

Dave Sadoff, **WMA President**
Castro Valley Sanitary District, WMA

Tim Rood, **WMA 1st Vice President**
City of Piedmont, WMA, EC

Deborah Cox, **WMA 2nd Vice President, EC 1st Vice President**
City of San Leandro, WMA, EC

Jim Oddie, **EC President**
City of Alameda, WMA, EC

Sara Lamnin, **EC 2nd Vice President**
City of Hayward, WMA, EC

Keith Carson, County of Alameda, WMA, EC

Peter Maass, City of Albany, WMA, EC

Kriss Worthington, City of Berkeley, WMA, EC

Melissa Hernandez, City of Dublin, WMA, EC

Dianne Martinez, City of Emeryville, WMA, EC

Vinnie Bacon, City of Fremont, WMA, EC

Bob Carling, City of Livermore, WMA, EC

Mike Hannon, City of Newark, WMA, EC

Dan Kalb, City of Oakland, WMA, EC

Shelia Young, Oro Loma Sanitary District, WMA

Jerry Pentin, City of Pleasanton, WMA, EC

Lorin Ellis, City of Union City, WMA, EC

Wendy Sommer, Executive Director

AGENDA

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

Wednesday, July 25, 2018

3:00 P.M.

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

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

I. CALL TO ORDER

II. ROLL CALL OF ATTENDANCE

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

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

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

Page V. CONSENT CALENDAR

1 1. Approval of the Draft Minutes of June 27, 2018 (Wendy Sommer)

5 2. Grants Issued Under Executive Director Signature Authority (Wendy Sommer)

VI. REGULAR CALENDAR

- 7 1. Amendment to the Alameda County Integrated Waste Management Plan (ColWMP) for Alameda County Industries (ACI) Transfer/Processing Expansion for facility located at 610 Aladdin Avenue in San Leandro (Anu Natarajan/Tom Padia) – Public Hearing**

Staff and the Planning Committee of the WMA recommend that the Waste Management Authority Board take the following actions:

Hold a public hearing and introduce and waive the first reading of the ColWMP Amendment ordinance (Attachment A) at the July 25, 2018 meeting to:

- (1) Amend the ColWMP (Exhibit 1) to include the modifications to the existing Alameda County Industries facility.
- (2) Find that the Alameda County Industries Facility conforms to the ColWMP as amended, and
- (3) Direct staff to place the ordinance on the calendar for adoption at the September 26, 2018 meeting.

- 45 2. Acceptance of Bay Area Air Quality Management District Grant for Public-Private Partnership: Prototyping Technology to Reduce Contamination (Meghan Starkey)**

That the WMA Board adopt the Resolution authorizing the Executive Director to enter into all necessary contract agreements with BAAQMD and project partners, and make corresponding changes to the FY 18/19 budget.

- 3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer)**

(Planning Committee and Recycling Board meeting, August 9, 2018 at 4:00 p.m., StopWaste Offices, 1537 Webster Street, Oakland, CA, 94612 and September 13, 2018 at 7:00 p.m., Dublin City Hall, 100 Civic Plaza, Dublin, CA 94568)

- 49 4. Heat Pump Water Heater Grant (Jennifer West) (EC only)**

Adopt the Resolution authorizing the Executive Director to enter into a 2018 contract agreement of \$390,000 for implementation of the BAAQMD grant and other related actions.

- 55 5. BayREN Amendment #2 (Jennifer West) (EC only)**

Adopt the Resolution authorizing the Executive Director to enter into a 2018 contract amendment of \$916,000 for Bay Area Regional Energy Network (BayREN) and other related actions.

- 6. CLOSED SESSION (WMA only)**

Pursuant to Government Code Section 54957
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Executive Director
(confidential materials mailed separately)

- 7. CLOSED SESSION (WMA only)**

Pursuant to Government Code Section 54957.6
CONFERENCE WITH LABOR NEGOTIATORS
Agency Designated Representatives: Board Members Sadoff, Rood, Cox, Hannon and Kalb
Unrepresented Employee: Executive Director

8. CLOSED SESSION (WMA only)

Pursuant to Government Code Section 54956.9(d)(1)

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Name of case: Boone v. Alameda County Waste Management Authority,
et al., Alameda County Superior Court Case No. RG17858423.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

IX. ADJOURNMENT

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DRAFT

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

Wednesday, June 27, 2018

3:00 P.M.

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

I. CALL TO ORDER

President Mike Hannon, WMA, called the meeting to order at 3:05 p.m.

II. ROLL CALL OF ATTENDANCE

City of Alameda	Jim Oddie, WMA, EC
City of Albany	Peter Maass, WMA, EC
City of Berkeley	Kriss Worthington, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Emeryville	Dianne Martinez, WMA, EC
City of Fremont	David Bonaccorsi, WMA, EC
City of Hayward	Sara Lamnin, WMA, EC
City of Oakland	Dan Kalb, WMA, EC
Oro Loma Sanitary District	Shelia Young, WMA
City of Piedmont	Tim Rood, WMA, EC
City of Newark	Mike Hannon, WMA, EC
City of San Leandro	Deborah Cox, WMA, EC
City of Union City	Lorrin Ellis, WMA, EC

ABSENT:

County of Alameda	Keith Carson, WMA, EC
City of Dublin	Melissa Hernandez, WMA, EC
City of Livermore	Bob Carling, WMA, EC
City of Pleasanton	Jerry Pentin, WMA, EC

Staff Participating:

Wendy Sommer, Executive Director
Tom Padia, Deputy Executive Director
Patricia Cabrera, Administrative Services Director
Michelle Fay, Program Manager
Richard Taylor, WMA Legal Counsel
Arliss Dunn, Clerk of the Board

III. ANNOUNCEMENTS BY PRESIDENTS

There were none.

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

There was none.

V. CONSENT CALENDAR

1. Approval of the Draft Minutes of May 23, 2018 (Wendy Sommer)

There were no public comments on the consent calendar. Board member Young made the motion to approve the consent calendar. Board member Worthington seconded and the motion carried 14-0 (Ayes: Cox, Ellis, Hannon, Kalb, Lamnin, Maass, Martinez, Oddie, Rood, Sadoff, Worthington, Young. Nays: None. Abstained: None. Absent: Bonaccorsi, Carling, Carson, Hernandez, Pentin).

VI. REGULAR CALENDAR

1. Election of WMA Officers for Fiscal Year 2018-19 (Wendy Sommer)

Staff recommends that the WMA Board elect officers for Fiscal Year 2018-19.

There was no public comment on this item. Board member Young made the motion to nominate Board member Sadoff as President for the WMA. There were no other nominations. Board member Ellis seconded and the motion carried 14-0. Board member Martinez made the motion to nominate Board member Rood as First Vice President for the WMA. There were no other nominations. Board member Oddie seconded and the motion carried 14-0. Board member Sadoff made the motion to nominate Board member Cox as Second Vice President for the WMA. There were no other nominations. Board member Rood seconded and the motion carried 14-0. (Ayes: Cox, Ellis, Hannon, Kalb, Lamnin, Maass, Martinez, Oddie, Rood, Sadoff, Worthington, Young. Nays: None. Abstained: None. Absent: Bonaccorsi, Carling, Carson, Hernandez, Pentin).

2. Election of EC Officers for the Fiscal Year 2018-19 (Wendy Sommer)

Staff recommends that the Energy Council elect officers for Fiscal Year 2018-19.

There was no public comment on this item. Board member Martinez made the motion to nominate Board member Oddie as President for the Energy Council. There were no other nominations. Board member Ellis seconded and the motion carried 15-0. Board member Martinez made the motion to nominate Board member Cox as First Vice President for the Energy Council. There were no other nominations. Board member Oddie seconded and the motion carried 15-0. Board member Hannon made the motion to nominate Board member Lamnin as Second Vice President for the Energy Council. There were no other nominations. Board member Rood seconded and the motion carried 15-0.

(Ayes: Bonaccorsi, Cox, Ellis, Hannon, Kalb, Lamnin, Maass, Martinez, Oddie, Rood, Worthington. Nays: None. Abstained: None. Absent: Carling, Carson, Hernandez, Pentin).

3. Budget Authorization for Kitchen Remodel (Wendy Sommer)

Authorize the Executive Director to spend \$92,000 (construction cost, permitting and contingency) for the agency's second floor kitchen/break room remodel.

Wendy Sommer provided a brief overview of the staff report. A link to the report is available here: [Budget-Authorization-Kitchen-Remodel-06-27-18.pdf](#)

There was no public comment on this item. Board member Young inquired if the project will be green and if that is a factor for the increase in cost. Ms. Sommer stated yes the project will be green but the increase in cost is due to the requirement to pay the prevailing wage as well as supply and demand.

DRAFT

Board member Young made the motion to approve the staff recommendation. Board member Worthington seconded and the motion carried 15-0.

(Ayes: Bonaccorsi, Cox, Ellis, Hannon, Kalb, Lamnin, Maass, Martinez, Oddie, Rood, Sadoff, Worthington, Young. Nays: None. Abstained: None. Absent: Carling, Carson, Hernandez, Pentin).

5. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer)

(Planning Committee and Recycling Board meeting, July 12, 2018 at 7:00 pm, Fremont Family Resource Center, 39155 Liberty St. Millennium, Ste. A120, Fremont, CA)

There were none.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Ms. Sommer announced that the agency was awarded several grants from the Bay Area Air Quality Management District (BAAQMD). One of the projects will be a partnership with the City of Livermore and Livermore Sanitation to focus on reducing contamination in the commercial organics diversion stream. The second project will include the Bay Area Regional Energy Network (BayREN) and will focus on efforts to develop a program to promote the use of heat pump water heaters. The third project will include a partnership with Marin County and will focus on developing markets for low-carbon concrete. Staff will come back to the Board for authorization to receive and spend the funding.

Ms. Sommer distributed a copy of the monthly topic brief on the Circular Economy. Staff provided a presentation on the Circular Economy to both committees. A link to the topic brief is available here: [Circular-Economy.pdf](#)

Ms. Sommer thanked President Hannon for his service during his tenure as President of the WMA Board and President Martinez for her service as President of the Energy Council. Ms. Sommer presented them both with a recycled content glass gift.

VIII. 2018 STOPWASTE BUSINESS EFFICIENCY AWARDS

The Board recessed for a five minute break at 3:16 p.m. and immediately thereafter commenced the 2018 StopWaste Business Efficiency Awards. A link to the staff report is available here: [2018-Business-Efficiency-Awards-06-27-18.pdf](#)

The following is a list of the awardees:

Checkers Catering and Special events, Livermore - Excellence in Waste Prevention & Reuse
New Parkway Theater, Oakland - Excellence in Waste Prevention & Reuse
Pixar Animation Studios, Emeryville - Excellence in Waste Prevention & Reuse
Redwood Surgery Center, Castro Valley - Excellence in Recycling & Composting
Ruby King Bakery, Oakland - Excellence in Recycling & Composting

IX. ADJOURNMENT

The meeting was adjourned at 3:52 p.m.

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Date: July 25, 2018

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

SUBJECT: Grants Issued Under Executive Director Signature Authority

SUMMARY

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

Grants: June-July 2018

PROJECT NAME	GRANT RECIPIENT	PROJECT TYPE/DESCRIPTION	LOCATION	VERIFICATION	GRANT AMOUNT	BOARD
Community Outreach Project	Community Impact Lab	This non-profit focuses on supporting moms/families with young kids and providing resources to refugee and homeless families, as well as a local women's shelter. They will be engaging 20 members to take the Stop Food Waste Challenge and sharing food waste reduction tips through monthly Mommy and Me workshops and social media posts. Grant funds will be used to purchase reusable containers for the monthly dinners provided to a local women's shelter and printing a resource guide for refugee 'Lift Me Up' welcome packages.	San Leandro	Mini-grant contract	\$10,000	RB

Community Outreach Project	Women's Cancer Resource Center	The Center provides free psychosocial and practical support to individuals with cancer – predominantly low-income and underserved women. The center will engage 20 members to conduct the 'Fridge Reality Check' and share food waste prevention tips and videos throughout the year.	Oakland	Mini-grant contract	\$5,000	RB
Reusable Transport Packaging for CalDining	Daylight Foods, Inc.	Funds will go towards the purchase of 20 reusable pallet wraps, 20 reusable pallets, and 50 reusable totes to deliver produce daily from Milpitas to UC Berkeley.	Milpitas, CA (project impacts in Berkeley)	Mini-grant contract	\$5,000	WMA

DATE: July 25, 2018

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

BY: Anu Natarajan, Legislative & Regulatory Affairs Manager

SUBJECT: Amendment to the Alameda County Integrated Waste Management Plan (CoIWMP) for Alameda County Industries (ACI) Transfer/Processing Expansion for facility located at 610 Aladdin Avenue in San Leandro

SUMMARY

Alameda County Industries (ACI) is proposing modifications and expanded operations at its existing solid waste transfer and recycling facility located at 610 Aladdin Avenue in the City of San Leandro. ACI is seeking an amendment to the Alameda County Integrated Waste Management Plan (CoIWMP). This report sets forth the background, project description, CEQA compliance and Planning Committee recommendation to approve an amendment to the CoIWMP. This meeting serves as the first reading of the ordinance.

