

Authority Board (WMA) & Energy Council (EC)

Dan Kalb, **WMA, President**

City of Oakland, WMA, EC

Michael Hannon, **WMA 1st Vice President**

City of Newark, WMA, EC

Dave Sadoff, **WMA 2nd Vice President**

Castro Valley Sanitary District, WMA

Lorin Ellis, **EC, President**

City of Union City, WMA, EC

Dianne Martinez, **EC 1st Vice President**

City of Emeryville, WMA, EC

Jim Oddie, **EC 2nd Vice President**

City of Alameda, WMA, EC

Keith Carson, County of Alameda, WMA, EC

Peter Maass, City of Albany, WMA, EC

Jesse Arreguin, City of Berkeley, WMA, EC

Don Biddle, City of Dublin, WMA, EC

Vinnie Bacon, City of Fremont, WMA, EC

Sara Lamnin, City of Hayward, WMA, EC

Bob Carling, City of Livermore, WMA, EC

Shelia Young, Oro Loma Sanitary District, WMA

Tim Rood, City of Piedmont, WMA, EC

Jerry Pentin, City of Pleasanton, WMA, EC

Deborah Cox, City of San Leandro, WMA, EC

Wendy Sommer, Executive Director

AGENDA

MEETING OF THE ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD AND THE ENERGY COUNCIL (EC)

Wednesday, March 22, 2017

3:00 P.M.

**StopWaste Offices
1537 Webster Street
Oakland, CA 94612
510-891-6500**

Meeting is wheelchair accessible. Sign language interpreter may be available upon five (5) days notice by calling 510-891-6500. Members of the public wanting to add an item to a future agenda may contact 510-891-6500.

I. CALL TO ORDER

II. ROLL CALL

III. ANNOUNCEMENTS BY THE PRESIDENTS - *(Members are asked to please advise the board or the council if you might need to leave before action items are completed)*

IV. CONSENT CALENDAR

- | | | |
|------|--|--------------------|
| Page | 1. Approval of the Draft Minutes of February 22, 2017 (Wendy Sommer) | Action |
| 1 | | |
| 7 | 2. Memorandum of Agreement Renewal with the Bay Area Air Quality Management District (Wendy Sommer)
The Programs and Administration Committee recommends that the WMA Board authorize the Executive Director to execute the renewal of the MOA with the BAAQMD. | Action |
| 11 | 3. Annual Audit for Fiscal Year 2015/16 (Todd High)
The Programs & Administration and the Planning & Organization Committees recommends that the WMA Board review, accept and file the FY 2015/16 audit report.

Staff recommends that the Energy Council review, accept and file the FY 2015/16 audit report. | Action |
| 13 | 4. Minutes of the February 21, 2017 Technical Advisory Group (Karen Kho) | Information |
| 19 | 5. Grants Issued Under Executive Director Signature Authority (Wendy Sommer) | Information |

V. OPEN PUBLIC DISCUSSION

An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the boards or council, but not listed on the agenda. Total time limit of 30 minutes with each speaker limited to three minutes.

VI. REGULAR CALENDAR

- | | | |
|----|--|---------------|
| 21 | 1. Two-Year Service Credit Enabling Resolution (Pat Cabrera)
Staff recommends that the WMA Board approve the attached resolution which will allow the Authority to offer the two-year service credit to eligible employees in the Program Manager I, Program Manager II and Senior Program Manager classifications with the designated window period to begin May 1, 2017 and end September 30, 2017. | Action |
| | | |
| 25 | 2. Second Reading and Consideration of adoption for Ordinance 2017-02: Amendment to the Alameda County Integrated Waste Management Plan to Include the Davis Street Transfer Station Organics Facilities in the City of San Leandro (Debra Kaufman)
It is recommended that the Waste Management Authority waive the requirement to read the full text of the Ordinance, read by title only, and adopt Ordinance 2017-02. | Action |
| | | |
| | 3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer)
(The April 13, 2017 P&O and Recycling Board meeting is cancelled in lieu of a joint meeting of the WMA Board, Energy Council, and Recycling Board on April 26, 2017 at 3:00 p.m. at StopWaste offices, 1537 Webster St., Oakland, CA) | Action |

VII. COMMUNICATIONS/MEMBER COMMENTS

- | | |
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| 45 | VIII. 2017 STOPWASTE BUSINESS EFFICIENCY AWARDS |
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IX. ADJOURNMENT

DRAFT

**MINUTES OF THE MEETING
OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA)
And
THE ENERGY COUNCIL (EC)**

Wednesday, February 22, 2017

3:00 P.M.

**StopWaste Offices
1537 Webster Street
Oakland, CA 94612
510-891-6500**

I. CALL TO ORDER

Dan Kalb, President, WMA, called the meeting to order at 3.02 p.m.

II. ROLL CALL

WMA & EC:

County of Alameda	Keith Carson, WMA, EC
City of Alameda	Jim Oddie, WMA, EC
City of Albany	Peter Maass, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Dublin	Don Biddle, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Hayward	Sara Lamnin, WMA, EC
City of Livermore	Bob Carling, WMA, EC
City of Newark	Mike Hannon, WMA, EC
City of Oakland	Dan Kalb, WMA, EC
Oro Loma Sanitary District	Shelia Young, WMA
City of Piedmont	Tim Rood, WMA, EC
City of Pleasanton	Kathy Narum, WMA, EC
City of San Leandro	Deborah Cox, WMA, EC

ABSENT:

City of Berkeley	Jesse Arreguin, WMA, EC
City of Fremont	Vinnie Bacon, WMA, EC
City of Union City	Lorin Ellis, WMA, EC

Staff Participating:

Wendy Sommer, Executive Director
Tom Padia, Deputy Executive Director
Pat Cabrera, Administrative Services Director
Debra Kaufman, Senior Program Manager
Richard Taylor, Legal Counsel, Authority Board
Arliss Dunn, Clerk of the Board

Others Present:

Shawn Tackitt, Waste Management, Inc.

Peter Slote, City of Oakland

Antoinette Stein, City of Berkeley resident

Jim Prola, City of San Leandro resident/prior Council member/Vice Mayor

Wafaa Aborashed, Bay Area Health Communities and City of San Leandro resident

Arthur Boone, NCRA

III. ANNOUNCEMENTS BY THE PRESIDENTS

Wendy Sommer welcomed Councilmember Sara Lamnin to the WMA Board as the new representative for the City of Hayward. Arthur Boone announced that Gretchen Brewer, a pioneer in the recycling movement had recently passed away. Ken Bukowski announced that he had recorded a forum at Oakland City Hall regarding public banks and encouraged local cities to consider exploring public banks.

IV. CONSENT CALENDAR

- | | |
|--|---------------|
| 1. Approval of the Draft Minutes of January 25, 2017 (Wendy Sommer) | Action |
|
 | |
| 2. Waste Characterization 2017: Contractor Recommendation (Meghan Starkey) | Action |
| The Programs & Administration Committee recommends that the Authority Board authorize the Executive Director to enter into a contract with SCS Engineers for a total of \$347,000. | |

Board member Young made the motion to approve the Consent calendar. Board member Narum seconded and the motion carried 16-0. (Cox-absent from room)

(Ayes: Biddle, Carling, Carson, Hannon, Kalb, Lamnin, Maass, Martinez, Narum, Oddie, Rood, Sadoff, Young. Nays: None. Abstain: None. Absent: Arreguin, Bacon, Ellis).

V. OPEN PUBLIC DISCUSSION

There was none.

VI. REGULAR CALENDAR

- | | |
|--|---------------|
| 1. First Reading and Public Hearing for Ordinance 2017-02: Amendment to the Alameda County Integrated Waste Management Plan to Include the Davis Street Transfer Station Organics Facilities in the City of San Leandro (Debra Kaufman) | Action |
|--|---------------|

Staff and the Recycling Board as LTF and the P&O committee, recommend that the WMA Board take the following actions:

Hold a public hearing and introduce and waive the first reading of the ColWMP Amendment ordinance (Attachment A) at the February 22, 2017 meeting to:

1. Amend the ColWMP (Exhibit 1) to include the Davis Street Organics Facilities at the Davis Street Transfer Station in San Leandro, and make additional changes for consistency;
2. Find that the Davis Street Organics Facilities including the organics materials recovery facility (OMRF), composting facility and anaerobic digestion facility conform to the ColWMP as amended and;
3. Make the findings required by CEQA, and also recommend that the Authority Board direct staff to place the ordinance on the calendar for adoption at the March 22, 2017 meeting.

DRAFT

Debra Kaufman provided a summary of the staff report. The report is available here:

[Davis-Street-ColWMP-memo.pdf](#)

Shawn Tackitt, Project Manager, Waste Management, Inc. provided an overview of the proposed OMRF project. Prior to public comments Board member Martinez requested that staff clarify if the role of the Board is to weigh the merits or weaknesses of the project or are they limited to specific findings given the project has undergone the necessary CEQA requirements. Ms. Kaufman responded that the role of the WMA Board is to make sure that the project is consistent with the policies and siting criteria contained within the ColWMP and to review the CEQA that was done by the lead agency. Board member Martinez inquired about the appropriate venue for anyone expressing concerns related to the merits or other issues relating to the project. Ms. Kaufman stated that the project is still under review for air permitting through BAAQMD and CalRecycle has to issue a permit as well.

President Kalb opened the public hearing. Peter Slote, City of Oakland, provided context and intent of the City of Oakland's involvement in the project. Toni Stein, Environmental Health Trust, expressed concern regarding environmental justice and equity issues around the corridor of the Davis Street facility with respect to the odors and particulates that may exist from the proposed facility. Ms. Stein asked that the Board not approve the project. Jim Prola, San Leandro resident, former Councilmember and Vice Mayor, commented that he worked closely with Waste Management via a neighborhood forum. Mr. Prola stated that initially Waste Management was not responsive to neighborhood complaints but has become extremely responsive to resolving any issues. He added there have been minimal complaints over the past years. Wafaa Aborashed, Bay Area Health Communities and San Leandro resident, expressed concern regarding increased pollution and truck traffic from the proposed facility. Arthur Boone commented on the merits of source separation and expressed doubt about the viability of the proposed facility. There were no further public speakers. President Kalb closed the public hearing.

Board member Sadoff inquired about the rationale for the proposed reduction in truck traffic. Mr. Tackitt stated that the decomposition in the composting and digestion processes reduces the volume of solids and much of the moisture in food will be evaporated, therefore reducing the volume of loads. The number of outbound trucks will be reduced by between 6-10 trucks per day. There will be no reduction in the number of inbound trucks (it's the same amount as current traffic). Board member Sadoff inquired if the BAAQMD will require perimeter monitoring at the facility and if not Waste Management may want to institute the program to allay any neighborhood concerns. Mr. Tackitt stated they might look into it. The project is required to meet the BAAQMD emissions monitoring requirements. Board member Lamnin inquired if solar will be installed onsite. Mr. Tackitt stated yes solar will be installed on the proposed facility as well as other buildings at the Davis Street site. Board member Lamnin inquired if the facility is constructed considering future capacity as well as to accommodate current capacity. Mr. Tackitt stated yes. Board member Maass inquired about existing studies about facilities in other countries that have used this technology and its effectiveness. Mr. Tackitt stated that Waste Management is partnering with equipment vendors and operators experienced in this field as well as a specific company that operates 40 facilities and processes over 7.5 million tons per year. Board member Maass added he is concerned that the public will learn about this process and will stop separating materials. Mr. Tackitt stated that the facility is designated to process municipal waste after source separation and Waste Management has been very careful in not publicizing the facility.

