NEGATIVE DECLARATION
&
INITIAL STUDY

Evaluating

THE ADOPTION OF

REVISED
COMPOSTABLE MATERIALS TRANSFER/ PROCESSING REGULATIONS

August 2015

State of California

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

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Chapter 1: Introduction

1.1 Prologue

The California Department of Resources Recycling and Recovery[a] (CalRecycle), Waste Permitting, Compliance and Mitigation Division prepared this Initial Study/Negative Declaration (IS/ND) to evaluate the potential environmental effects of CalRecycle's proposed Compostable Materials and Transfer/Processing regulations. CalRecycle prepared this document in accordance with the California Environmental Quality Act (CEQA), Public Resources Code §21000 *et seq*., and the State CEQA Guidelines, Title 14, California Code of Regulations (CCR) §15000 *et seq*.

An Initial Study (IS) is prepared by a lead agency to determine if a project may have a significant adverse effect on the environment (State CEQA Guidelines Section 15063[a]) and to determine the appropriate environmental document. In accordance with CEQA Guidelines Section 15070, a "public agency shall prepare … a proposed negative declaration or mitigated negative declaration … when: (a) The Initial Study shows that there is no substantial evidence … that the project may have a significant effect on the environment, or (b) The Initial Study identifies potentially significant effects but revisions to the project plans or proposal made by or agreed to by the applicant…would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur." In this circumstance, the lead agency prepares a written statement describing its reasons for concluding that the proposed project would not have a significant adverse effect on the environment and, therefore, does not require the preparation of an Environmental Impact Report (EIR). This IS/ND conforms to these requirements and to the content requirements of CEQA Guidelines Section 15071.

This IS/ND evaluates the environmental effects of the proposed Compostable Materials and Transfer Processing regulations. The proposed project makes clarifying changes to existing compostable materials handling regulations and adapts existing regulations to establish a stand-alone set of in-vessel digestion regulations designed to reduce the amount of pollutants, pathogens and vectors in the environment but does not authorize any specific land use or site-specific uses. Owners/Operators must obtain all required permits, licenses, or other authorizations and must comply with all orders, statutes, regulations, reports, or other requirements of regulatory or enforcement agencies, including but not limited to local health agencies, local land use authorities, fire authorities, air quality management districts or air pollution control districts, the Air Resources Board, the State Water Resources Control Board and the Regional Water Quality Control Boards. It is reasonably foreseeable that any new composting operations would be subject to future, project-specific CEQA analysis, conclusions, and development of mitigation measures by local land use authorities and other public agencies. As such, the conclusions arrived at, as they relate to potential environmental impacts, may be different than those determined in this IS/ND. Therefore, future lead agencies should base their findings on the site-specific information developed for the project and not rely upon the generalized information contained within this IS/ND. The lead agency evaluated the proposed project, which includes this rulemaking package, to ensure that potential impacts, if any, do not exceed less-than-significant levels and potentially positive and significant benefits were considered.

1.2 Lead Agency

The lead agency is the public agency that has the principal responsibility for carrying out or approving the proposed project. [CEQA Guidelines § 15367] CalRecycle is the lead agency for the proposed project since CalRecycle is carrying out the project by adopting the proposed regulations. The contact person for the lead agency is:

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[a] Chapter 21 of the Statutes of 2009, created the Department of Resources Recycling and Recovery, which is vested with the duties, powers and jurisdiction of the former California Integrated Waste Management Board.

1.3 Purpose of Document and Document Organization

The central purpose of the proposed regulations is to protect public health, safety, and the environment by more effectively regulating solid waste facilities that handle compostable materials. The proposed regulations modify the existing Compostable Material Handling Operations and Facilities Regulatory Requirements by: clarifying several feedstock definitions and the types of operations and facilities that can accept these materials; revising the maximum concentrations of metals allowed in compost; providing enforcement agencies with discretion to authorize temporary storage of additional material; revising enforcement agency inspection frequency language to ensure consistency throughout Title 14; providing operators and enforcement agencies with a mechanism to address chronic odor and identify sources of odor; establishing criteria for safe land application of compostable material; requiring compost products to meet physical contaminant limits by weight; and clarifying small-scale composting requirements at sites, such as community gardens and schools.

