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MEETING

STATE OF CALIFORNIA

INTEGRATED WASTE MANAGEMENT BOARD

DIVERSON, PLANNING AND LOCAL ASSISTANCE COMMITTEE

JOE SERNA JR., CALEPA BUILDING

COASTAL HEARING ROOM

1001 I STREET, 2ND FLOOR

SACRAMENTO, CALIFORNIA

TUESDAY, AUGUST 13, 2002

9:00 A.M.

JAMES F. PETERS, CSR, RPR
CERTIFIED SHORTHAND REPORTER
LICENSE NUMBER 10063

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

COMMITTEE MEMBERS

Steven R. Jones, Chairperson

Dan Eaton

Jose Medina

Linda Moulton-Patterson

STAFF

Pat Schiavo, Deputy Director

Eric Bissenger

Elliot Block, Staff Counsel

Rebecca Brown

Catherine Cardozo

Kaoru Cruz

Terri Edwards

Keir Furry

Cedar Kehoe

Nikki Mizwinski

Cara Morgan

Trevor O'Shaughnessy

Kyle Pogue

Jill Simmons

Carolyn Sullivan

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STAFF

Steve Uselton

Melissa Vargas

Tabetha Willmon

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1 PROCEEDINGS

2 CHAIRPERSON JONES: Welcome to the August 13th
3 meeting of the Diversion, Planning and Local Assistance
4 Committee.
5 Jeannine Bakulich, could you call the roll.
6 SECRETARY BAKULICH: Eaton?
7 COMMITTEE MEMBER EATON: Here.
8 SECRETARY BAKULICH: Medina?
9 Moulton-Patterson?
10 COMMITTEE MEMBER MOULTON-PATTERSON: Here.
11 SECRETARY BAKULICH: Jones?
12 CHAIRPERSON JONES: Here.
13 If anybody wants to speak to an item, there are
14 speaker slips in the back of the room. Fill it out and
15 give it to Ms. Bakulich over here.
16 And anybody that's got cell phones, would you
17 please shut them off or put them on vibrate.
18 And we've got a couple -- just a couple of
19 changes -- only one change actually. We're going to hear
20 A, B, and C. And then we are going to hear Item V and X,
21 which is Item 45 and 47. And then we'll go back on the
22 regular schedule, D, E, F. And that's just a timing
23 issue. Somebody needs to -- I promised somebody we would
24 so.
25 COMMITTEE MEMBER MOULTON-PATTERSON: Mr. Jones,

I'm sorry. Could you repeat that please?

CHAIRPERSON JONES: I'm sorry.

We'll hear A, B, C, and then we will hear Items V, like Victor, X, like x-ray, and then get back on D, E, F. Those shouldn't be the long items. And Item Number AD, which would be Item 53 in the Board packet, was pulled.

Right Mr. Schiavo?

DEPUTY DIRECTOR SCHIAVO: Yes.

CHAIRPERSON JONES: Okay. We've got a -- our Chair has to leave for a meeting at 11:30, so we're going to move this along.

Mr. Schiavo, it's all yours.

DEPUTY DIRECTOR SCHIAVO: We will move this along.

I will begin my report to say that we will not have a report, so we can move along.

So we will start with Item Number 1. And I'm Pat Schiavo from the Diversion, Planning, and Local Assistance Division.

And the title to Item Number 1 is consideration of an appropriate method for making conformance findings for permits (new or revised) that include multiple solid waste facilities as they relate to countywide siting elements and nondisposal facility elements.

1 And Catherine Cardozo will start this
2 presentation.
3 MS. CARDOZO: Good morning, Chair, Committee
4 Members.
5 Let's see. This is a consideration item
6 regarding conformance findings for nondisposal facilities
7 included in a landfill permit. This item was previously
8 presented at the July Diversion Planning and Local
9 Assistance Committee meeting.
10 After the Committee meeting, but before the July
11 Board meeting, the question was raised as to how the
12 Board's proposed regulations for composting operations and
13 facilities and construction and demolition, or C&D,
14 facilities at landfills could impact staff's originally
15 proposed recommendation.
16 Elliot Block will present a short discussion of
17 this as well as staff's revised recommendations.
18 Elliot.
19 STAFF COUNSEL BLOCK: Good morning, Chair and
20 Committee Member. Elliot Block with the Legal Office.
21 I believe, if you haven't them already, there's
22 hard copies of this PowerPoint presentation.
23 And I apologize here. I realize that actually
24 it's Board Item Number 1, Committee Item A.
25 --o0o--

1 STAFF COUNSEL BLOCK: Just very briefly to go
2 over a couple of issues. The basic conformance finding
3 requirement is the Public Resources Code Section 50001,
4 which states that a person can't establish expand a solid
5 waste facility unless, if it's a disposal facility or a
6 transformation facility, it's in a locally approved
7 countywide siting element; or if it's a nondisposal
8 facility, it's identified in the Board approved
9 nondisposal facility element.
10 --o0o--
11 STAFF COUNSEL BLOCK: The conformance finding
12 comes into play in the context of a permit concurrence.
13 So where we're dealing with something within our tiers
14 that's in a facility which requires a permit, the
15 conformance finding applies. When we're dealing with an
16 operation which is something in our notification tier and
17 for a short period of time, chipping and grinding
18 operations that we've been dealing with, because they're
19 not placed in a tier yet, the conformance finding required
20 didn't apply.
21 --o0o--
22 STAFF COUNSEL BLOCK: The Board issued a number
23 of years ago when we started dealing with issues with the
24 tiers and multiple operations and facilities on sites LEA
25 Advisory 39, which provides that where there are two

1 separate solid waste facilities, either of which would
2 require a permit on their own if they're on one site, an
3 operator could either have -- if there were two -- actual
4 two separate facilities on the site as opposed to viewing
5 as being combined, they could have either two permits or
6 one combined permit.
7 --o0o--
8 STAFF COUNSEL BLOCK: Then staff recommendation
9 that carries over from last month's continued item was for
10 these multiple facilities sites -- and the primary example
11 is where we have a nondisposal facility, let's say a
12 compost facility on the site of the landfill, that both
13 facilities would have to be identified in the appropriate
14 document, the siting element or the nondisposal facility
15 element.
16 While the statute doesn't actually address this
17 particular specific situation that would fit within the
18 meaning of the statute, for instance, without that
19 requirement, somebody adding a composting facility to a
20 landfill site could avoid the conformance finding required
21 simply by choosing to have one permit rather than two.
22 --o0o--
23 STAFF COUNSEL BLOCK: As you all know, and was
24 mentioned, an issue about grandfathering came up at last
25 months's Board meeting. And that's primarily why this

item was continued till today.

The Board is currently working on a couple of different proposed regulatory packages which may require permits for activities that don't currently need them.

In one case, as I mentioned before, chipping and grinding of compostable materials, primarily green waste, has been covered by the Board's regulations since 1997, but has not been slotted in a permit tier. In other words they haven't required a permit. And there are some existing chipping and grinding activities relating to construction and demolition debris, primarily wood, that sort of material.

Those two rule-making packages at the present time are proposing for operations that deal with more than 200 tons per day of that material that they would require registration permit, and more than 500 tons per day a full permit. And the construction and demolition and inert regulations also provide that an activity that's processing construction and demolition and inert material, if they're handling more than 100 tons per day, would require the Registration permit; and right now the proposal if they're over 750 tons per day would require a full permit.

--o0o.

What this means of course is that in the future,

1 once those are slotted, if the regulations stay as they
2 are proposed or something along those lines, there are a
3 number of activities that at the present time don't
4 require permits that will require her permits and
5 potentially would be pulled into the conformance binding
6 requirements.
7 --o0o--
8 STAFF COUNSEL BLOCK: So staff is recommending
9 that in addition to its proposed -- recommendation from
10 the last month that we add what's typically called a
11 grandfathering clause. But it's a fairly narrow one.
12 What I've done in the item and in these slides and in the
13 resolution is take what was a rather long and complicated
14 resolve clause and just try to break it down. There's
15 actually five bullets. And you'll see this is a fairly
16 narrow proposal. And that would be where we have a
17 situation where a nondisposal facility is being added
18 on-site at a landfill, that a conformance finding for that
19 particular facility wouldn't be required if the following
20 five requirements are met.
21 We're talking about an existing nondisposal
22 activity. So it's something that existed, not a new one.
23 A nondisposal facility, activity is located on-site at the
24 disposal facility that's identified in the applicable
25 siting element.

--o0o--

STAFF COUNSEL BLOCK: And nondisposal facility would otherwise require a permit if it was located elsewhere. The only reason that the nondisposal facility would require a permit is as a result of erosion to the Board's regulations, as opposed to a change in the existing activity, increase in size or materials handled and the like.

And that that existing nondisposal activity was included within the disposal facility's report of facility information by the date of the Board's decision, which will be potentially -- I've put the date August 20th, assuming the Board makes a decision -- a final decision at its Board meeting. But the date of the final Board decision on this issue. So that we're just talking about activities that are occurring right now, frozen in time, if you will. And the only reason they would require a permit is because the Board's regulations are changing as opposed to a change in that existing activity.

--o0o--

STAFF COUNSEL BLOCK: In taking a look at this, one of the other directions from the Board last month was to try to get a handle on how many facilities might be affected by this grandfathering permit and inspection. Staff did a quick survey of LEA's sites to try to figure

1 out who might fit within this grandfathering exception.
2 It's a fairly preliminary survey because they could not
3 get a hold of every LEA. And of course because we're
4 dealing with activities that aren't separately permitted
5 right now, it is not an easy database to just go in and
6 pull some numbers out of.
7 But their preliminary look shows that there are
8 approximately 21 landfills right now that have some kind
9 of chipping and grinding occurring on-site; and 26 that
10 have some sort of construction and demolition and inert
11 processing on-site.
12 This is actually not 47 facilities total. Some
13 of them have both of these things going on.
14 And the next slide -- which I don't have on the
15 overhead because it would have been too small to show, but
16 you have a copy and there are copies in the back --
17 there's a list I believe of 40 landfills that have one or
18 more of these activities.
19 It's very preliminary. Number 1, there may be
20 some sites that are not included on that that might be
21 affected by this. And there are a number of sites on that
22 list that may not be affected, both depending on what the
23 Board's decision is in terms of those two regulatory
24 packages, and because it's -- it's just not clear. Right
25 now there's a little bit of lack of complete information

1 as to the exact size of some of those activities. And
2 whether or not they may require a permit under the Board's
3 new regulations will in part depend on the size of those.
4 So that's the best guestimate we have at this point as to
5 how many sites may be affected.
6 And with that, that's the end of my presentation.
7 I'm glad to answer any questions you have or --
8 CHAIRPERSON JONES: Just before I open up for the
9 questions -- we do have four speakers -- I just want to
10 say that part of the issue when I brought this to the
11 Board last month was the landfill that would be doing a
12 grinding operation for ADC or something like that where it
13 was identified in a land -- in a solid waste facility
14 permit as an ongoing operation under the new composting
15 and chipping and grinding regs may have to go through a
16 bunch of different things. I'm not talking about -- a
17 facility that decides they're going to do composting,
18 they've got to go through and get an NDFE, they've got to,
19 you know, start their facility -- they've got to do just
20 like we always make those facilities do. It's just those
21 ancillary operations that are part of an ongoing permitted
22 facility and described that I think this addition to the
23 resolution really takes care of. Right, Elliot? And I
24 mean it's that narrow.
25 STAFF COUNSEL BLOCK: That's our intent, to make

1 it that narrow.