Board member Martinez asked for clarification regarding the alleged discrepancies between the 2010 Initial Study and Negative Declaration and the description of the current project. Mr. Tackitt stated that the facility proposed in San Leandro as described in the master plan is identical to the description in the CEQA document and has the following components: materials separation from MSW, anaerobic digestion, and composting. Board member Young inquired about the categories of the 100 new union jobs that will be created. Mr. Tackitt stated that the new jobs will be in the operator and maintenance categories. Board member Cox stated that as

the representative for San Leandro she is aware of the concerns but she has toured the facility and spoke with city staff regarding the project and she is pleased to know that the facility is self-contained and is assured that Waste Management is committed to resolving any issues that may arise. She is also pleased to know that there will be no increase in out bound truck traffic. Board member Cox noted that Oyster Bay Regional Park is adjoined to the Davis Street Transfer Station and Waste Management has been working with East Bay Regional Parks for landscaping improvements in the renovation of Oyster Bay. Mr. Tackitt added East Bay Regional Parks is also assisting them with a grant from CalRecycle. Board member Hannon stated that the comments from Board member Cox were important as the representative for San Leandro. Board member Hannon inquired about the status of the application for a solid waste permit and inquired about any current violations. Mr. Tackitt stated with respect to the solid waste permit they are waiting on the results from Board action on the ColWMP hearing and added there aren't any current violations. Board member Hannon inquired if they are able to store green waste uncovered. Mr. Tackitt stated in 2013 they constructed a green waste building under a master plan and all of the green waste was moved indoors. Board member Hannon stated that he is excited about the new technology and is looking forward to having a status update when the facility is in operation. Ms. Sommer stated that staff will arrange a tour for the Board when the facility is in operation. Mr. Tackitt stated that the organics portion of the OMRF will begin in March 2018 and compost operations will commence in either late 2018 or early 2019. President Kalb concurred with Board member Hannon that the Board would like to have an analysis on the success of the OMRF a year after operations have commenced. Board member Sadoff inquired of staff if there is a way to evaluate current conditions as far as the amount of source separated organics that are currently coming in from Oakland a year out. Peter Slote stated that all of the materials are moving targets. The amount of organics varies by the drought and production of plant debris. However there will be a way to assess the success of the OMRF but not year by year tonnage numbers. Tom Padia added that most of what the cities have in terms of source separation are reports from their haulers and we request copies of that data. However, precipitation patterns create a significant fluctuation in the amount of green cart contents. We have pretty good numbers from our benchmark program and we can continue to evaluate that data and note any increase in single family organics in the garbage.

Board member Cox made the motion to hold a public hearing and introduce and waive the first reading of the ColWMP Amendment ordinance (Attachment A) to: 1) Amend the ColWMP (Exhibit 1) to include the Davis Street Organics Facilities at the Davis Street Transfer Station in San Leandro, and make additional changes for consistency; 2) Find that the Davis Street Organics Facilities including the organics materials recovery facility (OMRF), composting facility and anaerobic digestion facility conform to the ColWMP as amended and; 3) Make the findings required by CEQA, and also recommend that the Authority Board direct staff to place the ordinance on the calendar for adoption at the March 22, 2017 meeting. The Board added a request to Waste Management to provide analysis and an update to the Board a year after the facility commences operating. Board member Biddle seconded and the motion carried 17-0.

(Ayes: Biddle, Carling, Carson, Cox, Hannon, Kalb, Lamnin, Maass, Martinez, Oddie, Narum, Rood, Sadoff, Young. Nays: None. Abstain: None. Absent: Arreguin, Bacon, Ellis).

2. Workforce Strategy: Two-Year Service Credit (Pat Cabrera)	Action
Staff recommends that the WMA Board approve offering the two-year service credit to eligible employees in the Program Manager I, Program Manager II and Senior Program Manager classifications, and approve establishing the window period to begin May 1, 2017 and end September 30, 2017. Staff further recommends that the Board direct the Executive Director or designee to prepare the enacting resolution for action at the March 22, 2017 WMA Board meeting.	

Pat Cabrera provided a summary of the staff report. The report is available here:
[Two-Year-Service-Credit-memo.pdf](#)

DRAFT

Board member Hannon stated that he is concerned about offering the incentive to employees that have been employed by the agency for only five years and inquired about the average tenure of the three employees that has accepted the offer. Ms. Cabrera stated the five year vesting requirement is established by PERS but the average tenure for the employees that have accepted the offer is fourteen years. Board member Carling inquired how staff perceived the offer - was it positively received by staff? Ms. Sommer stated that she received positive comments regarding Board direction to move forward. Ms. Cabrera added that individual meetings were held with eligible employees who expressed that they did not feel pressured to accept the offer and were appreciative of Board approval of offering the incentive. Board member Lamnin inquired about the effects of our long term liability. Ms. Cabrera stated that the long term liability will be factored in and will be part of the discussion once we know the actual number of employees that will participate in the incentive. Board member Hannon asked that the budget document include a note outlining the anticipated salary savings referencing this action. Ms. Cabrera stated that she will include a note in the annual fiscal forecast. There was no public comment on this item.

Board member Hannon made the motion to approve the staff recommendation. Board member Narum seconded and the motion carried 17-0.

(Ayes: Biddle, Carling, Carson, Cox, Hannon, Kalb, Lamnin, Maass, Martinez, Narum, Oddie, Rood, Sadoff, Young. Nays: None. Abstain: None. Absent: Arreguin, Bacon, Ellis.

Ms. Sommer requested direction from the Board for structuring the meeting in March as the agenda will include the Business Efficiency Awards event. The Board directed staff to hold the Board meeting first at the normal 3:00 start time with the event to follow.

Ms. Sommer announced the award recipients:

Evergreen Nursery, San Leandro

Niles Pie Company, Union City

Rahma Mediterranean Market, Dublin

Guckenheimer Corporate Food Service, with projects in Fremont, Newark, Dublin, Pleasanton, Livermore and Alameda

Beneficial State Bank, Oakland

- 3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer)** **Action**
(P&O and Recycling Board meeting, March 9, 2017 - 4:00 pm – StopWaste Offices, 1537 Webster Street, Oakland, CA)

There were no requests for an interim appointment.

VII. COMMUNICATION/MEMBER COMMENTS

Information

There were none.

VIII. ADJOURNMENT

The meeting adjourned at 4:27 p.m.

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DATE: March 22, 2017

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

BY: Brian Mathews, Senior Program Manager

SUBJECT: Memorandum of Agreement Renewal with the Bay Area Air Quality Management District

SUMMARY

On March 9, 2017, the Programs and Administration Committee recommended that the Authority Board authorize the Executive Director to execute the renewal of the Memorandum of Agreement between the Authority and the Bay Area Air Quality Management District to continue their air monitoring activities on the Authority's property, specifically Parcel 6 on Patterson Pass Road. The staff report discussing this item can be found at [ACWMA-Property--MOA-BAAQMD.pdf](#).

COMMITTEE ACTION

The P&A Committee recommended advancement of the MOA renewal by a vote of 8 -0 (Arreguin, Carson, Kalb, and Lamnin, absent). Committee member Hannon also requested a copy of one of BAAQMD's reports as it pertains to the Authority property, which is attached.

RECOMMENDATION

The Programs and Administration Committee recommends that the WMA Board authorize the Executive Director to execute the renewal of the MOA with the BAAQMD.

Attachment: BAAQMD Report – Bay Area Air Pollution Summary-2015

BAY AREA AIR POLLUTION SUMMARY - 2015

MONITORING STATIONS	OZONE						CARBON MONOXIDE			NITROGEN DIOXIDE				SULFUR DIOXIDE				PM ₁₀				PM _{2.5}				
	Max 1-Hr	Cal 1-Hr	Max 8-Hr	Nat 8-Hr	Cal 8-Hr	3-Yr Avg	Max 1-Hr	Max 8-Hr	Nat/Cal Days	Max 1-Hr	Ann Avg	Nat 1-Hr	Cal 1-Hr	Max 1-Hr	Max 24-Hr	Nat 1-Hr	Cal 24-Hr	Ann Avg	Max 24-Hr	Nat 24-Hr	Cal 24-Hr	Max 24-Hr	Nat 24-Hr	3-yr Avg	Ann Avg	3-yr Avg
	(ppb)		(ppb)				(ppm)			(ppb)				(ppb)				(µg/m ³)				(µg/m ³)				
North Counties																										
Napa	79	0	69	0	0	61	3.3	1.6	0	43	8	0	0	-	-	-	-	18.6	50	0	0	38.2	1	27	10.6	11.4
San Rafael	81	0	70	0	0	61	1.4	0.9	0	44	11	0	0	-	-	-	-	16.1	42	0	0	36.3	2	26	8.6	10.0
Sebastopol*	68	0	62	0	0	*	1.3	0.9	0	37	5	0	0	-	-	-	-	-	-	-	-	29.9	0	*	6.8	*
Vallejo	85	0	70	0	1	61	2.4	1.9	0	44	8	0	0	5.0	1.7	0	0	-	-	-	-	41.4	3	29	9.6	9.8
Coast & Central Bay																										
Laney College Freeway*	-	-	-	-	-	-	2.7	1.6	0	106	18	1	0	-	-	-	-	-	-	-	-	37.2	1	*	10.0	*
Oakland	94	0	74	2	2	52	2.4	1.4	0	48	11	0	0	-	-	-	-	-	-	-	-	44.7	1	25	8.3	9.1
Oakland-West	91	0	64	0	0	49	4.7	2.6	0	57	14	0	0	21.6	3.9	0	0	-	-	-	-	38.7	3	29	10.2	10.8
Richmond	-	-	-	-	-	-	-	-	-	-	-	-	-	12.0	2.8	0	0	-	-	-	-	-	-	-	-	-
San Francisco	85	0	67	0	0	48	1.8	1.3	0	71	12	0	0	-	-	-	-	19.2	47	0	0	35.4	0	25	7.6	8.4
San Pablo	84	0	62	0	0	55	2.0	1.1	0	46	9	0	0	10.7	2.4	0	0	18.6	43	0	0	33.2	0	27	8.9	10.5
Eastern District																										
Bethel Island	80	0	72	1	2	66	1.1	0.9	0	29	5	0	0	8.8	1.9	0	0	13.6	33	0	0	-	-	-	-	-
Concord	88	0	73	2	4	64	1.4	1.3	0	33	7	0	0	6.7	2.0	0	0	13.1	24	0	0	31.0	0	23	8.8	7.7
Crockett	-	-	-	-	-	-	-	-	-	-	-	-	-	20.5	3.7	0	0	-	-	-	-	-	-	-	-	-
Fairfield	84	0	72	1	1	63	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Livermore	105	1	81	7	7	73	-	-	-	50	10	0	0	-	-	-	-	-	-	-	-	31.1	0	28	8.8	8.2
Martinez	-	-	-	-	-	-	-	-	-	-	-	-	-	14.7	4.8	0	0	-	-	-	-	-	-	-	-	-
Patterson Pass*	99	4	82	5	6	*	-	-	-	19	3	0	0	-	-	-	-	-	-	-	-	-	-	-	-	-
San Ramon	106	1	84	6	6	70	-	-	-	37	6	0	0	-	-	-	-	-	-	-	-	-	-	-	-	-
South Central Bay																										
Hayward	103	2	84	2	2	65	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redwood City	86	0	71	1	1	59	3.4	1.6	0	48	11	0	0	-	-	-	-	-	-	-	-	34.6	0	24	5.7	7.8
Santa Clara Valley																										
Gilroy	95	1	78	3	3	67	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	42.2	2	18	7.2	7.5
Los Gatos	100	1	84	4	5	67	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
San Jose	94	0	81	2	2	63	2.4	1.8	0	49	13	0	0	3.1	1.1	0	0	22.0	58	0	1	49.4	2	30	10.0	10.2
San Jose Freeway*	-	-	-	-	-	-	2.7	2.0	0	61	18	0	0	-	-	-	-	-	-	-	-	46.9	1	*	8.4	*
San Martin	98	1	83	4	4	70	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Bay Area																										
Days over Standard	7			12	12				0		1	0			0	0			0	1			9			

*See NOTES on second page.