The proposed regulations provide a standardized regulatory framework for in-vessel digestion activities. Currently, in-vessel digestion activities are subject to either existing Transfer/Processing Operations and Facilities Regulatory Requirements or Compostable Material Handling Operations and Facilities Regulatory Requirements, depending on the nature of the feedstock and how it is handled. The proposed regulations combine portions of the transfer/processing and compostable material handling requirements into a stand-alone set of in-vessel digestion regulations designed to reduce the amount of pollutants, pathogens and vectors in the environment but does not authorize any specific land use or site-specific uses.

The proposed regulations also clarify what permitted maximum tonnage means on the application for Solid Waste Facility Permits/Waste Discharge Requirements (CalRecycle E-1-77 Form).

The principal benefit of the proposed regulations is better protection of public health and safety and the environment. Requiring compost products to meet physical contaminant limits will reduce litter and minimize the amount of plastic entering surface water and the ocean while creating new jobs and increasing the market value of compost. Establishing criteria for safe land application of compostable material, digestate, and compost will reduce litter and minimize the amount of plastic entering surface water and the ocean and improve food safety and animal health by reducing toxic metals, disease-causing organisms, physical contaminants, and invasive/noxious species in compostable material, digestate, and compost. Other benefits of the proposed regulations include minimizing odors at compostable material handling operations and facilities and in-vessel digestion operations and facilities; decreasing greenhouse gases, air pollution, and long-distance transportation of organic material; and providing clarity to the regulated community and regulators. Finally, the regulations will ensure safer operations and facilities to handle organic material diverted from landfills as the result of California's goal to source-reduce, recycle, or compost 75% of the solid waste generated in the State by 2020.

The new in-vessel digestion portion of the proposed regulations will establish a clearer regulatory framework for the digestion of organic material. Digesting organic material will decrease greenhouse gas generation and increases production of biofuels/bioenergy.

This document is organized as follows:

- Chapter 1 - Introduction. This chapter provides an introduction to the project and describes the purpose and organization of this document.

- Chapter 2 - Project Description.This chapter describes the background, location, and key elements of the project.

- Chapter 3 - Environmental Checklist. This chapter identifies and evaluates the potential environmental impacts identified in the CEQA Environmental (Initial Study) Checklist. The conditions of project approval will reduce any potentially significant impacts to a less-than-significant level. This chapter also identifies and summarizes the overall significance of any potential impacts to natural and cultural resources, cumulative impacts, and impact to humans, as identified in the Initial Study.

Chapter 3 is the analysis portion of this Initial Study where Environmental Factors Potentially Affected are evaluated. This section provides an evaluation of the potential environmental impacts of the project. There are eighteen environmental factor subsections within this chapter, including CEQA Mandatory Findings of Significance. The environmental factors subsections, numbered 1 through 18, consist of the following:

1. Aesthetics
2. Agricultural Resources
3. Air Quality
4. Biological Resources
5. Cultural Resources
6. Geology and Soils
7. Greenhouse Gas Emissions
8. Hazards and Hazardous Materials
9. Hydrology and Water Quality
10. Land Use and Planning
11. Mineral Resources
12. Noise
13. Population and Housing
14. Public Services
15. Recreation
16. Transportation/Traffic
17. Utilities and Service Systems
18. Mandatory Findings of Significance

Each environmental factors subsection is organized in the following manner:

The Environmental Setting summarizes the existing conditions at the regional, sub-regional and local level, as appropriate, and identifies applicable plans and technical information for the particular factor area.

The Checklist Discussion/Analysis provides a detailed discussion of each of the environmental factors checklist questions. The level of significance for each topic is determined by considering the predicted magnitude of the impact. Four levels of impact significance are evaluated in this initial study:

No Impact: No project-related impact to the environment would occur with project development.

