

Authority Board (WMA) and Energy Council (EC) Members

Pauline Cutter, **WMA President & EC President**
City of San Leandro, WMA, EC
Jerry Pentin, **WMA 1st Vice President**
City of Pleasanton, WMA
Dan Kalb, **WMA 2nd Vice President, EC 1st Vice President**
City of Oakland, WMA, EC
Greg Jones, **EC 2nd Vice President**
City of Hayward, WMA, EC
Keith Carson, County of Alameda, WMA, EC
Trish Spencer, City of Alameda, WMA, EC
Peter Maass, City of Albany, WMA, EC
Susan Wengraf, City of Berkeley, WMA, EC
Dave Sadoff, Castro Valley Sanitary District, WMA
Don Biddle, City of Dublin, WMA, EC
Dianne Martinez, City of Emeryville, WMA, EC
Suzanne Lee Chan, City of Fremont, WMA, EC
Laureen Turner, City of Livermore, WMA
Luis Freitas, City of Newark, WMA, EC
Shelia Young, Oro Loma Sanitary District, WMA
Tim Rood, City of Piedmont, WMA, EC
Lorrin Ellis, City of Union City, WMA, EC

AGENDA

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

Wednesday, March 25, 2015

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 (WMA & EC)

II. ROLL CALL (WMA & EC)

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)*

Page **IV. CONSENT CALENDAR (WMA & EC)**

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|---|---|---------------|
| 1 | 1. Approval of the Draft Minutes of February 25, 2015 (WMA & EC, separate Votes) (Gary Wolff & Wendy Sommer) | Action |
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| 5 | 2. Minutes of the February 17, 2015 Technical Advisory Group (TAG) (EC only) (Gary Wolff, Wendy Sommer & Karen Kho) | Action |
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V. OPEN PUBLIC DISCUSSION (WMA & EC)

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

VI. REGULAR CALENDAR (WMA & EC)

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| 7 | 1. CoIWMP Amendment Ordinance 2015-01, Factual Changes, Second Reading & Adoption (WMA only) (Gary Wolff & Debra Kaufman) | Action |
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It is recommended that the Authority conduct the second reading at the March 25th, 2015 meeting and adopt Ordinance 2015-01 (attached) to make factual changes to the Countywide Integrated Waste Management Plan.

| | | |
|----|---|---------------------------|
| 11 | <p>2. Request by Todd Fitch and Mike Tejero for an Amendment to the Alameda County Integrated Waste Management Plan (Ordinance 2015-02) to Site the Hayward Transfer Station, a CDI facility, at 3458 Enterprise Avenue in Hayward (WMA only) (Gary Wolff & Debra Kaufman)</p> <p>Staff and the Recycling Board as LTF and the P&O committee, recommend that the WMA Board:</p> <ol style="list-style-type: none"> 1. Hold a public hearing on the proposed ordinance (attached) 2. Consider the ordinance by title only, waiving a reading of the full text 3. Introduce the ordinance for consideration of adoption at the April WMA meeting. | Action/ Public Hearing |
| | <p>3. CLOSED SESSION (WMA only): PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Pursuant to Government Code Section 54957)</p> <p>Title: Executive Director CONFERENCE WITH LABOR NEGOTIATOR (pursuant to Government Code Section 54957.6) Agency Designated Representatives: Board Members Biddle, Cutter, Kalb, Pentin. Unrepresented Employee: Executive Director (confidential materials mailed separately)</p> | |
| | <p>4. CLOSED SESSION (WMA only): PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Pursuant to Government Code Section 54957)</p> <p>Title: Authority Counsel (confidential materials mailed separately)</p> | |
| | <p>5. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (WMA only) (Gary Wolff)</p> <p>(P&O and Recycling Board meeting, April 9th at 7:00 pm - San Leandro Senior Community Center, 13909 E. 14th St., San Leandro, CA)</p> | Action |
| | VII. COMMUNICATIONS/MEMBER COMMENTS (WMA & EC) | Information |
| | VIII. REGULAR CALENDAR (EC only) | |
| 31 | <p>1. Bay Area Regional Energy Network Contract Amendment #1 (EC only) (Gary Wolff, Wendy Sommer & Karen Kho)</p> <p>Adopt the Resolution attached.</p> | Action |
| 35 | <p>2. Community Choice Aggregation (CCA) Steering Committee (EC only) (Gary Wolff, Wendy Sommer & Karen Kho)</p> <p>This item is information only.</p> | Information |
| | IX. ADJOURNMENT (WMA & EC) | |

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

Wednesday, February 25, 2015

3:00 p.m.

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

I. CALL TO ORDER

President Pauline Cutter (WMA & EC), called the meeting to order at 3:02 p.m.

II. ROLL CALL

WMA & EC

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|---------------------------------|---|
| County of Alameda | Scott Haggerty, WMA, EC |
| City of Albany | Peter Maass, WMA, EC |
| City of Berkeley | Susan Wengraf, 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 Fremont | Suzanne Lee Chan, WMA, EC (arrived 3:06 p.m.) |
| City of Hayward | Greg Jones, WMA, EC |
| City of Newark | Luis Freitas, WMA, EC (arrived 3:06 p.m.) |
| City of Oakland | Dan Kalb, WMA, EC (arrived 3:05 p.m.) |
| Oro Loma Sanitary District | Shelia Young, WMA |
| City of Piedmont | Tim Rood, WMA, EC |
| City of Pleasanton | Jerry Pentin, WMA |
| City of San Leandro | Pauline Cutter, WMA, EC |
| City of Union City | Lorin Ellis, WMA, EC |

Absent:

| | |
|-------------------|------------------------|
| City of Alameda | Trish Spencer, WMA, EC |
| City of Livermore | Laureen Turner, WMA |

Staff Participating:

Gary Wolff, Executive Director
Wendy Sommer, Deputy Executive Director
Pat Cabrera, Administrative Services Director
Karen Kho, Senior Program Manager
Debra Kaufman, Senior Program Manager
Stephanie Stern, Program Manager
Wes Sullenstons, Program Manager
Richard Taylor, Counsel, Authority Board
Arliss Dunn, Clerk of the Board

III. ANNOUNCEMENTS BY THE PRESIDENT

There were none.

IV. CONSENT CALENDAR (WMA, EC & RB)

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| 1. Approval of the Draft Joint Minutes of January 28, 2015 (WMA & EC-Separate Votes) (Gary Wolff) | Action |
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| 2. Annual Audit for Fiscal Year 2013/14 (WMA & EC, separate votes) (Gary Wolff, Pat Cabrera & Gina Peters) Staff recommends that the WMA Board and the Energy Council review, accept and file the FY 2013/14 audit report. | Action |
| | |
| 3. Minutes of the January 20, 2015 Technical Advisory Group (TAG) (EC only) (Gary Wolff & Wendy Sommer) | Information |
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| 4. Grants Under \$50,000 (WMA only) (Gary Wolff) | Information |

Board member Haggerty made the motion to approve the Consent Calendar for the WMA Board. Board member Pentin seconded and the motion carried 13--0 (Chan, Freitas, Kalb, Spencer and Turner absent).

Board member Ellis made the motion to approve the Consent Calendar for the Energy Council. Board member Jones seconded and the motion carried 11-0 (Chan, Freitas, Kalb and Spencer absent).

V. OPEN PUBLIC DISCUSSION (WMA & EC)

There was none.

VI. REGULAR CALENDAR (WMA, EC & RB)

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|---|-----------------------------------|
| 1. Countywide Integrated Waste Management Plan Factual Changes: Public Hearing and First Reading (WMA only) (Gary Wolff) Staff recommends that the Waste Management Authority Board 1) hold a public hearing to amend the CoIWMP to include the factual changes as set forth and make other minor changes for consistency, 2) consider the attached ordinance by title only, waiving reading of the full text and 3) introduce the attached ordinance for consideration and adoption at the March 25 th Board meeting. | Action/ Public Hearing |
|---|-----------------------------------|

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

<http://stopwaste.org/sites/default/files/meeting/wma%20first%20reading%20and%20public%20hearing%20coiwmp%202015-1.pdf>

Ms. Kaufman indicated that the City of Hayward requested a few minor edits that staff concurred with. These changes were distributed to the Board today. An additional edit includes a correction to figure 2b, to show the City of Livermore's solid waste going to Vasco Road and not the Altamont Landfill.

President Cutter opened the public hearing. There were no comments from the public. Board member Biddle made the motion to approve the staff recommendation and to incorporate the City of Livermore changes. Board member Pentin seconded and the motion carried 18-0 (Spencer and Turner absent).

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| 2. Amended and New Conflict of Interest Codes (WMA & EC, separate Votes) (Gary Wolff & Pat Cabrera) Staff recommends that the Waste Management Authority (Attachment B) and the Energy Council (Attachment C) each adopt the relevant attached resolution stating their amended (WMA) or new (EC) Conflict of Interest Code. | Action |
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Pat Cabrera provided an overview of the staff report. The report is available here:

<http://www.stopwaste.org/sites/default/files/meeting/Conflict%20of%20Interest%20Packet.pdf>

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Board member Rood inquired if it is a requirement to list personal residence on the 700 form. Richard Taylor stated that it is not a requirement.

Board member Freitas made the motion to approve the staff recommendation for the WMA Board. Board member Sadoff seconded and the motion carried 18-0 (Spencer and Turner absent).

Board member Ellis made the motion to approve the staff recommendation for the Energy Council. Board member Wengraf seconded and the motion carried 17-0 (Spencer absent).

- 3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (WMA only) (Gary Wolff)** **Action**
(P&O and Recycling Board meeting, March 12th at 4:00 pm - StopWaste Offices, 1537 Webster St., Oakland, CA)

Board member Pentin requested an interim appointment for the P&O and RB meeting on March 12th. Board member Biddle volunteered to serve as the interim appointment. Board member Cutter made the motion to approve the interim appointment. Board member Rood seconded and the motion carried 18-0 (Spencer and Turner absent).

