy AR-4a. Since General Plan policies seek to preserve the agricultural land base for future generations, there is a strong argument for giving considerable weight to the amount of acreage devoted to agriculture or the non agricultural use.

However, if the other considerations listed in policy AR-5e are used as a guide, there are arguments both pro and con as to whether the proposed compost operation adequately avoids conflicts with agriculture and is incidental to onsite agriculture. The compost operation would clearly be the more intense, dominant use of the parcel if the level of structures, infrastructure and employees and traffic generated is considered. The countywide facility will require more construction, employees, and water, and will generate more daily traffic. It will require installation of an office, parking lot, electrical service, water storage and a 15 -16.5 acre impermeable surfaced area. Using these criteria, the proposed county wide facility would not appear to be a subordinate incidental use but rather the primary use on the site.

Impacts to Agricultural Production: With respect to impacts to agricultural production, the 48 acre site is classified as either “prime farmland” or “farmland of state importance” in the Department of Conservation's farmland mapping. The 48 acre site has several soil types on it including Clear Lake Loam 2-5% slope, Diablo Clay Loam 0-30% slope and Haire Clay Loam 0-15% slope. It also has several areas of drainage gullies. About half the area has an agricultural capability unit rating II or

III with the remaining half in capability unit IV. The onsite soils suitability for farming is also reflected by its Storie index rating. Out of a range of 0 to 100, approximately a third of the site has a Storie Index rating in the 40 to 50 point range with the remainder of the parcel's soils ranked with a Storie Index rating less than 40.

The proposed project would remove the 48 acres from irrigated range land production. According to UC rangeland specialists, the 48 acres of irrigated pasture would be expected to support at least 48 -1000 pound cows, perhaps more if certain management practices are used. Even if this acreage is minimized through design or changes or mitigations, there will still be some unavoidable loss of agricultural production on the acres devoted to the composting operation. Where suitable feasible alternative sites exist which would not impact agriculture these site should be given preference in order to minimize impacts to agriculture. If other suitable feasible sites are not identified, then the impacts to agricultural production should be minimized through design and a protective easement over the remaining acreage could be provided to ensure the lands remain in agricultural production.

Though there would be a loss of this resource production on the 48 acres, an argument could be made that the scale of this effect would not be dramatic or significant since the state farmland mapping indicates that there are approximately 412,000 acres of available grazing land in the county and the County Crop Report indicates that there is about 6,997 acres of irrigated pasture in the county. In addition, the loss of irrigated rangeland production could be offset by providing irrigation to other rangelands which currently are not irrigated.

Another factor that would lend support to a finding of consistency is the fact that the proposed composting operation would utilize agricultural waste products from the surrounding area and manufacture high quality compost a portion of which is utilized by the agricultural community to enhance agricultural production. As such, portion of the operation could be considered consistent with the agricultural resource policies in the same manner as other agricultural support activities.

The use will not require the extension of sewer or water lines would not substantially detract from agricultural production on the remaining parcel areas. The project is not expected to create a concentration of commercial uses in the area. The project is surrounded by agricultural lands and is several miles from the nearest residential neighborhood. The project could have an impact on adjacent residences in terms of noise, odors and traffic but these could be avoided and minimized through proper design and the implementation of mitigations identified in the environmental review process carried pursuant to the California Environmental Quality Act.

WILLIAMSON ACT COMPLIANCE:

General Plan Policy AR-3b requires that Lands subject to a Williamson Act contract be restricted to prevent incompatible development as defined by the County's rules for administration of Agricultural Preserves, as amended from time to time. In addition the County development code for the LEA district stipulates that use permit applications for commercial composting operations "must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations."

Discussion: The existing 390 acre parcel has been in an Agricultural Preserve and Type-2 Williamson Act contract since 1975. Contracts entered into pursuant to the California Land Conservation Act of 1965 place additional restrictions on the parcel beyond those that would otherwise apply pursuant to the General Plan and Development Code. Even if a project complies with the other applicable General Plan policies for agriculture, it could still be incompatible with the stricter requirements imposed by the Williamson Act contract.