At a public meeting on July 12, 2018, the Recycling Board acting as the Local Task Force (LTF) reviewed the proposed project. It was requested that the Initial Study and Mitigated Negative Declaration prepared by the City of San Leandro be made available for review. Those documents are available at the link as Attachment E to this memo. An LTF member inquired about retaining the existing tonnage limit for municipal solid waste (MSW) transfer to landfill through the ACI transfer station and only increasing the threshold for recyclables and organics. Staff responded that the line between MSW and recovered materials is blurry and shifting, depending on changing separation efficiency by generators and sorting methods of processors, acceptable market contamination standards and fluctuating market demand for certain commodities overall. The line is further blurred when materials streams, such as Construction and Demolition debris, are transferred to another facility for further processing where 20-50% may be landfilled after sorting.

At the same meeting, the Planning Committee of the Waste Management Authority recommended on an 8-1 vote that the Waste Management Authority approve the amendment and adopt findings that the proposed project conforms with the amended CoIWMP.

DISCUSSION

Background

ACI (formerly San Leandro Disposal) has operated a recyclables collection, processing and transfer operation at its current location since 1995 under a franchise agreement with the City of San Leandro. ACI takes this waste to their direct transfer station at 610 Aladdin Avenue. Recyclables also are collected by ACI from local businesses and curbside recycling programs. Materials collected include glass, metal, plastics, cardboard, newspapers, mixed paper, used motor oil, commingled green and food waste, and construction and demolition debris.

The recycling facility was constructed by ACI in 1998 and became operational that year. ACI was permitted for 150 tons per day of solid waste under the restrictions of their direct transfer station permit. In 2001, ACWMA issued a CoIWMP amendment to ACI to include the Aladdin Avenue Facility as a direct transfer facility. The solid waste facility permit allows for 412 tons per day, which includes MSW, current recyclables and a projected increase in C&D debris and co-collected plant debris and food scraps.

Project Description

As stated by the applicant, ACI is proposing its current expansion to meet increasing tonnages from its current service area in anticipation of the increasing trend in recyclables and organics diversion as a result of new State mandates and a successful outreach program. ACI is proposing to increase the maximum permitted tonnage, extend operating hours and material storage times to allow flexibility in transfer and processing operations to avoid peak traffic times and maximize recovery and diversion. However, the total number of vehicle trips per day will not increase from the currently permitted 193 vehicles per day.

ACI is making the following specific changes to its facility and operations:

- Increasing the overall permitted tonnage for the facility from 412 tons per day (tpd) to 620 tpd
- Removing the Transfer Facility's current maximum limit of 280 tpd
- Extending the waste acceptance, transfer and processing hours to 24 hours-per-day, 7 days-per-week from the current 13 hours-per-day, Monday through Saturday
- Accepting food waste/organics and other materials from third-party haulers and other jurisdictions for transfer and offsite processing
- Modifying maximum material storage holding time for municipal solid waste and organic materials to 48 hours
- Onsite pre-processing of food waste and organics

California Environmental Quality Act (CEQA) Compliance

For purposes of CEQA, the City of San Leandro acted as the lead agency for this project and prepared an initial study and mitigated negative declaration (IS/MND) dated October 5, 2017 (see link at Attachment E). The comment period for the IS/MND began on August 31, 2017 and concluded on October 5, 2017. The facilities and operations studied included the proposed projects described above, along with the construction of a 21,800-square-foot building over the existing transfer station to contain all transfer operations, various

equipment retrofits of the existing Materials Recovery Facility building, and relocation of the existing maintenance shop, and increasing the volume limit for bulky materials delivered to the site (not to exceed 15 tpd).

Under the IS/MND, the proposed project was analyzed for multiple operational changes and site improvements. The purpose of all proposed project facilities is to increase the rate of waste diversion and recycling in the region and increase operational efficiency. The IS/MND determined that the proposed project would not have a significant effect on the environment.

ACWMA is a responsible agency under CEQA and thus must consider the information in this IS/MND.

Consistent with the Public Resource Code (PRC 21166) and the CEQA Guidelines (section 15162), when a negative declaration has already been adopted, no subsequent or supplemental CEQA documentation shall be required by a responsible agency unless one or more of the following events occurs:

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

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

ACWMA Staff concurs with the City's finding that the proposed project will not have a significant impact on the environment since it involves an existing use and no major changes on site. A traffic study was prepared that determined less than significant cumulative impacts on nearby key intersections and roadways.

City Approvals

The City of San Leandro is responsible for updating its Non-Disposal Facility Element (NDFE) that identifies and describes existing and proposed Non-Disposal Facilities (NDFs) used in attaining the waste reduction goals identified in the City's Source Reduction and Recycling Element. NDFs include transfer and processing stations and material recovery facilities (MRFs) that receive unsorted waste. Recycling facilities that receive sorted materials are not part of the NDFs.

Any proposed expansion/modifications to existing facilities have to be described in the City's NDFE, and include land use permitting process along with CEQA review. The City of San Leandro approved a third amendment to its NDFE in May 2018. Prior to this process, the City of San Leandro approved the modified Conditional Use Permit (PLN17-007) for increased tonnage, expanded operating hours and holding times and other operational changes on October 5, 2017.

RECOMMENDATION

Staff and the Planning Committee of the WMA recommend that the Waste Management Authority Board take the following actions:

Hold a public hearing and introduce and waive the first reading of the CoIWMP Amendment ordinance (Attachment A) at the July 25, 2018 meeting to

(1) Amend the CoIWMP (Exhibit 1) to include the modifications to the existing Alameda County Industries facility.

(2) Find that the Alameda County Industries Facility conforms to the CoIWMP as amended, and

(3) Direct staff to place the ordinance on the calendar for adoption at the September 26, 2018 meeting.

Attachments:

Attachment A: Ordinance 2018-01

Exhibit 1: Text Changes to the Countywide Integrated Waste Management Plan

Exhibit 2: Siting Criteria Findings

Exhibit 3: Conditions of Approval

Attachment B: Application Letter from Jillian Hogan, Environmental Compliance Manager, ACI

Attachment C: City of San Leandro Non-Disposal Facility Element – Third Amendment

Attachment D: Solid Waste Facility Permit

Attachment E: [Initial Study and Mitigated Negative Declaration](#)

Attachment A

ORDINANCE 2018-01

AN ORDINANCE Adopting Amendments to the Countywide Integrated Waste Management Plan, and Finding Plan Conformance for the ALAMEDA COUNTY INDUSTRIES ALADDIN TRANSFER/PROCESSING FACILITY IN THE CITY OF SAN LEANDRO.

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 5.

SECTION 2 (Findings)

- (a) The Authority finds that the California Integrated Waste Management Act (California Public Resources Code §§ 40000 et seq.) requires the preparation and adoption of a Countywide Integrated Waste Management Plan (“ColWMP”).
- (b) The Authority finds that the Alameda County Joint Exercise of Powers Agreement for Waste Management directs that the Authority prepare, adopt, revise, amend, administer, enforce, and implement the ColWMP.
- (c) The Authority finds that it adopted a ColWMP, dated February 26, 2003, and has adopted minor amendments since then. A five-year review of the ColWMP was conducted in November 2009, a factual update was adopted in April 2010, and amendments were made in January 2011, December 2011, July 2013, April 2015, July 2016, January 2017, and March 2017.
- (d) The Authority finds that on October 5, 2017, the City of San Leandro granted an approval to Alameda County Industries Inc. (“ACI”) for the removal of limitations on the tonnage processed through the Materials Recovery Facility and Transfer Facility (collectively, the “Transfer Facility” or “project”) up to the 620 tons per day (“TPD”) total site capacity, for extending waste acceptance, transfer, a processing hours to 24 hours per day, and for other operational and site changes.
- (e) The Authority finds that on October 5, 2017, the City of San Leandro prepared, considered, and adopted a mitigated negative declaration and initial study for the project as required by the California Environmental Quality Act (“CEQA”) and approved the Conditional Use Permit for the project.
- (f) The Authority finds that on February 27, 2018, ACI submitted the required information to the Authority to amend the ColWMP to increase the tonnage processed at the project site to 620 TPD total site capacity and to remove the tonnage limitations

of the Transfer Facility's current maximum limit of 280 TPD at 610 Aladdin Ave, San Leandro and to make a finding of conformance with the ColWMP.

(g) The Authority finds that the Recycling Board, acting as the Local Task Force, has reviewed and commented on the proposed amendment, and the Planning Committee of the Authority has considered the ColWMP amendment, including any comments by the Local Task Force, and has recommended approval of the ColWMP amendment and conformance finding.

(h) The Authority finds that the Authority staff provided all required notice and held duly noticed public hearings on July 25, 2018 and September 26, 2018 to consider said ColWMP amendment and conformance finding.

(i) The Authority finds that the Authority Board of Directors reviewed the application and materials presented by ACI in support of the application, and considered all materials and testimony presented by the public, Local Task Force, ACI, and Authority staff.

(j) The Authority finds that it is a responsible agency under CEQA, that this project underwent the required review under CEQA, and that the Authority's action is within the scope the activities addressed by the City of San Leandro's mitigated negative declaration and initial study ("MND/IS").

(k) The Authority finds that the Authority Board has independently reviewed and considered the City of San Leandro's MND/IS.

(l) The Authority finds that since the City of San Leandro's adoption of the MND/IS, no substantial changes have occurred and no new information or changed circumstances exist that require revisions to the MND/IS due to new significant environmental effects or a substantial increase in the severity of previously identified significant environmental effects.

(m) The Authority concurs with the City of San Leandro that the project will not result in any significant environmental impacts.

SECTION 3 (CEQA Determination)

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

SECTION 4 (Amendment of ColWMP)

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

SECTION 5 (Conformity Determination)

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

SECTION 6 (Notice and Effective Date)

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

Passed and adopted this [26th day of September, 2018] 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. 2018-01

WENDY SOMMER
EXECUTIVE DIRECTOR

EXHIBIT 1

TEXT CHANGES TO THE COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN for the Alameda County Industries (ACI) Transfer/Processing Facility

The Alameda County Countywide Integrated Waste Management Plan, adopted February 26, 2003 is hereby amended 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. Table 2-7, on page II-24, summarizes information regarding transfer stations in Alameda County. Amend Table 2-7 as provided below:

TRANSFER STATION	OWNER/ OPERATOR	WASTESHEDS	DISPOSAL TONNAGE TOTAL TPY/TPD-5	SITE ACREAGE	DESIGN/ PERMITTED CAPACITY
ACI San Leandro	Alameda County Industries	MSW: City of San Leandro and Recyclables: Alameda County. No public self-haul allowed <u>Food Scraps and Organics: Bay Area</u>	Any combination of MSW, C&D or compostables, or other solid waste, not to exceed 280 TPD by direct transfer operations and an unrestricted amount of or recyclables as long as total site capacity of <u>412,620</u> TPD is not exceeded	2.17	592,940 <u>412,620</u> TPD/TPD

2. On pages II-29 and II-30 under the heading “d) ACI Transfer/Processing Facility” amend the first, second and third paragraphs as follows:

The Alameda County Industries’ (ACI) Transfer/Processing facility located at 610 Aladdin Avenue in San Leandro operates under a full solid waste facility permit issued for **412,620** tons per day (TPD) total site capacity. ~~The ACI Transfer/Processing Facility operates under the following limitations: direct transfer operations for any combination of MSW, C&D, compostables or other solid waste not to exceed 280 TPD; and, an unrestricted amount of recyclables processed through the Material Recovery Facility provided the total site capacity maximum of 412 TPD is not exceeded. The Transfer/Processing Facility only receives MSW from within the City of San Leandro service area franchised in 2007 to ACI.~~

The Material Recovery Facility processes recyclables from San Leandro, Alameda and other jurisdictions. At the recommendation of the County Environmental Health Department, the Full Solid Waste Facility Permit was sought in 2007 to combine and expand the Direct Transfer Facility with the previously exempt Material Recovery Facility. The facility recycling rate is projected to be 57% for the ~~412620~~ TPD. As additional food waste is collected in place of MSW, the recycling rate is expected to increase to almost 70%. **The facility also pre-processes food waste and organics onsite.**

Collection vehicles using the facility include commercial front-loader trucks, and roll-off bin collection trucks, and side loaders used for residential collection. The solid waste is directly transferred from collection vehicles to a specially designed transfer trailer, which has the capacity to carry 19-20 tons per load. Direct transfer operations do not handle, separate, or otherwise process the incoming solid waste and no waste is stored at the facility for more than ~~an 8-hour~~ **a 48-hour** period. ~~There is no overnight storage of loaded trailers.~~ The solid waste is transferred only one time from the collection vehicle to the trailer; the waste does not touch the ground nor is it outside the confines of a container or vehicle before, during, or after the transfer. There is no acceptance of self-hauled MSW nor recyclables from the public.