Less than Significant Impact: The impact would not result in a substantial and adverse change in the environment. This impact level does not require mitigation measures.

Less than Significant With Mitigation Incorporated: An impact that may have a “substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project” (CEQA Guidelines Section 15382). However, the incorporation of mitigation measures that are specified after the analysis would reduce the project-related impact to a less-than-significant level.

Potentially Significant Impact: An impact that is "potentially significant" as described above, but for which mitigation measures cannot be immediately suggested or the effectiveness of potential mitigation measures cannot be determined with certainty, because more in-depth analysis of the factors and potential impact is needed. In such cases, an EIR is required.

1.4 Summary of Findings

Chapter 3 of this document contains the Environmental Assessment and Analysis, which is commonly referred to as the Environmental Checklist (Initial Study). The IS identifies the potential environmental impacts that may result from the proposed project (organized by environmental factors) and discusses each potential environmental impact. Based on the IS and supporting environmental analysis provided in this document, the adoption of the proposed regulations will result in less-than-significant or no impacts for the following factors: aesthetics, agricultural and forestry resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, and utilities and service systems.

In accordance with the CEQA Guidelines, a Negative Declaration should be prepared if the proposed project will not have a significant effect on the environment. Based on the available evidence in the record and the environmental analysis presented in this document, there is no substantial evidence that the proposed project

would have a significant effect on the environment. Therefore, it is proposed that a Negative Declaration be adopted in accordance with the CEQA Guidelines.

Chapter 2: Project Description

2.1 Background

CalRecycle is authorized pursuant to Public Resources Code (PRC) sections 40502 to adopt regulations to carryout Public Resources Code, Division 30 – Waste Management (section 40000 et seq.). Specifically, PRC 43020 requires CalRecycle to "… adopt and revise regulations which set forth minimum standards for solid waste handling, transfer, composting, transformation, and disposal…" The California Integrated Waste Management Board (predecessor of CalRecycle) adopted regulations for compostable material handling operations and facilities in 1995, and twice revised those regulations in 1998 and 2003. This project is a set of proposed regulations that would make clarifying changes to existing compostable material handling regulations and adapt existing regulations to create a stand-alone set of in-vessel digestion regulations to protect public health and safety, and the environment by more effectively regulating solid waste facilities that handle compostable materials.

This will be accomplished by:

- Clarifying several feedstock definitions and the types of operations and facilities that can accept these materials;
- Revising the maximum concentrations of metals allowed in compost;
- Providing Enforcement Agencies with discretion to authorize temporary storage of additional material;
- Revising Enforcement Agency inspection frequency language to ensure consistency throughout Title 14;
- Providing operators and Enforcement Agencies with a mechanism to address chronic odors and identify sources of odor;
- Establishing criteria for safe land application of compostable material, digestate, and compost; requiring compost products to meet physical contaminant limits by weight;
- Clarifying small-scale composting requirements at sites, such as community gardens and schools; and
- Combine the transfer/processing and compostable material handling requirements into a stand-alone set of in-vessel digestion regulations, which will have marginal impacts on in-vessel digestion activities compared to existing regulations.

2.2 Project Location

Statewide.

2.3 Project Description

The proposed revisions to existing Compostable Materials and Transfer Processing regulations establishes standards and regulatory requirements for compostable materials and that the regulations are necessary for the immediate preservation of the public peace, health, safety, or general welfare of the public. Following is a description of the key regulatory changes:

Food material definition

The current regulatory definition of a food material is general and it does not distinguish between various food waste types including the difference between a food material and a vegetative food material. The revised definition will create a subcategory called "vegetative food material". Currently, food material composting requires a full Compostable Materials Handling Facility Permit.

Land application: disposal or beneficial use

The revised definition will establish criteria for determining when use of compostable material, digestate, and compost is considered disposal. Under existing regulations, land application is considered "beneficial use" (and not "disposal") if it is used for slope stabilization, weed suppression, alternative cover, and if it meets California

Department of Food & Agriculture (CDFA) requirements. Multiple examples of land application leading to environmental factors lead to a recognition that a better method to determine the difference between beneficial use and disposal was needed.