2 CHAIRPERSON JONES: That the intent. That was my

3 intent in bringing the issue to you.

4 STAFF COUNSEL BLOCK: And there are -- as you can

5 see, there's basically five conditions on there. So it's

6 a fairly narrow exception.

7 CHAIRPERSON JONES: Right. And I know there are

8 some that would like to say everything goes. And I'm not

9 there. And that's not my intent in bringing this. It is

10 just those operations that are happening now that wouldn't

11 have been -- they've already been identified in the CEQA

12 document.

13 So any questions of the members?

14 All right. We have four speakers.

15 Theresa Dodge from the L.A. County San District,

16 followed by Chuck White, followed by Denise Delmatier,

17 followed by Sean Edgar.

18 MS. DODGE: Good morning. Theresa Dodge, L.A.

19 County Sanitation District. Chair and Committee Members,

20 thank you for the opportunity to speak on this item. I

21 have a letter to submit on behalf of the Solid Waste

22 Industry.

23 Who do I give this too?

24 CHAIRPERSON JONES: Right over there.

25 MS. DODGE: Sanitation districts are signatory to

1 this as well as SWANA. And specifically we'd like to urge
2 the DPLA Committee and the Board to adopt staff option
3 Number 3 as further direction to the staff in resolving
4 the issue to determine that no further identification is
5 needed for both new and existing nondisposal activities
6 when it's placed on a permitted disposal site, because
7 this site has been identified in the county siting
8 element.
9 We debated -- we've been discussing this issue
10 quite a bit since they came up at the July meetings, and
11 revisiting the purpose of the nondisposal element. And we
12 believe that no additional significant regulatory
13 oversight planning purpose or public notification is
14 served by requiring these facilities be in the NDFE.
15 Specifically there's regulatory oversight for
16 these activities already. And they're fully described in
17 the report of disposal site information. These facilities
18 are inspected and enforced by the Local Enforcement Agency
19 and the Waste Board.
20 Public notification because these are permanent
21 activities are covered under CEQA. And that the sole
22 purpose of CEQA is public notification, so that has been
23 served through the existing process.
24 And for most local jurisdictions, they already
25 have their planning documents in place and approved. And

1 so requiring them to incorporate recycling activities at
2 landfill doesn't serve significant additional planning
3 purposes for these jurisdictions.
4 And with the new regs that are proposed to go in
5 place there's going to be a significant increase in the
6 number of activities that would require these permits. So
7 requiring recycling activities at landfills to be included
8 in the NDFE wouldn't significantly increase the regulatory
9 oversight planning purpose or public notification. As a
10 result we strongly recommend that you require no
11 additional identification for these facilities.
12 Thank you.
13 CHAIRPERSON JONES: Thanks.
14 All right. Chuck white.
15 MR. WHITE: Thank Mr. Chairman, Members of the
16 BOARD. Chuck White representing Waste Management.
17 We certainly support the idea of putting a
18 grandfathering provision in as Mr. Jones and the staff
19 have indicated. However, as consistent with Ms. Dodge's
20 testimony, we believe it needs to go further with respect
21 to new facilities that are located at landfills. We
22 believe that the existing siting element process is enough
23 to identify operations at a landfill. And it's really not
24 necessary and would serve no real purpose to go through an
25 additional step of putting these operations into a NDFE if

1 they're at a landfill that's already gone through the
2 siting element process and the full permitting process.
3 The staff report indicates there are some
4 landfills that would be affected. But in reality it's
5 every single landfill that would be affected. There's
6 virtually no landfills that I'm aware of in California
7 that either don't have recycling operations or anticipate
8 having recycling operations located at them in the next
9 near future period of time. And so probably every single
10 landfill will be affected by this duplicative process.
11 Our concern is also with respect to consistency
12 with the statutory language. If you take a look at 50001,
13 it really specifically says that a facility must meet one
14 of two options. Either a facility is located in the
15 siting element or if it happened to be a recycling
16 facility that's located in a -- identified in the NDFE.
17 When the statute is silent look what happens when
18 both those locations -- both those situations are located
19 at the same location. But we believe the intent of the
20 Legislature was never to require more than one of these
21 two options because of the specific language in the
22 statute that says one of two options. It doesn't say one
23 of two options or both options if you happen to be located
24 at the same place.
25 So we think that there would be probably a

1 inconsistency with statute if you were to pursue a
2 duplicative requirement of having landfills that have both
3 landfill operations and have recycling operations in both.
4 We think that given the fact that the siting element
5 process is far more rigorous and stringent, that should
6 suffice for purposes of planning these kinds of
7 facilities.
8 Our recommendation is that the Board pursue
9 Option 3, as indicated by Ms. Dodge. And specifically the
10 staff has outlined in the staff report on Page 7 the
11 approach that we think would be most appropriate for this
12 kind of situation.
13 If you'll notice -- if I can find it here --
14 yeah, on page 7, the middle paragraph, it's a new
15 paragraph that's been added, where they specifically say,
16 "As an alternative to the staff's recommendation the Board
17 could determine that no further identification is
18 necessary for both new and existing nondisposal facilities
19 when that is placed on-site at a permitted disposal
20 facility. And that's exactly the recommendation that we
21 urge this Committee and the Board to pursue.
22 Thank you very much.
23 CHAIRPERSON JONES: Okay. But that is different
24 than what we've been doing for the last five years --
25 well, the six years that I've been here.

1 MR. WHITE: I'm not sure there's been a
2 consistent approach to all this --
3 CHAIRPERSON JONES: No, it's been -- I mean every
4 composting facility, we held up permits because the
5 composting element was not identified in the NDFE, that I
6 remember. I mean -- right?
7 So I mean it is consistent with the way that
8 we've operated as long as I've been here, Chuck. So, I
9 mean, just to, you know, get it on the record. So I
10 appreciate your comments, but it has been a consistent way
11 of dealing this.
12 MR. WHITE: I'm just not sure it's consistent
13 with the statute. And, quite frankly, it's something that
14 I and I don't think the rest of us in the industry had
15 completely focused on until it came up in this agenda
16 item. And now we're here before you asking for -- one of
17 the approaches that might be appropriate is to return to
18 the Legislature in its next session -- I don't think in
19 this session probably the timing would be quite right.
20 But next year if you feel it would be appropriate, we'd be
21 happy to go together with you hand in hand to the
22 Legislature and ask for a clarification of what is the
23 intent when these kind of operations appear at single
24 location. We'd be happy to work with the Board on that.
25 CHAIRPERSON JONES: Okay. Sean Edgar.

1 STAFF COUNSEL BLOCK: Mr. Chair, could add a
2 clarification here?
3 CHAIRPERSON JONES: Sure.
4 STAFF COUNSEL BLOCK: Because I'm sensing -- just
5 that I should clarify in terms of what we're talking about
6 in terms of the main staff recommendation requirement, if
7 we had a situation where the landfill was identified in
8 the siting element and in the description of that landfill
9 it also included in the siting element the composting or
10 some other activity was going to be on there, they're not
11 suggesting that the ND -- in that situation where it was
12 identified just in the sighting element, that it would
13 have to also be put in the NDFE prior to that. It's only
14 where the landfill activities only are identified and then
15 there's some future activity. So I thought that would
16 be -- I wasn't sure if there was some misunderstanding on
17 that.
18 CHAIRPERSON JONES: And we've done it when we've
19 had a new MRF located at an existing landfill, right?
20 STAFF COUNSEL BLOCK: That's correct.
21 CHAIRPERSON JONES: We've done it where we've
22 have had new composting operations created and located at
23 an existing landfill?
24 STAFF COUNSEL BLOCK: That's correct.
25 CHAIRPERSON JONES: In those cases that's when we

1 required an NDFE, and then prior to the issuance of a
2 permit.
3 STAFF COUNSEL BLOCK: That's correct.
4 CHAIRPERSON JONES: Okay. Mr. Edgar.
5 MR. EDGAR: Good morning, Mr. Chairman and Board
6 Members. Sean Edgar on behalf of the California Refuse
7 Removal Council. I'll make my comments belief.
8 We are signatory to the solid waste industry
9 group letter that was distributed to you this morning. We
10 are in support of the grandfathering recommendation from
11 staff. We believe it's protective of existing uses.
12 And thank you for your consideration on this
13 matter.
14 CHAIRPERSON JONES: Thank you.
15 Denise Delmatier.
16 MS. DELMATIER: Good morning, Mr. Chairman,
17 Members of the Committee. Denise Delmatier with NorCal
18 Waste Systems.
19 Like the other signatories to the solid waste
20 industry group letter, we support Option Number 3.
21 Having been a chief negotiator on both bills that
22 dealt with the gap and the post-gap, I can certainly
23 attest to the fact that it was never anticipated that both
24 requirements would apply; that the language that Mr. White
25 referred to, one or the other was the intent of the

1 language in the bills. And we certainly think it's clear
2 enough. In no instance is there any reference to
3 duplicative application of both the siting element and the
4 NDFE requirement.
5 And specifically the siting element, as Mr. White
6 alluded, is a much more rigorous and stringent process by
7 which the majority of the cities with the majority of the
8 population must regionally approve the document, as well
9 as both identification and description must be contained
10 in the siting element.
11 The NDFE, as you well know, is merely a dot on
12 the map location as well as only approved by the host
13 jurisdiction. It's a much more lenient application in the
14 event that the application is not contained in the siting
15 element. So it was always intended that it was an "or"
16 situation, not an "and" situation. And we certainly
17 support Recommendation Number 3.
18 As far as the precedent, Mr. Jones, for the
19 preexisting operation or recommendations by staff, we were
20 not aware, quite frankly, that this was an ongoing
21 procedure by staff in requiring diversion activity in an
22 existing permitted facility that also has -- is identified
23 and described in a regional approved siting element. We
24 were not aware that this was the practice of staff to also
25 require identification in the NDFE. I can't recall any of

1 our permits that have ever had that requirement placed on
2 them. If that's the case, we certainly would recommend
3 strongly then that we look back to the exact language in
4 the bills themselves and follow those as opposed to more
5 aggressive interpretation, if you will, that we don't
6 think fits the strict letter of the interpretation of the
7 bill.
8 Like the others, we urge a adoption of
9 Recommendation Number 3.
10 CHAIRPERSON JONES: Thank you.
11 Chuck Helget.
12 MR. HELGET: Good morning, Members of the
13 Committee. Chuck Helget representing Allied Waste
14 Industries.
15 We also support the grandfather clause that's
16 been proposed by staff and Mr. Jones.
17 But, however, we do not believe that the existing
18 sighting element process -- we do believe that the
19 existing siting element process is both thorough and
20 complete from a public perspective. To require the
21 facility -- a facility to go through both the siting
22 element process and an NDFE is redundant, and it would
23 accomplish little or no additional public good.
24 Therefore -- and we support as well the staff
25 recommendations -- staff Recommendation 3 that was

1 outlined in the staff report.