The General Plan supports the ongoing protection of agricultural lands through the Williamson Act. Contracts and the County's Williamson Act guidelines establish standards for compatible and incompatible use determinations under uniform Rule 8.0

The County recognizes that in addition to agricultural production, it may be appropriate to allow other uses of contracted land that are compatible with the agricultural operation on the property. This could include processing of agricultural commodities beyond the natural state and/or the sale and marketing of agricultural commodities or agricultural support services. In addition, the County's Williamson Act Rules list other allowable land use activities which may be considered compatible with agricultural production.

The new guidelines compatible uses in a Type II agricultural preserves but would require that to be considered compatible they must either 1) collectively occupy no more than 15% of the contracted land, or five acres, whichever is less, or 2) nevertheless be found compatible after the Board makes certain findings. Since the subject 48 acre project site exceeds the five acre limit, it could only be considered compatible if the Board makes the following findings:

(a) the proposed compatible use is an agricultural use, open space use, or recreational use, as defined by the Williamson Act and these Rules It is not; or

(b) the Board of Supervisors makes all of the following findings:

1. The use is enumerated as a compatible use by these Rules;

Composting facilities are not specifically listed as an allowed compatible use. However, uses supportive of agriculture such as the processing of agricultural commodities beyond the natural state, agricultural sales and marketing, and agricultural support services are listed as compatible uses. The ability to make this finding depends upon whether or not the Board finds the use which predominantly serves non agricultural interests fits into one of the above categories.

2. The land will continue to be devoted to agricultural use for a ...Type II contract

The remainder portion of the 390 acre parcel would be devoted to an agricultural use but not the 48 acre composting site

3. The use complies with Government Code Sections 51238.1 through 51238.3. Section 51238.2 and Section 51238.3 do not apply to the proposed project. Section 51238.1 requires uses approved on contracted lands shall be consistent with all of the following principles of compatibility:

(1) The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or on other contracted lands in agricultural preserves. Project would compromise long-term productive capacity on the 48 acres as it would be devoted to long-term composting operation but it would not compromise production on the remaining parcel area or other adjacent lands.

(2) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or on other

contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.

The project would eliminate 48 acres of irrigated pasture used for rangeland. It would not impair grazing uses on the remainder of the parcel or adjacent lands.

(3) The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use. Project is not expected to cause any removal of adjacent lands from the Williamson Act Contracts.

4. The use will not result in the significant increase in the density of the temporary or permanent human population that could hinder or impair agricultural operations on the subject contracted parcel or parcels;
No increase in populations is anticipated as a result of the project proposal. The project does not alter existing land use or zoning in the surrounding area.

5. The use will not require and will not encourage the extension of urban services such as public sewer, water, or the upgrade of public roads to urban standards that could encourage premature conversion of agricultural land to non-agricultural uses;
No extension of public services is required or anticipated.

6. The use will not include a residential subdivision;
The proposal does not involve any residential subdivision

7. The use is consistent with the County General Plan and Zoning Code;
See previous discussion in this analysis.

8. The use will not significantly change the character, appearance, or operation of the agricultural use or open space use of the contracted land.
The compost operation will change the character of the 48 acre site from rolling rangeland to a more industrial composting yard. However it is about a half mile from the road and may be partially screened. It would not affect the existing grazing use on the remainder of the parcel.

The applicability of the WA's contract restrictions will also depend on how the parcel is acquired by a local government agency. Public acquisition of Williamson Act land is governed by Government Code Sections 51290 – 51295 and 51296.6. If a public entity purchases the parcel for a public improvement and findings can be made pursuant to Government Code Section 51292, the Williamson Act contract may be voided on the portion acquired pursuant to the Government Code Section 51295. Section 51292 indicates that no public agency or person shall locate a public improvement within an agricultural preserve unless the following findings are made:

"(a) The location is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve, and

b) If the land is agricultural land covered under a contract pursuant to this chapter for any public improvement, that there is no other land within or outside the preserve on which it is reasonably feasible to locate the public improvement."