EXHIBIT 2

SITING CRITERIA

for ColWMP Amendment and Conformity Determination for the Alameda County Industries Inc. Transfer/Processing Facility

The Alameda County Waste Management Authority (“Authority”) has reviewed the materials submitted in connection with Alameda County Industries Transfer/Processing facility (“facility”). Based on that review, the Authority hereby makes the following determinations pursuant to the relevant provisions of ColWMP Section VI, Table 6-2:

- **Seismic** – The facility is not located within 200 feet of a known active fault.
- **Floodplains** – The facility is not located within the 100-year flood plain.
- **Wetlands** – The facility is located in a fully developed industrial area within City of San Leandro; no wetlands are impacted by its development.
- **Endangered Species Habitat** – The facility is located in a fully developed industrial area within City of San Leandro. Potential impacts to endangered species habitat identified during the environmental review process for development of the facility have been fully mitigated.
- **Unstable Soils** – The existing structures and proposed transfer building have been designed in accordance with City-approved design standards which ensure the structural integrity of the facility. Unstable soils have not been identified during the design process.
- **Major Aquifer Recharge Areas** – The facility is not located in an aquifer recharge area.
- **Depth to Groundwater** – The facility is not located in an area identified with high groundwater.
- **Permeable Strata and Soils** – The facility is constructed on currently graded and paved site. Soils in the area are predominantly Clear Lake Clay and of generally low permeability, with approximately 50% clay content.
- **Non-attainment Air Areas** – ACI shall comply with all requirements of the Bay Area Air Quality Management District in the operation of the facility.
- **PSD Air Areas** – ACI shall comply with all requirements of the Bay Area Air Quality Management District in the operation of the facility.
- **Mineral Resources Area** – The facility is not located in a Mineral Resources Area of Alameda County.
- **Prime Agricultural Lands/Open Space** – The facility is located in a fully developed industrial area within City of San Leandro and not on agricultural lands or open space.

- **Military Lands** – The facility is located on private lands not owned by any military organization.
- **Other Federal, State, and Indian Lands** – The facility is located on private lands not owned by government or tribal organization.
- **Proximity to Major Transportation Routes** – The facility is located one block from an arterial roadway with arterial access to Highway 880, which is approximately 1.1 miles away via Alvarado St. and Marina Blvd. Incoming collection vehicles have access to the facility from all areas of the City via major roadways.
- **Proximity to Development** – The facility is located in an extensive industrial area in central San Leandro. Roadway access to the major transportation routes is not through residential areas and institutional facilities are not present. The facility is designed and will be operated to minimize impacts to the surrounding community, and to conform to the City of San Leandro standards including the approved conditions of its Conditional Use Permit, as well as state minimum standards in Title 14.
- **Proximity to Public Services** – The facility is located in a fully developed industrial park area and connected to public utilities. Fire, police, and emergency medical services are readily available at this semi-urban location.
- **Proximity to Waste Stream** – The facility is located in central San Leandro with access to all areas of the City via major roadways and highways. Collection areas are distributed to the north, south, and west of the facility.
- **Appropriate Zoning** – The facility is compatible with adjacent industrial land uses and zoning; it is located with the Industrial General (IG) Zone.
- **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 the City of San Leandro and other jurisdictions within the county, and is an integral part of the countywide waste management system.
- **Recreational, Cultural, or Aesthetic Areas** – The facility is not located in an area of 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 maintains an Emergency Contingency Plan to provide for continuity of service in the event of disruptions caused by natural or man-made events.

EXHIBIT 3

Conditions of Approval for ColWMP Amendment and Conformity Determination for the Alameda County Industries Inc. 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 ColWMP amendment and conformity determination enacted by the ordinance to which this exhibit is attached is subject to the conditions below:

1. Operations at the Alameda County Industries Inc. (“ACI”) Transfer/Processing Facility located at 610 & 601 Aladdin Avenue, San Leandro, California (“Facility”) shall comply with all requirements governing the design and operation of Transfer/Processing Facility, as set forth in Title 14 of the California Code of Regulations.
2. The materials that may be processed through the Facility are limited to the materials that the Facility is currently permitted to accept.
3. The total permitted capacity of 620 TPD shall not be exceeded except as otherwise permitted in the modified Conditional Use Permit issued by the City of San Leandro on October 5, 2017 (“CUP”), and the Facility shall operate within the conditions contained within the CUP.
4. The Facility shall be constructed and operate in compliance with the descriptions and assumptions made in the Final Initial Study – Mitigated Negative Declaration adopted by the City of San Leandro to the extent applicable to the Facility.
5. The transfer station operator must identify the weight of all waste materials received at the transfer station, by jurisdiction of origin, and report the results to the Authority, as provided by Authority Ordinance 98-01. The transfer station operator must identify the weight of all material transferred for disposal, by landfill destination.
6. The ordinance to which these Conditions of Approval is attached shall take effect only upon ACI’s acceptance of these conditions and its agreement to indemnify and hold harmless the Authority, its agents, officer, and employees according to the terms in paragraph 7 below.
7. ACI shall defend (with counsel acceptable to the Authority), indemnify and hold harmless the Authority, its agents, officers and employees for any costs, including attorneys’ fees, incurred by the Authority, its agents, officers or employees in the defense of any action brought against the Authority, its agents, officers or employees, in connection with the approval or implementation of Authority Ordinance No. 2018-01. The Authority may elect, at its sole discretion, to participate in the defense of such action, and ACI shall reimburse the Authority, its agents, officers or employees for any

costs, including attorneys' fees, that the Authority, its agents, officers or employees incur as a result of such action. This indemnification shall be binding upon the Authority, ACI and all their successors and assigns.

8. ACI shall comply with the Alameda County Integrated Waste Management Plan, all applicable existing and future ordinances and resolutions of the Authority (including, but not limited to, Ordinance 2009-01 and Resolution 2009-03), and all conditions imposed by the City of San Leandro and other regulatory agencies.

9. These conditions of approval shall restrict the operation of the Facility and shall be incorporated in, and enforceable under, the ACI Solid Waste Facilities Permit issued by the Alameda County Local Enforcement Agency and may be enforced by the City of San Leandro in connection with its enforcement of its permits for the Facility.

10. Any activities beyond those provided for by Ordinance 2018-01 shall require a new ColWMP amendment and conformance determination by the Authority.

ACCEPTANCE BY APPLICANT ACI

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 acknowledges the approved terms and conditions and agrees to fully conform to and comply with said terms and conditions.

By:

Its:

Date



February 27, 2018

Ms. Anu Natarajan
Legislative & Regulatory Affairs Manager
Alameda County Waste Management Authority
1537 Webster Street
Oakland, CA 94612

RE: Determination of Conformance with the Alameda County ColWMP - Alameda County Industries Transfer/Processing Facility Expansion

Dear Ms. Natarajan:

Alameda County Industries (ACI) submits this letter as the County Integrated Waste Management Plan Amendment (ColWMP) application for the Alameda County Industries Transfer/Processing Facility (Facility) Expansion. ACI is currently working with the Alameda County Environmental Health Department, acting in their role as the Local Enforcement Agency (LEA) for California Department of Resources Recovery and Recycling (CalRecycle), to revise our existing Solid Waste Facilities Permit (SWFP) No. 01-AA-0290.

The purpose of this letter is to formally request that the Alameda County Waste Management Authority (ACWMA) initiate the process to determine conformance with the Alameda County Integrated Waste Management Plan (ColWMP). Included with this letter is a check in the amount of \$10,000.

Project Description

Alameda County Industries (ACI) currently owns and operates a solid waste transfer and recycling facility on a 2.82 acre parcel (APN 077B-0800-015) located at 610 Aladdin Avenue in the City of San Leandro.

At this time, ACI seeks to revise the existing Solid Waste Facility Permit (SWFP No. 01-AA-0290) to expand operations at the ACI Facility, by making the following operational changes that are considered significant changes by the California Department of Resources, Recycling, and Recovery (CalRecycle):

- Increase the overall permitted tonnage for the Facility from 412 tons per day (TPD) to 620 TPD and remove the TF's current maximum limit of 280 TPD.

- Extend the waste acceptance, transfer and processing hours to 24 hours per day, 7 days per week.
- Accept MSW from all jurisdictions serviced by ACI and accept food waste / organics and other materials from third party waste haulers and jurisdictions for transfer and offsite processing.
- Modify material storage holding time for municipal solid waste (MSW) and organic materials to 48 hours.

ACI is expanding to meet increasing tonnages from its current service area and in anticipation of the increasing trend in recyclables and organics diversion, as a result of new State and local mandates, expansion of outreach programs, an improved economy, and other program impacts. ACI is proposing to increase the maximum permitted tonnage and extend operating hours and materials storage times to allow flexibility in transfer and processing operations to avoid peak traffic times and effectively process materials to maximize recovery and diversion. The Solid Waste Facility Permit traffic will not be increased with respect to the currently-permitted limits of 193 vehicles per day (VPD) for the ACI Facility.

ACI, and formerly San Leandro Disposal, has operated a recyclables collection, processing, and transfer operation at the project site since 1995. The land use entitlement history is provided as a reference in Table 1 that follows. A Registration Solid Waste Facility Permit (SWFP) was issued by the Alameda County Department of Environmental Health, acting as Local Enforcement Agency (LEA), in September 2001 for a Direct Transfer Facility (TF) handling up to 150 TPD of MSW. A Full SWFP was issued by the LEA in July 2007, and the SWFP has been amended to incorporate minor operational changes.

Land Use Approval

The site is in the City's General Plan General Industrial (IG) Zone. The ACI operations are consistent with the zoning and General Plan for the area as determined by the City of San Leandro with the approval of Conditional Use Permit (CUP) (PLN2001-00049) on August 2, 2001; approval of a CUP modification for increased tonnages and traffic, with an Initial Study/ Negative Declaration (PLN2006-00061), approved on February 15, 2007; and most recently approval of a CUP modification to increase tonnage, expand operating hours and holding times, and other operational changes, with an Initial Study/ Mitigated Negative Declaration (PLN17-0007), approved on October 5, 2017 by the City of San Leandro.

CEQA Conformance

The ACI Facility project has been reviewed for its conformance with the California Environmental Quality Act (CEQA) in conjunction with the approvals listed in Table 1 below.

Table 1

Land Use Entitlement History

Date	Land Use Entitlement	Operations
08/17/1995	CU-95-10	Approved for collection and processing of recycled materials; outdoor storage of materials and vehicles; and mobile office trailer.
10/17/1996	CU-96-18	Approval of 17,500 s.f. building to cover recycled materials processing area.
07/17/1997	CU-97-7	Approval of 27,950 s.f. building to over the processing facility for recyclable materials.
06/27/2000	Administrative Approval letter	Administrative approval for green waste collection and processing.
03/15/2001	Administrative Approval letter	Administrative approval for C&D collection and processing.
08/02/2001	PLN2001-00049	CUP for implementation of a solid waste direct transfer operation.
2/15/2007	PLN2006-00061	Approval of CUP modification for increased Tonnages and Traffic with a new Initial Study/ Negative Declaration.
11/2010	Administrative Approval letter	Minor modification of CUP for increase in hours and removal of tiered tonnage limits.
9/2011	Administrative Approval letter	Clarification of 11/2010 approval; limit on TF tonnage to 280 TPD.
10/2017	PLN17-007	Approval of CUP, Initial Study and Mitigated Negative Declaration for increased tonnage, expanded hours, storage times and service areas, and other modifications.

Facility Siting Criteria

- **Seismic** – The facility is not located within 200 feet of a known active fault.
- **Floodplains** – The facility is not located within the 100-year flood plain.
- **Wetlands** –The facility is located in a fully developed industrial area within City of San Leandro; no wetlands are impacted by its development.
- **Endangered Species Habitat** – The facility is located in a fully developed industrial area within City of San Leandro. Potential impacts to endangered species habitat identified

during the environmental review process for development of the facility have been fully mitigated.