- 4. Presentation of Energy Council Projects (EC only) (Gary Wolff, Wendy Sommer & Karen Kho)** **Information**
This item is information only.

Wendy Sommer provided an overview of the presentation and introduced Program Manager's Karen Kho, Stephanie Stern and Wes Sullens. A copy of the presentation is available here:

<http://www.stopwaste.org/file/2228/download?token=iaPpoDLJ>

Board member Kalb thanked staff for a very thorough presentation and requested that staff send a link that identifies the leads for the sub-programs. Ms. Kho stated that the descriptions for each program can be found on the BayREN website. The program leads change as they are periodically re-elected. Board member Kalb added he considers the contractors ability to sell the PACE program as the weakest link in getting the information to property owners and inquired about the efforts to properly educate the vast number of contractors. Ms. Kho stated that staff is doing direct outreach to contractors to enroll them into the BayREN program. Additionally, financing and the link between the PACE program and the BayREN single family upgrade is one that will be strengthened this year. It appears that the residential PACE program is gaining momentum and we're coordinating closely with Renewable Funding and they are doing direct outreach to contractors as well. Board member Kalb stated that he has spoken with Renewable Funding and they concur that there is difficulty in getting enough contractors that are knowledgeable about the program and who will sell it to the property owners. Ms. Stern indicated that this year staff will be conducting three contractor events trying to engage different sectors of contractors. The first event is in partnership with Truitt and White, a wholesale company that focuses on remodeling. Another event will be in partnership with the State Contractor Licensing Board focusing on HVAC, and in March, BayREN will be hosting an event to lure new contractors to the program. Staff welcomes any ideas that the Board may have to help strengthen the program.

Board member Cutter inquired about the status of the DWR Water-Energy grant. Ms. Kho stated that staff submitted a full proposal in December 2014 and the announcement will be made in April 2015. Board member Biddle stated that staff has done very good work in this area and inquired if there will continue to be a funding stream in this area. Mr. Wolff stated that there will likely be another round of funding in October towards BayREN work as well as the DWR funding opportunity in April, but there is no certainty we will obtain funding.

Board member Rood inquired about the opt-in process for the Energy Council if it adopts an ordinance and the participating agency does not adopt a resolution of its own. Can the jurisdiction then modify the ordinance? Attorney Taylor stated that the spirit of the JPA is that everyone would be legislating the same way and issues would be worked out through the Technical Advisory Group (TAG) so that there will be consistent standards of

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interpretation, OR each agency can adopt its own ordinance. Mr. Wolff added, historically the agency has prepared at least one model ordinance – for C&D diversion -- that was used as a template by member agencies, and that could be done again if appropriate. In contrast, the Landfill Plant Debris Ban was a countywide ordinance adopted by the WMA. When the agency developed the Mandatory Recycling Ordinance and the Reusable Bag Ordinance the question arose as to which model should be used and we created a fusion which was a countywide ordinance that member agencies could choose to participate if they desired. Mr. Wolff added this measure captures the economy of scale but respects local sovereignty. The City of Hayward appreciated this flexible mechanism and asked that it be included as a possible tool for the Energy Council JPA.

President Cutter thanked staff for the presentation.

VII. COMMUNICATIONS/MEMBER COMMENTS (WMA, EC & RB)

Information

Board member Maass announced that the State had received enough signatures to stall the statewide plastic bag ban. Mr. Wolff added the State packed food store bag ordinance will be in suspense until November 2016 until the public votes on the issue. Staff looked at the breakdown by County and if no one in Alameda County had signed the petition it still would have garnered enough signatures to qualify for the ballot. Board member Kalb asked if staff is concerned that the public will think our local ordinance is also suspended. Mr. Wolff replied that staff will discuss this issue to see if we need any outreach about this.

Mr. Wolff announced that Northern California Recycling Association (NCRA) will host its annual Recycling Update conference at the Freight and Salvage in Berkeley, March 17, 2015 from 8:30 a.m. to 5:00 p.m. Mr. Wolff will send an email to Board members and we will register any Board member that would like to attend.

VIII. ADJOURNMENT (WMA/EC)

The meeting adjourned at 3:48 p.m.

Energy Council TECHNICAL ADVISORY GROUP (TAG)

Tuesday, February 17 2015 – 1:00 pm to 3:00 pm

Attendance:

County of Alameda: Damien Gossett
City of Albany: Claire Griffing
City of Berkeley: Billi Romain
City of Emeryville: Nancy Humphrey
City of Hayward: Erik Pearson
City of Fremont: Rachel DiFranco
City of Livermore: Judy Erlandson (phone)
City of Oakland: Daniel Hamilton
City of Piedmont: Kevin Jackson
City of Union City: Avalon Schultz
StopWaste: Karen Kho, Heather Larson, Stephanie Stern, Lou Riordan, Wes Sullens

Board Updates

- No Energy Council items in January
- February 25 agenda: Overall projects update, because there are new Board members

CCA Updates

- No update this month, County is still figuring out committee structure (switching to single committee instead of bi-cameral committee structure)
- LGSEC hosting a CCA workshop in Southern California in April

Program Updates

- Multifamily
 - See dashboard on Basecamp
 - Multifamily Property Management Training in May
- Codes and Standards
 - Bay REN C&S forum hosted at StopWaste offices on Feb 24, 2015 (flyer distributed)
 - Significant rollover funding from 2013-14, and committee is figuring out how best to use it; Potential programs include:
 - Regional plan checking service
 - Residential policy toolkit: supporting BESO in Berkeley and making recommendations for other jurisdictions
- Single-family/ HEA
 - See dashboard on Basecamp
 - Rollover funds available, and their use is being determined by the committee

2016 Program Planning

- Bay REN 2016 process

- Rubric task group set up priorities for evaluating proposals
- New proposals must be submitted by a BayREN partner agency in March; StopWaste can propose programs that are identified as priorities by TAG
- Local Program Priorities Discussion:
- Multifamily Program Interests
 - Electric Vehicle policies – opportunity to leverage local initiatives?
 - Sub-metering for hot water
 - Fuel switching for cost savings (electrification to avoid combustion safety issues and promoting renewables)
 - Energy Pro Lite software expansion statewide
- Single Family Program Interests
 - Green Labeling was originally part of the PIP, but may be proposed as a separate sub-program
- Codes & Standards Program Interests
 - Goal is to transition into a resource program
 - Report generated from Permit Resource Opportunity Program visits with help quantify potential energy savings

Living Building Challenge

- See presentation on Basecamp
- Looking for a potential showcase project in Alameda County

NEXT TAG MEETING: Tuesday, March 17 2015 from 1pm-3pm



March 17, 2015

TO: Alameda County Waste Management Authority
FROM: Gary Wolff, Executive Director
BY: Debra Kaufman, Senior Program Manager
SUBJECT: CoIWMP Amendment Ordinance 2015-01, Factual Changes, Second Reading & Adoption

BACKGROUND

At the meeting of February 25th, the Authority board opened and closed a public hearing on Ordinance 2015-01 to adopt factual changes to the Countywide Integrated Waste Management Plan, waived the requirement to read the full text of the ordinance and had the first reading.

The proposed changes to the CoIWMP can be found here:
<http://stopwaste.org/file/2231/download?token=loBiaFwe>

RECOMMENDATION

It is recommended that the Authority conduct the second reading at the March 25, 2015 meeting and adopt Ordinance 2015-01 (attached) to make factual changes to the Countywide Integrated Waste Management Plan.

ORDINANCE 2015- 01

AN ORDINANCE ADOPTING AMENDMENTS
TO THE COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN

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 4.

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 several amendments since then.

(d) The Authority finds that in July 2009, it submitted to the California Integrated Waste Management Board (State Board) a 5 year Countywide Integrated Waste Management Plan review report that concluded the ColWMP did not need to be changed to ensure compliance with state law. The State Board agreed with this conclusion.

(e) The Authority amended the ColWMP to update facts and figures in 2010.

(f) The Authority finds that facts and figures needed to be updated in 2015 and amendments made in 2011 and 2013 needed to be fully incorporated

(g) The Authority finds that the Recycling Board as the Local Task Force has considered the proposed ColWMP amendments.

(h) The Authority finds that the Authority provided all required notice and held a duly noticed public hearing on February 25th, 2015 to consider the ColWMP amendments.

(i) The Authority finds that the ColWMP amendments will not result in direct or indirect physical changes in the environment, and thus the adoption of such amendments is not considered a project under the California Environmental Quality Act (CEQA) and is exempt from CEQA pursuant to Title 14 California Code of Regulations section 15061(b)(3).

SECTION 3 (Amendment of ColWMP)

The Authority does hereby adopt the amendments to the ColWMP as set forth in Exhibit 1 and made

a part of this ordinance.

SECTION 4 (Notice and Effective Date)

This ordinance shall be posted at the Authority offices 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 25th day of March, 2015 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. 2015 - 01.

GARY WOLFF
EXECUTIVE DIRECTOR

Exhibits:

Exhibit 1: Countywide Integrated Waste Management Plan Factual Changes

<http://stopwaste.org/file/2231/download?token=loBiaFwe>

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March 17, 2015

TO: Alameda County Waste Management Authority

FROM: Gary Wolff, Executive Director

BY: Debra Kaufman, Senior Program Manager

SUBJECT: Request by Todd Fitch and Mike Tejero for an Amendment to the Alameda County Integrated Waste Management Plan (Ordinance 2015-02) to Site the Hayward Transfer Station, a CDI facility, at 3458 Enterprise Avenue in Hayward

BACKGROUND

On March 12th, 2015, the Recycling Board, in its role as the Local Task Force (LTF) and the Planning and Organization Committee of the WMA recommended that the WMA Board approve the subject CoIWMP amendment. The staff memo to the Recycling Board is available at:

<http://stopwaste.org/sites/default/files/meeting/staff%20report%20for%20hayward%20coiwmp%20amendment%20march%202015%20tg1.pdf>

RECOMMENDATION

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

1. Hold a public hearing on the proposed ordinance (attached)
2. Consider the ordinance by title only, waiving a reading of the full text
3. Introduce the ordinance for consideration of adoption at the April WMA meeting.

