

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 (“CoIWMP”).
- (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 CoIWMP.
- (c) The Authority finds that it adopted a CoIWMP, dated February 26, 2003, and has adopted minor amendments since then. A five-year review of the CoIWMP 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 CoIWMP 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 CoIWMP.

(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 CoIWMP amendment, including any comments by the Local Task Force, and has recommended approval of the CoIWMP 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 CoIWMP 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 CoIWMP 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 CoIWMP)

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

SECTION 5 (Conformity Determination)

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

SECTION 6 (Notice and Effective Date)

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

Passed and adopted this [26th day of September, 2018] by the following vote:

AYES: Cox, Haggerty, Hannon, Hernandez, Kalb, Lamnin, Maass, Martinez, Oddie, Pentin, Rood, Sadoff, Singh, Worthington, Young
NOES: None
ABSENT: Bacon, Carling
ABSTAINED: None

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