# NOTICE OF DETERMINATION

**TO:** Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

**FROM:** Department of Resources Recycling and Recovery (CalRecycle)
P.O. Box 4025
Sacramento, CA, 95812-4025

**SUBJECT:** Filing Notice of Determination in Compliance with Public Resource Code § 21108(a) and Title 14, California Code of Regulations § 15094.

Project Title: **Anaerobic Digestion Initiative and Statewide Anaerobic Digester Facilities for the Treatment of Municipal Organic Solid Waste**

State Clearinghouse Number: 2010042100 Project Contact Person: Ken Decio 916 341-6313

Project Location: Statewide

Project Description: Adoption by CalRecycle of the Anaerobic Digestion Initiative which includes the adoption of a policy and a series of discrete actions to implement the policy which includes:
It is CalRecycle policy to encourage the development of AD facilities in California as an alternative to the landfill disposal of organic solid waste. Specifically, as an initial measure, CalRecycle will encourage the establishment of in-vessel digesters located at existing or new solid waste facilities and in areas zoned for industrial or solid waste handling activities.
CalRecycle shall, not later than January 1, 2012, establish programs to implement the above policy including without limitation:

- Provide research grants, loans, and contracts (dependent on funding availability) to develop AD facilities and for activities that advance the state of knowledge about anaerobic digestion and its applications and the uses of products and by-products, including anaerobic digestion demonstration projects that use the organic fraction of municipal solid waste as a feedstock.
- Develop guidance publications to assist operators who seek to establish AD facilities.
- Develop guidance publications to assist LEAs and other local and regional government agencies that permit and regulate AD facilities, specifically guidance for co-location at solid waste facilities.
- Draft revised regulations for aspects of specific design, operation and permitting of AD facilities within the authority and responsibility of CalRecycle.
- Promote anaerobic digestion through CalRecycle's participation with the California Energy Commission in implementing AB 118 (Alternative and Renewable Fuel and Vehicle Technology Program), the Bioenergy Interagency Working Group, and with the Air Resources Board in implementing the Anaerobic Digestion and Low Carbon Fuel Standard measures in the AB 32 Climate Change Scoping Plan.
- Work with the California Pollution Control Financing Authority and California Alternative Energy and Advanced Transportation Financing Authority to help anaerobic digestion project proposals obtain funding.
- Participate on technical workgroups convened by the Climate Action Reserve to develop or modify protocols, such as the Organic Waste Digestion Project Protocol, for projects that divert and anaerobically digest organic waste that otherwise would have gone to solid waste landfills.

This is to advise that the CalRecycle acting as a Lead Agency approved the above named project on June 22, 2011, and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. An Environmental Impact Report for this project was prepared and certified pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project and CalRecycle adopted a Mitigation Monitoring and Reporting Plan.
4. The Lead Agency did not adopt a Statement of Overriding Considerations.
5. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Final Program EIR with comments and responses to comments and the record of project approval by CalRecycle is available to the general public at: Custodian of Records, CalRecycle, Attn: Legal Office, 1001 I Street, P.O. Box 4025, Sacramento, CA 95812-4025

Mark de Bie
Permits and Certification Division
Permitting and Assistance Branch
CalRecycle

Date 6/22/2011

RECEIVED
JUN 22 2011
STATE CLEARING HOUSE