Attachment A

ORDINANCE 2015-02

AN ORDINANCE ADOPTING AMENDMENTS TO THE COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN, AND FINDING PLAN CONFORMANCE FOR THE HAYWARD TRANSFER STATION MEDIUM VOLUME CONSTRUCTION, DEMOLITION & INERT DEBRIS PROCESSING FACILITY AT 3458 ENTERPRISE AVENUE IN THE CITY OF HAYWARD

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, and July 2013.
- (d) The Authority finds that on December 22, 2014, the City of Hayward issued an administrative use permit for the Hayward Transfer Station Medium Volume Construction, Demolition & Inert Debris Processing Facility (“Facility”) at 3458 Enterprise Avenue in the City of Hayward after preparing, considering, and adopting a mitigated negative declaration, initial study, and mitigation monitoring and reporting program for the Facility as required by the California Environmental Quality Act (“CEQA”).
- (e) The Authority finds that on January 14, 2015, the Facility applicant submitted the required information to the Authority to amend the ColWMP to site the Facility on an existing site at 3458 Enterprise Avenue in the City of Hayward.
- (f) 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.

- (g) The Authority finds that Authority staff provided all required notice and held a duly noticed public hearing on March 25, 2015 to consider the CoIWMP Amendment and conformance finding for the Facility.
- (h) 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.
- (i) 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 Hayward's mitigated negative declaration and initial study ("MND/IS").
- (j) The Authority finds that the Authority Board has independently reviewed and considered City of Hayward's MND/IS.
- (k) The Authority finds that since the City of Hayward's adoption of the MND/IS, no substantial changes have occurred and no new information or changed circumstances exist that require revisions of the MND/IS due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- (l) The Authority finds that the City of Hayward required changes to the project or mitigation measures that ensure the Facility will not result in any significant environmental impacts.

SECTION 3 (CEQA Determinations)

- (a) The Authority's approval of the CoIWMP amendment and conformance determination, as conditioned, will have a less than significant impact on the environment as documented in the MND/IS.
- (b) Authority hereby adopts, and incorporates herein by reference, the City of Hayward's Mitigation Monitoring and Reporting Program, to the extent applicable to the Facility.

SECTION 4 (Amendment of CoIWMP)

The Authority hereby amends the CoIWMP as set forth in the CoIWMP 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 CoIWMP 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 a Solid Waste Facility Permit for the project as conditioned by the Conditions of Approval attached hereto as Exhibit 3 would be in conformance with the CoIWMP 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 __ day of _____, 2015 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. 2015 - 02.

GARY WOLFF
EXECUTIVE DIRECTOR

Exhibits:

Exhibit 1: CoIWMP Amendment Text

Exhibit 2: Siting Criteria Findings

Exhibit 3: Authority Conditions of Approval

Attachment A: City of Hayward Conditions of Approval

Exhibit 1

Amendments to Alameda County Countywide Integrated Waste Management Plan for the Hayward Transfer Station Medium Volume Construction, Demolition & Inert Debris Processing Facility at 3458 Enterprise Avenue in the City of Hayward

The Alameda County Countywide Integrated Waste Management Plan, February 26, 2003 and last amended in September 14, 2013, 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~~.

1. In Chapter II under the heading of "Participants" section 6 "Private Companies," add the following bulleted paragraph directly before Table 2-4:

Todd Fitch and Mike Tejero will be the owner/operator of the Hayward Transfer Station located at 3458 Enterprise Avenue in Hayward. The Hayward Transfer Station will be a medium volume construction, demolition, and inert debris processing facility. The facility will encourage customers to bring source separated construction and demolition materials, which will be transported to recycling and reuse facilities. Mixed loads of construction, demolition, and inert materials will be sorted into source separated categories for recycling or reuse with the residuals going to a landfill or other CDI facility. The facility will receive no more than 174 tons per day. The facility is expected to achieve an overall 60% recycling rate with 100% of asphalt and concrete being recycled and 50% of all other materials being recycled. This facility is expected to become operational in 2015 upon issuance of all applicable permits including a full solid waste facilities permit by the state of California and Alameda County LEA.

2. In Chapter II, under the heading of "The System Components" section 2 "Transfer Stations," change the second paragraph of the section as follows:

In 2015, **seven** transfer stations **will operate** in Alameda County: the Davis Street Transfer Station in San Leandro, the ACI Transfer/Processing Facility in San Leandro, the Berkeley Transfer Station in Berkeley, the Pleasanton Transfer Station in Pleasanton, the BLT Transfer Station in Fremont, ~~and~~ the Livermore Sanitation Inc. direct transfer station in the City of Livermore, **and the Hayward Transfer Station**. In 2015, the Recology East Bay Organics Pre-Processing Facility will also likely be operational. Table 2-7 describes the capacity and geographic watershed of each of these transfer stations. Figure 2-~~Bb~~ presents a map showing the location of the transfer stations and landfills in Alameda County and the origin and direction of waste flows. Long haul transfer vehicles used at the Davis Street, Berkeley, Pleasanton, **and Hayward** Transfer Stations include "moving floor" and "possum belly" vehicles, each designed to transport an average of 21 to 25 tons of compacted waste, per trip. The Recology East Bay Organics Pre-Processing Facility is also expected to use long haul trailers to transport solid

waste residuals that cannot be digested after preprocessing to landfills or Material Recovery Facilities, as needed.

3. In Chapter II, add the Hayward Transfer Station to Figure 2-B.

4. Table 2-7 summarizes information regarding transfer stations in Alameda County. Amend Table 2-7 to include the information provided below:

| TRANSFER STATION | OWNER/ OPERATOR | WASTESHEDS | DISPOSAL TONNAGE TOTAL TPY/TPD-5 | SITE ACREAGE | DESIGN / PERMITTED CAPACITY |
|---------------------------------|---|-----------------------|---|---|-----------------------------|
| <u>Hayward Transfer Station</u> | <u>Todd Fitch and Mike Tejero/Hayward Transfer Station, LLC</u> | <u>Alameda County</u> | <u>62,988/174 TPD-5 throughput expected</u> | <u>3.4 (with 2.5 acres devoted to this operation)</u> | <u>174 TPD/ 174 TPD</u> |

5. In Chapter II, under the heading “The System Components” section 2 “Transfer Stations,” add paragraph (h), as follows:

h) Hayward Transfer Station

Hayward Transfer Station. The Hayward Transfer Station is a medium volume construction, demolition, and inert debris processing facility located at 3458 Enterprise Avenue in Hayward on a 3.32 acre site, 2.5 of which is dedicated to this operation. The transfer station is co-located with other commercial activities at this site, including a contractor’s storage yard, waste cooking oil recovery operation, portable toilet rentals, and temporary fencing operation. The facility is compatible with adjacent land uses, which are industrial.

The facility will receive self-hauled construction, demolition, and inert materials. Only construction, demolition, and inert materials will be accepted. The site will include a commercial scale, a large bunker for C&D materials, and several small bunkers for clean source separated C&D materials, as well as a storage area for drop boxes, vehicles, and equipment. The facility will offer discounts for the public to bring in clean source separated C&D materials. All incoming loads will be weighed on a commercial scale. Source separated C&D materials will be hauled in roll off trucks, demolition trucks or transfer trailers to various businesses for recycling or reuse. Mixed C&D residuals, after sorting and segregation for recyclables, will be hauled to landfills or CDI facilities. The facility also provides debris box rental and collection service for C&D materials in cities that allow non-franchised haulers to do so (several cities in Alameda County, including Hayward, only allow the franchised hauler to provide this service).

The facility is required to recycle all incoming concrete and asphalt and 50% of remaining materials. This will give the facility an overall recycling rate of 60%.

The facility expects to receive no more than 174 tons per day of material. This facility is expected to be operational in 2015 after receiving all applicable permits.

Exhibit 2

SITING CRITERIA FINDINGS FOR HAYWARD TRANSFER STATION MEDIUM VOLUME CDI TRANSFER/PROCESSING FACILITY AT 3458 ENTERPRISE AVENUE IN THE CITY OF HAYWARD

The Alameda County Waste Management Authority (“Authority”) has reviewed the materials submitted in connection with the Hayward Transfer Station, LLC Medium Volume Construction, Demolition, and Inert Debris Transfer/Processing Facility (“Facility”). Based on that review, the Authority hereby makes the following determinations pursuant to the relevant provisions of CoIWMP Section VI, Table 6-2:

- **Seismic** – The Facility is not located within 200 feet of a known active fault. The Facility is approximately 3.46 miles from the Hayward fault zone.
- **Floodplains** – The Facility is not located within the 100-year flood plain.
- **Wetlands** – The Facility is located in a fully developed industrial area within the City of Hayward; no wetlands are impacted by its development.
- **Endangered Species Habitat** – The Facility is located in a fully developed industrial area within the City of Hayward and located on a site developed with industrial uses and once entirely paved. No special-status species have a potential to occur at the project site.
- **Unstable Soils** – The project site is subject to seismic liquefaction and may be affected by strong seismic ground shaking. The buildings and improvements on-site will be designed and constructed in accordance with California Building Code seismic design standards to assure the structural integrity of the Facility, including considerations for seismic hazards, liquefaction, and lateral spreading.
- **Major Aquifer Recharge Areas** – The Facility is not located in an aquifer recharge area.
- **Depth to Groundwater** – Groundwater on the site is shallow. The Facility will comply with all local and state construction requirements. The underlying groundwater basin is not utilized as a water supply, and no discharge to or pumping of the basin is permitted.
- **Permeable Strata and Soils** – The Facility is located on soils characterized by the US Geologic Service as Soil Type D that includes some Quaternary muds, sands, gravels, silts, and mud. Any construction on site would be required to meet the standards of the California Building Code. A large portion of the Facility site has pavement.
- **Non-attainment Air Areas** – The Facility operation would comply with all requirements and not conflict with or obstruct the implementation of the Bay Area Air Quality Management District (“BAAQMD”) Plan. For regional emissions, the Facility would not exceed the numerical thresholds of significance established by the BAAQMD, would not result in a significant CO “hotspot”, and would not exceed the BAAQMD Greenhouse Gas annual threshold. The Facility would also have a less than significant impact from operational source emissions and odor, and a less than significant impact to sensitive receptors, and would not result in significant adverse health conditions.
- **PSD Air Areas** – Operation of the Facility shall be in compliance with all requirements of the BAAQMD..