2 CHAIRPERSON JONES: Thank you.

3 Any questions from the Committee?

4 Any motions?

5 COMMITTEE MEMBER MOULTON-PATTERSON: I'll go

6 ahead.

7 Thank you, Mr. Jones.

8 And thank you, staff, for a good presentation on

9 that.

10 I do think this is a good way to go. And with

11 that I'll move Resolution 2002-413.

12 CHAIRPERSON JONES: I'll second it.

13 We get a vote, call the roll.

14 SECRETARY BAKULICH: Eaton?

15 COMMITTEE MEMBER EATON: No.

16 SECRETARY BAKULICH. Moulton-Patterson?

17 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

18 SECRETARY BAKULICH: Jones?

19 CHAIRPERSON JONES: Aye.

20 Okay. It'll go forward to the Board for a full

21 presentation with a two to one vote.

22 Okay. Item number C, the consideration of a

23 request to change the base year for South San Francisco.

24 DEPUTY DIRECTOR SCHIAVO: This will be presented

25 by Keir Furey.

1 MR. FUREY: Good morning, Committee Members.
2 The City of South San Francisco originally
3 submitted a new base-year change request with the
4 diversion rate of 47 percent. As part of the base-year
5 study review, Board staff conducted detailed site visits.
6 As a result, inaccuracies of estimates of nonresidential
7 diversion were discovered.
8 Board-staff-recommended deductions and additions
9 can be viewed in their entirety by referring to Attachment
10 3 of the agenda item packet.
11 As a result of the deductions and additions Board
12 staff recommends the revised diversion rate of 32 percent
13 for the base year of 2000.
14 Since is beginning of 2001, the city's franchise
15 hauler has expanded the commercial recycling and
16 collection program and transfer station salvage program.
17 With these program improvements the city's disposal has
18 increased -- I'm sorry -- the city's disposal has
19 decreased 13 percent from 2000-2001.
20 Board staff has determined that the information
21 is adequately documented. Based on this information the
22 Board staff is recommending Option 2 of the agenda Item,
23 which would approve the revised new base year with the
24 staff recommendations.
25 Representatives for the city are present to

1 answer any questions.

2 This concludes my presentation.

3 CHAIRPERSON JONES: Are there any questions of

4 staff?

5 I just want to say thank you. This was an issue

6 where the city and the hauler have a consultant and there

7 was problems. And the hauler actually worked with the

8 city and went out and did it themselves, I think, and

9 actually found what was real and what wasn't real. And,

10 Keir, you had a lot to do with that. And I appreciate

11 that effort and I appreciate the effort of the city. And

12 it's too bad that so many of these come forward and they

13 can't be accepted for what is touted to be accurate. It's

14 a friggin' shame that this happens. So -- I was easy. I

15 was good.

16 Okay. I will wait for a -- somebody want to make

17 a motion?

18 COMMITTEE MEMBER EATON: This is not their

19 1066 --

20 CHAIRPERSON JONES: No, no. Her coming forward

21 on that. This is just a new base year.

22 COMMITTEE MEMBER EATON: All right. I'll move

23 that we adopt Resolution 2002-345.

24 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

25 CHAIRPERSON JONES: We got a motion by Mr. Eaton,

1 a second by Linda Moulton-Patterson.

2 Would you call the roll.

3 SECRETARY BAKULICH: Eaton?

4 COMMITTEE MEMBER EATON: Aye.

5 SECRETARY BAKULICH: Moulton-Patterson?

6 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

7 SECRETARY BAKULICH: Jones?

8 CHAIRPERSON JONES: Aye.

9 Proposed for consent?

10 Okay. So done.

11 3-0, and it will go on consent. Thank you.

12 All right. Now we are hearing Item V, which

13 would be 45 in your Board agenda.

14 DEPUTY DIRECTOR SCHIAVO: Yes. And We'd like to

15 combine 45 and 47. And these are consideration of a

16 request to correct the base year for the previously

17 approved source reduction and recycling element; and

18 consideration of the 1999-2000 biennial review findings

19 for the source reduction recycling element and the

20 household hazardous waste element for the City of

21 Capitola.

22 And Terri Edwards will be making this

23 presentation.

24 MS. EDWARDS: Good morning, Committee Members.

25 The City of Capitola has an approved 1999 base

1 year with a diversion rate of 42 percent. Thrift store
2 tonnage was removed from the base year, so the city opted
3 to conduct the jurisdiction-specific study to get an
4 accurate thrift store tonnage. The study was conducted
5 itemizing and counting each item by material type. Upon
6 completion of the study the City of Capitola submitted a
7 base year correction request with a diversion rate of 44
8 percent for 1999.
9 As part of the base year correction review Board
10 staff conducted a detailed site visit. As a result the
11 tonnage requested has been modified due to material found
12 in thrift store tonnage that could not meet restricted
13 waste criteria.
14 Board-staff-recommended changes can be viewed in
15 detail by referring to Attachment 3 of the agenda item
16 packet.
17 Board staff recommends a diversion rate of 44
18 percent for the base year of 1999. Although the diversion
19 rate is the same, the tonnage amounts for the diversion
20 are different from the city's recommended numbers.
21 Based on this information Board staff is
22 recommending Option 2 of the agenda item, which would
23 approve the revised base year correction with staff
24 recommendations.
25 In addition, the diversion rate for the City of

1 Capitola upon the approval of the base year correction is
2 44 percent for 1999 and 48 percent for 2000. Without
3 approval of the base year correction, the rates are 42
4 percent for 1999 and 47 percent for 2000.
5 To determine the level of source reduction and
6 recycling element and household hazardous waste element
7 implementation staff analyzed the historic diversion rate
8 trend which has been in the upper 40 percentile range
9 since the establishment of a 1999 new base year and
10 conducted a program visit verification in 2001 to verify
11 information submitted in the annual reports for both 1999
12 and 2000.
13 Both the jurisdictions' programs and staff
14 analysis of these program cans be found in detail on Pages
15 47-2 through 47-5 of your binder. Some of the programs
16 that have been implemented include residential and
17 curbside collection and greenwaste collection, dropoff
18 buy-back centers, government and school source reduction
19 and recycling, business waste reduction outreach, and
20 commercial on-site pick up.
21 Staff recommends that the Board finds that the
22 City of Capitola has made a good-faith effort in meeting
23 diversion rate requirements.
24 A representative for the city as well as Board
25 staff are available to answer any questions.

1 This concludes my presentation.

2 CHAIRPERSON JONES: Thank you.

3 Any questions?

4 Madam Chair.

5 COMMITTEE MEMBER MOULTON-PATTERSON: I'll go

6 ahead and move Resolution 2002-446.

7 COMMITTEE MEMBER EATON: Second.

8 CHAIRPERSON JONES: We've got a motion by Linda

9 Moulton-Patterson, a second by Mr. Eaton, to adopt

10 Resolution 2002-446.

11 Substitute the previous roll?

12 On consent?

13 Okay. So ordered.

14 And a resolution on Item 47.

15 Madam Chair.

16 COMMITTEE MEMBER MOULTON-PATTERSON: Okay.

17 Resolution 2002-447, move for approval.

18 COMMITTEE MEMBER EATON: Second.

19 CHAIRPERSON JONES: Motion and a second.

20 Substitute the previous roll?

21 So ordered.

22 Put it on consent?

23 Thank you.

24 And don't -- you know, just for clarification, we

25 find some unrestricted -- or some restricted waste and

1 that has to be changed in the audit, I have no problem
2 with that. It's when we find 30 and 40 thousand tons of
3 stuff that doesn't exist that gets us a little nervous.
4 Okay. Next.
5 DEPUTY DIRECTOR SCHIAVO: Okay. Item Number 27
6 or Committee Item D is an update on the status of the
7 State Agency and Large State Facility Annual Report
8 Reviews under AB 75.
9 And Trevor O'Shaughnessy will be making a very
10 brief presentation.
11 MR. O'SHAUGHNESSY: Good morning Chair and
12 Members of the Committee. My name is Trevor O'Shaughnessy
13 of the State Organization Facilities Assistance Section.
14 And I'd like to provide a brief update on the status of
15 the implementation of AB 75.
16 To date Board staff has received 390 annual
17 reports from the State agencies reporting to our program;
18 28 have partially completed their submission of their
19 annual report; and there are 10 State agencies and
20 facilities that have yet to respond to staff's request for
21 their submitted annual reports that were due April 1st of
22 this year.
23 An overview of the process that staff has been
24 implementing on reviewing the plans is following the memo
25 that was sent to you by Mark Leary on June 27th of 2002.

1 In summary, staff is going through and
2 determining conformance with the statute requirements of
3 AB 75 as well as Board's direction. We are evaluating the
4 weights that have been provided in the annual reports and
5 looking at them for reasonableness and comparing them to a
6 like facilities.
7 And we are also working and identifying specific
8 facilities and sites in which the State Controller's
9 Office is joining staff in doing a review of records
10 available and the numbers provided to look for adequacy of
11 record keeping and compliance with the mandates of
12 statutes and laws; both the requirements of AB 75 as well
13 as the requirements of bookkeeping that the SCO is using.
14 To date staff has reviewed and is preparing a
15 memo under Mark Leary's signature of 115 annual reports
16 that have been reviewed and are recommended for adoption
17 and approval of the compliance with AB 75.
18 From the standpoint of working with the State
19 Controller's Office staff has been doing field analysis
20 and reviewing the supporting documentation for all the
21 information that's been submitted in annual reports.
22 Staff has been reviewing and working with the SCO on
23 completing an analysis of information that's been
24 submitted.
25 And then, finally, staff is working with the

1 State Controller's Office on preparing the final analysis
2 and preparing for an upcoming training session later this
3 winter. Hopefully, if we get a budget, we'll be able to
4 share with other State agencies appropriate methods of
5 maintaining records to back the submitted annual reports,
6 all in preparation for the true annual report, of one of
7 the major goal-setting annual reports, which would be the
8 next one due April 1st of 2003, which will be showing
9 compliance of the 25-percent diversion mandate.
10 That is a general overview of the current status
11 of the implementation of AB 75 and staff's work that
12 they've been doing internally.
13 This concludes my presentation. I'm available
14 for any questions.
15 CHAIRPERSON JONES: Any questions from the
16 members?
17 At CRRA there was a couple folks that came up to
18 me and said that they were very frustrated with the way
19 the schools were -- or the colleges were working with them
20 to do AB 75. So you may -- I actually referred them to
21 you. So you may end up getting some calls.
22 All right. Item number --
23 Thank you.
24 Item Number E, 28 in the Board agenda.
25 DEPUTY DIRECTOR SCHIAVO: This is discussion of

1 jurisdictions that have reserved the right but have not
2 submitted an SB 1066 application and have received 60-day
3 notification for submittal of an application.
4 And Catherine Cardozo will be making this
5 presentation.
6 MS. CARDOZO: Good morning, Committee Members.
7 Staff's analysis indicates that the cities of
8 Holtville, Calipatria, and Imperial in Imperial County;
9 Adelanto in San Bernardino County; Monrovia and Hidden
10 Hills in Los Angeles County; and Pacifica in San Mateo
11 County have not achieved the numeric diversion
12 requirements of AB 939, as their diversion rates are below
13 50 percent and adequate documentation to support a more
14 accurate diversion rate has not been submitted.
15 Board staff has contacted these jurisdictions to
16 discuss their reported diversion programs and diversion
17 rates. These jurisdictions have reserved the right to
18 submit a time extension application and have agreed to
19 submit a completed application within 60 days of being
20 notified of staff's recommendation.
21 That completes my presentation.
22 Are there any questions?
23 CHAIRPERSON JONES: We've got three Imperial
24 County items today. And so even when we approve them,
25 it's only going to get them to these lower numbers.