- Unstable Soils – The existing structures have been designed in accordance with City-approved design standards which assure the structural integrity of the facility. Unstable soils have not been identified during the design process.
- Major Aquifer Recharge Areas – The facility is not located in an aquifer recharge area.
- Depth to Groundwater – The facility is not located in an area identified with high groundwater.
- Permeable Strata and Soils – The facility is constructed on currently graded and paved site. Soils in the area are predominantly Clear Lake Clay and of generally low permeability, with approximately 50% clay content.
- Non-attainment Air Areas – ACI shall comply with all requirements of the Bay Area Air Quality Management District in the operation of the facility.
- PSD Air Areas – ACI shall comply with all requirements of the Bay Area Air Quality Management District in the operation of the facility.
- Mineral Resources Area – The facility is not located in a Mineral Resources Area of Alameda County.
- Prime Agricultural Lands/Open Space – The facility is located in a fully developed industrial area within City of San Leandro and not on agricultural lands.
- Military Lands – The facility is located on private lands not owned by any military organization.
- Other Federal, State, and Indian Lands – The facility is located on private lands not owned by government or tribal organization.
- Proximity to Major Transportation Routes – The facility is located one block from an arterial roadway with arterial access to Highway 880, which is approximately 1.1 miles via Alvarado St. and Marina Blvd. Incoming collection vehicles have access to the facility from all areas of the City via major roadways.
- Proximity to Development – The facility is located in an extensive industrial area in central San Leandro. Roadway access to the major transportation routes is not through residential areas and institutional facilities are not present. The facility is designed to conform to the City of San Leandro standards and will be operated in a manner which will conform to approved conditions of its permit, as well as state minimum standards in Title 14, and minimize impacts to the surrounding community.
- Proximity to Public Services – The facility is located in a fully developed industrial park area and connected to public utilities. Fire, police, and emergency medical services are readily available at this semi-urban location.

- Proximity to Waste Stream – The facility is located in central San Leandro with excellent access to all areas of the City via major roadways and highways. Collection areas are distributed to the north, south, and west of the facility.
- Appropriate Zoning – The facility is compatible with adjacent industrial land uses and zoning; it is located with the General Industrial (IG) Zone.
- 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 the City of San Leandro and other jurisdictions within the 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 maintains an Emergency Contingency Plan to provide for continuity of service in the event of disruptions caused by natural or man-made events.

Included with this letter are the following attachments for your review:

- ✓ City of San Leandro, Conditions of Approval (PLN17-0007)
- ✓ Initial Study / Mitigated Negative Declaration (dated October 2017)
- ✓ Copy of current Solid Waste Facility Permit No. 01-AA-0290

We look forward to working with you during the process in front of us. Please provide a schedule of the expected dates for the ACWMA subcommittees and ACWMA meeting schedule for this ColWMP process. Should you have any questions, please contact me at (510) 346.8148 or by email: jhogan@alamedacountyindustries.com.

Thank you,



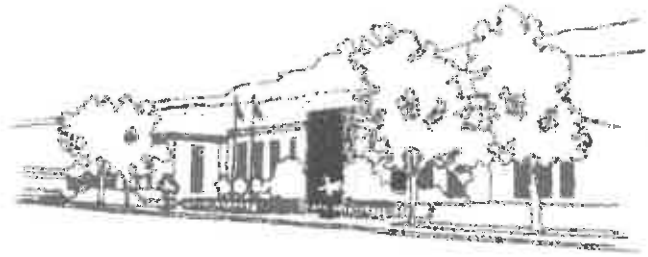
Jillian Hogan
Environmental Compliance Manager

Cc: Chris Valbusa, Alameda County Industries
Neil Edgar, Edgar & Associates

City of San Leandro

Civic Center, 835 E. 14th Street
San Leandro, California 94577

www.sanleandro.org



October 11, 2017

Alameda County Industries (ACI)
c/o Chris Valbusa
610 Aladdin Avenue
San Leandro, CA 94577-4302

SUBJECT: Agreement to Conditions, PLN17-3607; to make operational changes at the Materials Recovery Facility and Transfer Facility located at 610 Aladdin Avenue and at the Limited Volume Transfer Facility located at 601 Aladdin Avenue to accommodate anticipated growth in materials streams and to improve operational efficiencies throughout the facility. The approval also permits construction of a 21,800 sq. ft. building over the current Transfer Facility, 601 & 610 Aladdin Avenue; Alameda County Assessor's Parcel Numbers 77A-650-2-10 and 77B-300-15.

Dear Mr. Valbusa,

Enclosed is the Agreement to Conditions for your Conditional Use Permit, approved on October 5, 2017, by the Board of Zoning Adjustment.

Please review the Agreement before signing and have your signature notarized. Your name on the notary form needs to exactly match the name indicated on the Agreement to Conditions and the notary stamp needs to be clear and legible. When the Agreement is signed and notarized by both you and the property owner, Aladdin Depot Partnership, please return the signed notarized original to the City of San Leandro Planning Services Department, 835 East 14th Street, San Leandro, CA 94577, for further processing. A copy of the fully executed agreement will be mailed to you after it has been recorded by our office with the Alameda County Recorder's Office.

If you have any questions, please do not hesitate to contact me at 510-577-3348.

Sincerely,

A. Mepani

Anjana Mepani, Senior Planner
Community Development Department
Enclosure: As stated

Philippine Roxas-Cutney, Mayor

City Council:

Don Bailey

Bernie Lee

Deborah Cox

Carolina Lopez

Ed Hernandez

Liz Thomas



RECORDING REQUESTED BY:

City of San Leandro
Planning Services Division
835 East 14th Street
San Leandro, California 94577

WHEN RECORDED MAIL TO:

Tamika Greenwood, City Clerk
City of San Leandro
835 East 14th Street
San Leandro, California 94577

THIS SPACE FOR RECORDER'S USE ONLY

(No fee pursuant to Government Code Section 27383)

AGREEMENT TO CONDITIONS

PLN17-0007

601 & 610 Aladdin Avenue

**Alameda County Industries, Inc. (Applicant) and
Alameda County Industries, Inc. and Aladdin Depot Partnership (Property Owners)**

THIS AGREEMENT is entered into by and between the CITY OF SAN LEANDRO, a municipal corporation, hereinafter referred to as "City", and Alameda County Industries, Inc., a Corporation, hereinafter referred to as "Applicant" and Alameda County Industries, Inc. and Aladdin Depot Partnership, a Corporation and a Partnership, hereinafter referred to as "Property Owner".

Applicant applied for and received a Conditional Use Permit and Administrative Review modification and Site Plan Review approval to make operational changes at the Materials Recovery Facility and Transfer Facility located at 610 Aladdin Avenue and at the Limited Volume Transfer Facility located at 601 Aladdin Avenue to accommodate anticipated growth in materials streams and to improve operational efficiencies throughout the facility. The approval also permits construction of a 21,800 sq. ft. building over the current Transfer Facility. 601 & 610 Aladdin Avenue; Alameda County Assessor's Parcel Numbers 77A-650-2-10 and 77B-800-15.

NOW, THEREFORE, pursuant to the applicable provisions of the Zoning Code, it is mutually agreed as follows:

1. Applicant/Property Owner agrees to comply with the Conditions of Approval adopted by the City of San Leandro Board of Zoning Adjustments, more specifically described in the list of Conditions of Approval, attached hereto, and as described in the exhibits on file in the Community Development Department, all of which are incorporated herein by this reference.

2. This agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors, and assigns.

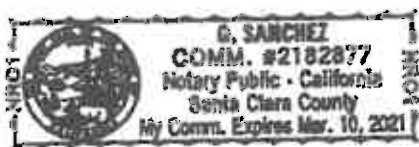
3. City is authorized to record this agreement and any amendments thereto with the Alameda County Recorder, California. All amendments hereto must be in writing and signed by the appropriate authorities of the City and Applicant/Property Owner. The Applicant/Property Owner will be charged the costs of recordation and agrees to pay same. Conditions run with the land and are binding to future owners of the property.

4. Applicant/Property Owner has read and fully understands all of the foregoing terms and conditions, and hereby agrees that all said terms and conditions are as approved by the San Leandro Board of Zoning Adjustments in accordance with law, and hereby agree to comply with all of said terms and conditions.

IN WITNESS WHEREOF, duly executed by the parties as of the day and year below written.

This **CONDITIONAL USE PERMIT** must be exercised within **ONE YEAR** or it expires.

(Acknowledgment)

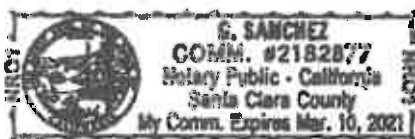


Alameda County Industries, Inc., a California Corporation, as Applicant and Property Owner.

[Signature] 10/25/17
Signature Date

William DeBort
Print Name

(Acknowledgment)



The Aladdin Depot Partnership, a Partnership, as Property Owner.

[Signature] [Signature]
Signature Date

Robert Petr BATTIMICH
Print Name

Receipt of Executed Approval: I hereby certify that I am the Secretary to the Board of Zoning Adjustments of the City of San Leandro and in that capacity did receive this copy of **PLN17-0007** Agreement to Conditions fully executed by all parties thereto, and that the effective date of this zoning approval granted herein is **October 5, 2017**.

CITY OF SAN LEANDRO, a municipal corporation

Attest: _____
Tamika Greenwood, City Clerk

Andrew Mogensen, Acting Secretary
Board of Zoning Adjustments

Approved as to Form:

Richard Pio Roda, City Attorney

CONDITIONS OF APPROVAL

PLN17-0007

601 & 610 Aladdin Avenue

**Alameda County Industries, Inc. (Applicant) and
Alameda County Industries, Inc. and Aladdin Depot Partnership (Property Owners)**

I. COMPLIANCE WITH APPROVED PLANS

A. The applicant and/or property owner shall comply with Exhibits A through M, attached to the staff report dated October 5, 2017, except as hereinafter modified. Exhibits are on file at the City of San Leandro Community Development Department, 835 East 14th Street, San Leandro, California.

Exhibit A – Cover Sheet (Sheet 0.1)

Exhibit B – Perspective (Sheet 0.2)

Exhibit C – Code Area and Fence Plan (Sheet 1.1)

Exhibit D – Site Plan – Detailed (Sheet 1.2)

Exhibit E – Fire Department Access & Compliance Layout (Sheet 1.3)

Exhibit F – Proposed Main Level Plan (Sheet 2.0)

Exhibit G – Elevations (Sheet 3.0)

Exhibit H – Sections (Sheet 4.0)

Exhibit I – Sections (Sheet 4.1)

Exhibit J – Firewall (Sheet B2)

Exhibit K – Ramp Profiles (Sheet C1)

Exhibit L – Ramp and Truck Scale Drainage Schematic (Sheet C2)

Exhibit M – Project Site Plan (Figure 1)

B. The applicant and/or property owner shall be responsible for assuring that any successor in interest who assumes responsibility for this zoning approval is informed of its terms and conditions.

C. Approval shall lapse after one (1) year following Board of Zoning Adjustments approval of the application unless a grading permit or building permit has been issued, coupled with diligent progress evidencing good faith intention to commence the intended use; or an occupancy permit has been issued; or the approval is renewed, as provided in Section 5-2218.E. Pursuant to Zoning Code Section 5-2218.E. upon written request the approval may be renewed by the Zoning Enforcement Official for one (1) year, with one additional (1) one-year renewal allowed for a total period not to exceed two (2) years without notice or public hearing if the findings required by Sections 5-2212.A and 5-2512 remain valid. Application for renewal shall be made in writing to the Community Development Director not less than 30 days or more than 120 days prior to expiration of approval. Denial of a request for renewal of the Project approval may be appealed.

- D. Prior to issuance of building permits, all building specifications shall be submitted for review and approval to the Zoning Enforcement Official to ensure quality of the exterior design. Any changes to the approved building specifications must be made in writing to the Zoning Enforcement Official, who may either administratively approve the modification or bring it back to the Board of Zoning Adjustments for review. In addition, a final color and materials board shall be submitted for the exterior for the review and approval of the Zoning Enforcement Official, prior to issuance of building permits.
- E. Prior to issuance of building permits a final landscape and irrigation plan shall be submitted to the Zoning Enforcement Official for review and approval. Said plans shall include, but is not limited to, trees with a minimum size of 15 gallons, a pallet of shrubs and ground cover planting that is flowering plants, or plants that have colorful foliage. The minimum size for the shrubs shall be five gallons and the ground cover shall be one gallon or shall be from flats with the necessary spacing to cover the planter areas in one growing season.