Dash (-) indicates pollutant is not monitored at the site.

2015 NOTES

The annual Bay Area Air Pollution Summary summarizes pollutant concentrations for comparison to the national and California air pollution standards.

***Station Information (see asterisks on front page)**

Air monitoring at Sebastopol began in January 2014. Therefore, 3-year average statistics for ozone and PM_{2.5} are not available. The Sebastopol site replaced the Santa Rosa site which closed on December 13, 2013.

Ozone monitoring using the federally accepted method began at Patterson Pass on April 1, 2015. Therefore, 3-year average ozone statistics are not available.

Near-road air monitoring at Laney College Freeway began in February 2014. Therefore, 3-year average PM_{2.5} statistics are not available.

Near-road air monitoring at San Jose Freeway began in September 2014. Therefore, 3-year average PM_{2.5} statistics are not available.

Explanation of Terms

State and national exceedances occur when pollutant concentrations exceed the indicated standards. For comparison, values in ppb must be converted to ppm and rounded to the same number of decimal places as the original standard.

MAX HR / MAX 8-HR / MAX 24-HR

The highest average pollutant concentration over a one-hour period, an eight-hour period (on any given day), or a 24-hour period (from midnight to midnight).

ANN AVG

The yearly average (arithmetic mean) of the readings taken at a given monitoring station.

NAT DAYS

The number of days during the year for which the monitoring station recorded pollutant concentrations exceeding the national standard.

CAL DAYS

The number of days during the year for which the station recorded pollutant concentrations exceeding the California standard.

TOTAL BAY AREA DAYS OVER STANDARD

is not a sum of exceedances at individual stations, but rather the number of days where at least one site recorded an exceedance.

3-YR AVG (Nat. 8-hr ozone standard)

The 3-year average of the fourth highest 8-hour average ozone concentrations for each monitoring station. A 3-year average greater than 70 ppb at any monitoring station means that the region does not meet the standard and may be designated non-attainment by the EPA.

PM₁₀

Particulate matter ten microns or smaller in size. PM₁₀ is sampled every third day at San Jose and every sixth or twelfth day at all other sites.

PM_{2.5}

Particulate matter 2.5 microns or smaller in size. PM_{2.5} is a sub-category of PM₁₀.

PM₁₀ ANN AVG and MAX 24-HR

This table shows PM₁₀ data reported at local temperature and pressure conditions, according to the California standards. National PM₁₀ data are converted to standard temperature and pressure conditions, which generally results in slightly lower readings.

3-YR AVG (PM_{2.5} 24-hour standard)

The 3-year average of the annual 98th percentiles of the individual 24-hour concentrations of PM_{2.5}. A 3-year average greater than 35 µg/m³ at any monitoring station means that the region does not meet the standard and may be designated non-attainment by the EPA.

3-YR AVG (PM_{2.5} annual standard)

The 3-year average of the quarterly averages of PM_{2.5}. A 3-year average greater than 12.0 µg/m³ at any monitoring station means that the region does not meet the standard and may be designated non-attainment by the EPA.

HEALTH-BASED AMBIENT AIR QUALITY STANDARDS

Pollutant	Averaging Time	California Std	National Std
Ozone*	1 Hour	0.09 ppm	—
	8 Hour	0.070 ppm	0.070 ppm
Carbon Monoxide	1 Hour	20 ppm	35 ppm
	8 Hour	9.0 ppm	9 ppm
Nitrogen Dioxide	1 Hour	0.18 ppm	0.100 ppm
	Annual	0.030 ppm	0.053 ppm
Sulfur Dioxide	1 Hour	—	0.075 ppm
	24 Hour	0.04 ppm	—
Particulates ≤ 10 microns	24 Hour	50 µg/m ³	150 µg/m ³
	Annual	20 µg/m ³	—
Particulates ≤ 2.5 microns	24 Hour	—	35 µg/m ³
	Annual	12 µg/m ³	12.0 µg/m ³

* In October 2015, the U.S. EPA implemented a new 8-hour ozone standard of 70 ppb. Exceedances are based on this standard (note that national and state numbers can differ due to data-handling conventions)

Concentrations

ppm

parts per million

ppb

parts per billion

µg/m³

micrograms per cubic meter

TEN-YEAR BAY AREA AIR QUALITY SUMMARY DAYS OVER CURRENT STANDARDS

YEAR	OZONE			CARBON MONOXIDE		NITROGEN DIOXIDE		SULFUR DIOXIDE		PM ₁₀		PM _{2.5}
	8-Hr	1-Hr	8-Hr	1-Hr	8-Hr	1-Hr	1-Hr	1-Hr	24-Hr	24-Hr	24-Hr	
	Nat	Cal	Cal	Nat	Cal	Nat	Cal	Nat	Cal	Nat	Cal	Nat
2006	20	18	22	0	0	0	0	1	0	0	15	10
2007	8	4	9	0	0	0	0	0	0	0	4	14
2008	19	9	20	0	0	0	0	2	0	0	5	12
2009	11	11	13	0	0	0	0	0	0	0	1	11
2010	11	8	11	0	0	0	0	0	0	0	2	6
2011	9	5	10	0	0	0	0	0	0	0	3	8
2012	8	3	8	0	0	0	0	1	0	0	2	3
2013	3	3	3	0	0	0	0	0	0	0	6	13
2014	9	3	10	0	0	0	0	0	0	0	2	3
2015	12	7	12	0	0	0	0	1	0	0	1	9

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DATE: March 22, 2017

TO: Waste Management Authority Board
Energy Council

FROM: Wendy Sommer, Executive Director

BY: Todd High, Financial Services Manager

SUBJECT: Annual Audit for Fiscal Year 2015/16

SUMMARY

On March 9, 2017, the Programs and Administration Committee and the Planning and Organization Committee/Recycling Board heard a presentation of the Fiscal Year 2015/16 Annual Audit. There were no audit exceptions or material deficiency findings. Additionally, there were no recommendations for improvements in internal controls. The report submitted to the P&A and the P&O/RB can be found at: [Audit-Report-2015-2016.pdf](#)

COMMITTEE ACTION

The P&A Committee and the P&O Committee reviewed and recommended by the respective votes of 9-0 (Arreguin, Carson, and Kalb absent) and 9-0 (Oddie and Stein absent) to forward the audit report to the Waste Management Authority for review, acceptance and filing. The Recycling Board by a vote of 9-0 (Oddie and Stein absent) reviewed and accepted for filing the FY 2015/16 audit.

RECOMMENDATION

The Programs & Administration and the Planning & Organization Committees recommend that the WMA Board review, accept and file the FY 2015/16 audit report.

Staff recommends that the Energy Council review, accept and file the FY 2015/16 audit report.

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MEETING NOTES
Energy Council
TECHNICAL ADVISORY GROUP (TAG)

Tuesday, February 21, 2017 – 1:00 pm to 3:00 pm

Attendance:

City of Alameda: Maria DiMeglio (phone)
City of Albany: Claire Griffing
City of Berkeley: Billi Romain
City of Dublin: Rebecca Parnes
City of Fremont: Rachel DiFranco
City of Hayward: Erik Pearson
City of Livermore: Judy Erlandson (phone)
City of Oakland: Shayna Hirshfield-Gold
City of Piedmont: Emily Alvarez
City of San Leandro: Sally Barros
StopWaste: Heather Larson, Miya Kitahara, Candis Mary-Dauphin

Civic Spark: Fanny Yang, Christopher Sturken, Benjamin Davenport, Olivia Ashmoore, Jacob Strauss, Kranti Malik, Yoni Carnice, Bree Swenson

Meeting Notes

Energy Council Board Updates

- The BayREN contract was taken to the board and accepted at up to \$6 million.
- Karen provided a CCA update informational item which included an overview of Energy Council activities. Her presentation is available for staff to use internally. It covers Energy Council core competencies, timelines and proposals.

CCE Updates

- Rachel attended the local development business planning meeting. Solar siting survey next steps and county capacity were discussed. Meeting attendees examined ways CCEs could roll out programs and tariff structures, long-term and short term renewable energy and job growth goals, and RFP next steps.
- Sally and Erik were at the last EBCE meeting. The consultants are trying to put a reality check on the launching date discussion, which they believe will not happen until 2018. Three consulting firms are being considered for marketing, call center, and energy procurement. Each firm will have to go through a CPUC review process which will further delay the launch.
- The delay will give Contra Costa County cities more time to join initial group. A spring launch may have a positive impact on rates as well.

- Five consultant teams have been interviewed. There was a mix of teams that had planning and energy backgrounds, and others had software development experience. Teams were all local and comprised of multiple firms.
- No one has heard any updates on Contra Costa County cities' decisions on joining EBCE. There are council meetings at Contra Costa County cities scheduled.
- The CPUC had an en banc meeting on CCAs in energy efficiency. Commissioner said positive things about Sonoma's model.
- LGSEC is working on a Business of Clean Energy event. It will be in Southern California in May this year.

Program Updates

- BayREN multifamily program completed 1,215 units in 2016. The pipeline for 2017 is healthy, with 74 units already in construction and 1,800 units in TA.
- SW will launch Alameda County outreach in early spring, and is seeking workshop locations.
- Program participants are being recognized this year at the City of Hayward's Environmental Awards and on San Leandro's "San Leandro Next" blog. SW is seeking additional opportunities to recognize program participants.
- The Multifamily Energy Efficiency Rebate single measure program has been discontinued for the remainder of 2017
- Albany Schools and San Leandro possibly interested in BayREN ZNE assistance. Additional interested jurisdictions should contact Heather.

CEC Local Government Challenge Grant

- Oakland is putting in an application for its eco-block
- StopWaste is putting together 2 proposals
 - CAP 2.0- Small Cities
 - Albany, Dublin, Piedmont, and San Leandro have joined. Unincorporated Alameda County might also join. This is a needs-based funding source, but our argument is that we will deliver innovative climate action plan components that are needed, that have not yet been developed such as grid 2.0 reliability issues, the duck curve and plugging into EE measures. There will also be a focus on forecasting modeled after Berkeley's Wedge analysis.
 - Multifamily Policy- Large Cities
 - Berkeley and Hayward currently on board, grant will leave it open to up to two additional jurisdictions. Our concept is disclosure policy at time of rental inspection as trigger event, as there is a lot of pushback from realtor community with other triggers. For this grant, we are not looking to filter money to the cities, and are planning to hire a consultant.