1 Are they -- I mean are they -- are they going to
2 go forward or are they just sitting there waiting to see
3 what's going to happen? I mean...
4 MS. MORGAN: Cara Morgan, Office Of Local
5 Assistance.
6 Actually they've been in the planning phase since
7 they did their base year studies and found out where some
8 of their program needs are. They're making tremendous
9 efforts, so we're very encouraged with that.
10 CHAIRPERSON JONES: Okay. So now that they know
11 where they're at, they'll be able to tailor a 1066 request
12 that reflects how they can really focus their dollars on
13 programs.
14 Beautiful.
15 Any questions, members?
16 All right. Thank you.
17 Item number F.
18 DEPUTY DIRECTOR SCHIAVO: Okay. Item F is
19 consideration of the amended countywide siting element for
20 Alameda county.
21 And Eric Bissenger will be making this
22 presentation.
23 MR. BISSENGER: Good morning, Committee Members.
24 My name is Eric Bissenger with the Office of Local
25 Assistance.

1 My presentation is as follows:
2 Countywide siting elements describe current
3 disposal options for county residents. The County of
4 Alameda has requested to amend its siting element to
5 reflect changes in the waste shed for the Aladdin Avenue
6 Transfer Station to include transfer of solid waste from
7 the City of San Leandro. There are no areas planned for
8 expansion and no disposal facilities being proposed.
9 Therefore, staff recommends approval of the Alameda County
10 siting element amendment.
11 CHAIRPERSON JONES: Questions, members?
12 Motion?
13 COMMITTEE MEMBER MOULTON-PATTERSON: Mr. Jones,
14 I'll move approval of Resolution 2002-427.
15 COMMITTEE MEMBER EATON: Second.
16 CHAIRPERSON JONES: We've got a motion by Linda
17 Moulton-Patterson, a second by Mr. Eaton.
18 Substitute the previous roll?
19 And put it on consent?
20 Okay. This is going to go 3-0, and on consent
21 for the Board meeting. Okay.
22 Item Number 30, which would be Item G.
23 DEPUTY DIRECTOR SCHIAVO: Okay. Item 30 and 31,
24 Committee Items G and H, are consideration of staff
25 recommendation on the 1999-2000 biennial review findings

1 for the source reduction and recycling element and
2 household hazardous waste element for a number of
3 different jurisdictions.
4 And Steve Uselton will be making this
5 presentation.
6 MR. USELTON: Good morning, Committee Members.
7 Items G and H present to the Committee for its
8 consideration board staff's biennial review findings for
9 the '99-2000 biennial review period.
10 Staff have conducted their biennial reviews and
11 found these jurisdictions have achieved a 2000 diversion
12 rate of at least 50 percent and are adequately
13 implementing source reduction, recycling, composting, and
14 public education and information programs as outlined in
15 their source reduction and recycling elements and
16 household hazardous waste elements.
17 Upon review, staff analysis indicates that 8 of
18 the 17 jurisdictions in these items show greater than 5
19 percent change from 1999 to 2000 diversion rates. Details
20 of these jurisdictions can be found in Attachment 2 of
21 both of the items.
22 Agenda Item G lists those jurisdictions for which
23 staff is recommending approval of the '99-2000 biennial
24 review. Should the Board not accept staff's
25 recommendations, these jurisdictions have reserved the

1 right in their 2000 annual report so submit an SB 1066
2 time extension request.
3 Agenda Item H lists those jurisdictions for which
4 staff is also recommending approval of the '99-2000
5 biennial review. However, should the Board not accept
6 staff recommendations on these jurisdictions, they did not
7 elect to reserve the right in their 2000 annual report to
8 submit an SB 1066 time extension request, which gives the
9 Board an alternative set of options as outlined in the
10 agenda item.
11 This concludes my presentation.
12 Both staff and representatives for the
13 jurisdictions are available to answer any questions.
14 CHAIRPERSON JONES: Thanks.
15 I have one question.
16 City of Colma. I don't know if a city person's
17 here. The hillside -- supposed to be a C&D landfill
18 really -- got put on notice and orders and for taking MSW.
19 Now, I know Colma has its own -- I think they have a
20 contract with BFI or somebody. I don't remember who. But
21 that the public that are doing the self-haul, were they
22 sources into the hillside landfill, that maybe these
23 numbers aren't reflective since it was an illegal
24 activity? And if it was, what kind of numbers are we
25 looking at? Colma's got a pretty good number. But we got

1 a landfill that's taking in stuff it's not supposed to
2 under the category of C&D, and yet we've got the City of
3 Colma here, you know, with a diversion rate that may
4 actually have been improved by that material going to a
5 illegal dump by the citizens.
6 Anybody ever think about that, or think it
7 through?
8 Is there anybody here from the city?
9 MS. MORGAN: I don't believe there's anyone here
10 from the city. I was asking staff.
11 I think, Board Member Jones, you bring up a good
12 point. What we could do is look at that and investigate
13 it. I don't know when we did the base year study if that
14 issue was an issue.
15 CHAIRPERSON JONES: It just got put on?
16 MS. MORGAN: Yeah. I don't think when the base
17 year study was done it may have been addressed. So we
18 need to follow-up on that.
19 CHAIRPERSON JONES: Well, go ahead and follow up.
20 It's not going to change the problem. Colma's at 50
21 percent. But I'll tell you, they do enough grass cycling
22 there -- I grew up in that area and, I'll tell you, it's
23 all cemeteries. It is. I mean it's -- that's what it's
24 considered.
25 But, you know, they're at 50 percent. It's

1 probably not very much. But I brought it up to give you
2 guys one more thing to kind of thing about, is the
3 integration of our divisions. We've got a notice and
4 order under P&E. And, you know, that's always been a
5 landfill that made me crazy because they used to take all
6 kinds of stuff that should have been going to the right
7 places. So it's not going to impact this. I think that
8 it probably is diminimous anyway. But it's worth asking
9 the question.
10 MS. MORGAN: Sure.
11 CHAIRPERSON JONES: All right. Mr. Eaton.
12 COMMITTEE MEMBER EATON: Speaking of grass,
13 let's -- I just got an addition to the City of Colton.
14 Remember, those are the baseball fields that had the ADC
15 problem. So where are we at with that investigation and
16 the correction? Was that meant to be put in this
17 resolution or not, because --
18 DEPUTY DIRECTOR SCHIAVO: Well, the ADC issue was
19 corrected.
20 COMMITTEE MEMBER EATON: And what are -- supposed
21 to be revised?
22 DEPUTY DIRECTOR SCHIAVO: This should reflect the
23 revised numbers. Our waste analysis --
24 COMMITTEE MEMBER EATON: We haven't seen that.
25 MS. WILLMON: It does. We went through and --

1 COMMITTEE MEMBER EATON: The City of Colton, that
2 hasn't come before us for a correction.
3 DEPUTY DIRECTOR SCHIAVO: That whole issue
4 actually did a few months back. I forget the exact date.
5 COMMITTEE MEMBER EATON: Reduced to --
6 DEPUTY DIRECTOR SCHIAVO: I don't know the exact
7 number.
8 MS. WILLMON: Tabetha Willmon from the Office of
9 Local Assistance.
10 MS. BROWN: Rebecca Brown.
11 Thirty-seven hundred tons was deducted from their
12 2000 numbers. That was ADC, when we did the previous
13 correction for the various jurisdictions in San
14 Bernardino. So they did have a deduction of 3,777 tons.
15 CHAIRPERSON JONES: That -- for my memory, that
16 was where -- is this the -- because I think I'm getting a
17 little confused too. But this will straighten it out, I
18 hope.
19 This was the one where the county said the ADC
20 should weigh this much, and reality was another number.
21 And we picked the one that was reality. As a result of
22 that Board action, you guys took a thirty-seven hundred
23 ton deduction.
24 MS. BROWN: Correct.
25 CHAIRPERSON JONES: Okay. Thanks.

1 That makes sense. But that was a little while
2 ago. I appreciate that.
3 All right. Any other questions?
4 Madam Chair.
5 COMMITTEE MEMBER MOULTON-PATTERSON: I'll move
6 approval of Resolution 2002-428.
7 Do I need to read all the names?
8 CHAIRPERSON JONES: No.
9 I'll second it.
10 Call the roll -- substitute the previous roll
11 vote?
12 And on consent?
13 And put it on consent.
14 Madam chair.
15 COMMITTEE MEMBER MOULTON-PATTERSON: I'll move
16 resolution 2002-429.
17 CHAIRPERSON JONES: I'll second.
18 Substitute previous roll?
19 Put on consent?
20 All right. Thank you.
21 Item number I, 32.
22 DEPUTY DIRECTOR SCHIAVO: This is consideration
23 of the 1999-2000 biennial review findings for the source
24 reduction and recycling element and household hazardous
25 waste element for the City of Bakersfield in Kern County.

1 And Nikki Mizwinski will be making this
2 presentation.
3 MS. MIZWINSKI: Good morning, Chairman Jones and
4 Committee Members.
5 The City of Bakersfield's diversion rate for 1999
6 is 38 percent and for the year 2000 is 49 percent.
7 To determine the level of source reduction and
8 recycling and household hazardous waste element
9 implementation staff analyzed the historic diversion rate
10 trend, which has been increasing, and conducted a program
11 verification site visit in December of 2002.
12 Both the jurisdiction's programs and staff
13 analysis of these programs can be found in detail on Page
14 3 -- 32-3 of your binder.
15 Some of the major programs that they have been
16 implementing include residential curbside recycling,
17 residential curbside and commercial greenwaste programs,
18 and C&D recycling programs.
19 Bakersfield is claiming a biomass diversion
20 credit for 20,912 tons. That increases the city's
21 diversion rate from 44 to 49 percent.
22 Because the jurisdiction is adequately
23 implementing its SRRE and HHWE and has documented that it
24 meets the conditions for claiming biomass diversion for
25 the year 2000, staff recommends the Board find that

1 Bakersfield has made a good faith effort in meeting
2 diversion requirements.
3 Representatives from Bakersfield are present to
4 answer any questions.
5 And this concludes my presentation.
6 CHAIRPERSON JONES: Any questions?
7 I just have one.
8 They've got mandatory greenwaste recycling, which
9 they do -- they have a nice composting operation and a lot
10 of concrete grinding operations in Bakersfield. But it's
11 pretty optional as far as curbside recycling goes for
12 commodities. I know they just started that because I got
13 contacted by the newspaper.
14 How is that going? Are we getting closer to a
15 decision as to if that's going to be a service that's
16 offered? And I only ask because I got contacted by your
17 newspapers as to why it took so long for Bakersfield to do
18 this.
19 MS. MIZWINSKI: Mr. Jones, this is Kevin Barns.
20 He's with the City of Bakersfield to answer your question.
21 CHAIRPERSON JONES: Thank you.
22 MR. BARNS: Good morning, Mr. Jones.
23 The issue of curbside recycling in Bakersfield
24 has been held off because of an opinion pole that was
25 taken community-wide finding that two thirds of the

population did not wish to include the cost of that service in refuse fees. Recently the curbside program was put forth in voluntary subscription mode. And that's what we're doing now.