II. PERMITTED USE

- A. This Conditional Use Permit and Administrative Review modification and Site Plan Review allows for Alameda County Industries, Inc. to make operational changes at the Materials Recovery Facility and Transfer Facility located at 610 Aladdin Avenue and at the Limited Volume Transfer Facility located at 601 Aladdin Avenue to accommodate anticipated growth in materials streams and to improve operational efficiencies throughout the facility. The approval also permits construction of a 21,800 sq. ft. building over the current Transfer Facility. 601 & 610 Aladdin Avenue; Alameda County Assessor's Parcel Numbers 77A-650-2-10 and 77B-800-15.
- B. All applicable conditions of approval listed in the agreement to conditions for CU-95-10, CU-96-18, CU-97-7, Administrative Approval letter dated June 27, 2000 (regarding permitting of green waste collection and processing), Administrative Approval letter dated March 15, 2001 (regarding permitting of construction and demolition materials collection and processing), PLN2001-00049, PLN2006-00061, and PLN15-0006, shall remain in full effect, unless modified herein.
- C. Any changes or additional occupancy deemed minor in nature may be approved by the Community Development Director. A change or additional occupancy deemed major shall be referred to the Board of Zoning Adjustments for its consideration as a modification to the permit.
- D. The project and use shall remain in substantial compliance with the approved plans and exhibits. Any change to project design shall be subject to the review and approval of the Community Development Director who may administratively approve or require review by the Board of Zoning Adjustments as a modification.

III. CONSTRUCTION PROVISIONS

- A. In addition to the facility's regular and routine pest and vermin control measures, such measures shall be extended and incorporated into the demolition and construction of the expanded facility.

- B. During construction the following high standards for sanitation are required: Garbage cans, construction dumpsters, and debris piles shall be removed on a minimum weekly basis. All food related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers only and shall be regularly removed from the site. At no time shall debris remain on site unattended within the front yard setback of the property. Inspections will be conducted as part of the regular construction compliance, to ensure compliance of the applicant and contractors with this requirement.
- C. Construction activity shall not commence prior to 7:00 a.m. and shall cease by 7:00 p.m. Monday through Friday, and construction activity shall not commence prior to 8:00 a.m. and shall cease by 7:00 p.m. on Saturday and Sunday. No construction is permitted on Federal holidays. As provided in the City of San Leandro's Noise Ordinance (ORDINANCE NO. 2003-005), "construction" shall mean any site preparation, assembly, erection, substantial repair, alteration, demolition or similar action, for or on any private property, public or private right-of-way, streets, structures, utilities, facilities, or other similar property. Construction activities carried on in violation of this Article may be enforced as provided in Section 4-1-1130, and may also be enforced by issuance of a stop work order and/or revocation of any or all permits issued for such construction activity. Procedures with the highest noise potential shall be scheduled for daylight hours, when ambient noise levels are highest. The contractor(s) shall be required to employ the quietest among alternative equipment or to muffle/control noise from available equipment.
- D. Construction activity shall not create dust, noise or safety hazards for adjacent residents and properties. Dirt and mud shall not be tracked onto Aladdin Avenue or Alvarado Street from the project site during construction. Standard construction dust control procedures, such as wetting, daily roadwashing and other maintenance functions to control emissions, shall be implemented at all times during outdoor construction. Dust generating activities such as excavation, paving etc., shall be scheduled in the early morning and other hours when wind speeds are low. All construction contracts shall include the following requirements: 1) unpaved construction sites shall be sprinkled with water at least twice per day; 2) trucks hauling construction materials shall be covered with tarpaulins or other effective covers; 3) streets surrounding demolition and construction sites shall be swept at least once per day; and 4) paving and planting shall be done as soon as possible. City shall charge applicant, and applicant shall pay, for all costs of sweeping city streets in the vicinity of the project as necessary to control dust and spillage.
- E. The applicant shall prepare a construction truck route plan that would restrict trucks to arterial streets that have sufficient pavement section to bear the heavy truck traffic, thereby minimizing noise and traffic impacts to the community. The construction truck route plan shall be reviewed and approved by the City Transportation Administrator prior to receipt of the grading permit.
- F. Construction-related truck hauling activities shall be restricted to 8:00 a.m. to 5:00 p.m. There shall be no truck hauling activity on Saturdays, Sundays and Federal holidays.
- G. The property shall be secured during construction with a six (6) foot tall chain link fence and any other security measures in accordance with recommendation of the San Leandro Police Department.

- H. Construction workers on the project shall be provided clean drinking water, portable toilets and handwashing stations as sanitary facilities for use during all phases of construction. Said portable toilets shall be screened from view from the public right-of-way or located to the interior or rear of the site.

IV. ALAMEDA COUNTY FIRE DEPARTMENT REQUIREMENTS

- A. Analysis needs to be completed to ensure that the fire protection system does not need a Fire Pump for the Fire Protection System to maintain adequate flow. Said analysis shall be performed and determined prior to application for a building permit.
- B. Permits will be required for the modifications to the fire protection system and relocation of fire hydrants.
- C. Analysis needs to be completed to ensure exiting is compliant.
- D. Fire Lanes shall be marked and maintained at all times.
- E. At no time can parking (Vehicle staging after service) be allowed outside the on the tarmac on the East side of the maintenance facility.
- F. Fire Extinguisher 4A 40B:C shall be provided with a travel distance that does not exceed 75 feet.
- G. Emergency lighting and Exit signs shall be provided throughout the facility.
- H. An additional Hydrant maybe required inside the fenced area on the Northside of the building. This will be evaluated during the Building Permit process.

V. BUILDING & SAFETY SERVICES REQUIREMENTS

- A. Code Compliance for Call Green is required and must be incorporated onto building permit plans.
- B. Complete Energy calculation is required and must be incorporated onto building permit plans.

VI. ENGINEERING AND TRANSPORTATION REQUIREMENTS

- A. Storm Drain Conditions:
 - 1) The Applicant shall reduce storm water pollution by implementing the following pollution source control measures:
 - a) Structures shall be designed to discourage the occurrence and entry of pests into buildings, thus minimizing the need for pesticides. The trash area shall be separated from the rest of the building by concrete or masonry walls so that pests that gain access to the area are less likely to access the rest of the building.

- b) All storm drains shall be marked "NO DUMPING, DRAINS TO BAY", as per the City of San Leandro Standard Plan 204. All proposed storm drain inlets that are not within bioretention areas shall have trash capture devices.
- c) All onsite storm drains shall be inspected and, if necessary, cleaned at least twice a year immediately prior to the rainy season.
- d) Sidewalks and parking lots shall be swept regularly to minimize the accumulation of litter and debris. Steam cleaning or low volume pressure washing may be performed only after pre-cleaning using dry methods, spot cleaning and recovery in stained areas and removal of all mobile pollutants. Debris resulting from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Wash water containing any soap, cleaning agent or degreaser shall not be discharged to the storm drain.
- e) Interior floor drains (if any) shall not be connected to the storm drain system.
- f) Air conditioning condensate shall be directed to landscaped areas. Any air conditioning condensate that discharges to land without flowing to a storm drain may be subject to the requirements of the State Water Resources Control Board's (SWRCB) Statewide General Waste Discharge Requirements (WDRs) for Discharges to Land with a Low Threat to Water Quality.
- g) Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration, where appropriate, and minimize the use of fertilizers and pesticides that can contribute to storm water pollution.
- h) Where feasible, landscaping shall be designed and operated to treat storm water runoff by incorporating elements that collect, detain, and infiltrate runoff. In areas that provide detention of water, plans that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified.
- i) Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.
- j) Selection of the plants that will require minimal pesticide use.
- k) Irrigation shall be appropriate to the water requirements of the selected plants.
- l) The applicant shall select pest and disease resistant plants.
- m) The applicant shall plant a diversity of species to prevent a potential pest infestation from affecting the entire landscaping plan.
- n) The applicant shall plant insectary plants in the landscaping to attract and keep beneficial insects.

- 2) Because the project creates or replaces more than 10,000 SF of impervious surface, it is considered a Regulated Project according to Provision C.3.b of the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (Order No. R2-2015-0049, NPDES Permit No. CAS612008, adopted 11/19/2015). The Applicant shall provide the following information with the Building Permit and Grading Permit submittals:
 - a) Submit to Engineering & Transportation a filled-out Planning Permit Submittal Checklist in Table 3-1 of the C.3 Stormwater Technical Guidance available at: http://cleanwaterprogram.org/uploads/C3TG_v5.0_April_2016_Chapter_3.pdf
 - b) Fill-out the "C3 Sizing Calculator" available at <http://www.cleanwaterprogram.org/c3-popular-files.html?view=item>
 - c) Incorporate all of the proposed clean water features into the site plan as described in the fourteen step process that begins on Page 3-5 of the Technical Guidance.
 - d) Show on the drawings how storm water runoff from the new and replaced impervious surfaces will be captured and treated prior to release from the site.
- 3) The Applicant shall direct surface runoff to storm water treatment facilities prior to release from the site, including the depressed area at the two ramp locations.
- 4) The Applicant shall demonstrate on the drawings how treated storm water will be released from the site. The County operates an underground storm drain pipe network on Aladdin Avenue with an inlet along the frontage of the subject property. Connections to this network will be subject to a City-issued Encroachment Permit, and may require a drainage permit from Alameda County.

B. Traffic and Parking Conditions:

- 5) The Applicant shall design the employee parking stalls per City Standard Plan Dwg. No. 600.
- 6) The Applicant shall provide detailed dimensions for the parking stalls on the Building Permit submittal drawings. The Applicant shall also install pavement markings to indicate which parking stalls are compact.
- 7) One in every eight required accessible parking spaces shall be van accessible. Refer to the City of San Leandro Std. Plan Dwg. No. 600 for dimensions and details. Accessible parking, striping, and pavement markings shall be as required by the Building Division.

C. Grading Conditions:

- 8) The Applicant shall obtain a Grading Permit for the project. The requirements for said permit are indicated in San Leandro Municipal Code §7-12. The permit will be issued prior to or concurrent with the Building Permit.

- 9) The site may be subject to a Construction General Permit according to the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002. The general permit is applicable to construction sites that disturb on or more acres of land surface. The Applicant will be required to register the project with the State Water Board's Storm water Multi-Application and Report Tracking System (SMARTS) website, if the project disturbs more than one acre. A Qualified SWPPP Developer (QSD) and a Qualified SWPPP Practitioner (QSP) must be responsible for permit compliance. The SMARTS system will generate a Waste Dischargers Identification (WDID) number which must be printed on the grading and/or erosion control plans.

D. Site Conditions:

- 10) The Applicant shall locate all electric and communications utilities serving the new facility underground.

E. Other Conditions:

- 11) The Applicant shall remove any broken and/or uplifted sidewalk, driveway, curb and gutter along the full property frontage on Aladdin Avenue, and shall construct new City standard sidewalk, driveway, curb and gutter in the same location and alignment as the existing curb and gutter. The City will mark the locations at the applicant's request.
- 12) The Applicant shall obtain an Encroachment Permit from the Engineering and Transportation Department for any work within the Public Right-of-Way. Contractors must be properly licensed, have a valid Business License, and submit proof of insurance. Applicable fees/deposits must be paid.
- 13) No construction materials and/or equipment shall be stockpiled or parked within the Public Right-of-Way.
- 14) The Development Fee for Street Improvement (DFSI) is due for this project and is estimated to be \$25,502.89, which is calculated at \$1.19 per square foot and is due at the time of Building Permit issuance. These fees are subject to change on July 1st of each year and are not vested until building permit issuance.
- 15) The Marina Boulevard/Interstate 880 Traffic Impact fee due for this project is estimated to be \$18,644.97, which is calculated at \$0.87 per square foot and is due at the time of Building Permit issuance. These fees are subject to change on July 1st of each year and are not vested until building permit issuance.

VII. ENVIRONMENTAL SERVICES REQUIREMENTS

- A. With regards to relocation of the maintenance shop:**

- 1) If it is moved from the 610 Aladdin Ave. address, the hazardous material business plan for this address must be updated within the California Environmental Reporting System or CERS website (<http://cers.calspa.ca.gov/>) within 30 days of the move.
- 2) If it is moved to the 601 Aladdin Ave. address, then then hazardous material business plan for this address must be updated within CERS within 30 days of the move.
- 3) If it is moved to another address, then a new CERS submittal must be made within 30 days for the new address.

VIII. PUBLIC WORKS REQUIREMENTS

- A. If necessary, allow for temporary exceedances of inbound tonnage above 620 tpd by up to 10 percent for up to 10 days per year.
- B. If necessary, allow 24 hour material storage Monday through Friday, and 48 hours on Saturdays to accommodate landfill closures on Sundays. Material storage may also be extended up to 48 hours for municipal solid waste collected on the day preceding landfill observed holidays.