On-site storage and 12,500 cubic yard limit

The revised definition will provide the enforcement agency with discretion to authorize temporary storage of additional material.

Odor complaints

Provide operators and enforcement agencies with an objective mechanism to address chronic odor complaints and identify sources of odor. Approaches to verification of odor complaints at compost sites are not consistent statewide. The goal is to minimize odor impacts by requiring the enforcement agency to investigate odors as soon as practical, and include specified information in the investigation. If the Odor Impact Minimization Plan (OIMP) is being followed but odor impacts are still occurring, the enforcement agency may require the operator to prepare an odor best management practice feasibility report, and employ additional reasonable and feasible measures to minimize odors based on the report.

Regulatory coordination of publicly owned treatment works (POTW) accepting food waste and fats, oils and grease (FOG)

The regulations exempt POTW facilities that receive defined types of organic solid waste for co-digestion with POTW wastewater from CalRecycle's regulations. POTWs must develop standard operating procedures (SOPs) for the acceptance of anaerobically digestible material and notify the Regional Water Quality Control Board that those SOPs are being implemented. A Standard Provision (permit condition) that reflects the acceptance of anaerobically digestible material must be incorporated in the POTW's Waste Discharge Requirements or National Pollutant Discharge Elimination System permit. Anaerobically digestible material must be pumped or off-loaded directly into a covered, leak proof container and then pumped, or diluted or slurried and then pumped, and co-digested in an anaerobic digester at the POTW.

Compostable material contamination

Require compostable material products at compostable material handling operations and facilities to meet physical contaminant limits by weight, and make clarifying changes regarding sampling and sampling report protocols. The physical contaminant limit would also apply to all compostable material that is land applied. Included in this revised section are the maximum metals concentrations, pathogen density requirements and standards for land application frequency and depth.

In-vessel digestion

Establish new in-vessel digestion regulations based on a combination of the existing Transfer/Processing and Compostable Material Handling regulations.

Maximum metal concentrations consistency with federal regulations

Revise regulations limiting the maximum concentrations of metals allowed in compost to be consistent with the Federal requirements that had been used to establish the current regulations.

Clarify" in agricultural material definition and add agricultural by-product material definition

Revise the definition of agricultural material and add a new definition for agricultural by-product material to recognize the difference between on-farm and off-farm material handling.

Small-scale composting exclusions

Revise exclusions regarding non-commercial sites, such as community gardens and schools.

Clarify "permitted maximum tonnage"

Reformat and update CalRecycle E-1-77 form and instructions. Clarify that the maximum daily tonnage indicated in the permit application is the maximum amount of waste and other material that is authorized to be received as part of the normal day to day operations per day.

EA Notification Inspection frequency language

Revise the enforcement agency inspection frequency language to be consistent throughout Title 14.

To conclude, this IS/ND relies on the best available science in evaluating the impacts associated with the project (revision to regulations). Both the regulatory changes and the implementation of the regulations were considered. When evaluating the potential environmental impacts. It was determined that the revised regulations provide for equal or more effective protection of public health, safety, and the environment.

Chapter 3: Environmental Checklist

3.0 Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology /Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials	☐ Hydrology / Water Quality
☐ Land Use / Planning	☐ Mineral Resources	☐ Noise
☐ Population / Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Utilities / Service Systems	☐ Mandatory Findings of Significance

3.2 Determination:

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ _____

Signature Date

3.3 Evaluation of Environmental Impacts:

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS				
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

This IS/ND analyzes the potential for environmental effects directly attributable to compliance with the proposed regulations. It is not a document meant to analyze environmental effects attributable to the general design, operation, geographic siting, feedstock, and other attributes of individual compostable material handling operations or facilities or in-vessel digestion operations or facilities throughout the State. Such projects will foreseeably be subject to project-specific CEQA analysis. With that in mind, nothing in the proposed regulations obligates compostable material handling operations and facilities or in-vessel digestion operations and facilities to have particular design or operational parameters that would cause aesthetic impacts.