Microgrid Interconnection Policy Barrier

- City of Fremont shares issues encountered with storage sizing in PG&E Net Energy Metering rate design
- GridScapes designed a system that would provide 3 hours of islanding and recharging for emergency facilities.
 - They were informed that PG&E does not allow battery system to be sized more than 150% of solar capacity. They want to prevent the possibility of storing energy at a low cost and selling it back at high cost. This restriction puts a parameter around the extent to which microgrids can be used as a resiliency strategy for the community.
 - Excess generation would have to be sold through a PPA, which would not be financially viable
 - Fremont could also sell excess energy through an arrangement with CAISO, but would take more time than they have to submit to the grant
 - Part of the feasibility plan is to look into tariff structures. The outcome could be a recommendation on a rate design for a CCA.
- This NEM issue is also affecting Berkeley, and possibly Oakland.
- SW could manage a consultant to explore this issue if the TAG wants to make it a priority.

State and Regional Climate Action Planning Activities

- CARB and BAAQMD are presenting at the next Joint Ventures Silicon Valley climate task force meeting on 3/9, but comments are due on the CARB scoping plan on 3/6 and on the BAAQMD Clean Air Plan on 3/6.
- SW is submitting comments on the energy and waste areas and wanted to solicit feedback and additional comments prior to deadlines
- CARB 2030 Scoping Plan (comments due 3/6)
 - Looking at 2030 targets and what state is going to do to help them get to these targets.
 - Prefers a market based mechanism, so will probably propose cap and trade
 - Local guidance
 - Sticking to per capita goals – CARB did not respond to prior comments stating that per capita goals may not be appropriate in some jurisdictions
 - Cities need access to industrial emissions data in order to accurately track progress toward goals.
 - TAG comments and feedback:
 - Some cities are already below the goal, and could be discouraged by goal to continue progress
 - If we're not talking about the built environment, maybe we shouldn't have a 2030 goal – should mostly focus on 2050 target.

- Suggested alternative goal: different types of communities could have different goals. Could have a target and adjust it for population growth, or weight it by community composition.
 - Consider looking into Carbon Cities framework for deep decarbonization for suggestions
 - Consider looking at service population instead of per capita goals
 - Consider 40% reduction or or 6 tons, whatever is stronger
- Appendix B is a laundry list of climate action measures jurisdictions can include to get to goals. TAG comments and feedback:
 - Specify how the state is going to support these goals. Discuss how jurisdictions in the county have been working toward these things and have been encountering financial and regulatory barriers.
 - Clarification on meeting electric vehicle goals
 - IOUs have proposals out to build out EV infrastructure
 - There's an EV meeting tomorrow in San Francisco
 - Fremont and Oakland both have ordinances or will have ordinances for EV charging.
- BAAQMD 2017 Clean Air Plan (comments due 3/9)
 - Electricity generation and building sectors areas included renewable energy generation, green building, and decarbonizing buildings
 - TAG comments & feedback
 - Comments - help local governments with storage through assistance with permitting, rate structure issues, automated demand response.
 - Provide rules of thumb for implementing recommended strategies
- Consumption Based Emissions Inventory (CBEI) update & BAAQMD next steps:
 - Framing local government role on production, consumption and GHG impacts. Creating enabling conditions, and launching campaigns to encourage low carbon consumption options. GHG Impacts should be evaluated based on net global emission impacts compared to baseline or alternatives.
 - Air district has agreed to come to TAG so that we have the opportunity to inform what they do in their next phase, which needs to be scoped by June.
 - C40 and USDN are also getting involved in this item. C40 is going to perform a CBEI for some of their cities.
 - ICLEI is working on a protocol update and StopWaste will be providing input.

Green Cities CA Coordination

- Fuel switching priority was adopted by board. Green Cities met 2 weeks ago. Fuel switching was a topic of conversation for follow-up. Green Cities has helped identify barriers (3 prong test) and has guided discussion around overcoming policy barriers.
- SW is considering partnering with Green Cities to put together a convening in the fall.

- There are many concurrent conversations occurring on fuel switching. StopWaste would like to get a group together to discuss the issues and levers around fuel switching.
- BayREN is having a forum in March on Electrification. Richmond is having conversations about it.
- Berkeley is working on a permitting guide for switching from gas water heaters to heat pumps
- Berkeley and Pierre from NRDC will present to TAG in April on fuel switching topics.

Member Comments & Discussion

- Group is interested in a EV follow-up discussion
- Fuel switching follow-up discussion is scheduled for April.

NEXT TAG MEETING: March 21 2017 1-3pm

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Date: March 22, 2017

TO: Waste Management Authority and Recycling Board

FROM: Wendy Sommer, Executive Director

SUBJECT: Grants Issued Under Executive Director Signature Authority

SUMMARY

The purchasing and grant policies were amended to simplify paperwork and Board agendas by giving the Executive Director authority to sign contracts and grant agreements less than \$50,000. A condition of the grant policy is that staff informs the Board of recently issued grants.

Grants – February 15, 2017 through March 15, 2017

PROJECT NAME	GRANT RECIPIENT	PROJECT TYPE/DESCRIPTION	LOCATION	VERIFICATION	GRANT AMOUNT	BOARD
Community Outreach Grant	Attitudinal Healing Connection	Nonprofit grant funds to promote food scrap recycling to difficult to reach audiences. Grantees utilize Agency outreach materials to reach their communities using their own networks and social media.	Oakland	Reports, pledges and social media analysis	\$5,000	RB
Community Outreach Grant	Art of Living Foundation	Nonprofit grant funds to promote food scrap recycling to difficult to reach audiences. Grantees utilize Agency outreach materials to reach their communities using their own networks and social media	Fremont	Reports, pledges and social media analysis	\$5,000	RB

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DATE: March 22, 2017

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

BY: Pat Cabrera, Administrative Services Director

SUBJECT: Two-Year Service Credit Enabling Resolution

SUMMARY

At its March 22, 2017 meeting, staff is recommending that the WMA Board adopt the attached resolution, which is the final step required to offer eligible employees in the Program Manager I, Program Manager II and Senior Program Manager classifications a two- year service credit (in exchange for retirement).

DISCUSSION

At the January 25, 2017 closed session meeting, the WMA Board authorized the Executive Director to move forward with achieving ongoing labor savings by offering eligible employees the opportunity to retire with two years additional service credit. The Board approved offering this option to the eligible employees at its meeting on February 22, 2017. The California Public Employee Retirement System (CalPERS) allows a public agency to offer this benefit provided that it complies with the following (our response is underlined):

1. WMA Board adopts a contract amendment to provide for this benefit. This was done in June, 2008.
2. WMA Board defines the window period for which eligible employees can decide to retire under this option, designates the classifications, and states the maximum cost should all the eligible employees choose to retire with additional service credit. This was presented at the February 22, 2017 WMA Board meeting. The Board approved the designated window period of May 1, 2017 to September 30, 2017; the designated classifications which are the Program Manager I, Program Manager II and the Senior Program Manager classifications; and the required cost information was presented (see chart on page two).
3. WMA Board adopts the resolution specifying the window period and classifications. The resolution is attached.

4. WMA Board President signs required documents certifying that: a) the two-year service credit is being granted in lieu of impending layoffs resulting in a permanent reduction in work force, and b) the future cost has been made public in a public meeting at least two weeks prior to adoption of the resolution (this information was presented at the February 22, 2017, which exceeds the two week requirement). This will occur following approval of the resolution.

Cost and Savings Chart

Employees taking two-year service credit	Estimated One-Time Total Cost	Ongoing Annual Savings Includes backfill estimates as needed
9 (max)	\$892,000	\$635,000
5	\$509,000	\$557,000
3*	\$301,000	\$348,000

*Cost and savings based on three definite "opt ins"

RECOMMENDATION

Staff recommends that the WMA Board approve the attached resolution which will allow the Authority to offer the two-year service credit to eligible employees in the Program Manager I, Program Manager II and Senior Program Manager classifications with the designated window period to begin May 1, 2017 and end September 30, 2017.

Attachment: Resolution granting the designated period for the two years additional service credit

**BOARD OF DIRECTORS
OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY
RESOLUTION
TO
GRANT ANOTHER DESIGNATED PERIOD
FOR
TWO YEARS ADDITIONAL SERVICE CREDIT**

WHEREAS, the Board of Directors of the Alameda County Waste Management Authority is a contracting Public Agency of the Public Employees' Retirement System; and

WHEREAS, said Public Agency desires to provide another designated period for Two Years Additional Service Credit, Section 20903, based on the contract amendment included in said contract which provided for Section 20903, Two Years Additional Service Credit, for eligible members;

NOW, THEREFORE, BE IT RESOLVED, that said Board of Directors does seek to add another designated period, and does hereby authorize this Resolution, indicating a desire to add a designated period from May 1, 2017 through September 30, 2017 for eligible miscellaneous members in the Program Manager I, Program Manager II and Senior Program Manager classifications.

Adopted and approved this 22nd day of March, 2017.

BOARD OF DIRECTORS
OF THE
ALAMEDA COUNTY WASTE MANAGEMENT
AUTHORITY

BY _____
Dan Kalb, Presiding Officer

Attest:

Wendy Sommer, Executive Director
Secretary

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DATE: March 22, 2017

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

BY: Debra Kaufman, Senior Program Manager

SUBJECT: Second Reading and Consideration of adoption for Ordinance 2017-02: Amendment to the Alameda County Integrated Waste Management Plan to Include the Davis Street Transfer Station Organics Facilities in the City of San Leandro

SUMMARY

On February 22, 2017, the Waste Management Authority held a public hearing and first reading on Ordinance 2017-02. The March 22, 2017 WMA meeting will serve as the second reading and consideration of adoption of the subject ordinance to add the Davis Street Transfer Station Organics Facilities in the City of San Leandro.

DISCUSSION

On February 9, 2017, the Recycling Board, in its role as the Local Task Force (LTF) and the Planning and Organization Committee of the WMA, recommended (Rood/Biddle, 7-2, and two recusals) that the WMA Board approve the subject County Integrated Waste Management Plan (CoIWMP) amendment and hold a public hearing at the February WMA meeting. On February 22, 2017, the WMA Board held a public hearing and first reading of the subject ordinance. The memo for that meeting can be found here: [Davis-Street-CoIWMP-Amendment-02-22-17.pdf](#)

The March 22 WMA meeting will serve as the second reading and consideration of adoption of the subject ordinance.

Our agency's role is to make a conformance finding and add the approved facility to our Countywide Integrated Waste Management Plan (CoIWMP). We do not process CoIWMP amendments until the lead agency has approved the project, completed the environmental review, provided notice to the public, and received and considered any public input.

At the meeting of February 22, 2017, the WMA Board held a public hearing and considered proposed Ordinance 2017-02 to adopt changes to the Alameda County Integrated Waste Management Plan to add the Davis Street Transfer Station Organics Facilities in the City of San Leandro and took the following actions:

1. Opened and closed a public hearing on Ordinance 2017-02
2. Considered proposed Ordinance 2017-02 by title only, waiving the requirement to read the full text
3. Recommended introduction of the ordinance for consideration of adoption at the March 22, 2017 WMA Board meeting

The vote was 17-0 (Cox/Biddle) in support of the above.