- **Mineral Resources Area** – The Facility is located in an area mapped by the California Department of Conservation, Division of Mines and Geology that indicates no significant mineral deposits are present. Furthermore, the siting of this Facility would not preclude the extraction of minerals in the future if needed.
- **Prime Agricultural Lands/Open Space** – The Facility is located in a fully developed industrial area within the City of Hayward and not on agricultural lands.
- **Military Lands** – The Facility is not sited on any Military lands.
- **Other Federal, State, and Indian Lands** – The Facility is not located on any Federal, State, or Indian lands.
- **Proximity to Major Transportation Routes** – The Facility site is located off State Highway Route 92, between the east end of the Hayward-San Mateo Bridge and the I-880 corridor.
- **Proximity to Development** – Access to the Facility will be from the I-880 corridor to State Highway Route 92. Roadway access to the Facility is through industrial and commercial roadways, and not through residential areas or areas where institutional and public facilities are present. A traffic analysis was done and concluded the project had a less than significant impact on all intersections studied.
- **Proximity to Public Services** – The Facility is located in a fully developed industrial park area and connected to public utilities. Captured storm water from the Facility site will be pumped and discharged to the nearby City of Hayward Pollution Control Facility (sewage treatment plant). Fire, police, and emergency medical services are readily available at this urban location.
- **Proximity to Waste Stream** – The Facility is located in the City of Hayward with excellent access to all areas of the City and the broader Bay Area via major roadways and highways.
- **Appropriate Zoning** – The Facility is compatible with adjacent industrial land uses and zoning; it is located within the City of Hayward Industrial (I) Zoning District.
- **Conformance with Approved Countywide Siting Element of the Integrated Waste Management Plan** – The Facility is consistent with the goals and policies of the Countywide Siting Element and has been designed to enhance landfill diversion of materials for Alameda County, and is an integral part of the countywide system.
- **Recreational, Cultural, or Aesthetic Areas** – The Facility is not located in an area of any recreational, cultural, or aesthetic significance.
- **Airport Zones** – The Facility is not located near an airport, within a Federal Aviation Agency approach zone, installation compatible use zone, or safety zone.
- **Gas Migration/Emission** – Not Applicable.
- **Contingency** – The Facility will maintain an Emergency Contingency Plan as part of the Solid Waste Facility Permit in the Facility's Transfer/Processing Report to provide for continuity of service in the event of disruptions caused by natural or man-made events.
- **Aesthetics** - The Facility is an approved use located in a fully developed industrial area within the City of Hayward. Additional landscaping along the Facility frontage will be added to make the site more visually attractive.

Exhibit 3

Conditions of Approval for CoIWMP Amendment and Conformity Determination for the Hayward Transfer Station Medium Volume Construction, Demolition, and Inert Debris Transfer/Processing Facility

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 CoIWMP amendment and conformity determination enacted by the ordinance to which this exhibit is attached is subject to the conditions below:

1. Construction and operations at the Hayward Transfer Station Medium Volume Construction, Demolition, and Inert Debris Transfer/Processing Facility ("Facility") at 3458 Enterprise Avenue in Hayward shall comply with all requirements governing the design and operation of such facilities as set forth in Title 14 of the California Code of Regulations.
2. Hanson & Fitch, Inc. and Hayward Transfer Station, LLC (collectively, "Applicant") shall construct and operate the Facility in compliance with the assumptions made and mitigation measures included in the Mitigated Negative Declaration and Initial Study prepared by the City of Hayward for Administrative Use Permit No. PL-2014-0373.
3. Applicant shall comply with the City of Hayward's December 22, 2014 Conditions of Approval for Administrative Use Permit No. PL-2014-0373, attached hereto as Attachment A, to the extent applicable to the Facility. Notwithstanding the foregoing and condition number 2 above regarding compliance with mitigation measures, for Hayward's Condition Number 15 and Mitigation Number 9, the Facility must be listed on StopWaste's mixed C&D facility diversion/recycling rate report or, equivalent alternative as approved by the Authority Executive Director, or authorized representative of the Authority, after any required compliance with CEQA. Additionally, for Hayward's Condition Number 20 and Mitigation Number 14, requiring the applicant to submit all documents recording the recycling rate to the City at least twice annually prior to StopWaste's Mixed C&D Facility Diversion/Recycling Rate Report, those documents shall be submitted in months six and twelve.
4. Applicant shall defend (with counsel acceptable to the Authority), indemnify and hold harmless the Authority, its agents, officers and employees for any costs (including legal costs, attorneys' fees, expert witness or consultant fees, staff time, or other expenses) incurred by the Authority, its agents, officers or employees from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action, or proceeding (collectively, "Action") against the Authority, its agents, officers or employees, in connection with the Facility or approval or implementation of Authority Ordinance No. 2015-02. The Authority may elect, in its sole discretion, to participate in the defense of such Action, and Applicant shall reimburse the Authority 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, Applicant and all their successors and assigns.
5. Applicant shall comply with the Alameda County Integrated Waste Management Plan and all applicable existing and future ordinances and resolutions of the Authority (including, but not limited to, Ordinance 2009-01 and Resolution 2009-03).

6. Applicant shall comply with all Alameda County jurisdictions' local rules and regulations including franchise restrictions on hauling construction and demolition debris by third party, non-franchised haulers.
7. Applicant shall pay all applicable Alameda County Waste Management fees on any disposed waste, including waste that is disposed in county and out-of-county.
8. These Conditions of Approval shall restrict the operation of the Facility and shall be incorporated in, and enforceable under the Facility's Solid Waste Facilities Permit issued by the Alameda County Local Enforcement Agency and may be enforced by the Authority and City of Hayward in connection with enforcement of their permits for the Facility.
9. Any activities beyond those provided for by Ordinance 2015-02 shall require a new ColWMP amendment and conformance determination by the Authority.

ACCEPTANCE BY APPLICANT

This ColWMP amendment and conformance determination is hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by Applicant. The undersigned hereby acknowledge the approved terms and conditions and agrees to fully conform to and comply with said terms and conditions.

| | |
|-------|-------|
| _____ | _____ |
| By: | |
| Its: | Date |

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| _____ | _____ |
| By: | |
| Its: | Date |

Attachment A to Exhibit 3

CITY OF HAYWARD DECEMBER 22, 2014 CONDITIONS OF APPROVAL FOR HAYWARD TRANSFER STATION

1. All the conditions of approval of Administrative Use Permit No. PL-2012-0104 shall be completed prior to the operation of a Medium Volume construction and demolition/inert debris (CDI) transfer/processing station facility.
2. Prior to commencement of the facility all required permits shall be secured. The Office of Solid Waste/Medical Waste Management, Alameda County Department of Environmental Health Department shall issue a Registration Permit to allow 174 tons per day. In addition, Alameda County Waste Management Authority, the Alameda County Source Reduction and Recycling Board, and the Energy Council shall make the Conformation of Findings which shall be issued and approval of an Amendment to the Alameda County Integrated Waste Management Plan (CoIWMP).
3. The applicant shall submit for building permits for the construction or alteration of any building or structures. This includes the installation of office trailers which require permanent foundations and shall meet all California Building Code requirements.
4. The applicant shall submit for a sign permit for all business signs. All signs shall meet the regulations of the Sign Ordinance.
5. Graffiti. The applicant shall be responsible for keeping the building free of graffiti. Graffiti shall be removed within forty-eight hours after the owner has been advised of the occurrence.
6. Directional Signage. The applicant shall provide directional signage on the site adequate to ensure safe on-site vehicle circulation, including queuing for weighing and drop off of recyclable materials.

Mitigation Measures

7. **Mitigation Measure 1:**
Loads for intake to the Medium Volume Construction Debris and Inert Materials Transfer/Processing Facility are subject to check to assure that wastes that are typically associated with generating odors are not accepted.

8. **Mitigation Measure 2:**

Waste typically associated with generating odors (e.g., food waste, septic tank sludge, liquid waste, water treatment plant sludge, municipal solid waste, organic garbage, etc...) is prohibited from being accepted by the Medium Volume Construction Debris and Inert Materials Transfer/Processing Facility.

9. **Mitigation Measure 3:**

The three, 10,000 gallon recycled cooking oil tanks are to meet the requirements of the California Building Code and are to be seismically secured to the satisfaction of the Building Official and the Fire Department.

10. **Mitigation Measure 4:**

Portable Toilets and Sanitary Wash Units & Washing

The only acceptable sanitary sewer discharge shall be from normal potable water usage, such as bathroom wastewater, or employee breakroom wastewater. Any other use of water or generation of wastewater, inside or outside the building, requires the user to contact Water Pollution Source Control at 881-7900 for approval and further information.

11. **Mitigation Measure 5:**

Waste Cooking Oil Processing and Storage

- a. Develop and maintain a Spill Response Plan. The Plan shall be submitted prior to the commencement of operation of any transfer/processing station activities.
- b. Place an adequate stockpile of spill cleanup materials where it will be readily accessible.
- c. Spot clean leaks and drips routinely.
- d. Clean leaks, drips, and other spills with as little water as possible. Use rags for small spills, a damp mop for general cleanup, and dry absorbent material for larger spills.
- e. Remove the absorbent materials promptly and dispose of properly.
- f. Minimize the distance between waste collection points and storage areas.
- g. Contain and cover all solid and liquid wastes – especially during transfer.
- h. Keep the spill from entering the street, gutter, or storm drain.

12. **Mitigation Measure 6:**

Non-Hazardous Construction and Demolition Debris Recycling, Processing and Transfer Station; Temporary Fencing Storage and Construction and Demolition Box Hauling.