Explanation:
In response to a):
The proposed project would have no impact on scenic vistas.

In response to b):
The proposed project would have no impact on scenic resources.

In response to c):
The proposed project would have no adverse impact on the existing visual character or quality of a site and its surroundings. The establishment of a physical contamination limit for compostable materials, digestate, and compost would reduce the amount of litter and physical contaminants spread onto land; therefore the physical contamination limit would enhance the visual character or quality of the land.

In response to d):
The proposed project would have no impact with regard to light or glare which would adversely affect day or nighttime view.

II. AGRICULTURE AND FORESTRY RESOURCES				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

This IS/ND analyzes the potential for environmental effects directly attributable to compliance with the proposed regulations. It is not a document meant to analyze environmental effects attributable to the general design, operation, geographic siting, feedstock, and other attributes of individual compostable material handling operations or facilities or in-vessel digestion operations or facilities throughout the State. Such projects will foreseeably be subject to project-specific CEQA analysis. With that in mind, nothing in the proposed regulations obligates compostable material handling operations and facilities or in-vessel digestion operations and facilities to have a particular design or operational parameters that would cause impacts to agricultural or forestry resources.

Explanation:
In response to a):
The proposed project would have no impact that will convert prime farmland, unique farmland, or farmland of statewide importance to non-agricultural use.

In response to b):
The proposed project would have no impact that will conflict with existing zoning for agricultural use, or a Williamson Act contract.

In response to c):
The proposed project would have no impact that will conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned timberland production.

In response to d):
The proposed project would have no impact that will result in the loss of forest land or conversion of forest land to non-forest use.

The regulations set standards related to the application of compostable material, digestate, and compost onto land that will reduce the potential of adverse impacts associated with this activity.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒

e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

This IS/ND analyzes the potential for environmental effects directly attributable to compliance with the proposed regulations. It is not a document meant to analyze environmental effects attributable to the general design, operation, geographic siting, feedstock, and other attributes of individual compostable material handling operations and facilities or in-vessel digestion operations and facilities throughout the State. Such projects will foreseeably be subject to project-specific CEQA analysis. With that in mind, nothing in the proposed regulations obligates compostable material handling operations and facilities or in-vessel digestion operations and facilities to have a particular design or operational parameters that would cause air quality impacts other than those indirect effects described below.

Explanation:
In response to a):
The proposed project would have no impact on the implementation of the applicable air quality plan.

In response to b):
This project will have a less-than-significant impact on air quality. For example, compliance with the proposed physical contaminant limit may, in some cases, lead to indirect effects from operators running equipment more often, or for longer periods of time, to separate contaminants from compostable material or in-vessel digestion feedstock. It is uncertain how many facilities will actually be using equipment to meet the proposed physical contaminant limit or whether such equipment may be such that cause or increase air emissions. As a result, any determination of the level of these indirect effects would be entirely speculative. Nevertheless, according to the information available to CalRecycle, equipment operation time is not expected to be lengthy or frequent enough to cause significant air quality impacts. Particular equipment choices for individual compostable material handling operations and facilities in in-vessel digestion operations and facilities are expected to be subject to project-specific permitting and CEQA analysis by local land use authorities as well as any mitigation requirements, if necessary.

In response to c):
The proposed project would have no impact that would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

In response to d):
The proposed project would have no impact that will expose sensitive receptors to substantial pollutant concentrations. The in-vessel digestion portion of the regulations require operators to take adequate measures to prevent the uncontrolled release of biogas.

In response to e):
The proposed project would have no impact that will create objectionable odors affecting a substantial number of people. The regulation's odor best management practices feasibility report will lead to the reduction of odor issues at compostable material handling operations and facilities and in-vessel operations and facilities. The odor best management practices feasibility report requires an owner/operator of a composting operation or facility or an in-vessel digestion operation and facility to identify odor sources contributing to odor impacts and best management practices for minimizing odors.