IX. GENERAL REQUIREMENTS

- A. All exterior mechanical equipment such as air conditioning/heating units and antennas shall be screened from view so as not to be visible from adjacent properties or streets to the satisfaction of the Zoning Enforcement Official.
- B. Parking lots, landscaping, and all common areas on the property shall be continuously monitored and maintained to collect and prevent the accumulation of errant litter and debris.
- C. No sight lighting shall spill off-site, over property lines, or shine above the horizontal plane.
- D. No objectionable odors or vibration emanating from the project site shall be detectable beyond the subject property. The City may require installation of vibration control measures or odor control measures including but not limited to the installation of air filters, misting systems, carbon adsorbers, odor control blocks, passive or active vibration control measures, or wind screens and/or require changes in site operations.
- E. The City of San Leandro shall maintain the ability to revisit or revoke this Conditional Use Permit and set a new public hearing date in order to impose additional conditions to correct problems that may arise such as property maintenance, code violations, and excessive nuisance related responses from Police or Code Enforcement. Additional conditions, to correct problems, may include but are not limited to modifications of hours of operation, odor control measures, noise abatement measures, vibration control measures, and/or additional parking requirements.
- F. All uses and activities shall comply with the provisions of the San Leandro Noise Regulations (Title IV, Chapter 1 of the Municipal Code).

- G. Review of this approval shall be provided to the Board of Zoning Adjustments, if complaints are received and if found necessary by the Zoning Enforcement Official. Noticing for the review shall be extended to the following interested homeowner's groups:**
- 1) Davis West Neighborhood Group**
 - 2) Marina Action Committee**
- H. Applicant shall implement and comply by all mitigation measures identified in the Initial Study - Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program.**
- I. Applicant shall continue to comply with Title 14 of the California Code of Regulations**
- J. Applicant shall pay its City development, permitting, and plan check fees in accordance with the fee schedules in effect at the time.**
- K. Any outstanding Planning Services deposit fees or balance shall be paid prior to issuance of a building permit.**
- L. The approvals granted by the City as a result of this application, as well as the Conditions of Approval, shall be recorded in the Office of the County Recorder of Alameda County.**
- M. No application for amendment of the application or Conditions of Approval may be submitted or accepted for processing by the City unless (i) there is full compliance with all terms of the application and Conditions of Approval; or (ii) the Community Development Director waives compliance with the terms of the application and Conditions of Approval pending application for amendment.**
- N. Pursuant to Zoning Code Section 5-2218, this approval shall lapse on October 5, 2018, unless a) approval of required State and County permits have been issued, coupled with diligent progress evidencing a good faith intent to commence the intended use, or b) a building permit has been issued, or c) a written request for a one-year extension of the approval is approved by the Zoning Enforcement Official.**

**CITY OF SAN LEANDRO
NON-DISPOSAL FACILITY ELEMENT
THIRD AMENDMENT**

This is the **Third Amendment** to the City of San Leandro's Non-Disposal Facility Element (NDFE), approved in 1993 and amended in 2002 and 2017.

This Third Amendment highlights a change to Alameda County Industries' (ACI) permitted tonnage from 412 tons per day (TPD) to 620 TPD.

Non-Disposal Facility Element Objectives:

The purpose of this element is to identify and describe existing and/or planned Non-Disposal Facilities (NDFs) to be utilized by the City of San Leandro in **attaining** the waste reduction goals identified in the City's Source Reduction and Recycling Element. NDFs include transfer and processing stations and material recovery facilities (MRFs) that **receive** unsorted waste. Recycling facilities that receive sorted materials and other facilities that do not **require** County solid waste facility permits normally do not fall under this definition of NDFs.

A proposed new NDF or NDF expansion in San Leandro cannot be considered for development until it has been identified and described in the City's NDFE. Each proposed facility must also comply with appropriate project specific CEQA environmental review, the land use permitting process, and the permit processes of various other federal, state, regional and countywide agencies. In addition, the Alameda County Waste Management Authority, the Local Task Force, must make a determination of conformance as to whether or not proposed new or expanded NDFs conform to the Countywide Element of the County Integrated Waste Management Plan (CoIWMP).

**EXISTING NON-DISPOSAL FACILITIES WITHIN
THE CITY OF SAN LEANDRO USED TO IMPLEMENT SRRE PROGRAMS**

FACILITY NAME, TYPE AND ADDRESS:

Alameda County Industries (ACI)
610 Aladdin Ave.
San Leandro, CA 94577

***This facility has a solid waste facility permit.**

SWIS# 01-AA-0290

ACI operates a direct transfer station for municipal solid waste, construction and demolition (C&D) debris and organics (i.e. yard trimmings, food scraps, and wood waste), and a material recovery facility for recyclables received from various businesses and residential curbside programs. Recyclables collected from local communities are processed onsite. Used motor oil and filters, latex paint, e-waste and household batteries are collected from the residential curbside programs and processed off-site. Food scraps, yard trimmings and wood waste are collected and sent to a third party for composting. Construction debris is transferred off-site for processing.

TYPE OF MATERIALS ACCEPTED FOR DIVERSION:

Cardboard	Wood/tree trunks/logs	Tires
News/mixed paper	Clean fill/dirt/concrete	C&D Debris
Metal cans & scrap metal	Yard trimmings	Appliances & Electronics
Glass bottles/jars	Food scraps	Household Batteries
Plastics containers #1-7	Latex Paint	Used motor oil

LAND USE DESIGNATION:

IG – Industrial General

LAND USE PERMIT STATUS:

Conditional Use Permits:

CU-95-10

CU-96-18

CU-97-7

PLN2001-00049

PLN2006-00061

PLN15-0006

PLN17-0007

FACILITY SIZE: (per Land Use Permit)

2.82 acres

MAXIMUM CAPACITY OF FACILITY: (per Land Use Permit)

The maximum capacity is not to exceed 620 tons per day.

DIVERSION RATE:

ACI diverted over 58,000 tons of material in 2017, which represents 58 percent of all materials collected.

PARTICIPATING JURISDICTIONS:

Alameda, San Leandro, Livermore, Santa Clara, and Los Altos. Permitted to accept from third party waste haulers and other jurisdictions.

SOLID WASTE FACILITY PERMIT		Facility Number: 01-AA-0290																																				
1. Name and Street Address of Facility: Alameda County Industries Transfer / Processing Facility 610 Aladdin Avenue San Leandro, CA. 94577-4302	2. Name and Mailing Address of Operator: Alameda County Industries, LLC 610 Aladdin Avenue San Leandro, CA. 94577-4302	3. Name and Mailing Address of Owner: Alameda County Industries, LLC 610 Aladdin Avenue San Leandro, CA. 94577-4302																																				
4. Specifications: <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> a. Permitted Operations: <input type="checkbox"/> Solid Waste Disposal Site <input checked="" type="checkbox"/> Transfer/Processing Facility (MRF) <input type="checkbox"/> Composting Facility (MSW/green material/C&G) </div> <div style="width: 35%;"> <input type="checkbox"/> Transformation Facility <input checked="" type="checkbox"/> Other: _____ </div> </div> b. Permitted Hours of Operation: Direct Transfer Facility – Receipt and Transfer of Materials/Wastes: 5:00 a.m. to 6:00 p.m., Monday through Friday, inbound and outbound MSW up to 2:00 a.m. in order to transfer within 8 hrs. of receipt. Material Recovery Facility: a. Receipt and Transfer of Materials: 5:00 a.m. to 6:00 p.m., Monday to Friday with occasional overtime work on weekends (Saturdays 5:00 a.m. to 6:00p.m.) b. Processing of Materials: 5:00 a.m. to 10:00 p.m., Monday to Saturday Office Hours: 8:00 a.m. to 5:00 p.m., Monday to Friday Maintenance of Equipment: 24 Hours c. Permitted Maximum Tonnage: <u> </u> Total: 412 Tons per Day (280 tpd maximum from the Transfer Facility) d. Permitted Traffic Volume: <u> </u> 193 <u> </u> Vehicles per Day e. Key Design Parameters (Detailed parameters are shown on site plans bearing EA and CalRecycle validations): <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th></th> <th style="text-align: center;">Total</th> <th style="text-align: center;">Disposal</th> <th style="text-align: center;">Transfer/Processing</th> <th style="text-align: center;">Composting</th> <th style="text-align: center;">Transformation</th> </tr> </thead> <tbody> <tr> <td>Permitted Area (in acres)</td> <td style="text-align: center;">2.17 acres</td> <td></td> <td style="text-align: center;">2.17 acres</td> <td></td> <td></td> </tr> <tr> <td>Design Capacity (cu.yds)</td> <td style="text-align: center;">802 tpd</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Max. Elevation (Ft. MSL)</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Max. Depth (Ft. MSL)</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Estimated Closure Year</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				Total	Disposal	Transfer/Processing	Composting	Transformation	Permitted Area (in acres)	2.17 acres		2.17 acres			Design Capacity (cu.yds)	802 tpd					Max. Elevation (Ft. MSL)						Max. Depth (Ft. MSL)						Estimated Closure Year					
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Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued solid waste facility permit.																																						
5. Approval: Approving Officer Signature <u>Ronald Browder, Acting Director of Environmental Health</u>		6. Enforcement Agency Name and Address: Alameda County Department of Environmental Health Office of Solid / Medical Waste Management 1131 Harbor Bay Parkway Alameda, CA. 94502																																				
7. Date Received by CalRecycle: <div style="text-align: right; font-size: 1.2em; font-weight: bold;">NOV 28 2011</div>		8. CalRecycle Concurrence Date: <div style="text-align: right; font-size: 1.2em; font-weight: bold;">DEC 27 2011</div>																																				
9. Permit Issued Date: <div style="text-align: right; font-size: 1.2em; font-weight: bold;">JAN 03 2012</div>	10. Permit Review Due Date: <div style="text-align: right; font-size: 1.2em; font-weight: bold;">AUG 17 2021</div>	11. Owner/Operator Transfer Date:																																				

021A

SOLID WASTE FACILITY PERMIT

Facility Number:

01-AA-0290**1. Name and Street Address of Facility:**

Alameda County Industries
Transfer/Processing Facility
610 Aladdin Avenue
San Leandro, CA 95477-4302

2. Name and Mailing Address of Operator:

Alameda County Industries, LLC
610 Aladdin Avenue
San Leandro, CA 95477-4302

3. Name and Mailing Address of Owner:

Alameda County Industries, LLC
610 Aladdin Avenue
San Leandro, CA 95477-4302

4. Specifications:**a. Permitted Operations:**☐ Solid Waste Disposal Site☐ Transformation Facility☒ Transfer/Processing Facility☒ Other: Material Recovery Facility☐ Composting Facility**b. Permitted Hours of Operation:**

Closed: Sundays, New Year's,
Thanksgiving and Christmas

Direct Transfer Facility - Receipt and Transfer of Materials/Wastes: 5:00 a.m. to 6:00 p.m.,
Monday to Friday, inbound and outbound MSW up to 2:00 a.m. in order to transfer within 8 hrs.
of receipt

Material Recovery Facility:

a. Receipt and Transfer of Materials: 5:00 a.m. to 6:00 p.m., Monday to Friday with
occasional overtime work on weekends (Saturdays, 5:00 a.m. to 6:00 p.m.)

b. Processing of Materials: 5:00 a.m. to 10:00 p.m., Monday to Saturday

Office Hours: 8:00 a.m. to 5:00 p.m., Monday to Friday

Maintenance of Equipment: 24 Hours

c. Permitted Maximum Tonnage: Total: 412 Tons per Day (280 tpd maximum from the Transfer Facility)

d. Permitted Traffic Volume: 193 Vehicles per Day - round trips

e. Key Design Parameters (Detailed parameters are shown on site plans bearing EA and CalRecycle validations):

	Total	Disposal	Transfer/Processing/ MRF	Composting	Transformation
Permitted Area (in acres)	2.17 acres		2.17 acres		
Design Capacity (cu. yds)	802 tpd				
Max. Elevation (Ft. MSL)					
Max. Depth (Ft. MSL)					
Estimated Closure Year					

Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued solid waste facility permit.

5. Approval:

Approving Officer Signature:

Arii Levi, Director of Environmental Health

6. Enforcement Agency Name and Address:

Alameda County Department of Environmental Health
Office of Solid/Medical Waste Management
1131 Harbor Bay Parkway
Alameda, CA 94502

7. Date Received by CalRecycle:

NOV 28 2011

8. CalRecycle Concurrence Date:

DEC 27 2011

9. Permit Issued Date:

JAN 03 2012

10. Permit Review Due Date:

JAN 03 2017

11. Owner/Operator Transfer Date:

SOLID WASTE FACILITY PERMIT

Facility Number

01-AA-0290

12. Legal Description of Facility:

The legal description of this facility is contained in pages 5-7 of the Transfer/Processing Report dated May 2011, Revised October 2011. 37°42'37.07" N, 122°09'05.06" W. APN 77B-800-15.