- a. All outdoor equipment and materials storage areas must be covered and bermed, or must be designed with best management practices to limit the potential for runoff to contact pollutants.
- b. Outdoor Process Equipment Areas (such as process equipment areas associated with industrial activity): Process equipment areas must not discharge to the storm drain system.
- c. Storage areas containing non-hazardous liquids must be covered by a roof and be contained by berms, dikes, liners, vaults or similar spill containment devices. Discharge to the storm drain system is prohibited.
- d. Protect materials stored outside from rainfall and wind dispersal.
- e. Protect materials stored outside from stormwater contact and/or run-on.

- f. Dust suppression system, provided for each load leaving the yard shall be maintained and fully functional at all times to mitigate airborne contaminants from leaving the site (by means of vehicles, equipment, trailers, air, and surface waters).

13. **Mitigation Measure 7:**

Employee Training

- a. Train employees on stormwater best management practices;
- b. Train staff on the proper maintenance of the facility.
- c. Train employees on the facility's spill control plan and proper spill containment and cleanup procedures.
- d. Establish a regular training schedule, train all new employees, and conduct annual refresher training.
- e. Use a training log or similar method to document training.

14. **Mitigation Measure 8:**

Miscellaneous

- a. Keep outside areas free of trash and debris.
- b. All on-site storm drain inlets shall be cleaned at least once per year immediately prior to the rainy season. Additional cleaning may be required by the City.
- c. Prior to operations, all on-site storm drain inlets shall be clearly stenciled "No Dumping, Drains to Bay."

15. **Mitigation Measure 9:**

Applicant is required to be listed on StopWaste.Org's mixed C&D Facility Diversion/Recycling rate report which requires completing information on the Mixed C&D Facility Diversion Document Report and also agree to a site visit by StopWaste.Org staff to verify recycling activities at the facility. <http://www.stopwaste.org/resource/reports/diversionrecycling-rates-local-mixed-cd-processing-facilities>

16. **Mitigation Measure 10:**

If the facility hauls mixed C&D debris to a landfill for use as Alternative Daily Cover (ADC), which is a lower quality use than recycling, it is required to be a landfill that meets state ADC requirements, which require reducing the size of the material, not just spreading of materials. Materials should only go to landfills that have the capacity to size reduce C&D materials to a grain size specification by volume of ninety-five percent less than twelve inches and fifty percent less than six inches as determined by the EA and meet all State ADC requirements found here:

17. **Mitigation Measure 11:**

Only the City of Hayward franchised hauler is allowed to provide debris box rental and collection for C&D materials. The Hayward Transfer Station is not allowed to provide debris box rental and collection for C&D materials.

18. **Mitigation Measure 12:**

Hayward Transfer Station shall maintain a Load Check Program that requires personnel to check all loads. The operator shall provide the City with copies of the written inspections conducted

by the Alameda County Environmental Health Department, the results of those inspections, and Applicant's response plan.

19. **Mitigation Measure 13:**

Facility Description and Plan (Plan): The applicant shall submit a revised Plan to indicate its best management practices to comply with the conditions below.

- a. CDI debris stored for more than fifteen days that has not been processed and sorted for resale or reuse shall be subject to enforcement action

Applicant's intention is to shall transfer CDI and clean source separated materials more frequently than the subject requirement.

- b. 17383.5(c) CDI that has been processed and sorted for resale or reuse may be stored on site for up to one year or will be subject to enforcement action "Operator intention is to shall transfer clean source separated materials more frequently than the subject requirement."
- c. 17383.5(d) Maximum amount of material on site, including unprocessed, being processed, processed, is 30 days times the amount of material multiplied by the maximum amount of material permitted each day. Applicant's intention is to transfer CDI and clean source separated materials frequently so as not to exceed the subject requirement.

20. **Mitigation Measures 14:**

Provide Monthly Reports of All Inbound and Outbound Materials -Reports are required for each month when some portion or all of the facility is operating. The monthly reports indicating all inbound tonnage delivered to and outbound materials removed from the Applicant's site, whether for recycling or landfilling,

- a. For all incoming loads, whether for recycling or landfilling, data shall include the truck number, truck weight (GVW and tare), the net weight of each load, and the name, street address and city of each location from which the loads were transported.
- b. For each outbound load, provide tons by material type and indicate the designated end use for each of those material types, including whether each material type is to be recycled (including mulch, bio mass, and compost), used for beneficial reuse or landfilled, and the facility name, address and contact phone number where the indicated activity took place.
- c. Prior to StopWaste.Org's Mixed C&D Facility Diversion/Recycling Rate Report, the applicant shall submit all documents recording the recycling rate to the City at least twice annually.

Each monthly report shall be submitted to the City's Solid Waste Manager and is due by the 15th of the following month. Timely receipt of the monthly reports is required because this data is required for the City to complete reports to CalRecycle in accordance with state law. If the Applicant fails to provide the requisite reports on the due date and does not confirm that the data will be provided on the following Monday, then staff may initiate appropriate enforcement

action including the assessment of fines and up to and including revocation of the Administrative Use Permit within ten (10) days of the late submittal.

21. **Mitigation Measure 15:**

All abandoned debris, regardless of the type of materials or quantity, shall be removed daily from the Enterprise Avenue right-of-way within 300 feet of any property line of the facility. All costs related to such removal shall be borne exclusively by the Applicant or subsequent operator/owner.

22. **Mitigation Measure 16:**

Pursuant to the City's Franchise Agreement with Waste Management of Alameda County, contractors other than Waste Management of Alameda County may collect Construction and Demolition Debris only under these provisions:

"Construction and Demolition Debris which is: (1) removed from a premise by a licensed contractor as an incidental part of a total construction, remodeling, or demolition service offered by that contractor, rather than as a separately contracted or subcontracted hauling service using debris boxes or similar apparatus; or (2) directly loaded onto a fixed body vehicle and hauled directly to a facility for Recycling, Composting or Disposal and that holds all applicable permits."

23. **Mitigation Measure 17:**

Daily sweeping of the entire parcel beginning one hour prior to each day that the facility is in operation, and ending one hour after the facility has closed for the day to Reduce Litter and Other Debris from Escaping the Facility and to Deter Rodents.

24. **Mitigation Measure 18:**

Trucks may only deliver materials during the facility's approved operating hours and trucks may not block access to nearby businesses: All loads must also be covered to prevent any materials from blowing out of the vehicles. Failure to do so could result in fines assessed.

25. **Mitigation Measure 19:**

If the facility is not operating for any reason, operator may not accumulate any additional materials on site.

26. **Mitigation Measure 20:**

The Applicant/operator shall regularly update the Facility Description and Plan, including a list of all facilities that deliver materials for processing to that facility, along with the address, contact name and phone number for each of those facilities. Regular updates to the Plan shall be submitted to City of Hayward, Solid Waste Manager.

27. **Mitigation Measure 22:**

The Applicant/operator shall recycle 100 percent of all concrete and asphalt and fifty percent of all other materials, in order to be consistent with the City of Hayward's C&D Ordinance. The requirement to recycle all of the concrete and asphalt and fifty percent of all other materials shall exclude such uses as Alternative Daily Cover and Other Beneficial Reuse.

28. **Mitigation Measure 23:** Construction and demolition materials used as Alternate Daily Cover must conform to state law and permit requirements:
<http://www.calrecycle.ca.gov/Laws/Regulations/Title27/ch3sb4a.htm#Article2>.

29. **Mitigation Measure 24:**
Compliance with these regulations requires a sufficient area, including floor space to rigorously sort and segregate for recycling these co-mingled materials and large storage areas for transfer of the materials. The area is to be approved by City of Hayward, Solid Waste Manager.

30. **Mitigation Measure 25:**
If the facility hauls mixed C&D debris to a landfill for use as Alternative Daily Cover (ADC), which is a lower quality use than recycling, it should be a landfill that meets state ADC requirements, which require reducing the size of the material, not just spreading of materials. Materials should only go to landfills that have the capacity to size reduce C&D materials to a grain size specification by volume of ninety-five percent less than twelve inches and fifty percent less than six inches as determined by the EA and meet all State ADC requirements found here:
<http://www.calrecycle.ca.gov/Laws/Regulations/Title27/ch3sb4a.htm#Article2>

Landscape

31. The landscape and irrigation plans are to be to the satisfaction and shall be approved by the City of Hayward, Landscape Architect with the following conditions:
- a. Existing Enterprise Avenue frontage landscape is located in Public Right-Of-Way. The ten-foot-wide front setback area shall be provided along the Enterprise Avenue frontage in compliance with Zoning Ordinance for Industrial District. Required setback areas except for permitted driveways and walkways shall be landscape with water-conserving trees, shrubs, ground cover, or a combination thereof. The sole use of bark, decorative paving, or decorative rock shall not be allowed. Trees shall be a minimum one 24-inch-box size per twenty to forty linear feet of frontage.
 - b. Where landscape area adjoins driveways or parking areas, Class B Portland Cement concrete curbs shall be constructed to a height of six inches above the finished pavement.
 - c. The end of parking rows shall be capped with landscape islands and shall be planted with tree, shrub, ground cover, or a combination thereof.
32. Prior to issuance of the first building permit, detailed landscape and irrigation plans shall be reviewed and approved by the City Landscape Architect and shall be a part of approved improvement plans and the building permit submittal. The plans shall be prepared by a licensed landscape architect and comply with the City's *Bay-Friendly Water Efficient Landscape Ordinance, Hayward Environmentally Friendly Landscape Guidelines and Checklist for the landscape professional, and Municipal Codes*.

33. Automatic weather based water efficient irrigation system shall be installed within all required landscaped areas.
34. Backflow prevention assembly shall conform to the City Standard SD-202.
35. Landscaping shall be maintained in a healthy, weed-free condition at all times and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which can contribute to runoff pollution. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over thirty percent dieback) shall be replaced within ten days of the inspection. Three inches deep mulch should be maintained in all planting areas. Mulch should be organic recycled chipped wood in the shades of Dark Brown Color. Trees shall not be severely pruned, topped or pollarded. Any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to the Municipal Code. Irrigation system shall be tested periodically to maintain uniform distribution of irrigation water; irrigation controller shall be programmed seasonally; irrigation system should be shut-off during winter season; and the whole irrigation system should be flushed and cleaned when the system gets turn on in the spring.