RECOMMENDATION

It is recommended that the Waste Management Authority waive the requirement to read the full text of the Ordinance, read by title only, and adopt Ordinance 2017-02.

Attachments:

Attachment A – Ordinance WMA 2017-02 with Exhibits

Attachment B – Staff Memo from February 9, 2017 P&O/Recycling Board Meeting (without duplicated attachments)

ORDINANCE 2017-02

AN ORDINANCE ADOPTING AMENDMENTS TO THE COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN, AND FINDING PLAN CONFORMANCE FOR THE DAVIS STREET COMPOST FACILITY, DAVIS STREET ORGANICS MATERIALS RECOVERY FACILITY AND DAVIS STREET ANAEROBIC DIGESTION FACILITY (DAVIS STREET ORGANICS FACILITIES) AT 2615 DAVIS STREET, SAN LEANDRO, CA 94577

The Board of the Alameda County Waste Management Authority ("Authority") ordains as follows:

SECTION 1 (Enactment)

The Board of the Authority does hereby enact this Ordinance in full consisting of Section 1 through Section 6.

SECTION 2 (Findings)

- (a) The Authority finds that the California Integrated Waste Management Act (California Public Resources Code §§ 40000 et seq.) requires the preparation and adoption of a Countywide Integrated Waste Management Plan ("ColWMP").
- (b) The Authority finds that the Alameda County Joint Exercise of Powers Agreement for Waste Management directs that the Authority prepare, adopt, revise, amend, administer, enforce, and implement the ColWMP.
- (c) The Authority finds that it adopted a ColWMP, dated February 26, 2003, and has adopted minor amendments since then. A five-year review of the ColWMP was conducted in November 2009, a factual update was adopted in April 2010, and amendments were made in January 2011, December 2011, July 2013, April 2015, July 27, 2016, and January 25, 2017.
- (d) The Authority finds that on February 19, 1998, the City of San Leandro issued a conditional use permit, CUP-96-1 for the Davis Street Transfer Station at 2615 Davis Street, CA 94577.
- (e) The Authority finds that on January 4, 2011, the City of San Leandro prepared, considered, and adopted a negative declaration and initial study for a project that included an Organics Materials Recovery Facility, Organics Materials Composting Facility, and Organics Digester Facility (collectively, the "Davis Street Organics Facilities" or "project") as required by the California Environmental Quality Act ("CEQA") and approved the site plan for the project.
- (f) The Authority finds that on January 10, 2017, the project applicant submitted the required information to the Authority to amend the ColWMP to site the project at 2615 Davis Street, San Leandro.
- (g) The Authority finds that the Recycling Board, acting as the Local Task Force, has reviewed and commented on the proposed amendment, and the Planning & Organization Committee of the Authority has considered the ColWMP Amendment, including any comments by the Local Task Force, and has recommended approval of the ColWMP Amendment and conformance finding.

- (h) The Authority finds that Authority staff provided all required notice and held a duly noticed public hearing on February 22, 2017 to consider the ColWMP Amendment and conformance finding for the Facility.
- (i) The Authority finds that the Authority Board considered all materials and testimony presented by the public, Local Task Force, applicant for the Facility, and Authority staff.
- (j) The Authority finds that it is a Responsible Agency under CEQA, that this project underwent the required review under CEQA, and that the Authority's action is within the scope of activities addressed by the City of San Leandro's negative declaration and initial study ("ND/IS").
- (k) The Authority finds that the Authority Board has independently reviewed and considered the City of San Leandro's ND/IS.
- (l) The Authority finds that since the City of San Leandro's adoption of the ND/IS, no substantial changes have occurred and no new information or changed circumstances exist that require revisions of the ND/IS due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- (m) The Authority concurs with the City of San Leandro, that the project will not result in any significant environmental impacts.

SECTION 3 (CEQA Determinations)

The Authority's approval of the ColWMP amendment and conformance determination, as conditioned, will have a less than significant impact on the environment as documented in the ND/IS.

SECTION 4 (Amendment of ColWMP)

The Authority hereby amends the ColWMP as set forth in the ColWMP Amendment text attached hereto as Exhibit 1 and made a part of this Ordinance, subject to the Conditions of Approval attached hereto as Exhibit 3.

SECTION 5 (Conformance Determination)

The Authority does hereby determine that the proposed project is in conformance with the ColWMP as amended, including the siting criteria as set forth in the siting criteria findings attached hereto as Exhibit 2 and made a part of this Ordinance, and that the Davis Street Organics Facilities, as conditioned by the Conditions of Approval attached hereto as Exhibit 3, would be in conformance with the ColWMP as amended.

SECTION 6 (Notice and Effective Date)

This ordinance shall be posted at the Authority Office for at least thirty (30) days after its second reading by the Board and shall become effective thirty (30) days after the second reading.

Passed and adopted this 22nd day of March, 2017 by the following vote:

AYES:

NOES:

ABSTAINING:

ABSENT:

**I certify that under penalty of perjury that the foregoing is a full, true and correct copy of
ORDINANCE NO. 2017 – 02.**

**WENDY SOMMER
EXECUTIVE DIRECTOR**

Exhibits:

Exhibit 1: ColWMP Amendment Text

Exhibit 2: Siting Criteria Findings

Exhibit 3: Conditions of Approval

EXHIBIT 1: ColWMP Amendment Text

Amendments to Alameda County Countywide Integrated Waste Management Plan for the Davis Street Transfer Station Organics Facilities at 2615 Davis Street in the City of San Leandro.

The Alameda County Countywide Integrated Waste Management Plan, February 26, 2003 and last amended in January 2017 is hereby amended again as set forth below. In the sections that follow, text to be added to the Plan is shown in **underline bold** and text to be deleted is shown in ~~strikethrough~~.

In Chapter II, under the heading “The System Components” section 2 “Transfer Stations,” amend the description of the Davis Street Transfer Station to add the following paragraphs at the end of the Davis Street Transfer Station and Recycling Center description in subsection a):

In 2017 and 2018, the Davis Street Transfer Station will undergo major changes to add three organics facilities to the site. The organics facilities will operate under an updated solid waste facility permit to be issued by CalRecycle and enforced by the Alameda County LEA. Existing Davis Street Transfer Station property that was previously used to store containers, outdoor green waste processing and parking will be converted into an approximately 260,000 square foot covered organics recovery facility.

These new operations will take place within the currently permitted 5,600 ton per day solid waste facility permit. The planned organics facilities include the following:

- **Organics Materials Recovery Facility (“OMRF”) a 1.4-acre indoor facility,**
- **In-vessel 3.0-acre Organics Materials Composting Facility (“OMCF”), and**
- **Organics Digester Facility (“Digester”), a 1.5-acre facility which includes energy production.**

The OMRF will include construction of an approximately 62,000 square foot building to house materials processing equipment designed to remove organics and recyclable commodities from the waste materials that currently come to Davis Street for transfer and disposal. The OMRF is designed to process 100 tons per hour of municipal solid waste (“MSW”). Initially, the OMRF will process MSW generated by the City of Oakland in the amount of 150,000 tons per year (“TPY”) running on a single shift per day; however the throughput may increase to an annual tonnage of 300,000 TPY depending on demand from other WMAC customers for processing of MSW.

The OMRF is anticipated to result in diversion rates of up to 61%. From the initial 150,000 TPY of the City of Oakland MSW to be processed, WMAC anticipates recovering 60,000 TPY of organics and 31,000 TPY of other recyclable commodities. The organic materials recovered from the OMRF will be directly conveyed to the adjacent Composting and Digester facility buildings for

processing. The other recovered commodities, including aluminum, metals, plastics, and glass, will be shipped off-site for recycling along with similar materials recovered from the other various Materials Recovery Facilities located on the Davis Street property. Building permits have been obtained and the facility is planned to be fully-operational by the first quarter of 2018.

The Composting and Digester facilities will be constructed in buildings directly adjacent to the OMRF. The combined daily peak capacity of the Composting and Digester facilities will be 1,000 tons per day, with an estimated maximum annual throughput of 205,000 TPY. The majority of organic feedstock going into the Composting and Digester facilities will be from the OMRF; however as space allows this may also be augmented by other source separated food and green waste materials which are currently transferred to other composting facilities. These facilities are in the processes of obtaining all operational permits and construction is planned to begin summer of 2017, with operations beginning in late 2018.

The Composting facility will be an approximately 135,000 square foot fully-enclosed operation. The building will house the entire composting process, and will be operated under a negative air system with exhaust vented through a biofilter to control potential odors and mitigate emissions from the composting process. Annual average expected capacity of the Composting facility is up to 165,000 TPY. Actual annual capacity of the facility will be determined by required processing and retention times for the organics, which can vary depending on feedstock characteristics. It is currently estimated to take 21 days for the organic materials to move through the composting facility process. The facility will consist of composting lanes which will be turned mechanically to allow for adequate air flow through the compost piles and aerobic decomposition of the organic materials. After the 21 day retention time, the active phase of the composting process will essentially be complete and the compost material will have finished the process to further reduce pathogens ("PFRP"). The output of the Composting facility may be sold to end-users and applied as a soil amendment immediately, or may also be taken to an off-site composting facility to be blended with other compost products.

The Digester facility will be an anaerobic process which will occur in an approximately 65,000 square foot building. This facility will be capable of processing up to an additional 40,000 TPY of organic materials including the organic fraction from the OMRF, green waste, and source separated food waste. The digester facility will be fully-enclosed allowing for the collection of biomethane from the digestion process, and is designed to process the organic fraction of the waste over an 18 to 21 day period, and/or the organic fraction of the waste will be washed through a hydro pulping process to produce 4 streams: 1) organic slurry for the anaerobic digestion process, 2) plastic film/rigid plastics waste, 3) grit waste and 4) heavy fraction waste. Plastic waste will be dried to remove water weight and combined with grit/heavy waste for disposal at the Altamont landfill. The Organic slurry will be dewatered to create a solids feedstock for digesters and a liquid feedstock for high rate up-flow digestion. Digestate produced from digesters will be dewatered to generate approximately 25% solids material to be used by either WMAC as a feedstock for compost or as base for other value added products. The digestate, if used as a compost feedstock, will be loaded into transfer trucks for delivery to an off-site composting facility for further processing. The gas will be either utilized for on-site production of renewable energy to power the Davis Street operations, or utilized as vehicle-grade renewable natural gas to power WMAC's waste hauling fleet.

EXHIBIT 2

Siting Criteria

Below is a summary of the proposed project's conformance with the General Solid Waste Facility Siting Criteria as outlined in the ColWMP. The siting criteria in the IS/ND CEQA environmental checklist also contains an analysis of many of the siting criteria listed below.

A. Seismic

The proposed project is not within 200 feet of an active or recently active fault.

B. Floodplains

The proposed project is not located in a 100-year floodplain nor in an area subject to flooding.

C. Wetlands

The proposed project is located in existing operational areas of the Davis Street Transfer Station ("DSTS") property and is not located in a wetlands.

D. Endangered Species Habitat

The proposed project is located in existing operational areas of the DSTS property and is not located within any endangered species habitat.