The contract shall be deemed null and void as to the land actually being condemned, or so acquired as of the date the action is filed. Upon the termination of the proceeding, the contract shall be null and void for all land actually taken or acquired for a public improvement or use. If only 48 acres of the 390 acre parcel is intended to be used for public purposes a subdivision and new contract may be required to retain the remainder of the land under the WA.

If the contract is not canceled, extensive findings must be made pursuant to the County's updated Williamson Act guidelines and Sections 51238.1 to 51238.3 of the Government Code. For Type II contracts (non-prime agricultural land), a minimum of 50% of the total contracted land must be continuously maintained and used for commercial production of an agricultural commodity. Where an agricultural commodity is produced, the preparation for market of agricultural commodities in their natural state, which are grown or raised on-site or in the local area may also be allowed along with facilities and structures utilized in the preparation and or storage of an agricultural commodity in their natural state.

If the Williamson Act contract is not canceled, and the use is not considered a compatible use under the contract, it may still be possible to achieve Williamson act consistency by considering an easement exchange on other non-contracted land, or converting to an open space easement.

PUBLIC FACILITIES AND SERVICES ELEMENT: This element contains County policy regarding solid waste management services in Sonoma County. The background text in section 3.4 describes State requirements and local history for the ColWMP adopted in 1993 and last amended in 2003. The ColWMP is the principal planning document for solid waste management in the County, but landfills, transfer stations and other solid waste management facilities located in unincorporated areas are designated in the Land Use Element. Following are the Element policies pertinent to this project:

Objective PF-2.9: Use the ColWMP and any subsequent amendments thereto, as the policy document for solid waste management in the County.

Discussion: The ColWMP includes a composting component (Section 4.5.4 et. seq.) which discusses several programs and implementation goals. Section 4.5.6.2 calls for the yard debris composting operation to be relocated to a permanent location off the Central Landfill during the 2009 to 2018 time frame. The proposal to relocate the existing facility to an alternate offsite location is consistent with the ColWMP implementation goal to relocate the operation to alternate site off of the Central Disposal Site.

Policy PF-2a: Plan, design, and construct ... solid waste services ... in accordance with projected growth, except as provided in Policy LU-4d.

Policy PF-2y: Minor public facilities... that ... are not the primary use of the subject property, are allowed in any land use category, provided they are compatible with neighborhood character and designed to have minimal impact on natural and scenic resources. Projects that are clearly significant in terms of cost, scope of environmental impacts, public controversy, or involve more than one parcel, shall not be considered minor.

Policy PF-2z: Acquisition of land for all larger public facilities not addressed by Policy PF-2y, including parks, schools, wastewater treatment and water transmission facilities...is generally inconsistent with agricultural land use categories.

Discussion: Since the project is a large central facility that would serve the entire County and would clearly be significant in terms of cost, scope of environmental impacts, public controversy, it may not qualify as a minor public facility under Policy PF-2y. Though Policy PF-2z indicates that public acquisition of lands for larger public facilities is generally inconsistent with the agricultural land use categories, there may still be occasional instances where such acquisitions may be appropriate. The acquisition of the proposed agricultural lands could be considered consistent if a General Plan amendment is applied for to change the land use designation to Public / Quasi-Public.