Fire Department

General

36. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire access apparatus access road shall extend to within 150 feet of all portion of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Identify fire apparatus road on the site plan. In another word, building shall be built within 150 feet hose lay distance of a fire access road.
37. Fire apparatus access roads shall have an unobstructed width of not less than twenty feet. The minimum fire apparatus access road with fire hydrant(s) is twenty-six feet.
38. Fire apparatus access roads shall be designed and maintained to support the imposed load of fire apparatus 75,000 pounds and shall be surfaced so as to provide all-weather driving capability.
39. Dead-end fire apparatus access road in excess of 150 feet in length shall be provided with a turnaround meeting the Hayward City Standard and the 2007 California Fire Code Section D103. The outside radius shall be a minimum forty-five feet and inside radius to be 19.8 feet (WB-50 template).

40. Fire apparatus access roads twenty to twenty-six feet wide shall be posted on both sides as a fire lane, twenty-six feet to thirty-two feet shall be posted on one side of the road as a fire lane. "No Parking" sign shall meet the City of Hayward Fire Department fire lane requirements.
41. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building.
42. The new fire hydrant shall be located along fire access road and the location of fire hydrants shall be approved by fire department.
43. Fire hydrants shall be placed at least fifty feet from the building to be protected. Where it is not feasible to place them at that distance, they may be in closer proximity in approved locations.
44. Type of fire hydrant(s) to be installed shall be Double Steamer Hydrant (Clow Valve Co. Model 865 with one 2-1/2 inch outlet and two 4-1/2 inch outlets). Fire hydrant(s), when installed as part of the fire sprinkler system service line, shall be installed on the line so as to remain independently controlled and in operable condition when the fire sprinkler system is closed.
45. Identify the location of Fire Department connection on a revised site plan. It shall be located on the street/fire apparatus access side of buildings, within 100 feet to a fire hydrant, fully visible and recognizable from the street or nearest point of fire department vehicle access. Fire department connection shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the building for other fire apparatus.
46. Identify the gate on the plan to be submitted to the Fire Department for review and approval prior to building permit submittal. The minimum width of the gate is twenty feet. A key switch is required and mounted on a stationary place on the outside of the gate. The key switch shall be mounted three to five feet above ground. The key switch shall be purchased from Hayward Fire Department.
47. Fire sprinkler system shall be provided in the building with combustible liquids in accordance with the latest NFPA 30.
48. Secondary containment shall be provided in accordance with the California Fire Code, including water volume of twenty minutes sprinkler water flow.

Hazardous Materials Division

49. Formal plans shall be submitted for review to the City of Hayward Fire Department through the City of Hayward Building Department.

50. Alternate Means of Protection (AMP) document shall be submitted and approved.
51. Secondary containment is required for all cooking oil tanks. Attach signage identifying contents of each tank and attach new NFPA 704 placards. In addition, include the secondary containment calculations for new concrete bermed tank trailer storage yard.
52. Provide a complete chemical inventory for the Waste Cooking Oil Recycling processing storage facility. Contact the Hazardous Materials Division for a copy of the City of Hayward Fire Department's Chemical Inventory form at (510) 583-4927.
53. Per our discussions the plans will be submitted in two phases; Phase 1 will involve storing waste cooking oils on a temporary basis in existing tanks under the MAQ volumes in the 2010 California Fire Code, and Phase 2 will involve the installation of building sprinklers per the City of Hayward Fire Department standards and the full use of all cooking oil tanks in the building.
54. Facility is to have the federally mandated SPCC plan onsite and available for inspection.
55. The future proposed exterior tanks identified on this plan shall require the submittal of plans and the approval of the City of Hayward Fire Department.
56. Per our meeting discussions, porta potty liquid disinfectants will not be stored on-site and will only be added and mixed at off-site locations.
57. Violations. Violation the conditions of approval and any related permit requirements may result in revocation at a public hearing before the Planning Commission.



DATE: March 18, 2015

TO: The Energy Council

FROM: Gary Wolff, Executive Director
Wendy Sommer, Deputy Executive Director

BY: Karen Kho, Senior Program Manager

SUBJECT: Bay Area Regional Energy Network Contract Amendment #1

BACKGROUND

On November 19, 2014 the Energy Council adopted a resolution authorizing the Executive Director to enter into a contract with the Association of Bay Area Governments (ABAG) for implementation of the San Francisco Bay Area Regional Energy Network (BayREN) program in calendar 2015. Energy Council's responsibilities include leading the multifamily program and financing pilot and conducting outreach in Alameda County for the other BayREN programs

DISCUSSION

The Energy Council's scope of work for the 2015 BayREN Codes and Standards program is proposed to be amended to include two new activities. The first is to provide policy and technical assistance to the regional program and the second is to implement a pilot project. Wes Sullens has been asked to serve as a Technical Advisor for the regional Codes and Standards program, utilizing his expertise on state and national codes and standards. If approved by the Energy Council, staff will also be implementing a Home Energy Score pilot program, through a partnership with the Department of Energy. This pilot project includes two tasks: supporting the Berkeley Energy Savings Ordinance, which requires Home Energy Score for single-family homes, and launching a voluntary, market-based program throughout the Bay Area.

RECOMMENDATION

Adopt the Resolution attached.

**ENERGY COUNCIL
RESOLUTION #EC 2015 –**

**MOVED:
SECONDED:**

AT THE MEETING HELD MARCH 25, 2015

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACT AMENDMENT
#1 FOR BAY AREA REGIONAL ENERGY NETWORK (BayREN) AND OTHER RELATED ACTIONS**

WHEREAS, the Energy Council recognizes that it is in the interest of the local, regional, state, and federal agencies to stimulate the economy; create and retain jobs; reduce fossil fuel emissions; and reduce total energy usage and improve energy efficiency; and

WHEREAS, the Energy Council was formed to seek funding to develop and implement programs and policies that reduce energy demand, increase energy efficiency, advance the use of clean, efficient and renewable resources, and help create climate resilient communities; and

WHEREAS, the California Public Utilities Commission (CPUC) has recognized the need for expanded collaboration with and participation by local governments to achieve market transformation toward energy efficiency as part of its Long Term Energy Efficiency Strategic Plan; and

WHEREAS, in its Decision for Phase I of Rulemaking 13-11-005, the CPUC authorized funding for Regional Energy Networks (RENs) to continue their existing programs in 2015; and

WHEREAS, the Energy Council partnered with the Association of Bay Area Governments (ABAG) and 8 other county representatives to implement the Bay Area Regional Energy Network (BayREN); and

WHEREAS, with ongoing input from the Energy Council Technical Advisory Group (TAG) Energy Council represents Alameda County jurisdictions within BayREN; and

WHEREAS, the Energy Council has been designated as the lead regional implementer for the multifamily subprogram and multifamily financing pilot, and to conduct local outreach for other subprograms, and

WHEREAS, ABAG intends to provide the Energy Council with additional budget of \$220,000 for BayREN activities as described in Attachment A;

NOW THEREFORE, BE IT RESOLVED, that the Energy Council hereby authorizes the Executive Director to:

1. Enter into all necessary contracts and agreements with ABAG in order to accept additional funds of \$220,000, amend the FY 2014/15 budget to add these funds to Project 1347: BayREN.
2. Approve any required time extensions, modifications, or amendments thereto.
3. Allocate the necessary resources to implement and carry out the amended scope of work.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAINED:

Gary Wolff, PE, PhD
Executive Director

Attachment A
Draft Energy Council Amended Scope of Work
2015 BayREN Codes & Standards Subprogram

Codes & Standards Technical Advisor (\$20,000)

Provide technical and policy expertise in the operations of the Codes and Standards program, including:

- Recommending priorities and strategies for the Codes and Standards program
- Proposing metrics for the Codes and Standards program
- Providing strategic guidance for codes and standards activities
- Reviewing consultant deliverables for technical accuracy
- Participating in meetings with PG&E, state agencies and key stakeholders on behalf of BayREN Codes and Standards program
- Delivering technical or policy presentations on behalf of BayREN Codes and Standards program

Berkeley Energy Savings Ordinance Implementation Support (\$60,000)

Provide technical assistance to the City of Berkeley for the implementation of their Berkeley Energy Savings Ordinance (BESO) in the single-family residential sector.

- Recruitment and training of assessors that can support the BESO single-family requirements.
- Home Energy Score program protocols that supports BESO
- BESO reports and data collection protocols

Regional Home Energy Score Program and Tools (\$140,000)

Launch a voluntary, market-based Home Energy Score program in the Bay Area. Conduct outreach to the real estate sector to refine program delivery and messaging, and to facilitate market acceptance.

- Conduct real estate sector roundtables with realtors, home inspectors and contractors
- Recruitment, training and mentoring of home inspectors to become Home Energy Score assessors
- Local government forum and policy recommendations
- Regional data collection protocols
- Public and trade group educational materials



DATE: March 18, 2015

TO: The Energy Council

FROM: Gary Wolff, Executive Director
Wendy Sommer, Deputy Executive Director

BY: Karen Kho, Senior Program Manager

SUBJECT: Community Choice Aggregation (CCA) Steering Committee

BACKGROUND

In June 2014 the Alameda County Board of Supervisors approved the exploration of a potential Community Choice Aggregation (CCA) program for Alameda County. A CCA Steering Committee is being formed to advise the Board on the program development and provide opportunities for stakeholder input.

DISCUSSION

On March 12, the Alameda County Transportation and Planning Committee approved a Steering Committee structure and public participation model. In summary, the composition of the Committee is as follows:

1. Three appointees from each of the five Supervisorial Districts.
2. One representative from each of the County's 14 cities and one from the unincorporated area.
3. Three to five "at large" representatives with either energy expertise or countywide/regional interests.