IV. BIOLOGICAL RESOURCES

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or	☐	☐	☐	☒

migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

This IS/ND analyzes the potential for environmental effects directly attributable to compliance with the proposed regulations. It is not a document meant to analyze environmental effects attributable to the general design, operation, geographic siting, feedstock, and other attributes of individual compostable material handling operations and facilities or in-vessel digestion operations and facilities throughout the State. Such projects will foreseeably be subject to project-specific CEQA analysis. With that in mind, nothing in the proposed regulations obligates compostable material handling operations and facilities or in-vessel digestion operations and facilities to have a particular design or operational parameters that would cause biological impacts.

Explanation:
In response to a):
The proposed project would have no impact that would result in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

In response to b):
The proposed project would have no impact that would result in a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.

In response to c):
The proposed project would have no impact that would result in a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means.

In response to d):
The proposed project would have no impact that will interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

The regulations, by requiring limits on pathogen levels for land application of compostable materials, digestate, and compost, will reduce potential impacts to biological resources.

V. CULTURAL RESOURCES

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

This IS/ND analyzes the potential for environmental effects directly attributable to compliance with the proposed regulations. It is not a document meant to analyze environmental effects attributable to the general design, operation, geographic siting, feedstock, and other attributes of individual compostable material handling operations and facilities or in-vessel digestion operations and facilities throughout the State. Such projects will foreseeably be subject to project-specific CEQA analysis. With that in mind, nothing in the proposed regulations obligates compostable material handling operations and facilities or in-vessel digestion operations and facilities to have a particular design or operational parameters that would cause cultural impacts.

Explanation:
In response to a):
The proposed project would have no impact that will cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5.

In response to b):
The proposed project would have no impact that will cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.

In response to c):
The proposed project would have no impact that will directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

In response to d):
The proposed project would have no impact that will disturb any human remains, including those interred outside of formal cemeteries.

VI. GEOLOGY AND SOILS

Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

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Explanation:
In response to a):
The proposed project would have no impact that will expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving the rupture of a known earthquake fault including strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides.

In response to b):
The proposed project would have no impact that will result in substantial soil erosion or the loss of topsoil.

In response to c):
The proposed project would have no impact on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

In response to d):
The proposed project would have no impact on expansive soil creating substantial risks to life or property.

In response to e):
The proposed project would have no impact on soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

VII. GREENHOUSE GAS EMISSIONS

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

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Explanation:
In response to a):
This project will have a less-than-significant greenhouse gas impacts. Compliance with the proposed physical contaminant limit may, in some cases, lead to indirect effects from operators running equipment more often, or for longer periods of time, to separate contaminants from compostable material or in-vessel digestion feedstock. It is uncertain how many facilities will actually be using equipment to meet the proposed physical contaminant limit or whether such equipment may be such that cause or increase releases of greenhouse gases. As a result, any determination of the level of these indirect effects would be entirely speculative. Nevertheless, based on the information available to CalRecycle, the equipment operation time is not expected to be lengthy or frequent enough to cause significant impacts. Particular equipment choices for individual facilities are expected to be a component of project-specific permitting and CEQA analysis by local land use authorities as well as any mitigation requirements if necessary.

Furthermore, these regulations will help ensure the continued effective operation of compostable material handling operations and facilities which are an important organics management alternative to landfilling that results in significant greenhouse gas emission reductions (0.42 MTCO2e per ton of material composted) and avoided methane emissions at landfills.

The in-vessel digestion portion of the regulations require operators to take adequate measures to prevent the uncontrolled release of biogas.

Allowing the small-scale composting and in-vessel digestion of food material and vegetative food material in the proposed regulations would result in an overall reduction of truck trips and related emissions associated with collection and transport of solid wastes to disposal sites (e.g., landfills, transformation) thus promoting source-reduction, recycling, and compost of organic materials.