CHAIRPERSON JONES: Okay. If -- you know, we're going to go through this routine every two years if the numbers start falling. Then do we do another opinion poll?

MR. BARNS: Concurrently with that we have the C&D program, which is really just in its shakedown phase. We expect 4 to 6 percent additional recycling from there. But to answer your question, curbside would always be an option.

One interesting note is that in a voluntary program we're finding that approximately 40 percent of the average household's trash weight goes in there because these are the very interested, very zealous recyclers. They're willing to pay subscription fees for it.

So they far outperform what you'd normally have in a mandatory curbside program in other cities I've worked in.

CHAIRPERSON JONES: Okay. Thank you.

Members, questions?

Motion?

COMMITTEE MEMBER MOULTON-PATTERSON: I'll move

1 that we approve Resolution 2002-430.

2 COMMITTEE MEMBER EATON: Second.

3 CHAIRPERSON JONES: We've got a motion by Linda

4 Moulton-Patterson, a second by Mr. Eaton.

5 Substitute the previous roll?

6 On consent?

7 So ordered.

8 Item Number J, or 33.

9 DEPUTY DIRECTOR SCHIAVO: This is consideration

10 of the 1999-2000 biennial review findings for the source

11 reduction and recycling element and household hazardous

12 waste element for the City of Folsom in Sacramento County.

13 And Kyle Pogue will be making this presentation.

14 MR. POGUE: Good morning, Chairman Jones and

15 Committee Members. Kyle Pogue with the Office of Local

16 Assistance.

17 The City of Folsom's diversion rate for 1999 was

18 45 percent and for 2000 it's 49 percent.

19 To determine the level of source reduction

20 recycling element and household hazardous waste element

21 implementation, staff analyzed the historic diversion rate

22 trend, which has been consistently above 45 percent and

23 has even exceeded the 50 percent goal in past years, and

24 conducted program verification site visits each year

25 starting in 1999.

1 Both the jurisdiction's programs and staff
2 analysis of these programs can be found in detail starting
3 on page 33-3 of the agenda item.
4 Some of the major programs that have been
5 implemented include:
6 The use of a materials recovery facility located
7 at Folsom prison called the Correctional Resource Recovery
8 Facility;
9 Establishment of a residential curbside
10 greenwaste program with plans to greatly expand the number
11 of households served;
12 Commercial on-site pick up of recyclable
13 materials.
14 Staff recommends the Board finds that the City of
15 Folsom has made a good faith effort in meeting diversion
16 requirements.
17 Representatives from the city are available to
18 answer any questions you may have.
19 Thank you.
20 COMMITTEE MEMBER EATON: I just have a question.
21 Since Folsom's the fastest -- one of the fastest
22 growing cities in the greater metropolitan area, they've
23 reached this goal without any C&D ordinances and yet
24 they've had the most construction of any other place. I'd
25 like to have, you know -- are they going to do that or do

1 they feel they don't need it?

2 MR. POGUE: Bob Bailey --

3 COMMITTEE MEMBER EATON: It seems pretty hard to

4 me when you have a population increase, which it's had

5 over for the last five years, even though it's at the

6 prison.

7 MR. BAILEY: Oh, you're waiting --

8 COMMITTEE MEMBER EATON: Yeah, absolutely.

9 CHAIRPERSON JONES: Identify yourself please.

10 MR. BAILEY: Robert Bailey, Solid Waste

11 Superintendent, City of Folsom, Mr. Chairman, Members of

12 the Committee.

13 We're excited about being here because we have

14 been up to 50 percent of our diversion without a C&D

15 ordinance. We do do some C&D work, but it's all recycled

16 material, one of the reasons our recycling is so high. To

17 continue -- if the MRF itself, the CC -- CRF actually

18 comes to capacity, then we will be looking at more C&D

19 operation.

20 But we -- most of the people that collect in

21 Folsom are in the county, and the county has some

22 ordinance already that they use. And we get some benefit

23 from that. So at this moment we don't see a need for it.

24 But it is an option that we have and something we've

25 looked very strongly at to continue over the next ten

1 years.

2 COMMITTEE MEMBER EATON: I don't quite understand

3 then. So where does the construction and demolition that

4 takes place on the site go? Are you telling me it goes to

5 the county?

6 MR. BAILEY: The material that we collect goes up

7 to our facility. And we have it sorted up there and it

8 goes to market. But most of the stuff that we pick up we

9 already have presorted -- cardboard, wood, fiberboard,

10 things like that. But it's not mandatory. It's something

11 that we encourage people to do. And it works better in

12 that kind of relationship, rather than mandating at this

13 time, because we have basically been about 50 percent for

14 the last eight years. It fluctuates based on our labor

15 force.

16 COMMITTEE MEMBER EATON: So what percentage, do

17 you think, of your diversion number is C&D diversion?

18 MR. BAILEY: About six percent.

19 COMMITTEE MEMBER EATON: About six percent.

20 Where do you think the other goes?

21 MR. BAILEY: The other goes? To wherever the

22 private haulers can get the cheapest place to landfill it.

23 That's where it goes.

24 CHAIRPERSON JONES: So do they identify that as

25 disposal to the City of Folsom?

1 MR. BAILEY: It goes as negative against us, yes
2 because we haven't mandated them to do that.
3 CHAIRPERSON JONES: Okay. Yeah, I think,
4 especially with the amount of growth, it could be -- it
5 could kill you in the numbers one year. If it all went
6 into disposal, you'd end up in the same stickler that the
7 folks in southern California find themselves in from time
8 to time.
9 And I think that's what Mr. Eaton is, you know,
10 trying to suggest, that --
11 COMMITTEE MEMBER EATON: Well, I know Mr. Frost
12 is quite adept at the Board practices since he started the
13 Board, you know. So I was just always wondering about it.
14 But do we have any numbers for Folsom on the
15 amount that's being charged for construction and
16 demolition waste?
17 DEPUTY DIRECTOR SCHIAVO: No, I don't.
18 MS. MORGAN: I don't think we have any way of
19 tracking specific to a jurisdiction on what that is.
20 We do have the statewide waste characterization
21 database and the original SRRE planning information. But
22 we don't have anything specific. And we also -- staff did
23 address this concern regarding the C&D program with the
24 city. And that is mentioned in the agenda item, that
25 staff does really see -- really does need to take a look

1 at this in the future with all the building going on.
2 CHAIRPERSON JONES: Under the DRS, if the
3 material out of Folsom ended up at Kieffer Road and didn't
4 get recycled, it would get charged back to the city then
5 as disposal?
6 MS. MORGAN: That's correct?
7 CHAIRPERSON JONES: If it went to Kieffer Road
8 and was ground up and used as foundation material or ADC,
9 then it would be -- it would have that zero disposal
10 attributed to it?
11 MS. MORGAN: Yeah, that amount would not be
12 identified as disposal.
13 CHAIRPERSON JONES: But the city just doesn't
14 have a way of tracking that?
15 MS. MORGAN: Right.
16 CHAIRPERSON JONES: Okay.
17 All right. Madam Chair.
18 COMMITTEE MEMBER MOULTON-PATTERSON: Okay. I'll
19 move Resolution 2002-431.
20 COMMITTEE MEMBER EATON: Second.
21 CHAIRPERSON JONES: I've got aa motion by Linda
22 Moulton-Patterson, a second by Mr. Eaton.
23 Substitute the previous roll?
24 Put it on consent?
25 So ordered.

1 Next.

2 DEPUTY DIRECTOR SCHIAVO: Item Number 34,

3 Committee Item K, is consideration of the 1999-2000

4 biennial review findings for the source reduction and

5 recycling element and household hazardous waste element

6 for the Colusa County Regional Agency.

7 And Jill Simmons will make this presentation.

8 MS. SIMMONS: Good morning, Chairman Jones and

9 Committee Members.

10 CHAIRPERSON JONES: I don't think that's on.

11 MS. SIMMONS: There we go.

12 Good morning, Chairman Jones and Committee

13 Members.

14 The Colusa County Regional Agency originally

15 submitted generation studies for '99 and 2000, with

16 diversion rates of 68 percent and 63 percent,

17 respectively.

18 As part of the generation study review, Board

19 staff conducted a site visit as well as meeting with

20 agency staff. Proposed changes by Board staff may be

21 viewed in its entirety by referring to Attachment 3 of the

22 agenda item packet.

23 As a result of the changes, Board staff

24 recommends a revised diversion rate of 67 percent for the

25 '99 and 62 percent for the generation study year of 2000.

1 Staff also conducted a review of the agency's
2 diversion programs. The agency has reported that they
3 have successfully implemented all but two of the their
4 source reduction, recycling, composting, and public
5 education programs to meet the 50 percent diversion goal.
6 Board staff determined that the information is
7 adequately documented. Based on this information Board
8 staff is recommending Option 1 of the agenda item, which
9 would approve the generation study year with staff
10 recommendations and accept the '99-2000 biennial review
11 findings.
12 This concludes my presentation. Are there any
13 questions?
14 CHAIRPERSON JONES: I don't have any questions.
15 This was a county staffer did it? I mean they
16 found, you know -- I mean very limited, I mean almost
17 nothing, a thousand tons of material basically. And that
18 was because they couldn't verify the year that the program
19 actually happened. So good job to whoever did this.
20 MS. SIMMONS: That is correct.
21 CHAIRPERSON JONES: Madam Chair.
22 COMMITTEE MEMBER MOULTON-PATTERSON: I'll move
23 Resolution 2002-434.
24 CHAIRPERSON JONES: And --
25 COMMITTEE MEMBER EATON: Second.