13. Findings:

- a. This permit is consistent with the Alameda County Waste Management Authority Plan, which was approved by CalRecycle on April 24, 1996. The location of the facility is identified in the Nondisposal Facility Element, pursuant to Public Resources Code (PRC), Section 50001(a).
- b. This permit is consistent with the standards adopted by CalRecycle, pursuant to PRC 44010.
- c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the enforcement agency, pursuant to PRC 44009.
- d. The City of San Leandro Fire Department has determined that the facility is in conformance with applicable fire standards, pursuant to PRC, 44151.
- e. A Negative Declaration was filed with the State Clearinghouse (SCH #2007-012055) and approved by the City of San Leandro on February 15, 2007. The Negative Declaration describes and supports the design and operation, which will be authorized by the issuance of this permit. A Notice of Determination was filed with the State Clearinghouse on February 23, 2007.

14. Prohibitions:

The permittee is prohibited from accepting the following wastes:

Hazardous, radioactive, medical (as defined in Chapter 6.1, Division 20 of the Health and Safety Code), liquid, designated, or other wastes requiring special treatment or handling, except as identified in the Report of Facility Information and approved amendments thereto and as approved by the enforcement agency and other federal, state, and local agencies.

15. The following documents describe and/or restrict the operation of this facility:

	Date		Date
Transfer/Processing Report	May 2011 Revised Oct 2011	Land Use and/or Conditional Use Permit CU-95-10 CU-96-18 CU-97-7 PLN2001-00049 PLN2006-00061 Minor modification to CUP PLN2006-00061 Notice of Exemption Clarification of 11/16/10 approval	Aug. 17, 1995 Oct. 17, 1996 July 7, 1997 Aug. 2, 2001 Feb. 15, 2007 Nov. 16, 2010 Jan. 4, 2011 Sept. 26, 2011
NPDES WQID No. 2011015900	June 29, 2000	Negative Declaration (SCH # 2007-012055)	Feb. 15, 2007

SOLID WASTE FACILITY PERMIT

Facility Number:

01-AA-0290

16. Self Monitoring:

The owner/operator shall submit the results of all self monitoring programs to the Enforcement Agency within 30 days of the end of the reporting period (for example, 1st quarter = January – March, the report is due by April 30, etc. Information required on an annual basis shall be submitted with the 4th quarter monitoring report, unless otherwise stated.)

Program	Reporting Frequency
a. The types and quantities (in tons) of waste, including separated or commingled recyclables, entering the facility per day.	Monthly
b. The number and types of vehicles using the facility per day.	Monthly
c. Results of the hazardous waste load checking program, including the quantities and types of hazardous wastes, medical wastes or otherwise prohibited wastes found in the waste stream and the disposition of these materials.	Record in Operating Records
d. Copies of all written complaints regarding this facility and the operator's actions taken to resolve these complaints.	Notify LEA within 24 hrs. Written Report Quarterly
e. Log of Special Occurrences, which includes records of fires, explosion, injury and property damage accidents, flooding, incidence of unlawful disposal of prohibited material and other unusual events, such as facility closure with brief description of the response to and resolution of occurrence. Include visits by regulatory agencies.	Daily (Maintain log availability for LEA Inspection)
f. The type and quantities (in tons) of material, including waste, recovered recyclables, etc. that are transferred from the facility per day.	Monthly
g. Documentation for all self-monitoring programs that are described in the facility Transfer and Processing Report.	Provide upon request by the LEA
h. Maintain a log of training for employees that need special training e.g. asbestos, hazardous material and biohazardous material handling.	Record in Operating Records Provide upon request by the LEA

SOLID WASTE FACILITY PERMIT

Facility Number:

01-AA-0290

17. Enforcement Agency (EA) Conditions:

- a. The operator shall comply with all State Minimum Standards for solid waste handling and disposal as specified in Title 14, California Code of Regulations.
- b. The operator shall maintain a log of special/unusual occurrences. This log shall include, but is not limited to, fires, explosions, the discharge and disposition of hazardous or unpermitted wastes, and significant injuries, accidents or property damage. Each log entry shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The log shall be available to site personnel and the Local Enforcement Agency (LEA) at all times.
- c. Additional information concerning the design and operation of the facility shall be furnished upon request and within the time frame specified by the LEA.
- d. The maximum permitted daily tonnage for this facility is 412 tons per day total, with no more than 280 tons per day at the Transfer Facility and shall not receive more than this amount without a revision of this permit.
- e. This permit is subject to review by the EA and may be suspended, revoked, or revised at any time for sufficient cause.
- f. The LEA reserves the right to suspend or modify waste receiving and handling operations when deemed necessary due to an emergency, a potential health hazard, or the creation of a public nuisance.
- g. Any change that would cause the design or operation of the facility not to conform to the terms and conditions of this permit is prohibited. Such a change may be considered a significant change, requiring a permit revision. In no case shall the operator implement any change without first submitting a written notice of the proposed change, in the form of an RFI amendment, to the LEA at least 180 days in advance of the change.
- h. A copy of this permit and the Transfer Processing Report shall be maintained at the facility.
- i. Records of employee training for health and safety, operation and maintenance of the site shall be maintained on-site and be available for inspection to the LEA.
- j. Stored recyclables shall neither interfere with facility operations nor cause a public health nuisance. The LEA reserves the authority to reduce the maximum storage time of recyclables as necessary to protect public health and minimize odors, litter, vectors and other nuisances.
- k. All boxes, bins, loading docks, tipping floors or other waste containers including waste transport vehicles shall be cleaned on a regular schedule to prevent a public health hazard or nuisance caused by litter, odors or vectors.
- l. Municipal solid waste, including green waste commingled with food waste material awaiting transfer shall not be stored on site for longer than 48 hours and shall be transported to a facility in compliance with Title 14 and/or Title 27.
- m. Prohibited waste that is inadvertently received at the facility shall be managed in accordance with procedures that are outlined in the Transfer/Processing Report and in compliance with all applicable laws and regulations.
- n. The maximum permitted vehicle trips per day for this facility is 193, and shall not exceed this amount without a revision of this permit.
- o. Municipal solid wastes or recyclable materials that are inadvertently dropped onto the loading dock during the truck-to-truck transfer of waste material must be cleaned up immediately.
- p. The LEA reserves the right to implement mitigation measures to minimize noise and other nuisances from the operation of equipment or processing of materials/wastes at the site as necessary to protect public health, safety or the environment.

DATE: July 25, 2018

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

BY: Meghan Starkey, Senior Management Analyst

SUBJECT: Acceptance of Bay Area Air Quality Management District Grant for
Public-Private Partnership: Prototyping Technology to Reduce Contamination

SUMMARY

Staff is requesting Waste Management Authority approval to enter into a contract for \$263,658 with the Bay Area Air Quality Management District (BAAQMD) to undertake a full scale, technological approach to identifying and reducing contamination in the commercial organics diversion stream. The project will be a public private partnership with City of Livermore, Livermore's hauler Livermore Sanitation Incorporated (LSI) and two other private companies: Compology and Diversion Strategies.

DISCUSSION

Commercial compost processors are dealing with increasing contamination in incoming loads due to poor sorting. Even a small amount of contamination—such as plastic film, glass and plastic containers—can undermine both the quality of and the market for an end product. Technology at the processing site is expensive and not effective enough to provide a long-term solution by itself, making intervention at the customer level necessary. Processors have begun rejecting loads with contamination levels that are too high, including from the City of Livermore, causing these materials to be landfilled.

This project proposes a replicable model for systematic identification and correction of contamination in organics containers. Using the Compology monitoring system (www.compology.com) for Livermore commercial organics customers, rugged cameras and sensors will be installed inside the bins themselves, and connected to cloud-based software for data collection, review and analysis. The technology will gather GPS location, multiple time-stamped images from inside the container daily (in intervals as small as every 10-15 minutes) and service events, and support both automated and visual content monitoring for contamination. As per the City of Livermore franchise with LSI, the hauler owns both the bin and its contents, and therefore

has the right to take photographs inside the bin itself. City staff has confirmed this type of monitoring is consistent with the franchise. After identifying offenders through these means, the hauler (LSI) will work directly with these businesses to reduce contamination. Furthermore, the technology will also allow dynamic re-routing so that businesses will receive the proper service (organics collection or garbage), depending on the contamination level in the bin. It enables maximum route efficiency, but more importantly, segregates clean bins from contaminated bins, so that one grossly contaminated bin doesn't contaminate a whole truck load.

In addition, the project will study compost contamination through physical sampling and provide analysis and recommendations for implementation in other cities, including discussion of possible rate impacts.

RECOMMENDATION

That the WMA Board adopt the attached Resolution authorizing the Executive Director to enter into all necessary contract agreements with BAAQMD and project partners, and make corresponding changes to the FY 18/19 budget.

**ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY
RESOLUTION #WMA 2018 -**

**MOVED:
SECONDED:**

AT THE MEETING HELD JULY 25, 2018

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO
AN AGREEMENT WITH THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT
AND OTHER PROJECT PARTNERS FOR PROTOTYPING TECHNOLOGY TO REDUCE CONTAMINATION
AND OTHER RELATED ACTIONS**

WHEREAS, the Alameda County Waste Management Authority recognizes that it is in the interest of local, regional, state, and federal agencies to divert organic materials from landfill to compost processing; and

WHEREAS, the Alameda County Waste Management Authority recognizes successful commercial organics collection programs are necessary to meet local and state mandates to reduce waste; and

WHEREAS, contamination in commercial organics collections can undermine the quality of and the market for an end product, and thereby threatens the success of organics diversion programs; and

WHEREAS, Waste Management Authority staff have applied for and received grant funding approval from the Bay Area Air Quality Management District for the project “Public Private Partnership: Prototyping Technology to Reduce Contamination;” and

WHEREAS, the Waste Management Authority will be awarded \$263,658 to implement the project as outlined in the attached staff memo;

NOW THEREFORE, BE IT RESOLVED, that the Waste Management Authority hereby authorizes the Executive Director to:

1. Enter into all necessary contracts and agreements with Bay Area Air Quality Management District in order to accept the grant for the “Public-Private Partnership: Prototyping Technology to Reduce Contamination.”
2. Enter into all necessary contracts and agreements with project partners, including City of Livermore, Livermore Sanitation Incorporated, Compology and Diversion Strategies, to implement the project.
3. Approve any required time extensions, modifications, or amendments thereto.
4. Make any necessary changes to the FY 2018/19 budget for this grant, to add Project 3451: BAAQMD – Compost Contamination Prototype
5. Allocate the necessary resources to implement and carry out the project.

BE IT FURTHER RESOLVED that the Executive Director as the Board President’s designee, is hereby authorized to execute on behalf of the Alameda County Waste Management Authority all grant-

related documents, including, but not limited to, applications, payment requests, agreements (including the hiring of temporary staff), and amendments necessary to secure grant funds and to implement the approved grant project.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAINED:

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of Resolution #WMA 2018 –

Wendy Sommer
Executive Director



DATE: July 25, 2018

TO: Energy Council

FROM: Wendy Sommer, Executive Director

BY: Karen Kho, Principal Program Manager
Jennifer West, Program Manager

SUBJECT: Heat Pump Water Heater Grant

SUMMARY

Staff is requesting Energy Council approval to enter into a contract with ABAG for the implementation of a heat pump water heater regional market development project.

DISCUSSION

In February 2016, the Energy Council adopted fuel switching from natural gas to electricity as its newest priority area for grant seeking. As the electricity supply in Alameda County becomes cleaner through higher levels of renewable energy generation, the largest source of greenhouse gas emissions in the energy sector will come from natural gas usage. In consultation with the Energy Council Technical Advisory Group, staff identified heat pump water heaters as a promising technology for fuel switching, also called electrification, in buildings.

Through the Bay Area Regional Energy Network (BayREN), staff developed and submitted a regional proposal to the Bay Area Air Quality Management District (BAAQMD), under its Climate Protection Grant Program. BAAQMD has awarded the BayREN a \$400,000 grant for the proposal entitled Heat Pump Water Heater Regional Market Transformation. BAAQMD's 2018 Climate Protection Grant Program is a one-time funding program that prioritizes projects that make progress towards achieving the Air District's 2030 and 2050 Green House Gas targets and accelerates the implementation of local climate protection efforts. The duration of the grants is from one to two years.

ABAG is the prime grant recipient, but Energy Council is the lead agency for project implementation. The project will address barriers to greater market adoption of energy efficient Heat Pump Water Heaters in order to produce significant, long lasting benefits. With this funding, staff will engage market actors in the supply chain; coordinate with municipal utilities, CCAs and local governments for regional consistency; and

develop and implement workforce development activities to support the market. ABAG will be issuing a contract of \$390,000 for this scope of work, summarized in Attachment A.

RECOMMENDATION

Adopt the attached Resolution authorizing the Executive Director to enter into a 2018 contract agreement of \$390,000 for implementation of the BAAQMD grant and other related actions.