The complete outline of the Committee structure, timeline and application are included as Attachment A. The CCA Steering Committee will include up to 35 members. The County will be issuing invitation letters to each municipality requesting participation in the steering committee and appointment of members. To facilitate coordination and communication between the CCA Steering Committee and the Energy Council, it might be helpful to have a few Council members participate in the Committee. Applications are due on April 7th and the Committee is anticipated to have its first meeting in May.

RECOMMENDATION

This is an information item.

Attachment A: CCA Steering Committee Notes from Alameda County Community Development Agency and Application Form.



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

Chris Bazar
Agency Director

Albert Lopez
Planning Director

224
West Winton Ave
Room 111

Hayward
California
94544

phone
510.670.5400
fax
510.785.8793

www.acgov.org/cda

At the last Transportation and Planning Committee (T&P) meeting in February, the Board members and staff discussed the steering committee.

Based on feedback from the T&P meeting, input from stakeholders, and CDA internal discussions, the general consensus was that a single steering committee would be the most productive and inclusive approach

The T&P Committee approved the following membership consist:

1. Three appointees from each of the five Supervisorial Districts. These appointees would represent both geographical diversity across the county and diversity in stakeholder interests and expertise. They would include candidates from the environmental, social justice, labor and business communities.
2. One representative from each of the County's 14 cities and one from the Unincorporated Area. These participants should be selected by their respective municipalities, may or may not be city staff or councilmembers, would participate on behalf of their jurisdictions and should have decision-making authority.
3. Three to five "at large" representatives that have either: (a) particular energy expertise (e.g., distributed generation/clean power technology); or (b) county-wide or regional interests, such as ABAG, BART, Port of Oakland, Lawrence Berkeley/Livermore Labs, UC Berkeley, etc. These committee members be appointed by their respective organizations, and staff would report these appointments to the Board.

This composition means that the Committee will have up to 34 members.

The T&P also approved a standard application form for use by the County, which I have brought here today. This would be for County appointees specifically – each City can use its own application process.

Apart from the City appointments, *Anybody* is welcome to apply for Committee membership. No limitations other than interest and what is written on the application form.

County Applicants have until April 7 to respond. CDA will work with Board offices to review and score applicants based on District representation, stakeholder group representation and relevant qualifications. A final slate of recommendations will be presented to the Board for final approval in May.

Although some interested parties may not be formally appointed, all meetings will be open to the public, and sub-committees may be formed as appropriate. The Committee will be subject to the Brown Act and will meet on a monthly or bi-monthly basis throughout the CCA formation process. We anticipate the first meeting of this Committee in late May.

One of the first tasks of the Committee will be to help finalize the scope of the CCA technical study. As we normally do, CDA staff has prepared a draft RFP which contains the basic information about scope of work and program objectives to inform prospective consultants; we will send this out to a group of prospective consultants, hopefully by April 1.

In the meantime, the new Committee will examine the scope of work and program objectives, and make recommendations about precise adjustments to emphasis and details in the scope in order to ensure the broadest reasonable level of community representation. These recommendations, as appropriate, would then be presented to the prospective technical consultants as the final scope of work, hiring would occur, and the CCA feasibility analysis would then commence.

Once the analysis is completed, the Committee will provide preliminary review and make recommendations to the Board as to next steps in the CCA formation process. Our current formation timeline has a potential CCA launch in early-2017, so we are planning to have the technical study completed by this fall for a determination about whether to proceed into Phase II.

Timeline:

- Application form was posted online and sent on March 13, 2015
- Application Deadline: April 7
- The CDA review and preliminary recommendations will be completed about April 20, 2015
- Board of Supervisors Approval of Committee slate: Week of May 5, 2015
- Notification to Steering Committee Participants: Week of May 5, 2015
- First Meeting of Steering Committee: Week of May 18 or May 25, 2015

Other Items Related to CCA.

- a. The Alameda County CCA website is online and available for viewing. It is very simple so far – it includes a program and process description, a list of public meetings related to CCA including T&P Committee Meetings along with pertinent documentation, a new Steering Committee Page with application form (which will hopefully become a go-to page for the Steering Committee issues), and a page for Frequently Asked Questions (FAQ) that should answer most basic questions about CCA formation and function. The website may be found at the web address <http://www.acgov.org/cda/planning/cca/index.htm>.
- b. Also online is a CCA Logo Survey, to allow interested citizens to rank a set of six potential logos in order to help determine a favorite. The Survey is found at URL <http://www.acgov.org/cda/planning/cca/survey.htm>, and is also linked directly from the webpage. The Survey is tentatively set to continue through April 4, after which rankings will be tallied and announced. We only have 66 responses so far, so we encourage everyone to weigh in on the logo matter.
- c. Request for Proposals (RFP) for Technical Consultant – the RFP for a technical consultant to prepare a feasibility study is nearly complete, and Staff intends to issue this RFP by April 1. As we discussed earlier, the precise scope of work will be considered by the new Steering Committee, and its input reflected in the scope.
- d. Staff drafted an Invitation Letter from the Board President Scott Haggerty to the various municipalities in the County, requesting their participation in and appointment of members to the Steering Committee. That letter was on Supervisor Haggerty's desk yesterday, so hopefully it will be arriving at the offices of your Mayors and City Managers this week.



Application for Community Choice Aggregation (CCA) Steering Committee

In June 2014, the Alameda County Board of Supervisors passed a resolution to explore the possibility of creating a Community Choice Aggregation (CCA) program in the County. A CCA program would allow for competition in electricity generation services with the additional aim of accelerating investments in clean energy resources and local energy projects. The Board also directed the staff of the Community Development Agency (CDA) to lead this process. Central to this initiative is the creation of a CCA Steering Committee, made of up experts and stakeholders from across Alameda County, which will advise CDA staff and the Board on key aspects of the program's development and provide a forum through which interested parties and the public can express their views.

The County is currently taking applications for membership on the Steering Committee. **CDA asks that anyone wishing to apply complete this form and submit to cca@acgov.org no later than 5 pm on April 7, 2015.** Applications may also be sent by mail to the following address but must arrive to CDA no later than the above-mentioned deadline.

Alameda County Planning Department
Attn: Bruce Jensen
224 West Winton Avenue, Room 111
Hayward, CA 94544
bruce.jensen@acgov.org

It is important to note that this application is a public document and will be available for review upon request. CDA staff may choose to interview final candidates.

APPLICANT CRITERIA:

1. Preference will be given to a resident, business owner, employee or representative of a community-based organization in the County of Alameda.
2. Applicants should be committed to serving on the Steering Committee through February 2017 and attending regular meetings. Meetings will be no more frequent than once per month and will take place in the early evening hours. CDA's goal is to hold the first meeting of the Steering Committee in May, 2015.
3. Committee members will come from all areas of Alameda County, and members may be asked to travel several miles to attend meetings. After formation, the Committee may select the site or sites where it will choose to meet.

QUESTIONS: Please call or email Bruce Jensen at 510-670-5400 or bruce.jensen@acgov.org for more information.

Attachment A
Alameda County CCA Steering Committee Application

APPLICANT INFORMATION

Name _____

Address _____

Organization represented
and title (if applicable) _____

Phone/Email Address _____

Name of Your District Supervisor (if known and if applicable) _____

I am Applying Under the Following Stakeholder Category (please check top 2)

- | | |
|---|---|
| <input type="checkbox"/> Environmental/Clean Energy | <input type="checkbox"/> Labor Union |
| <input type="checkbox"/> Business Owner/Association | <input type="checkbox"/> Regional/Large Energy User |
| <input type="checkbox"/> Education/Research Center | <input type="checkbox"/> Cultural Organization |
| <input type="checkbox"/> Social Justice | <input type="checkbox"/> Other _____ |

| | | | | |
|---|-----|----|--|------------------|
| Are you a resident of Alameda County? | Yes | No | Number of Years Living in Alameda County: | |
| Are you a business owner in Alameda County? | Yes | No | Number of Years Business/Organization Operating in Alameda County: | |
| Is your business or organization involved in the energy sector? | Yes | No | | |
| If you answered yes to the question above, please describe | | | | |
| Is your organization an energy producer or large energy user? | Yes | No | | |
| | | | Circle One: | Male Female |

Current Employment Information (optional):

Organization _____

Address _____

Position _____ Dates _____

Responsibilities _____

Attachment A

Alameda County CCA Steering Committee Application

Please explain why you want to be appointed to the CCA Steering Committee and briefly describe your qualifications including any applicable experience. Please indicate if you are a representative of an organization with expertise in energy issues generally and/or CCA specifically. Please attach a resume if you wish.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no text or other markings on the paper.

I have sufficient time to devote to this responsibility and will attend scheduled meetings if I am appointed to the Steering Committee. I am also aware that this application is a public document.

| | |
|------------------|-------------|
| Signature | Date |
|------------------|-------------|

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April 2015 Meetings Schedule

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

(Meetings are held at StopWaste unless otherwise noted)

| SUN | MON | TUES | WED | THURS | FRI | SAT |
|-----|-----|------|--|---|-----|-----|
| | | | 1 | 2 | 3 | 4 |
| 5 | 6 | 7 | 8 | 9 Programs & Administration Committee 9:00 AM Key Items: 1. Presentation (Reusable Bags, HHW, Grants/Loans) 2. Legislative Update <hr/> 7:00 PM Planning & Organization Committee /Recycling Board San Leandro Senior Center Key Items: 1. Presentation (Reusable Bags, HHW, Grants/Loans) 2. Legislative Update | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 3:00 PM Joint WMA, EC, & P&O/RB Meeting Key Items: 1. ColWMP-Hayward Transfer Station - 2nd Reading & Adoption 2. FY 15/16 Budget Presentation | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | | |

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Seeds for sustainable future

Project could improve water quality, protect against sea level rise and provide wildlife habitat



GARY REYES/STAFF

Jessie Olson of Save the Bay talks with Tim Becker and Jason Warner of the Oro Loma Sanitary District about the elderberry plants she is growing in a greenhouse at the Baylands Native Plant Nursery in Palo Alto on March 12. The plants will be part of an ecotone levee project.