1 CHAIRPERSON JONES: -- second by Mr. Eaton.
2 We've got a motion by Linda Moulton-Patterson,
3 second by Mr. Eaton.
4 Substitute the previous roll?
5 On consent?
6 So done.
7 MS. SIMMONS: Thank you.
8 CHAIRPERSON JONES: Item 35.
9 DEPUTY DIRECTOR SCHIAVO: Committee Item L, 35,
10 is consideration of the 1999-2000 biennial review findings
11 for the source reduction and recycling element and
12 household hazardous waste element for the City of Hayward,
13 Alameda County.
14 And Carolyn Sullivan will be making this
15 presentation.
16 MS. SULLIVAN: Good morning.
17 Staff has conducted the 1999-2000 biennial review
18 for the City of Hayward and finds that the city is
19 adequately implementing source reduction, recycling,
20 composting, and public education and information programs.
21 Hayward is claiming biomass diversion credit of
22 6,001 tons, which raises the city's diversion rate from 50
23 percent to 52 percent.
24 Staff conducted a site visit in 2002.
25 Because this jurisdiction has demonstrated it is

1 adequately implementing SRRE and HHWE and has met the
2 50-percent diversion requirement and documented that it
3 meets the conditions for claiming biomass diversion in
4 2000, staff recommends the Board approve the city's
5 biennial review.
6 A representative for the city is present to
7 answer any questions.
8 CHAIRPERSON JONES: Thank you.
9 Questions, members?
10 Motion?
11 COMMITTEE MEMBER MOULTON-PATTERSON: I'll move
12 that, Resolution 2002-435.
13 COMMITTEE MEMBER EATON: Second.
14 CHAIRPERSON JONES: Got a motion by Linda
15 Moulton-Patterson, second by Mr. Eaton.
16 Substitute the previous roll?
17 And on consent?
18 So done.
19 Thank you.
20 Item Number M or 36.
21 DEPUTY DIRECTOR SCHIAVO: This is consideration
22 of the application for an SB 1066 time extension by the
23 cities of Dana Point, Laguna Niguel, San Clemente, and San
24 Juan Capistrano, all located within Orange County.
25 And Melissa Vargas will be making this

presentation.

MS. VARGAS: Good morning, Chairman Jones and Committee Members.

The cities of Dana Point, Laguna Niguel, San Clemente, And San Juan Capistrano have requested an extension through December 31st, 2003.

The cities identified several factors that have contributed to the cities' not achieving the 50 percent goal and have incorporated these areas into their program enhancement.

The specific reasons the cities need a time extension are as follows:

The cities experience a low participation rate from businesses. The cities have hired a new recycling coordinator who will be working in conjunction with the new hauler to conduct business surveys and to provide outreach services to these businesses in order to increase participation.

The cities have experienced a number of construction and demolition projects that have impacted their waste stream. Orange County has agreed to the siting of a pilot C&D program at the Crema Landfill for the processing of C&D materials.

Limited processing capacity at the MRF located in Stanton. In late 2001 one million dollars was spent by

1 the MRF operator to purchase new equipment to improve
2 their commingled sorting line. This new equipment
3 combined with efforts to reduce contamination at the
4 source will increase the amount of recyclables and
5 decrease the residual from the commingled sorting line.
6 The programs listed in a plan of corrections are
7 Page 36-14, 36-37, 36-55 and 36-77 of your binder.
8 This cities anticipate the following increases:
9 Dana Point, 14 percent; Laguna Niguel, 10
10 percent; San Juan Capistrano, 11 percent; and San
11 Clemente, 16 percent.
12 Board staff is determined that the information
13 submitted in the application is adequately documented.
14 Based on this information, Board staff is recommending
15 that the Board approve the time extension request for
16 these four cities.
17 This concludes my presentation. Representatives
18 and the consultant for the cities are available to answer
19 your questions.
20 Thank you.
21 CHAIRPERSON JONES: Before any questions, I just
22 want to say, I met with Orange County, the hauler, and a
23 couple of cities after our Board meeting in Ventura
24 County -- Oxnard. And I just do want to congratulate the
25 county and those cities -- Jan Goss, in particular -- for

1 having the courage to start this program, seeing that they
2 were falling short, and, you know, siting this pilot
3 program at the county to see what they could really do to
4 capture that material, which I know is near and dear to
5 all of our hearts.
6 So I just -- I do want to say that, because
7 sometimes city officials and county officials don't get
8 the credit for the courage that they exhibit. So I just
9 did want to mention that, because I think that's going to
10 be big. And then your other programs obviously have to
11 continue to, you know, grow. But I think that's going to
12 help you an awful long way, especially with the amount of
13 building that's going on there.
14 Any questions from the members?
15 COMMITTEE MEMBER MOULTON-PATTERSON: No.
16 With that, I'll move Resolution 2002-436.
17 COMMITTEE MEMBER EATON: Second.
18 CHAIRPERSON JONES: Okay. We've got a motion by
19 Linda Moulton Patterson, a second by Mr. Eaton.
20 Substitute the previous roll?
21 And on consent?
22 So done.
23 All right. Thank you.
24 We are on to the next page.
25 Item N, Number 37, Lake County.

1 DEPUTY DIRECTOR SCHIAVO: Consideration of
2 application for an SB 1066 alternative diversion
3 requirement by the unincorporated area of Lake County.
4 And Jill Simmons will make this presentation.
5 MS. SIMMONS: Good morning, Chairman Jones and
6 Committee Members.
7 The unincorporated area of Lake County submitted
8 an SB 1066 document requesting an alternative diversion
9 requirement of 38 percent until July 31st, 2004. The
10 county built their request on its 2000 diversion rate of
11 33 percent.
12 The county is requesting an ADR instead of a time
13 extension because the county does not believe that it will
14 be able to achieve a 50-percent diversion rate. However,
15 they do not feel they have reached their maximum diversion
16 rate.
17 Once the county has fully expanded its
18 residential and commercial curbside programs, they will
19 most likely apply for a rural reduction.
20 The specific reasons why the county needs an ADR
21 are as follows:
22 Despite the county's award-winning curbside
23 recycling program and the fact that the county has
24 implemented all of its SRRE-selected programs, these
25 efforts have not resulted in a diversion rate of 50

1 percent. To complicate matters, recently the county has
2 seen an increase in disposal tonnage due to the
3 combination of an increase in construction and demolition
4 tonnage and disposal allocation improvements. Once the
5 county has expanded both their residential and commercial
6 curbside programs and they have had a chance to evaluate
7 and then expand their construction and demolition program,
8 they should see an increase in their diversion rate.
9 The programs listed in the goal-achievement
10 section are on Page 37-16 of your binder. The county
11 anticipates a five-percent increase in its diversion rate.
12 Board staff has determined that the information
13 submitted in the application is adequately documented.
14 Based on this information Board staff is recommending that
15 the Board approve the alternative diversion requirement
16 request for the county.
17 Representatives from the county are present to
18 answer any questions.
19 This concludes my presentation. Thank you.
20 CHAIRPERSON JONES: Questions?
21 Mr. Eaton and I were on the SB 1066 road show,
22 talking to all the jurisdictions. It seemed to me that
23 there was an issue between Lake County and some cities.
24 There was something to do with allocation or stuff. So is
25 that stuff still being worked through, do you know?

1 DEPUTY DIRECTOR SCHIAVO: I think it's an ongoing
2 process with these little ones, the smaller jurisdictions.
3 CHAIRPERSON JONES: Okay. Because I know there
4 was frustration from a couple of the little cities.
5 COMMITTEE MEMBER EATON: But Clear Lake made it.
6 CHAIRPERSON JONES: Yeah, Clear Lake did okay.
7 COMMITTEE MEMBER EATON: So obviously they solved
8 their problem. So it's not an ongoing problem for them.
9 Is it still for the unincorporated?
10 DEPUTY DIRECTOR SCHIAVO: It is. And it can
11 be --
12 COMMITTEE MEMBER EATON: It involved a scale, if
13 I'm not mistaken.
14 DEPUTY DIRECTOR SCHIAVO: Right. And it can be.
15 Any time you have a smaller jurisdiction, any kind of
16 misallocated tons can bounce somebody in a different
17 direction. So Clear Lake could experience issues next
18 year. They may be fine. It's just hard to tell year to
19 year with these smaller ones.
20 CHAIRPERSON JONES: Okay.
21 COMMITTEE MEMBER EATON: Have we helped them?
22 Because we've had --
23 DEPUTY DIRECTOR SCHIAVO: Our Waste Analysis
24 Branch works with them.
25 COMMITTEE MEMBER EATON: No. But we've had a

1 number of clean-ups in this area for abandoned waste sites
2 in the unincorporated areas. So what happens when we take
3 that material? Do we just -- do we divert it?
4 CHAIRPERSON JONES: That gets charged to them.
5 What doesn't get diverted, right, it gets charged?
6 COMMITTEE MEMBER EATON: I know. But have we --
7 DEPUTY DIRECTOR SCHIAVO: It gets disposed --
8 COMMITTEE MEMBER EATON: -- checked to make sure
9 that we're giving -- in other words in our, you know, our
10 2136 program have we done everything with the one section
11 to make sure that that tier gets diverted so then it can
12 help the smaller jurisdiction? Kind of following up with
13 the point you talked about with the coordination.
14 Otherwise we're not helping them by just -- we're helping
15 them by getting the abandoned sites cleaned up. But we're
16 not doing very much with regard to helping them with their
17 diversion by virtue of what we place in landfill.
18 So those are the kinds of questions we should be
19 getting.
20 CHAIRPERSON JONES: Yeah, we ought to follow up
21 on that. Because I know when we get to 2136 requests,
22 they say they're going to divert us much as they can and
23 then dispose what they have to. But this is a good point
24 that Mr. Eaton brings up, exactly, that we may be
25 impacting some of these by cleaning up. And maybe we need

1 to look at how much of that got diverted, how much got
2 disposed, and do whatever.
3 DEPUTY DIRECTOR SCHIAVO: Yes.
4 CHAIRPERSON JONES: All right. Motion.
5 MS. SIMMONS: Chairman Jones?
6 CHAIRPERSON JONES: Yes, ma'am.
7 MS. SIMMONS: I just need to point something out
8 to you.
9 In the resolution the date as far as the
10 completion of the ADR request says October 31st, 2004.
11 And it should be July 31st, 2004.
12 CHAIRPERSON JONES: Okay. 7/31.
13 All right. Madam Chair.
14 COMMITTEE MEMBER MOULTON-PATTERSON: I'll move
15 Resolution 2002-437, with the change noted.
16 COMMITTEE MEMBER EATON: Second.
17 CHAIRPERSON JONES: Okay. I've got a motion for
18 revised 2002-437 by Linda Moulton-Patterson, second by Mr.
19 Eaton.
20 Substitute the previous roll?
21 And on consent?
22 So done.
23 Thank you.
24 Item number, O, 38, San Benito.
25 DEPUTY DIRECTOR SCHIAVO: This is consideration

1 of the application for an SB 1066 time extension by the
2 San Benito County Integrated Waste Management Regional
3 Agency located in San Benito County.
4 And Terri Edwards will be making this
5 presentation.
6 MS. EDWARDS: Good morning, Chairman Jones and
7 Committee Members.
8 San Benito County Integrated Waste Management
9 Regional Agency has requested an extension through July
10 1st, 2004.
11 The specific reasons the regional agency needs a
12 time extension are as follows:
13 The San Benito County Integrated Waste Management
14 Regional Agency requires more time to meet the 50 percent
15 diversion goal due to changes and delays in the expansion
16 of SRRE-selected programs as a direct result of having an
17 inaccurate base year which had produced a falsely high
18 diversion rate.
19 The additional time is also necessary to resolve
20 issues surrounding contractual relationships for refuse
21 collection and landfill operation. As the refuse
22 collection contracts for the jurisdictions within the
23 regional agency have expired or are about to expire,
24 changes are being made to these contracts to reflect
25 pay-as-you-throw program practices.