Attachment A: HPWH Grant Scope of Work

**ENERGY COUNCIL
RESOLUTION #EC 2018 –**

**MOVED:
SECONDED:**

AT THE MEETING HELD JULY 25, 2018

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT FOR THE HEAT PUMP
WATER HEATER GRANT AND OTHER RELATED ACTIONS**

WHEREAS, the Energy Council recognizes that it is in the interest of the local, regional, state, and federal agencies to 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, Energy Council adopted fuel switching as a priority area for external grant seeking; and

WHEREAS, in consultation with the Energy Council Technical Advisory Group (TAG), staff identified heat pump water heaters as a promising technology; and

WHEREAS, the Bay Area Air Quality Management District (BAAQMD) released a 2018 Climate Protection Grant program to accelerate local climate protection efforts; and

WHEREAS, Energy Council partnered with the Bay Area Regional Energy Network (BayREN) to submit a regional market development proposal for heat pump water heaters, and

WHEREAS, BAAQMD awarded BayREN a grant of \$400,000 for the proposal entitled Heat Pump Water Heater Regional Market Transformation;

WHEREAS, ABAG intends to provide the Energy Council with a contract of \$390,000 for the scope of work 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 in the amount of \$390,000, and make any necessary changes to the FY 2018/19 budget to add Project 1311: HPWH Grant.
2. Approve any required time extensions, modifications, or amendments thereto.
3. Allocate the necessary resources to implement and carry out the scope of work.

BE IT FURTHER RESOLVED that the Executive Director as the Board President's designee, is hereby authorized to execute on behalf of the Energy Council all grant-related documents, including, but not limited to, applications, payment requests, agreements (including the hiring of temporary staff), and amendments necessary to secure grant funds and to implement the approved grant projects;

ADOPTED this 25th day of July 2018, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAINED:

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of Resolution #EC 2018 –

WENDY SOMMER
Executive Director

Attachment A
Heat Pump Water Heater Scope of Work

Strategies	Budget	Description
1. Supply Chain Engagement	\$31,500	Conduct outreach to HPWH equipment manufacturers and distributors serving Bay Area.
		Enroll trained contractors in Trade Pro Connect platform, which streamlines multiple bids for owners and midstream rebate processing for utilities.
2. Midstream Program Design	\$90,563	Provide assistance to municipal utilities and emerging CCAs in establishing midstream incentive programs.
		Coordinate among local initiatives to create standardization and support regional/statewide scalability. Share lessons and best practices from early adopters.
3. Workforce Development	\$118,124	Host trainings in conjunction with manufacturers and local distributors, Sunshares, PACE providers. Coordinate topics with Sonoma Clean Power & PG&E. Trainings delivered by subconsultants.
		Develop modules on leveraging financing, building departments, cross-selling HPWH with Solar PV or EVs.
		Work with industry outreach partners, including Passive House California, PACE providers to recruit contractors
4. Marketing	\$23,150	Establish regional, homeowner-oriented website explaining the benefits of building electrification.
5. MF pilot	\$110,000	Screen BayREN MF project pipeline for low-income and CARE households, and install fuel switching measures as part of energy upgrade in 250 units.
6. Admin	\$16,663	Prepare and submit reports as required by BAAQMD.
Total budget	\$390,000	

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DATE: July 25, 2018

TO: Energy Council

FROM: Wendy Sommer, Executive Director

BY: Karen Kho, Principal Program Manager

SUBJECT: BayREN Amendment #2

SUMMARY

Staff is requesting Energy Council approval to enter into a second 2018 contract amendment with ABAG for an additional \$916,000, in order to meet additional multifamily program demand and to expand the regional green labeling program.

DISCUSSION

On December 20, 2017 the Energy Council approved a resolution authorizing the Executive Director to enter into a contract of up to \$6,023,966 for 2018 BayREN services, and on January 24, 2018 approved an initial contract amendment adding \$45,000 for multifamily financing services. The Multifamily Program has since received a high level of project applications and fully reserved its annual goal of 5,000 units by May. As a result, BayREN is reallocating \$509,000 to serve an additional 450 multifamily units with technical assistance and incentives in 2018.

In addition, on June 5, 2018 the California Public Utilities Commission issued a Final Decision approving ten-year Energy Efficiency Business Plans, including an annualized budget for BayREN of \$22,739,000. BayREN's annualized budget has increased by over \$6 million. Energy Council is the lead for BayREN's green labeling program, which now has a designated budget. Previously, green labeling activities were funded from the Single-Family program. With additional funds available, BayREN seeks to expand its Home Energy Score program and offer continuing education for realtors, appraisers and lenders.

ABAG will be issuing a contract amendment to increase the budget for the multifamily program by \$509,000 and add green labeling budget of \$407,000.

RECOMMENDATION

Adopt the attached Resolution authorizing the Executive Director to enter into a 2018 contract amendment of \$916,000 for Bay Area Regional Energy Network (BayREN) and other related actions.

Attachment A: Revised 2018 Multifamily Budget and Green Labeling Scope of Work

**ENERGY COUNCIL
RESOLUTION #EC 2018 –**

**MOVED:
SECONDED:**

AT THE MEETING HELD JULY 25, 2018

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE 2018 CONTRACT 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 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, 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), the Energy Council represents Alameda County jurisdictions within BayREN; and

WHEREAS, in its Decision 18-05-041, the CPUC approved BayREN's ten-year Business Plan with an annualized budget of \$22,739,000; and

WHEREAS, Energy Council leads the regional multifamily and green labeling programs for BayREN; and

WHEREAS, ABAG intends to transfer \$509,000 to Energy Council for an additional 450 multifamily properties to complete upgrades in 2018; and

WHEREAS, ABAG intends to provide the Energy Council with an additional \$407,000 to provide green labeling services 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 in the amount of \$916,000 and make any necessary changes to the FY 2018/19 budget for 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.

BE IT FURTHER RESOLVED that the Executive Director as the Board President's designee, is hereby authorized to execute on behalf of the Energy Council all contract-related documents, including, but not limited to, applications, payment requests, agreements (including the hiring of temporary staff), and amendments necessary to secure contract funds and to implement the approved contract projects;

ADOPTED this 25th day of July 2018, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAINED:

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of Resolution #EC 2018 –

WENDY SOMMER
Executive Director

Attachment A
2018 Multifamily Budget Revision and Green Labeling Scope of Work

Multifamily Budget Revision

The budget is increased to incentivize 450 more units. The table below includes both the Bay Area Multifamily Building Enhancements program and the Bay Area Multifamily Capital Advance Program.

Funding Category	Initial Budget	Amended Budget	Change
Administration	\$85,600	\$45,600	-\$40,000
Implementation	\$1,876,700	\$2,088,200	\$211,500
Marketing	\$105,500	\$105,500	0
Incentives	\$3,750,000	\$4,087,500	\$337,500
Total	5,817,800	\$6,326,800	\$509,000

Green Labeling Scope of Work

Green labeling is a critical component of a comprehensive approach to achieve greater energy efficiency in California's homes, the objective of AB 758. Green labeling enables market recognition of the value of a green home during real estate transactions and complements other market transformation strategies such as incentives and financing. Energy Council's role is to implement the Home Energy Score program, provide real estate sector education, and coordinate County level real estate engagement.

In the original 2018 contract Home Energy Score implementation was funded through the Single-Family program, but with the CPUC's approval of BayREN's ten-year Business Plan green labeling is now allocated a separate budget. The following activities are added to Energy Council's scope of work:

- Mentoring and Quality Control of Home Energy Score Assessors in accordance with Department of Energy protocols
- Maintenance and update of the Home Energy Score database to improve reporting and user access functionalities
- Delivering real estate sector professional education, including NAR Green Designation, Green Appraisal training, Green Lender training and post-course mentoring sessions
- Coordination of BayREN member outreach at the County level to engage real estate stakeholders in BayREN programs

Funding Category	Initial Budget	Amended Budget	Change
Implementation	0	\$381,868	\$381,868
Marketing	0	\$25,132	\$25,132
Total	0	\$407,000	\$407,000

August 2018 Meetings Schedule

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

(Meetings are held at StopWaste Offices unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
			1	2	3	4
5	6	7	8	9 9:00 AM Programs & Administration Committee SUMMER RECESS <hr/> 4:00 PM Planning Committee and Recycling Board StopWaste Offices Key Items: 1. Municipal Panel (Meghan)	10	11
12	13	14	15	16	17	18
19	20	21	22 3:00 PM Waste Management Authority & Energy Council SUMMER RECESS	23	24	25
26	27	28	29	30	31	

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RECYCLING > BUSINESS

Keep Calm and Recycle On: The Sky Isn't Falling

Recycling is a dynamic process forced to change as products evolve and markets fluctuate.

Chaz Miller | Jul 17, 2018

Recycling is in the news and not in a good way. Newspapers and television news shows are full of stories about its apparent death. If they are right, then recycling is doomed in this country. The good news is they are wrong.

Yes, municipal recycling programs are facing serious problems. Clearly this latest crisis will not be resolved overnight. Instead of panicking, however, we should take a deep breath and calm down. Recyclables are just another raw material whose prices fluctuate. The light is clearly shining at the end of this tunnel. It's a long tunnel, and the train is moving slowly, but I see no reason to panic.

Let's look at one "fact" I keep hearing over and over: the idea that the Chinese have banned all recyclables from their country. This is not the case. The government has indeed banned a number of recyclables including unsorted mixed paper and mixed plastics. Those two are the mainstays of municipal recycling programs and we lack sufficient domestic markets, so we do have a problem.

But let's put this in perspective starting with paper. Residential mixed paper is part of the recyclable paper we send to China. We ship far more old corrugated cardboard (OCC) to China than "unsorted" mixed paper. Those boxes are not banned but they are not home free. Like all imported recyclables, they must meet a 0.5 percent contamination requirement.

That is a high barrier. However, commercial source separation programs should be able to meet those limits. In fact, American Chung Nam, the primary recycled paper supplier to Nine Dragons, the largest Chinese user of American wastepaper, recently announced it had won the contract to buy used boxes generated by Walmart from New York, California and three other states. Clearly, it believes those boxes will meet the new limits. Those boxes still face uncertainty over inspection and enforcement procedures. When that uncertainty is resolved, that paper should flow to China as steadily as it has in the past.

Unfortunately, the size of the American papermaking industry has shrunk in the last two decades. While mills still exist that want those raw materials, they are not big enough for all of the paper generated at the curbside and commercially. Cleaner commercial paper and residential paper from dual stream programs are in a better position than single stream paper. Processors with mill contracts also are better positioned than those relying on spot markets.

Nonetheless, hope is on the horizon. Two new mills designed to use this paper have already been announced. Pratt Recycling, the biggest U.S. consumer of residential mixed paper, is building a mill in Ohio. Green Bay Packaging announced in June that it will be replacing its 71-year-old mill with a larger, state-of-the art mill. It, too, will use residential mixed paper and OCC as a raw material. It

probably won't be open until late in 2019, but it represents the reality that entrepreneurs see opportunity in this crisis.

Plastic recyclers also have reason not to abandon hope. Prices for PET and colored HDPE bottles have slowly improved. Consumer products companies are increasing demand because they want to increase their use of recycled content. In addition, two new mixed plastic recycling processing plants have been announced. One will be in Alabama and the other in South Carolina. They will produce pellets for export to Chinese manufacturers.

Shortly after the announcement of these new facilities, the Chinese government confirmed that flake and pellets made from recycled plastics are not subject to the ban. What that government is saying is simple: do the "dirty" work of processing your recyclables in your country and send the end product to manufacturers in our country.

The media also seems to think this is the worst price collapse ever to face recycling. Not true. In the summer of 2008, markets took a stunning six-month dive as a result of the closure of Chinese factories to ensure clean air for the Beijing Olympics and the (unconnected) Great Recession. At the beginning of 2009, prices began an equally stunning rise. That summer they were higher than before the collapse.

Perhaps more relevant to this latest crisis, in 1990, markets collapsed after the dramatic explosion of curbside recycling programs. Yet then, as now, entrepreneurs saw their opportunities and invested in new domestic recycling end markets. We've also seen a number of smaller downturns since municipal recycling restarted itself in 1968. We've survived every one.

Don't get me wrong, we will see low prices for the next 12 to 24 months. The trade war our country is blundering into could easily exacerbate these problems. But I expect markets to return as domestic capacity expands.

Nonetheless, the question remains: Why do we always panic when prices go down? Why don't we learn from previous downturns? In 1998, after a relatively minor price downturn, the White House hosted a Conference on Recycling. Virtually every solution I've heard for saving recycling today was discussed at that conference. We forgot them when Chinese paper mills entered the market and prices rose.

Recycling is not dying. Recycling is a dynamic process forced to change as products evolve and markets fluctuate. Recycling will successfully cope with these latest, very challenging, changes. But this time, can we learn from the past so that I don't have to recycle this column in response?

Chaz Miller is a longtime veteran of the waste and recycling industry. He can be reached at chazmiller9@gmail.com .

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