



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 (“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 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 <u>and</u> 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 <u>412620</u> TPD is not exceeded	2.17	592940 TPD/ <u>412 620</u> 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 **412620** 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~~ 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 CoIWMP 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 CoIWMP 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 CoIWMP 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 CoIWMP 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 CoIWMP amendment and conformance determination by the Authority.

ACCEPTANCE BY APPLICANT ACI

This CoIWMP 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 CoIWMP process. Should you have any questions, please contact me at (510) 346.8148 or by email: jhogan@alamedacountyindustries.com.

Thank you,

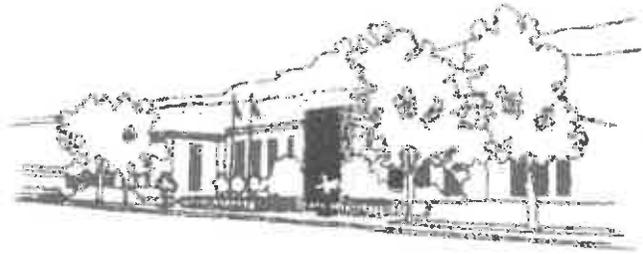


Jillian Hogan
Environmental Compliance Manager

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, PLN17-3307; 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 21,300 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,

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

Hilario Russo, Mayor

City Council:

Patricia Vallejo
Bernie Lee

Deborah Cox
Carmen Lopez

Art Hernandez
Lee 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)

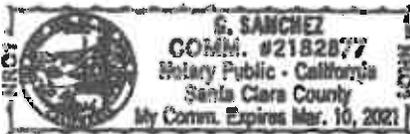


Alameda County Industries, Inc., a California Corporation, as Applicant and Property Owner.

William Dobert 10/05/17
Signature Date

William Dobert
Print Name

(Acknowledgment)



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

Robert Petr Battimich
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.caispa.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

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 WDID No. 2011015900	June 29, 2000	Negative Declaration (SCH # 2007-012055)	Feb. 15, 2007

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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

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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 200 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.