In response to b):
The proposed project would have no impact that will conflict with an applicable plan, policy or regulation adopted for the

purpose of reducing the emissions of greenhouse gases.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

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Explanation:
In response to a):
The proposed project would have no impact that will create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The in-vessel digestion portion of the regulations require operators to take adequate measures to prevent the uncontrolled release of biogas.

In response to b):
The proposed project would have no impact that will create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The in-vessel digestion portion of the regulations require operators to take adequate measures to prevent the uncontrolled release of biogas.

In response to c):
The proposed project would have no impact that will emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

In response to d):

The proposed project would have no impact on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.

In response to e):
The proposed project would have no impact within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, which would result in a safety hazard for people residing or working in the project area.

In response to f):
The proposed project would have no impact within the vicinity of a private airstrip that would result in a safety hazard for people residing or working in the project area.

In response to g):
The proposed project would have no impact that will impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

In response to h):
The proposed project would have no impact that will expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

IX. HYDROLOGY AND WATER QUALITY

Would the project:

a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

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With that in mind, nothing in the proposed regulations obligates compostable material handling operations and facilities or in-vessel digestion operations and facilities to have a particular design or operational parameters that would cause hydrology and water quality impacts.

Explanation:
In response to a):
The proposed project would have no impact that will violate any water quality standards or waste discharge requirements.

In response to b):
The proposed project would have no impact that will substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

In response to c):
The proposed project would have no impact that will substantially alter the existing drainage pattern of a site or an area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.

In response to d):
The proposed project would have no impact that will substantially alter the existing drainage pattern of a site or an area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

In response to e):
The proposed project would have no impact that will create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

In response to f):
The proposed project would have no impact that will otherwise substantially degrade water quality. The regulations set environmental health standards related to the application of compostable material, digestate, and compost onto land. Establishing criteria for safe land application of compostable material, digestate, and compost will reduce litter and minimize the amount of plastic entering surface water and the ocean and improve food safety and animal health by reducing toxic metals, disease-causing organisms, physical contaminants, and invasive/noxious species in compostable material.

In response to g):
The proposed project would have no impact that will place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

In response to h):
The proposed project would have no impact that will place within a 100-year flood hazard area structures which would impede or redirect flood flows.

In response to i):
The proposed project would have no impact that will expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

In response to j):
The proposed project would have no impact that will cause inundation by seiche, tsunami, or mudflow.

X. LAND USE AND PLANNING

Would the project:

a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

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Explanation:
In response to a):
The proposed project would have no impact that will physically divide an established community.

In response to b):
The proposed project would have no impact that will conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project for the purpose of avoiding or mitigating an environmental effect.

In response to c):
The proposed project would have no impact that will conflict with any applicable habitat conservation plan or natural community conservation plan.

XI. MINERAL RESOURCES

Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

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Explanation:
In response to a):
The proposed project would have no impact that will result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

In response to b):
The proposed project would have no impact that will result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

XII. NOISE

Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

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Explanation:

In response to a):
This project will have less-than-significant noise impacts. Compliance with the proposed physical contaminant limit may, in some cases, lead to indirect effects from operators running equipment more often, or for longer periods of time, to separate contaminants from compostable material or in-vessel digestion feedstock. While it is uncertain how many facilities will actually be using equipment to meet the proposed physical contaminant limit, and it is uncertain whether such equipment may cause or increase noise, the equipment operation time is not expected to cause significant noise impacts. Any noise impacts would be highly dependent upon the general design, siting, and equipment at particular individual compostable material handling operations or facilities or in-vessel digestion operations or facilities that are expected to be subject to project-specific permitting and CEQA analysis by local land use authorities as well as any mitigation requirements if necessary. .

In response to b):
The proposed project would have no impact that will cause exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels.

In response to c):
The proposed project would have no impact that will cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

In response to d):
The proposed project would have no impact that will cause substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

In response to e):
The proposed project would have no impact within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, which would expose people residing or working in the project area to excessive noise levels.