\$4.55M

Amount Oro Loma Sanitary District is contributing to the ecotone project

\$2.45M

Amount Castro Valley Sanitary District is contributing

\$2.1M

State grant money slated for the project

\$9M

Total cost of the project

"Many people see this idea and say, yeah, this has a lot of potential. They're becoming (fans)."

— Jason Warner, general manager, Oro Loma Sanitary District



By Rebecca Parr

rparr@bayareanewsgroup.com

SAN LORENZO — What are now seedlings will play a key role in an experiment that could be an environmental triple win — improving water quality and protecting against sea level rise while providing wildlife habitat.

An army of volunteers will plant more than 70,000 native plants next fall on a first-of-its-kind ecotone levee and wetland basin. The levee and basin will be built on a vacant field near the Oro Loma Sanitary District wastewater treatment plant.

Treated wastewater will flow into the basin and then be piped under the ecotone, percolating out and sustaining the plants. The plants also will improve water quality by removing nutrients that can contribute to algae growth.

"Many people see this idea and say, yeah, this has a lot of potential. They're becoming

See **ECOTONE**, Page 8

Ecotone

Continued from Page 1

(fans)," Jason Warner, Oro Loma general manager, said.

Climate change will cause a 55-inch rise in the water level along the shoreline by the end of the century, scientists predict.

"The salt (marsh) harvest mouse will need a scuba mask to survive," Warner said, referring to a small endangered animal found in San Francisco Bay salt marshes.

If nothing is done, the rising water will cause flooding that will directly affect 80,000 East Bay residents, according to one study. Industrial areas and wastewater treatment plants also are found along the shoreline.

That danger has prompted several agencies to collaborate to figure out how to prepare for the rising water level.

On one extreme, civil engineers propose building a sea wall; on the other, environmentalist would allow the flooding to take place, Warner said.

The ecotone should meet the concerns of both groups, he said.

"People can't agree on most things, but on this one we do," he said.

Oro Loma is contributing \$4.55 million of the project cost, and Castro Valley Sanitary District \$2.45 million. The two sanitary districts jointly own the treatment plant at the end of Grant Avenue.

A \$2.1 million state grant also will help pay for the \$9 million project, with work expected to start this spring.

Oro Loma has been the main catalyst for the project, along with Castro Valley Sanitary and the East Bay Dischargers Authority. Also involved are the San Francisco Estuary Partnership, Save the Bay and The Bay Institute.

"This is exciting. It's the first tangible project of actually adapting to sea level rise on a larger scale. Let's try something and see where it goes."

—Jennifer Koney,
recreation supervisor,
Hayward Area Recreation
and Park District

UC Berkeley professor David Sedlak and other scientists will monitor the site and collect samples from four combinations of soil types, plant species and water flow to see which works best to purify the water.

"I'm very interested in the potential that the ecotone could improve water quality," Sedlak said.

The gently sloped levee, designed to mimic the natural slope from wetlands to uplands, will be 800 feet wide and 160 feet long. It will be blocked off behind a dike along the flood control Bockman Channel, which flows into the bay.

For now, the remaining water will be returned to the plant for a second treatment, but it is hoped that it will be clean enough so that one day it could be discharged directly into the bay, Warner said.

"The ecotone should be sitting on the bay's edge. But it's an experiment; we're not sure if it's going to work," he said.

The ecotone proposal came out of one of the first reports on how rising sea level will affect the area's shorelines and possible solutions. The 2010 report was commissioned by the Hayward Area Shoreline Planning Agency.

"We were smart enough to see their idea was a great idea," said Tim Becker, Oro Loma board president.

Save the Bay is raising the native plants that will

be transplanted to the ecotone and basin. The area will be overplanted to give the native varieties a better chance of getting established before weeds appear, said Jessie Olson, Save the Bay nursery manager.

The plants also will get a boost from the continuous supply of treated wastewater being fed through the ecotone.

The ecotone is not the first sloped levee built, but with only seasonal rainwater available, invasive weeds have been a problem, said Jeremy Lowe of Environmental Science Associates, one of the project consultants. Dikes along the shoreline block water from naturally flowing inland.

"Combining slopes with discharge from the wastewater plant means we can create some of the habitats we used to have," he said.

The levee could provide refuge for wildlife during storms, Lowe said. The wetland basin also can store 8 million gallons of primary-treated wastewater during heavy rains.

"This is exciting," said Jennifer Koney, a recreation supervisor for the Hayward Area Recreation and Park District, which manages trails, marshes and wetlands along the shoreline. "It's the first tangible project of actually adapting to sea level rise on a larger scale. Let's try something, and see where it goes."

Contact Rebecca Parr at
510-293-2473, or follow her at
Twitter.com/rdparr1.

**"I FEEL LIKE
A FISH
WITH NO WATER."**

—JACOB, AGE 5
DESCRIBING ASTHMA



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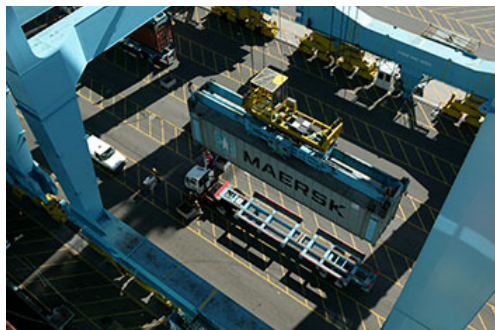
PMA, ILWU reach tentative agreement

INTERNATIONAL RECYCLING NEWS

Contract length is reportedly five years.

Recycling Today Staff

FEBRUARY 16, 2015



Cargo handling activities at the 29 Pacific Coast ports in the United States resumed on Sunday, February 22, following an agreement reached with the assistance of the U.S. Secretary of Labor Tom Perez and Federal Mediation and Conciliation Service Deputy Director Scot Beckenbaugh. The agreement is tentative and must still be voted upon by union members. the contract is reportedly expected to run for five years. Neither the Pacific Maritime Association (PMA) or the International Longshore and Warehouse Union (ILWU) are releasing details on the agreement at the present time.



Photo courtesy of Port of Long Beach.

Washington Governor Jay Inslee was one of many government officials who expressed relief that a deal was close to being signed.

"This is great news for businesses and port workers all along the West Coast. I want to thank the ILWU and the PMA for finding an agreement in principle tonight to settle the dispute that was damaging Washington's economy. I also want to thank President Obama and Labor Secretary Perez for stepping in and helping get the parties to reach an agreement. I expect we will soon see Washington's ports once again playing their essential role in our economy."

Numerous trade groups who have been negatively affected by the contentious labor problems welcomed the tentative agreement.

Robin Wiener, president of the Institute of Scrap Recycling Industries, released a statement welcoming the progress between the two parties.

"Recyclers are pleased that an agreement appears to be in place ending a dispute that caused significant harm to our industry and others in the manufacturing sector. We thank Congress and the Administration for their involvement to get this tentative agreement. Despite the agreement, it will still take several months for operations to return to normal and for recyclers to recover from the damage that was done.

"Already facing a drop in prices, recyclers witnessed a decline in exports, which left many forced to cut their workforce and set aside investments needed to grow their business. There may still be long-term consequences we face such as lost overseas markets. Both sides are encouraged to ratify the

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FEATURES

agreement quickly and work to restore full operations and begin to clear the backlogs at the ports as soon as possible.

"In 2014, scrap exports from West Coast ports declined nearly 12 percent year-on-year to less than \$8.4 billion. The slowdown in scrap exports from the West Coast became more pronounced as the year progressed and the port situation deteriorated. In December 2014, the value of scrap exports from the West Coast plunged 17 percent year-on-year, reflecting a year-over-year volume decrease of nearly 160,000 metric tons of scrap and a decline in scrap export sales approaching \$130 million for the month of December alone."

Peter Friedmann, executive director of the Agriculture Transportation Coalition, also expressed optimism that a deal was close at hand.

"We are extremely pleased with the news that the West Coast port labor dispute is on the verge of ending. If we don't supply dependably and affordably, we lose that business. Twelve years ago the West Coast ports were shut down and foreign buyers shifted purchases to some of our foreign competitors. In some cases, twelve years later, they still haven't come back to the U.S. ag producers."

US agriculture has taken a beating these past 10 months as West Coast port disruption has denied many agriculture exporters access to foreign markets. The delays imposed by congested, understaffed and under automated ports have created barriers to our exports.

"There is nothing that we produce in agriculture here in the U.S. that cannot be sourced elsewhere in the world. If we don't supply dependably and affordably, we lose that business. Twelve years ago the West Coast ports were shut down and foreign buyers shifted purchases to some of our foreign competitors. In some cases, twelve years later, they still haven't come back to the U.S. ag producers."

The Agriculture Transportation will continue to push the PMA and the ILWU to improve West Coast port productivity and efficiency, not just restore ports to pre-contract dispute levels, but to levels that will make our ports, and products our AgTC members ship through them, competitive with the best ports in the world. We are a long ways from that."

In a statement released by the National Association of Manufacturers (NAM) Jay Timmons, NAM's president and CEO, says, "For months, the NAM has pressed the Obama Administration, Congress and the parties for a resolution to the West Coast ports slowdown. Finally, just last week, the Administration answered our call to step up its engagement. And, today, the parties have responded to our warnings, our concerns and our needs, beginning the process of returning the ports to normal business operations and removing major barriers to global commerce."

"We are pleased President Obama dispatched Secretary of Labor Thomas Perez to help impress upon the parties the need to resolve the deadlock. We appreciate the engagement of Secretary of Commerce Penny Pritzker and mayors up and down the West Coast to communicate the importance of open and functioning ports to the economy," NAM's statement continued. "In addition, we thank all manufacturers from coast to coast for lending their voices to this urgent crisis and our partners at the National Retail Federation for joining with us to raise public awareness and galvanize the public's support for a swift resolution."

While this agreement is welcome news, there will be significant backlogs to clear, and everyone has a part to help restore confidence that the West Coast and the United States are open for business."



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