WATER RESOURCES ELEMENT: The Element was added to the 2020 General Plan to help ensure that Sonoma County's water resources are sustained and protected, that water use does not exceed replenishment rates over time causing declines in availability and that degradation in surface water or groundwater resources does not result. Several policies which are pertinent to the proposed relocated composting operation and the Central site are:

Policy WR-1b: Design, construct, and maintain County buildings, roads, bridges, drainage and other facilities to minimize sediment and other pollutants in stormwater flows. Develop and implement "best management practices" for ongoing maintenance and operation.*

Policy WR-1g: Minimize deposition and discharge of sediment, debris, waste and other pollutants into surface runoff, drainage systems, surface water bodies, and groundwater.*

Discussion: Since runoff from composting operations could include high degrees of organic matter, sediment and other constituents which could infiltrate to groundwater and/or affect the quality of surface waters, it will be important to design the operation to protect water resources. The proposed facility would be designed for zero discharge. Composting would be carried out on an impervious pad and all stormwater and compost leachate would flow to detention ponds to be reincorporated into the piles or for other beneficial use. If the ASP method of composting is used, a physical barrier would cover the piles preventing rainfall saturation which could cause excess runoff or compost leachate.

It is beyond the scope of this consistency review to assess potential ground water and surface water impacts or appropriate designs, BMP's or mitigations. These would be vetted out during the SCWMA's environmental review process and the County's permitting process. The stormwater management plan should be reviewed during the permitting process to assure that the above policies are met.

Policy WR-2e (formerly RC-3h): Require proof of groundwater with a sufficient yield and quality to support proposed uses in Class 3 and 4 water areas. ... Test wells may be required in Class 3 areas. Deny discretionary applications in Class 3 and 4 areas unless a hydrogeologic report establishes that groundwater quality and quantity are adequate and will not be adversely impacted by the cumulative amount of development and uses allowed in the area, so that the proposed use will not cause or exacerbate an overdraft condition in a groundwater basin or subbasin..."

Discussion: The site is in an area of marginal groundwater availability - Zone 3 which requires proof of groundwater with a sufficient yield and quality to support proposed uses prior to project approval. The composting operation proposes to use up to 82.9 acre feet of water per year and plans on utilizing an existing pipeline to the property to deliver treated water from the Ellis Creek Water Recycling Facility for use in the composting operation. For this reason the groundwater demands of the relocated compost operation may be less than the existing operation which relies on well water.

However, potable water will be necessary to serve the administrative office and employees and patrons. In addition, the project proposal includes assessment and possible use of other water supply options including use of well water and the site's existing ponds. These will be studied in the water supply assessment as part of the Environmental Impact Report preparation.

A detailed water budget should be prepared to estimate the projects groundwater needs. Proof of adequate groundwater availability will have to be provided prior to project approval and it may include a geologic report assessing groundwater supplies and nearby wells and or onsite test wells. In addition to addressing quantity of groundwater available to meet the proposed projects needs, the report must also verify that the quality of the groundwater is sufficient to meet the project needs.

Policy WR-2d: Continue the existing program to require groundwater monitoring for new or expanded discretionary commercial and industrial uses using wells. Where justified by the monitoring program, establish additional monitoring requirements for other new wells.*

Discussion: Depending on groundwater use and volume, monitoring may be required to comply with the above policy. It also may be required if the environmental review determines it is necessary for mitigation monitoring.

OPEN SPACE AND RESOURCE CONSERVATION ELEMENT: This element addresses open space for the preservation of natural resources. It seeks to preserve the natural and scenic resources and designates certain areas with designations where protective policies apply and provides the guidelines for making necessary consistency findings.

Objective OSRC-14.3: Reduce the generation of solid waste and increase solid waste reuse and recycling.

Discussion: A composting operation which promotes reuse of the organic wastes, converts them into a resource and reduces the waste stream would be consistent with the above policy.

The Open Space maps (Figure ORSC-5h) indicate there has been a reported observance of a special status species on the subject parcel, specifically a Western pond turtle which is a California Species of concern. In addition Adobe Road and the Highway 116/ Stage Gulch Roads which front the project parcel are designated as Scenic corridors.

Discussion: Both these issues would have to be assessed in the environmental review process and design revisions or mitigations would be recommended as necessary to avoid or minimize any impacts. The proposed site is setback approximately one half mile from the scenic corridors.