In response to f):
The proposed project would have no impact within the vicinity of a private airstrip that would expose people residing or working in the project area to excessive noise levels.

XIII. POPULATION AND HOUSING

Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the	☐	☐	☐	☒

construction of replacement housing elsewhere?

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Explanation:
In response to a):
The proposed project would have no impact that will induce substantial population growth in an area, either directly or indirectly.

In response to b):
The proposed project would have no impact that will displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

In response to c):
The proposed project would have no impact that will displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

XIV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☐	☒
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

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Explanation:
In response to a):
The proposed project would have no impact that will result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services including fire protection, police protection, schools, parks and other public facilities.

XV. RECREATION

Would the project:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

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Explanation:
In response to a):
The proposed project would have no impact that will increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of a facility would occur or be accelerated.

In response to b):
The proposed project would have no impact on recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

XVI. TRANSPORTATION/TRAFFIC

Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

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vessel digestion operations and facilities to have a particular design or operational parameters that would cause transportation/traffic impacts.

Explanation:
In response to a):
The proposed project would have no impact that will conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

The proposed physical contamination limit is expected to result in additional source-separation practices at the point of generation, which would lead to cleaner feedstock going to compostable material handling operations and facilities and in-vessel digestion operations and facilities. This would lead to overall reduced emissions and truck trips associated with fewer solid waste materials transported to disposal sites (e.g., landfills, transformation facilities).

Reducing the storage time limit for processed construction and demolition/inert debris material in the proposed regulations is expected to lessen the existing baseline potential for odors, fires, vectors, nuisance, and dust. The truck trips associated with the reduction in storage time for construction and demolition/inert debris material would be unaffected.

Allowing the small-scale composting and in-vessel digestion of food material and vegetative food material in the proposed regulations would result in an overall reduction of truck trips associated with collection and transport of solid wastes to disposal sites (e.g., landfills, transformation) thus promoting the source-reduction, recycling, and compost of organic materials.

In response to b):
The proposed project would have no impact that will conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.

In response to c):
Measures will be imposed by applicable local agencies, as needed, to address site-specific significant traffic impacts identified during subsequent facility-specific analyses, implementation of which would reduce those impacts to a less-than-significant level.

In response to d):
The proposed project would have no impact that will substantially increase hazards due to a design feature or incompatible uses.

In response to e):
The proposed project would have no impact that will result in inadequate emergency access.

In response to f):
The proposed project would have no impact that will conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity	☐	☐	☐	☒

to serve the project's projected demand in addition to the provider's existing commitments?				
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

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Explanation:
In response to a):
The proposed project would have no impact that will exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

In response to b):
The proposed project would have no impact that will require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

In response to c):
The proposed project would have no impact that will require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

In response to d):
The proposed project would have no impact on water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.

In response to e):
The proposed project would have no impact that will result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

In response to f):
The proposed project would have no impact on sufficient landfill permitted capacity to accommodate the project's solid waste disposal needs.

In response to g):
The proposed project would have no impact on compliance with federal, state, and local statutes and regulations related to solid waste.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in	☐	☐	☐	☒

connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

This IS/ND analyzes the potential for environmental effects directly attributable to compliance with the proposed regulations. It is not a document meant to analyze environmental effects attributable to the general design, operation, geographic siting, feedstock, and other attributes of individual compostable material handling operations and facilities or in-vessel digestion operations and facilities throughout the State. Such projects will foreseeably be subject to project-specific CEQA analysis. With that in mind, nothing in the proposed regulations obligates compostable material handling operations and facilities or in-vessel digestion operations and facilities to have a particular design or operational parameters that would cause mandatory findings of significance impacts.

Explanation:
In response to a):
The proposed project would have no impact that will have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

In response to b):
The proposed project would have no impacts that are individually limited, but cumulatively considerable.

In response to c):
The proposed project would have no environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

Appendix A

The proposed Compostable Materials and Transfer Processing regulations and additional background information can be found at: www.calrecycle.ca.gov/Laws/Rulemaking/Compost/default.htm