1 The County of San Benito anticipates either
2 contractual resolution with the landfill operator or a
3 potential change in the landfill operator.
4 The programs listed in the plan of correction are
5 on Page 38-3 of your binder.
6 Board staff has determined that the information
7 submitted in the application is adequately documented.
8 Based on this information Board staff is recommending that
9 the Board approve the time extension request for the
10 regional agency.
11 I don't believe that the jurisdiction
12 representative has arrived yet. But Board staff are
13 present to answer any questions.
14 This concludes my presentation. Thank you.
15 CHAIRPERSON JONES: I just have a couple
16 questions.
17 We just got handed this revised one?
18 MS. SIMMONS: Correct.
19 CHAIRPERSON JONES: And I saw some stuff at the
20 back that looks like it was a strike out, SABRC and some
21 other things.
22 Are there --
23 MS. SIMMONS: There was a revised item that was
24 revised last week.
25 The item that's sitting before you was revised

1 yesterday. It was just two changes. It was reverting
2 the -- if you look on the -- under the table that has the
3 total diversion that can be seen from the time
4 extension --
5 CHAIRPERSON JONES: Oh, okay. You went from --
6 MS. SIMMONS: -- it should have been 18. It
7 should never have been crossed out.
8 And then the other correction was -- the head of
9 the regional agency is not a recycling coordinator. She's
10 a program director. And so out of respect for that title,
11 we opted to change it.
12 CHAIRPERSON JONES: Okay. That was a change I
13 saw. And I just wanted to make sure we weren't missing
14 something.
15 COMMITTEE MEMBER EATON: Where do we see this 17
16 percent in the plan of correction? I don't see that the
17 programs -- the new or expanded programs that get them 17
18 percent.
19 MS. WILLMON: If you go to the time extension,
20 and the table --
21 COMMITTEE MEMBER EATON: Right. I'm looking at
22 it. But I don't see -- I mean we get residential
23 curbside. But it's based upon the fact of the contract
24 coming up. So when does their contract come up? It
25 doesn't come up until after the date by which the

1 extension is granted. So that's not really a real
2 program.
3 DEPUTY DIRECTOR SCHIAVO: The 18 percent for the
4 plan of correction ends up -- it's taking --
5 COMMITTEE MEMBER EATON: I mean we all know what
6 curbside can get us, right, because we've done those
7 studies, right?
8 DEPUTY DIRECTOR SCHIAVO: Right.
9 COMMITTEE MEMBER EATON: So we know what the
10 maximum. We don't even know if they're in that program
11 during the time, do we? Because it says right here, "as
12 each jurisdiction within the regional agency are due to
13 come up for renewal or revision." Have we checked to find
14 out when that contract's coming up to see if it fits
15 within the timeframe? Because that gets them a couple of
16 points.
17 MS. WILLMON: The representative for the
18 jurisdiction has those dates. And they -- she put this
19 expiration date as a consideration as when to all the
20 contracts that are supposed to be coming up.
21 COMMITTEE MEMBER EATON: I know that. But it's
22 our job as those who receive the information to verify
23 that information. I know that the jurisdictions can speak
24 themselves.
25 But, Pat, I tell you this every time. We have

1 got to do something that verifies that what they're
2 telling us is accurate, not just accept it at face value.
3 And that's my problem with these, is that, you know, we're
4 doing all these studies -- and I've been here long enough
5 now to know, thanks to a few of the other Board members,
6 what -- how much we can get out of certain programs,
7 become sort of, you know, garbage men in absentia sort of,
8 we understand. It ain't here. I don't see it. So tell
9 me where it is based on your analysis, not what the city's
10 going to do. What your analysis is. You've got the
11 city's and you've got all the case studies and whatever.
12 It's not here. So where is it? Where is the 17 percent?
13 I mean that's what -- we give the extension, right,
14 1066's -- they get an extension, we work with them to come
15 up with a coordinated plan on how to get there. I don't
16 see that 17 or 18 percent. So you guys have got to -- you
17 know, where do you see it?
18 CHAIRPERSON JONES: Can I ask a follow-up?
19 COMMITTEE MEMBER EATON: You know, this is a
20 fast-growing area as well, you know, in residential.
21 There's no C&D. They have an existing program. But I'm
22 just saying, where is that 18 percent?
23 CHAIRPERSON JONES: And I have a follow-up
24 question.
25 When they put all this together to get to their

1 18, like we used to do when we were doing the SRRE's, do
2 they think that going from -- to the pay-as-you-throe and
3 changing the curbside from a voluntary to a mandatory --
4 have they -- as part of their application did they say
5 that's going to be worth, you know, 4 points, 2 points, 3
6 points, whatever number they had? And do they say the
7 pay -- because most of the documentation that says
8 pay-as-you-throw isn't going to be honored by the City of
9 Hollister. And the other cities are going to be doing it
10 later in the process. And I think, rightfully, one of the
11 concerns that Mr. Eaton has is "How does that match into
12 this timeframe?" Because clearly this is a consistent
13 treatment of these because it's consistent with what we
14 did in I think Riverside County or somewhere where we had
15 four cities that we just -- they put the -- you know, they
16 put the stuff down, but they didn't really tell us how
17 they were going to get to whatever their diversion was.
18 And we sent them back and said, "Here, go fix these."
19 So does that -- and it's kind of -- it's almost
20 scary that the city or the county's not here to, you know,
21 be able to answer some of these. But is there some kind
22 of a cross check?
23 MS. WILLMON: Well, the county -- we know that
24 the county implemented their pay-as-you-throw program in
25 January of 2002. The City of Hollister is going to be

1 implementing their when their contract comes up in a
2 couple of months in November. And they're projected to
3 get that -- start getting that on line between November
4 and January of 2003.
5 CHAIRPERSON JONES: All right. So if they
6 continue with the same hauler, one of the conditions is
7 going to be that it's going to be a pay-as-you-throw
8 system?
9 MS. WILLMON: Yes.
10 CHAIRPERSON JONES: Okay. Madam Chair.
11 CHAIRPERSON MOULTON-PATTERSON: I was just going
12 to ask: The county is not here?
13 MS. EDWARDS: They're on their way.
14 MS. WILLMON: They're coming.
15 COMMITTEE MEMBER MOULTON-PATTERSON: It just
16 seems to me that, you know, something as important as
17 this, they should be here to answer these questions.
18 CHAIRPERSON JONES: I think what we're going to
19 do is we're going to hold onto this one for a little bit
20 and we're going to keep going through the agenda. And
21 then we they get here, they can join in the fun.
22 All right. So we'll hold on 38 for a little bit.
23 Let me just ask a question here real quickly.
24 You want to take five, ten minutes? Because
25 we've got about another 12 to do, and we're going to be

1 done by 11:30.

2 THE REPORTER: No, I'm fine.

3 CHAIRPERSON JONES: Really? Way to go. I love

4 this guy. This is good.

5 All right. Item Number 39, P.

6 DEPUTY DIRECTOR SCHIAVO: Okay, 39 and 40 will be

7 combined. And these are: Consideration of the

8 application for an SB 1066 time extension, and for both

9 Rancho Cucamonga and Chino Hills in San Bernardino County.

10 And Rebecca Brown will be making this

11 presentation.

12 MS. BROWN: Good morning, Chairman Jones and

13 Committee Members.

14 The cities of Chino Hills and Rancho Cucamonga

15 have each requested a time extension through December

16 31st, 2002, and December 31st, 2003, respectively.

17 The specific reasons why Chino Hills and Rancho

18 Cucamonga need a time extension are as follows:

19 The City of Chino Hills was in contract

20 negotiations in 2000, and hired a new hauler effective

21 February 2001. The city needs time to see results of the

22 contract changes, including the increased diversion of

23 materials from the nonresidential sector going through the

24 materials recovery facility.

25 Rancho Cucamonga had a change in ownership of the

1 hauling company in 1999 and learned of discrepancies in
2 customer billing, it's recycling services and related
3 reports. It has taken time for Rancho Cucamonga to
4 resolve the discrepancies that have occurred with the
5 change of haulers, as well as to determine how to address
6 shortcomings in existing programs resulting from an
7 unanticipated five-percent growth in single-family
8 residents and a 10-percent growth in commercial buildings.
9 Chino Hills' programs are on Page 39-3 of your
10 binder. And they anticipate a nine-percent increase in
11 their diversion rate.
12 The programs listed in Rancho Cucamonga's plan of
13 correction are on Page 40-3 of your binder. Rancho
14 Cucamonga anticipates an 18-percent increase in their
15 diversion rate.
16 Board staff has determined that the information
17 submitted in the two applications is adequately
18 documented. Based on this information Board staff is
19 recommending that the Board approve the two time extension
20 requests for Chino Hills and Rancho Cucamonga.
21 A representative from each of the cities is
22 present to answer your questions.
23 This concludes my presentation. Thank you.
24 CHAIRPERSON JONES: Questions?
25 The one thing we did note was the description of

1 the wood program and the clean source separated and those
2 types of things, which really is helpful because you can
3 look -- you know the area and you say, "Okay. This is
4 going to have a big impact." You know what I mean?
5 So thank you.
6 MS. BROWN: You're welcome.
7 CHAIRPERSON JONES: Mr. Eaton, any questions?
8 COMMITTEE MEMBER EATON: No.
9 CHAIRPERSON JONES: Okay. Motion.
10 COMMITTEE MEMBER EATON: Move that we adopt
11 Resolution 2002- --
12 CHAIRPERSON JONES: -- 440.
13 COMMITTEE MEMBER EATON: -- 440.
14 CHAIRPERSON JONES: I'll second.
15 Mr. Eaton moves that we adopt Resolution
16 2002-440, seconded by Jones.
17 We can't substitute the roll.
18 Eaton?
19 COMMITTEE MEMBER EATON: Aye.
20 CHAIRPERSON JONES: Jones?
21 Aye.
22 Linda Moulton-Patterson's out. But she had no
23 problem with this. So unless she does -- we'll leave the
24 thing open. And then --
25 COMMITTEE MEMBER EATON: I move that we adopt

1 Resolution 2002-441.

2 CHAIRPERSON JONES: Second.

3 Motion by Eaton, second by Jones.

4 We'll Substitute the previous roll and keep it

5 open for Linda Moulton-Patterson when she comes back.

6 And then they'll both go on consent if she

7 approves. Okay?

8 Item Number R, 41.

9 DEPUTY DIRECTOR SCHIAVO: Okay. This is

10 consideration of the application for an SB 1066 time

11 extension by the City of Fresno in Fresno County.