E. Unstable Soils

The proposed project will be located on the closed Oyster Bay Landfill which is subject to settlement. Similar to numerous other existing structures at the site, the buildings will be supported on piles or other foundation support structures which will allow settlement of the waste over time. The structures will be designed in accordance with the requirements of Title 27 and the City of San Leandro Building Department.

F. Major Aquifer Recharge Areas

The proposed project is located over a closed landfill and is not located in a major aquifer recharge area.

G. Depth to Groundwater

The proposed project is located on a closed bay-margin landfill which is subject to a high groundwater table, however the facilities will be designed similar to other existing structures on the site and in accordance with local and State requirements.

H. Permeable Strata and Soils

The proposed project is located on a closed landfill and is not located on high-permeability soils. The facilities will be fully enclosed buildings and waste materials will not be managed or stored on native ground.

I. Non-attainment Air Areas

The proposed project is a fully-enclosed facility which will control emissions through the use of a biofilter and will fully comply with the permitting requirements of the Bay Area Air Quality Management District ("BAAQMD"). The proposed project will obtain an Authority

to Construct and Permit to Operate from the BAAQMD, prior to construction and operation of the facility.

J. PSD Air Areas

See requirements of I. above.

K. Mineral Resources Area

The proposed project is located on a closed landfill in an area with existing industrial operations. No native sand or gravel mineral resources are available for extraction.

L. Prime Agricultural Lands/Open Space

The proposed project site is zoned industrial and no agricultural lands or open space areas will be developed.

M. Military Lands

The proposed project is not located on nor adjacent to any Military Lands.

N. Other Federal, State and Indian Lands

The proposed project is located on property wholly owned by WMAC and is not located on Federal, State, or Indian Lands.

O. Proximity to Major Transportation Routes

The proposed project is located at the existing DSTS facility. No increase in permitted traffic will be associated with the proposed project since the materials currently entering the facility will be redirected to these new facilities as required. The facility roads are currently accessed by waste hauling vehicles and no new roads are necessary for the proposed project.

P. Proximity to Development

The proposed project is located at the existing DSTS and will result in no increase in permitted tons of material entering the facility. DSTS is in an existing industrial area, and the major routes to the facility do not pass through any residential neighborhoods. The Oyster Bay Regional Park is located to the west of the property and as part of the project architectural treatments and additional landscaping will be included to improve the overall appearance of the new facilities as required by the City of San Leandro Planning.

Q. Proximity to Public Services

The proposed project is located in a urban industrial area and has full existing utilities adequate to support the project including city sewer, water, electrical, and local emergency services with reasonable response times.

R. Proximity to Waste Stream

The proposed project will primarily utilize the existing waste streams that already are delivered to the Davis Street facility. The majority of these waste streams are from within Alameda County or close proximity to the facility. Additionally, processing of these local waste streams at the Davis Street facility source will increase diversion and avoid hauling of these materials to other facilities for disposal.

S. Appropriate Zoning

The proposed project is located at a property with existing solid waste facilities permits and is appropriately zoned as industrial for these activities.

T. Conformance with Approved Countywide Siting Element of the Integrated Waste Management Plan (“Plan”)

The proposed project is located at the Davis Street facility which currently operates under a Solid Waste Facility Permit (“SWFP”) and is detailed in the Plan in numerous places under large-scale waste transfer and recycling. The proposed project is consistent with the existing solid waste management facilities and the current SWFP is being updated to incorporate the details of the new facilities. The total permitted inbound tonnage of the facility will not increase as a result of the proposed project and updated SWFP.

U. Recreational, Cultural, or Aesthetic Areas

The proposed project is located on the Davis Street facility property over a closed landfill. There are no historic preservation, Indian reservations, or other cultural and scenic areas at the facility. In consideration of the Oyster Bay Regional Park situated to the West of the site, the new buildings will be intentionally low key in color scheme and treatment. The layout, architectural treatment, and conceptual landscaping plan have been developed in accordance with the requirements of the City of San Leandro’s Plan Review Standards (5-2512) and the landscape plan will confirm to the requirements of the city’s code (4-1902).

V. Airport Zones

The proposed project is located within the vicinity of the Oakland International Airport, however it is located at the existing Davis Street facility and will result in no increase in the tons permitted to enter the facility. The proposed project will result in existing permitted inbound tons being shifted from the transfer station and other materials recovery facilities at the property, to new buildings constructed under the proposed project. There will be no change from the existing conditions at the site regarding potential impacts with the airport.

W. Gas Migration / Emissions

The proposed project will be designed to operate in a manner which will minimize potential odor emissions. The organics processing building will manage potential for odors with a negative air system in the structure and building exhaust diverted through a biofilter.

X. Contingency

The proposed project is located at an active solid waste facility and has an existing emergency management plan. The proposed project facilities will be added to this plan as appropriate.

EXHIBIT 3

Conditions of Approval for ColWMP Amendment and Conformity Determination for the Davis Street Organics Facilities at the Davis Street Transfer Station

Pursuant to the Joint Powers Agreement establishing the Alameda County Waste Management Authority ("Authority"), the Alameda County Integrated Waste Management Plan, and state law, the ColWMP amendment and conformity determination enacted by the ordinance to which this exhibit is attached is subject to the conditions below:

1. Operations at the DSTS Organics Facilities (facilities) shall comply with all requirements governing the design and operation of compost operations under the Compost Materials Handling Facility permit as set forth in Title 14 of the California Code of Regulations.
2. The materials that may be processed through the DSTS organics facilities are limited to the materials that the Davis Street Transfer Station is currently permitted to take.
3. The facilities will not result in an increase of currently permitted tonnage of 5600 tons of incoming material per day
4. The facilities shall operate within the conditions contained within the CUP from the city of San Leandro
5. The Facilities shall be constructed and operated in compliance with the assumptions made in the Initial Study and Negative Declaration adopted by the City of San Leandro to the extent applicable to the facilities.
6. The ordinance to which these Conditions of Approval is attached shall take effect only upon Waste Management's acceptance of these conditions and its agreement to indemnify and hold harmless the Authority, its agents, officer, and employees according to the terms in paragraph 7 below.
7. Davis Street Transfer Station shall defend (with counsel acceptable to the Authority), indemnify and hold harmless the Authority, its agents, officers and employees for any costs, including attorneys' fees, incurred by the Authority, its agents, officers or employees in the defense of any action brought against the Authority, its agents, officers or employees, in connection with the approval or implementation of Authority Ordinance No. 2017-02. The Authority may elect, at its sole discretion, to participate in the defense of such action, and Waste Management shall reimburse the Authority, its agents, officers or employees for any costs, including attorneys' fees, that the Authority, its agents, officers or employees incur as a result of such action. This indemnification shall be binding upon the Authority, Waste Management and all their successors and assigns.
8. Waste Management shall comply with the Alameda County Integrated Waste Management Plan, all applicable existing and future ordinances and resolutions of the Authority and all conditions imposed by the City of San Leandro and other regulatory agencies.

9. These conditions of approval shall restrict the operation of the Facilities.
10. Any activities beyond those provided for by Ordinance 2017-02 shall require a new CoIWMP amendment and conformance determination by the Authority.



DATE: February 9, 2017

TO: Planning & Organization Committee/Recycling Board

FROM: Tom Padia, Deputy Executive Director

BY: Debra Kaufman, Senior Program Manager

SUBJECT: Amendment to the CoIWMP to include three organics facilities at the Davis Street Transfer Station at 2615 Davis Street, San Leandro: an organics materials recovery facility, a compost facility, and an anaerobic digestion facility.

SUMMARY

On January 10, on behalf of Waste Management of Alameda County, Inc. ("WMAC"), JK Jones Consulting & Engineering submitted the required information to the Authority to amend the Alameda County Integrated Waste Management Plan ("CoIWMP") to include three organics facilities at the Davis Street transfer station in San Leandro. The proposed facilities, which will be designed to be indoor and part of the Davis Street transfer station footprint, include an organics materials recovery facility, a compost facility and an anaerobic digestion facility. Staff recommends approval of the amendment and a finding of conformance with the CoIWMP.

DISCUSSION

Description of Davis Street Transfer Station

Since 1979, Waste Management has operated the Davis Street Transfer Station. Davis Street is located in the City of San Leandro, just west of I-880 in Alameda County. The facility address is 2615 Davis Street, just west of Doolittle Drive, zip code 94577. The Davis Street property is 53.21 acres (Assessor's Parcel Number 79A-457-7-32) and is relatively flat topography with some portions of the site consisting of minor elevation variations. The property is designated in the City of San Leandro General Plan as "PI" Public/Institutional, and as "IG" Industrial General on the City's Zoning Map. These designations allow for a wide range of manufacturing, transportation, warehousing, vehicle storage, and distribution uses.

WMAC is the sole owner and operator of Davis Street with headquarters at 172 98th Avenue, Oakland, CA 94602. Davis Street has been operating since 1979 with on-going Municipal Solid Waste (“MSW”) operations including transfer of MSW to landfills, multiple recycling facilities, and other ancillary waste management programs. The facility operates under a primary Conditional Use Permit (“CUP”) C-5512 issued by the City of San Leandro and numerous subordinate CUPs.

Under this CUP, Davis Street was granted approval to accept up to 5,600 tons per day of waste and implement a number of facilities to provide comprehensive solid waste services benefiting the City and other jurisdictions in the Alameda County area. To date, certain improvements have been completed and are in operation, while the timing of others has been dictated by business and financial considerations, and/or availability of technology.

Davis Street is well situated for both ongoing and future solid waste management facilities. The proximity of I-880 and central location in western Alameda County allows easy access for receipt of materials. While the proposed project will not result in any increase in permitted waste receipts or traffic to the facility, it will allow increased on-site recycling of materials already delivered to the facility each day, and reduce the amount of outbound tons of waste materials that are currently transferred to other facilities for recycling or disposal.

Description of Proposed Project

The proposed project includes three facilities to be developed within the existing footprint of the Davis Street property. The proposed project includes infrastructure to separate the organic fraction and other recyclable commodities from the municipal solid waste stream and then convert the organic fraction into a digestate or compost product through use of either an enclosed composter or digester facility.

The main difference between this set of organics facilities and the recently adopted CoIWMP amendment for the Altamont Compost facility, is that these facilities will be focused on separating and composting organics (and recyclables) that are commingled with refuse and not source separated (although some amount of source separated organics may also be composted). The Altamont Compost Facility is dedicated to composting source separated organics. Both types of efforts could help the County achieve its organics diversion goals more quickly, and may result in higher diversion levels than would be possible without segregating organics from refuse. As this is a relatively new technology, the Agency will be interested in monitoring the effectiveness of this type of innovative process.

The area of the facility property where the project will be located has been used for numerous operations over many years including a storage yard for bins and carts, outdoor green waste processing and transfer area, and vehicle parking. This area will be developed into facilities covering a building footprint of approximately 260,000 square feet, which according to Waste Management, will potentially constitute the largest, highest capacity, most automated, highest recovery, and most integrated organics recovery facility in the world.

These projects represent the final phases to fully implement the Davis Street Transfer Station Master Plan Improvements under CUP-96-1 originally issued by the City of San Leandro on February

19, 1998. Under this Master Plan, Davis Street was granted zoning approval to accept up to 5,600 tons per day of waste materials, and construct numerous facilities to improve both diversion and recycling services to the City of San Leandro and other jurisdictions in the Alameda County area. While many of these projects have been constructed over the years, the proposed project includes the remaining facilities necessary to fully implement the Master Plan. The major final 3 projects include:

- Organics Materials Recovery Facility (“OMRF”) a 1.4-acre indoor facility,
- In-vessel 3.0-acre Organics Materials Composting Facility (“OMCF”), and
- Organics Digester Facility (“Digester”), a 1.5-acre facility which includes energy production.

The OMRF will include construction of a 62,000 square foot building to house materials processing equipment designed to remove organics and recyclable commodities from the waste materials that currently come to Davis Street for transfer and disposal. The OMRF is designed to process 100 tons per hour of municipal solid waste (“MSW”). Initially, the OMRF will process MSW generated by the City of Oakland in the amount of 150,000 tons per year (“TPY”) running on a single shift per day; however the throughput may increase to an annual tonnage of 300,000 TPY depending on demand from other WMAC customers for processing of MSW.

Unlike typical methods for recovery of commodities from MSW, which rely heavily on manual sorting and have low recovery rates, the OMRF equipment is a highly-automated state-of-the-art system. This is anticipated to result in diversion rates of up to 61%. From the initial 150,000 TPY of the City of Oakland MSW to be processed, WMAC anticipates recovering 60,000 TPY of organics and 31,000 TPY of other recyclable commodities. The equipment includes a complex system of screens and optical sorting to achieve these high rates of recovery. The organic materials recovered from the OMRF will be directly conveyed to the adjacent Composting and Digester facility buildings for processing. The other recovered commodities including aluminum, metals, plastics, and glass will be shipped off-site for recycling along with similar materials recovered from the other various Materials Recovery Facilities located on the Davis Street property. Building permits have been obtained and the facility is planned to be fully-operational by the first quarter of 2018.

The Composting and Digester facilities will be constructed in buildings directly adjacent to the OMRF. The combined daily peak capacity of the Composting and Digester facilities will be 1,000 tons per day, with a maximum annual throughput of 205,000 TPY. The majority of organic feedstock going into the Composting and Digester facilities will be from the OMRF, however as space allows this may also be augmented by other source separated food and green waste materials which are currently transferred to other composting facilities. The facilities are in the processes of obtaining all operational permits and construction is planned to begin summer of 2017, with operations beginning in late 2018.

The Composting facility will be a 135,000 square foot fully-enclosed operation. The building will house the entire composting process, and will be operated under a negative air system with exhaust vented through a biofilter to control potential odors and mitigate emissions from the composting process. Annual average expected capacity of the Composting facility is up to 165,000 TPY. Actual annual capacity of the facility will be determined by required processing and retention times for the organics, which can vary depending on feedstock characteristics. It is currently

estimated to take 21 days for the organic materials to move through the composting facility process. The facility will consist of composting lanes which will be turned mechanically to allow for adequate air flow through the compost piles and aerobic decomposition of the organic materials. After the 21 day retention time, the active phase of the composting process will essentially be complete and the compost material will have finished the process to further reduce pathogens ("PFRP"). The output of the Composting facility may be sold to end-users and applied as a soil amendment immediately, or may also be taken to an off-site composting facility to be blended with other compost products.

The Digester facility will be an anaerobic process which will occur in a 65,000 square foot building. This facility will be capable of processing up to an additional 40,000 TPY of organic materials including the organic fraction from the OMRF, green waste, and source separated food waste. The digester facility will be fully-enclosed allowing for the collection of biomethane from the digestion process, and is designed to process the organic fraction of the waste over an 18 to 21 day period, and/or the organic fraction of the waste will be washed through a hydro pulping process to produce 4 streams: 1) organic slurry for the anaerobic digestion process, 2) plastic film/rigid plastics waste, 3) grit waste and 4) heavy fraction waste. Plastic waste will be dried to remove water weight and combined with grit/heavy waste for disposal at the Altamont landfill. The Organic slurry will be dewatered to create a solids feedstock for digesters and a liquid feedstock for high rate up-flow digestion. Digestate produced from digesters will be dewatered to generate approximately 25% solids material to be used by either WMAC as a feedstock for compost or as base for other value added products. The digestate, if used as a compost feedstock, will be loaded into transfer trucks for delivery to an off-site composting facility for further processing. The gas will be either utilized for on-site production of renewable energy to power the Davis Street operations, or utilized as vehicle-grade renewable natural gas to power WMAC's waste hauling fleet.

Receipt of waste materials for the proposed project facilities will be consistent with the hours of operation at Davis Street. The facility is open for receipt of waste 7 days per week; 24 hours per day for WMAC vehicles and 5:00am to 5:00pm for 3rd party customers. The proposed project will not be open to the public at this time. The hours of operation for the OMRF processing equipment are proposed Monday through Friday from 4:00am to 10:30pm, and Saturday from 6:00am to 4:00pm. No OMRF processing is currently proposed for Sundays. The Composting and Digester operations will process waste consistent with the OMRF equipment processing hours, however these facilities will run 24 hours a day 7 days a week when they contain materials. Davis Street is a 24-hour operation and maintenance activities may occur at any time as necessary.

ColWMP Amendment and Finding of Conformance

An amendment to the ColWMP is needed to update the Davis Street Transfer Station Facility description in the ColWMP. Under the criteria set forth in the ColWMP, major changes to existing solid waste facility permits must undergo a review for conformance with the ColWMP, and an amendment if deemed necessary for conformance.

Before the Authority Board considers the ColWMP Amendment, the proposed ColWMP Amendment must be reviewed by the Recycling Board in its capacity as the Local Task Force and the Planning & Organization Committee of the Authority. If the Authority Board approves the amendment, the changes will be forwarded to CalRecycle for processing and approval.

Permitting

Under CalRecycle and Local Enforcement Agency (LEA) requirements, Davis Street operates under one site-wide Solid Waste Facilities Permit issued by the Alameda County Department of Environmental Health (SWIS #01-AA-0007). This permit will be updated to include the details of the OMRF, Organics Material Processing Facility (OMPF), and Digester, and must be approved by the LEA which is the local permitting authority as designated by CalRecycle prior to construction and operation of the proposed project.

WMAC is currently working to obtain other permits from multiple regulatory agencies for the project. These agencies not only permit the entitlements to build and operate the proposed project, but they also require compliance with current and future regulations and monitoring and reporting on an ongoing basis.

An Authority to Construct and Permit to Operate (“PTO”) must be issued by the BAAQMD before the proposed project can be built and operated. The PTO will contain project specific permit conditions required for compliance with the agency’s current regulations, including compliance with the Best Available Control Technology (“BACT”). The Composting will occur in a fully-enclosed building with emissions diverted through a biofilter to mitigate potential for fugitive, uncontrolled emissions from the composting process. Construction of composting facilities fully under-roof exceeds any recent BACT determinations by the BAAQMD, and the PTO is expected to be issued for the facility as designed.

Environmental Review

California Environmental Quality Act (“CEQA”)

For purposes of CEQA, the Lead Agency for the proposed project was the City of San Leandro (“City”). The City prepared an Initial Study and Negative Declaration (“IS/ND”) dated November 2010 to analyze the potential impacts of the project. The comment period for the IS/ND began on November 23, 2010 and concluded on December 23, 2010. The facilities studied included the proposed projects described above (OMRF, Composting, and Digester), along with other smaller facilities including an employee building, new vehicle maintenance shop, building over the public disposal area, overhead conveyance system, and upgrades to the exiting single stream recycling line. Waste Management considers these projects as necessary components to fully implement the Davis Street Transfer Station Master Plan Improvements adopted pursuant to the Conditional Use Permit (CU-96-01) issued by the City to WMAC on February 19, 1998.

Under the IS/ND, the proposed project was analyzed for multiple site improvements including both materials recovery and organics materials management facilities. The purpose of all proposed project facilities is to increase the rate of waste diversion and recycling in the region and reduce the volume of waste that would otherwise be landfilled. The IS/ND determined that the proposed project would not have a significant effect on the environment because of the project design features incorporated into the proposed project.

The Zoning Enforcement Official adopted the IS/ND and approved the Site Plan for the project. No one appealed the decision of the Zoning Enforcement Official.

In 2012, WMAC began detailed development efforts for all phases of the proposed project. In conjunction with the City of Oakland Request for Proposals, WMAC vetted the available technologies and began design of the organics processing equipment. In 2014, WMAC began permitting efforts with discussions and permit development with the City of San Leandro building department, CalRecycle, and the Alameda County Department of Environmental Health, and development and permitting efforts continue through present day.

The Authority is a Responsible Agency under CEQA. As a Responsible Agency, the Authority must independently evaluate the environmental review prepared by the County of Alameda, consider the environmental impacts identified in such review, and make the findings required by CEQA.

Consistent with the Public Resource Code (PRC 21166), when a negative declaration has already been adopted, no subsequent or supplemental CEQA documentation shall be required by a responsible agency unless one or more of the following events occurs:

- (a) Substantial changes are proposed to the project that will require major revisions of the negative declaration due to new significant environmental effects,
- (b) Substantial changes occur with respect to the circumstance under which the project is being undertaken that will require major revisions in the negative declaration due to new significant environmental effects, or
- (c) New information, which was not known and could not have been known at the time the negative declaration was adopted, becomes available that will require major revisions of the negative declaration due to new significant environmental effects.

Authority staff has reviewed the City of San Leandro's documents for the IS/ND. Authority staff finds that, based on the whole record before it, the facility underwent the review required under CEQA and that the CoIWMP amendment is within the scope of activities addressed by the City of San Leandro's IS/ND. Since preparation and adoption of the IS/ND, there have been no changes to the project. In addition, the conditions at the project site have not changed since preparation of the IS/ND, nor are there any other changed circumstances, or new information that has become available that would result in any new significant impacts or a substantial increase in impacts considered in the IS/ND.

Local Task Force and Planning and Organization Committee Review

The Recycling Board, as the Local Task Force, and the Planning & Organization Committee of the Authority will consider the proposed CoIWMP amendment at its meeting on February 9, 2017 at 7 p.m. in San Leandro. In its advisory capacity, the Local Task Force will review and provide comments on the proposed CoIWMP amendment (which can include a comment recommending adoption). The Planning & Organization Committee will receive the staff report and consider whether to recommend approval of the proposed CoIWMP amendment and conformance finding to the full WMA.

RECOMMENDATION

Staff recommends that the Planning & Organization Committee and the Recycling Board (in its role as Local Task Force) recommend to the Authority Board that it hold a public hearing and introduce and waive the first reading of the ColWMP (Alameda County Integrated Waste Management Plan) Amendment ordinance (Attachment A) at the February 22, 2017 meeting to (1) amend the ColWMP (Exhibit 1) to include the compost facility at the Davis Street Transfer Station in the City of San Leandro, and make additional changes for consistency, (2) find that the Davis Street Organics Facilities including the organics materials recovery facility (OMRF), composting facility and anaerobic digestion facility conform to the ColWMP as amended, and (3) make the findings required by CEQA, and also recommend that the Authority Board direct staff to place the ordinance on the calendar for adoption at the March 22, 2017 meeting.



DATE: March 22, 2017

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

BY: Michelle Fay, Program Manager

SUBJECT: 2017 Business Efficiency Awards

SUMMARY

The 2017 StopWaste Business Efficiency Awards will be presented during the March 22 WMA Board meeting, recognizing five Alameda County businesses for their efforts to reduce waste. Doors will open at 2:30 p.m. for attendees to enjoy light refreshments and networking before the meeting is called to order at 3:00 p.m. Board members with awardees in their jurisdiction will be asked to hand the award to the business representative.

DISCUSSION

After a one-month call for nominations, StopWaste received twelve nominations representing seven Alameda County cities. Nominations were submitted by Member Agency staff, hauler representatives, StopWaste staff, and technical assistance consultants. Each nomination was evaluated based on environmental benefit, innovation, leadership, and replicability. Geographic distribution, industry representation, and compliance with the Mandatory Recycling Ordinance were also considered. We are pleased to share the following list of awardees. Please see the attachment for more information about each awardee and a brief description of their outstanding achievements.

Excellence in Waste Prevention & Closing the Loop:

Evergreen Nursery, San Leandro

Excellence in Waste Prevention & Reuse:

Niles Pie Company, Union City

Excellence in Reducing Wasted Food:

Guckenheimer – For sites participating in the Smart Kitchen Initiative (LeanPath program)

Excellence in Recycling & Composting:

Beneficial State Bank, Oakland

Rahma Mediterranean Market, Dublin

RECOMMENDATION

This item is for information only.

ATTACHMENT

2017 StopWaste Business Efficiency Awards – Achievement Highlights



2017 StopWaste Business Efficiency Awardees

- Evergreen Nursery – San Leandro
- Niles Pie Company – Union City
- Guckenheimer – Various Alameda County Cities
- Beneficial State Bank – Oakland
- Rahma Mediterranean Market – Dublin

Achievement Highlights

EVERGREEN NURSERY, San Leandro

Excellence in Waste Prevention & Closing the Loop

Evergreen Nursery, Inc. in San Leandro is a local, independent nursery and garden center with professional landscape and design services. Operating since 1984, Evergreen has been an active and engaged partner of StopWaste for almost ten years, promoting projects ranging from Bay-Friendly Gardening to Lawn to Garden parties. An early adopter and promoter of natural and organic gardening, Evergreen hosts frequent talks and workshops on techniques like sheet mulching, and carries an extensive line of drought tolerant and native plants. In just two years, Evergreen sold compost and recycled mulch that led to over 19,000 square feet of lawn replacement.

NILES PIE COMPANY, Union City

Excellence in Waste Prevention & Reuse

Niles Pie Company in Union City is a retail and wholesale bakery with eight staff. Their pies and baked goods are made with organic, seasonal, locally sourced ingredients and sold at the store and four farmer's market locations in Alameda County. With the help of a StopWaste Use Reusables grant, they purchased 100 reusable wooden pie boxes in October 2016, expected to help prevent the use of at least 2,000 disposable paper boxes over one to two years. Niles Pie Company offers reusable dishes and silverware for prepared food served on-site, repurposes food scraps where possible, and composts the rest via voluntary organics collection. Surplus baked and prepared foods are donated to local non-profits helping the needy.

GUCKENHEIMER, various Alameda County cities

Excellence in Reducing Wasted Food in Alameda County

Guckenheimer is an on-site food service management company with locations throughout the country. In 2016, all 13 corporate cafeterias and restaurants Guckenheimer manages in Alameda County joined StopWaste's Smart Kitchen Initiative for one year, committing to tracking pre-consumer food waste and surplus edible food and implementing strategies for

food waste prevention and food donation. Over the course of the year, the 13 sites combined reduced pre-consumer food waste by almost 68,000 pounds or 42% compared to baseline. To foster the sharing of experiences and best practices for food waste prevention, Guckenheimer facilitated monthly group calls among participating chefs and managers.

BENEFICIAL STATE BANK, Oakland

Excellence in Recycling & Composting

Beneficial State Bank is a triple bottom-line financial institution headquartered in Oakland, with 12 branches in California, Oregon, and Washington. Started in 2007, Beneficial State Bank's mission is to produce meaningful social and environmental benefits while being financially sustainable. In line with their zero waste goal, the bank's Green Team started regular waste stream audits at five branches in 2015. As a result they have implemented measures to increase recycling and composting while reducing contamination, including extensive staff education on waste reduction. Beneficial State Bank's purchasing policy prevents waste by promoting reusable food service ware and closes the loop with recycled content products.

RAHMA MEDITERRANEAN MARKET, Dublin

Excellence in Recycling & Composting

Rahma Mediterranean Market in Dublin is a small, independently-owned Halal food market and catering company serving the Tri-Valley area since 2008. In addition to Mediterranean and Middle Eastern groceries, Rahma's Halal butcher shop and deli sell meats, salads, and sandwiches. Although as a Dublin business Rahma is not affected by the Alameda County Mandatory Recycling Ordinance, owner Khaled Aburahma has set up recycling and composting service and actively promotes waste reduction among employees and business neighbors alike. Efficient purchasing and inventory management practices prevent most food waste. Nearly 90% of all remaining waste is diverted from the landfill, saving Rahma nearly \$10,000 a year on garbage disposal fees.

April 2017 Meetings Schedule

Alameda County Waste Management Authority, The Energy Council, & Source Reduction and Recycling Board

(Meetings are held at StopWaste Offices unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13 9:00 AM Programs & Administration Committee Key Items: 1. Workforce Development Strategy <hr/> 4:00 PM Planning & Organization Committee /Recycling Board Cancelled in lieu of Joint WMA/EC/RB Mtg. on 04/26/17	14	15
16	17	18	19	20	21	22
23	24	25	26 3:00 PM Joint Waste Management Authority, Energy Council & Planning & Organization Committee /Recycling Board Key Items: 1. FY 18/19 Budget Presentation 2. Legislative Update	27	28	29
30						

News > California News

San Jose: Government emails on personal devices are public record, state's top court decides



By **RAMONA GIWARGIS** | rgiwargis@bayareanewsgroup.com |
PUBLISHED: March 2, 2017 at 9:50 am | UPDATED: March 3, 2017 at 7:37 am

California's highest court Thursday unanimously ruled the public has a right to see emails and text messages about public affairs on government officials' personal devices, ending a long legal battle that began in San Jose and setting a statewide precedent for records disclosure.

The ruling closes what government watchdogs said was a loophole that let public officials conduct the people's business privately on personal phones and computers outside the reach of records requests that until now covered only their government-issued devices and accounts.

"We hold that when a city employee uses a personal account to communicate about the conduct of public business, the writings may be subject to disclosure under the California Public Records Act," the [court opinion](#) said. "If public officials could evade the law simply by clicking into a different email account, or communicating through a personal device, sensitive information could routinely evade public scrutiny."

Peter Scheer, former executive director of the First Amendment Coalition, called the ruling "a great thing for the public."

"Government officials have been using this trick of communicating about public business on their personal email or text in order to avoid public scrutiny," Scheer said. "It means the people we elect to represent us won't be able to avoid public scrutiny by using personal email accounts — rather than government ones."

After San Jose in 2009 refused to release personal emails and texts about a downtown development, one man waged a legal battle that went all the way to the California Supreme Court and led to Thursday's 20-page ruling.

Ted Smith, a former lawyer with a background in nonprofit work, suspected that San Jose officials were using their private phones and email accounts to conceal dealings with former Mayor Tom McEnery, who proposed a development in downtown San Jose. McEnery received a \$6 million loan from the city's Redevelopment Agency.

In June 2009, Smith submitted a request to the city seeking public records involving specific officials related to downtown San Jose redevelopment. The city turned over everything — except Smith's request for "any and all voicemails, emails or text messages sent or received on private electronic devices used by Mayor Chuck Reed or members of the City Council, or their staff, regarding any matters concerning the City of San Jose, including any matters concerning Tom McEnery."

The city's argument was simple: "What we're saying is California's Public Records Act doesn't cover private emails," said San Jose City Attorney Rick Doyle. A trial court sided with Smith, but in March 2014, an appellate court ruled in the city's favor and Smith appealed to the state's high court.

Although the San Pedro Square Market — McEnery's project — is already built, Smith argued all communications about city business should be public, regardless of how they're created, communicated or stored.

While San Jose owns more than 4,000 mobile phones for employees to use, government officials in smaller agencies across California often rely solely on personal devices for business. The court's ruling applies to all public entities in California — from water districts to school districts to cities, counties and state agencies.

"This is an important victory for the public's right to know," Smith said. "Once again California is at the forefront of creating rules to guarantee that the public's business is conducted with public scrutiny."

Following the decision Thursday, Doyle said San Jose will need to craft policies to determine how it collects public records from private accounts. The court opinion only says a "reasonable effort" to search records must be made — but allows local agencies to decide how.

"We're going to have to tread carefully on the issue of how we do a search for records on private devices," Doyle said. "Is it enough to say 'Check your devices and let us know,' or will employees have to sign some kind of affidavit?"

After Smith filed suit in August 2009, the San Jose City Council adopted a policy to release elected officials' communications from private devices, relying on "self-reporting" to get them. But Smith and his attorney, James McManis, said the rules should apply to city employees too.

"There was nothing sensitive about this information except that someone didn't want to talk about what was going on at City Hall with respect to former Mayor Tom McEnery," McManis said Thursday.

McEnery said "the public deserves full transparency" and that he had no quarrel with the ruling. He said dozens of other projects had received similar redevelopment loans but his got more scrutiny because "I was mayor for eight years and I picked up my share of enemies."

McManis said the ruling also applies to city workers' social media accounts because it focuses on the content of the communication — not the medium in which it occurred.

The ruling suggests cities can set policies to prohibit using personal devices for official business, but it also recognized that not all private writings by city workers are public. The communications "must relate in some substantive way to the conduct of the public's business."

"The court does acknowledge government workers' right to privacy," Doyle said. "If a city official writes a text to their spouse and says their co-worker is an idiot — that may not be a public record."

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The grocery section at a Walmart Photograph by Chris Hondros — Getty Images

WALMART

Walmart Settles Lawsuit over Plastic Bottles Labeled 'Biodegradable' for Nearly \$1 Million

Lucinda Shen
Feb 02, 2017

Wal-Mart Stores and Jet.com have agreed to pay \$940,000 to settle claims that it sold plastic products wrongly labeled as "biodegradable" or "compostable."

The Alameda County District Attorney's Office in California released a [press release](#) Wednesday, stating **Walmart** agreed to pay \$875,000 in civil penalties and another \$50,000 to fund the testing of products marketed as biodegradable or compostable. [Jet.com](#), a Walmart subsidiary, has also agreed to pay another \$15,000 in penalties.

California law forbids the label of "biodegradable" on plastic unless it comes with a disclaimer on how long it will take for the product to degrade in a landfill. The state also doesn't allow the sale of plastic items labeled "compostable" unless it meets certain scientific standards.

"We are pleased to resolve this matter with the California District Attorneys and are appreciative of them as they have worked with us on this issue. Sustainability is a priority for us, and we have been recognized as a retail leader in this space," a representative from Walmart told Fortune in a statement. "We're proud of the enhancements we have made to help ensure that the products we sell to California customers are in line with the State's guidance on biodegradable labeling."

52