12 And Cedar Kehoe will be making this presentation.

13 MS. KEHOE: Good morning, Chairman Jones and

14 Committee.

15 The City of Fresno has requested an extension

16 through June 30th, 2004. The specific reasons the city

17 needs a time extension are as follows:

18 The city needs the additional time to allow for

19 full implementation of the recently improved commercial

20 on-site pick-up program. The City and the County of

21 Fresno are working to resolve outstanding waste-origin

22 issues during the period of this time extension.

23 And the city recently changed from twice-a-week

24 garbage collection to once-a-week garbage, recycling and

25 greenwaste collection for residential curbside; and

1 community needs time to learn and understand how to change
2 their behavior patterns.
3 The programs listed in the plan of correction are
4 on Page 41-3 of your binder. The city anticipates a
5 27-percent increase in their diversion rate.
6 Board staff has determined that the information
7 submitted in the application is adequately documented
8 Based on the information Board staff is recommending that
9 the Board approve the time-extension request made by the
10 city.
11 A representative from the city is present to
12 answer any questions that you may have.
13 And this concludes the presentation.
14 CHAIRPERSON JONES: Okay. So we're going from
15 two-time-a-week garbage pick up to one-time-a-week garbage
16 pick up and we're including recycling services now,
17 basically?
18 MS. KEHOE: That's correct.
19 CHAIRPERSON JONES: All right. That's a pretty
20 big step for the city. That's good.
21 You've got a new C&D program. You're going to
22 expand the commercial stuff. And then the curbside and
23 all the greenwaste stuff is all new, right? It's all new
24 diversion?
25 MS. KEHOE: This is Don Smith.

1 MR. SMITH: Chair, Council members, Don Smith,
2 City of Fresno.
3 Concerning any questions you may have related to
4 any of the programs: The commercial program that we'll be
5 implementing this year will reach out as well to all 8,000
6 of our commercial businesses, to be as many of them on
7 board as we can with recycling as well --
8 CHAIRPERSON JONES: Okay.
9 MR. SMITH: -- as a conversion from twice a week
10 to once a week, implement -- the implementation of a
11 recycling -- in these programs.
12 CHAIRPERSON JONES: Now, you guys were doing
13 curbside recycling, right, and there was a problem with
14 contamination and --
15 MR. SMITH: Well, we had contamination. We also
16 changed from a tub system to a 96-gallon cart system,
17 which improved from approximately 1,000 tons a year to 30
18 -- I'm sorry -- 10,000 tons a year to 36,000 tons a year
19 from the 96-gallon cart.
20 CHAIRPERSON JONES: Okay. And then you guys --
21 you guys are working through the permitting issue? Or is
22 it done? That's -- at whatever the -- because of the
23 contamination issue.
24 MR. SMITH: Well, with the 20-percent
25 contamination, through the education program that we've

1 put in place and they're also applying for a solid waste
2 facilities permit -- so between the two we're going to get
3 there. And we're working with the county. We have
4 timelines for the hauler. And also with our education
5 process we're slowly bringing our contamination rate down.
6 CHAIRPERSON JONES: Okay. So they're
7 operating -- so you guys are processing what you're
8 collecting?
9 MR. SMITH: Again, probably one of the mistakes
10 we made when we went from twice a week to once a week in
11 the garbage was -- our old garbage containers used to be
12 the green container. And they're now the green waste
13 container. So it was part of that education process
14 that -- we've got to change the mind set of half a million
15 people.
16 CHAIRPERSON JONES: Got you.
17 All right. We have a revised -- I guess we have
18 a revised -- oh, we've changed the date. We've gone from
19 the December 31st to July 1st. Okay.
20 COMMITTEE MEMBER EATON: I'll move that we adopt
21 Resolution 2002-442.
22 CHAIRPERSON JONES: And I'll second.
23 We've got a motion to adopt Resolution 2002-442
24 and a second by -- or by Mr. Eaton, a second by Mr. Jones.
25 Substitute -- or, no.

1 Call the roll.

2 SECRETARY BAKULICH: Eaton?

3 COMMITTEE MEMBER EATON: Aye.

4 SECRETARY BAKULICH: Moulton-Patterson?

5 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

6 SECRETARY BAKULICH: Jones?

7 CHAIRPERSON JONES: Aye.

8 And on consent?

9 Thank you, members.

10 Chair Moulton-Patterson, on Item 39, Chino Hills,

11 Mr. Eaton moved, I seconded it.

12 How would you like to vote?

13 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

14 CHAIRPERSON JONES: And I'll put it on consent?

15 Okay. And then Item 40 was Rancho Cucamonga.

16 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

17 CHAIRPERSON JONES: Okay. Both --

18 COMMITTEE MEMBER MOULTON-PATTERSON: Also

19 consent.

20 CHAIRPERSON JONES: Also consent.

21 Those two items will go.

22 Thank you.

23 Item Number S, 42.

24 DEPUTY DIRECTOR SCHIAVO: Okay. Item Number 42

25 is consideration of the application for an SB 1066 time

1 extension by the unincorporated area of Fresno county.
2 And Cedar will be making this presentation as
3 well.
4 MS. KEHOE: The unincorporated area of Fresno
5 County has submitted a completed SB 1066 time extension
6 request for meeting the 50-percent diversion requirement.
7 Staff review indicated that the county has not
8 sufficiently implemented efforts to meet the good faith
9 effort requirement for the approval of the SB 1066 time
10 extension request.
11 The specific reasons that staff feels that the
12 county has not made the good faith effort include:
13 The county SRRE indicated that the county would
14 conduct a number of feasibility studies and develop a
15 master plan. Prior to 2000 numerous reports were
16 presented to the County's Board of Supervisors relating to
17 the approval of various recycling options. However, the
18 County Board of Supervisors deemed that it was not
19 practical to carry out most of the proposed programs.
20 Following these County Board of Supervisors' decisions no
21 alternative programs were ever put in place to promote
22 recycling. The County Board of Supervisors have a history
23 of repeatedly directing county staff to look at the next
24 option, which must -- which has resulted in preventing the
25 cost associated with the implementation of any programs.

1 The outcome is that the county staff appears to
2 be bouncing from one program attempt to the next without
3 significantly implementing any recycling programs.
4 For the recycling programs that were attempted by
5 the county, it appears that only minimal efforts were made
6 to implement the recycling programs. And when the
7 programs failed, no alternative programs became
8 implemented or planned. The county selected to implement
9 curbside recycling. However, because there is a free
10 marketplace and they have not set any objectives amongst
11 the haulers to promote recycling, curbside recycling is
12 completely voluntary and with minimal program
13 participation.
14 Even with the low curbside recycling rates, the
15 county deemed that it was not justifiable to implement its
16 SRRE-selected material recovery facilities.
17 The county's SRRE also indicated that the county
18 would participate in its study to address a compost
19 facility. No facilitation or cost-compared study for the
20 compost facility was done.
21 In 1995 a pilot program was attempted at the
22 landfill, but it was terminated and deemed a failure. The
23 county continued to focus their efforts in only one
24 direction. And when those efforts failed, they had no
25 backup plans. So the recycling -- so the programs to

1 collect recycling materials offered today are virtually
2 the same as those offered a decade ago.
3 This special waste program selected in the
4 county's SRRE's included enactment of a mandatory
5 source-separation ordinance for the collection of wood
6 waste and an ordinance requiring separation of C&D wastes.
7 The county did not implement any ordinance directly for
8 wood waste or combined as a C&D ordinance.
9 Staff believes that the county's issues regarding
10 the discrepancies to the DRS data needed to have been a
11 focus for the county regents some years ago, as the
12 problem continues to be on going today.
13 The cities in Fresno will be working with the
14 county to resolve the waste origin issues during the
15 upcoming years.
16 Board staff believes the county's early efforts
17 were commendable. But the fact that no further
18 significant efforts were made during recent years has not
19 shown a good faith effort to actively promote recycling.
20 Instead, the county has taken a passive role and they have
21 not set any recycling objectives of any of the their local
22 haulers or businesses. Specifically, staff's analysis
23 indicates that the proposed ordinances, recycling
24 programs, composting programs, and material recovery
25 operations selected in their SRRE's either did not occur

1 or briefly occurred at a minimal effort.

2 The county currently is at 37-percent diversion

3 rate for '99 and 21 -- or, excuse me -- and 31 percent for

4 2000. The county has requested an extension through

5 December 31st of 2004. Staff analysis of the county's

6 past performance and dedication to program implementation

7 indicates that a compliance order would be more

8 appropriate.

9 The programs listed and the plan of correction

10 begin on page 42-3 of your binder.

11 Staff, therefore, recommends that the Board

12 direct staff to commence with the compliance order

13 process.

14 A representative of the county is present here to

15 answer your questions.

16 And that concludes my presentation.

17 CHAIRPERSON JONES: Any questions of the members.

18 I have a question, Pat. And I always ask this

19 question. And then we'll let the county come up and

20 speak.

21 If we agree with the staff recommendation, which

22 I agree with, then do we have a hearing for the county in

23 front of the full board --

24 DEPUTY DIRECTOR SCHIAVO: Yeah, the pro --

25 CHAIRPERSON JONES: -- prior to the compliance

1 order?

2 DEPUTY DIRECTOR SCHIAVO: Yeah, I believe --

3 well, whether -- we've gone to this committee structure.

4 I'm not --

5 CHAIRPERSON JONES: Or the hearing could be -- I

6 mean Mr. --

7 DEPUTY DIRECTOR SCHIAVO: Statute says the Board.

8 But I don't think it says full Board versus Committee, so

9 I'm not --

10 STAFF COUNSEL BLOCK: Elliot Block with the Legal

11 Office. You know, actually that's an interesting

12 question. The question you're asking actually is the

13 hearing before the Committee, before the Board, as --

14 CHAIRPERSON JONES: It seems to me the hearing

15 would be in front of the full Board.

16 STAFF COUNSEL BLOCK: That would -- since the

17 decision of the Board -- there's no decision of the Board

18 till the Board actually votes on it. But that would

19 probably be preferable way of proceeding.

20 CHAIRPERSON JONES: Okay. Let me just ask one

21 other question.

22 If the Board -- it this Committee agrees with

23 this proposed resolution, then all that's doing is setting

24 up the compliance hearing in front of the Board?

25 STAFF COUNSEL BLOCK: What would happen based on

1 the Committee's recommendation and then presumably if the
2 Board were to agree with the Committee's recommendation,
3 we would still need to serve a -- I can't remember the
4 exact name of it, but it's essentially a 30-day notice of
5 intent to issue a compliance order. And that decision
6 would be at a Board hearing. It would be as we did for
7 the '95-'96, is we would have a proposed compliance order,
8 we'd have a hearing over whether to issue that or not.
9 CHAIRPERSON JONES: And they would speak at that
10 point?
11 STAFF COUNSEL BLOCK: That's correct.
12 CHAIRPERSON JONES: Okay. I mean they're going
13 to speak today. But I just wanted to get that -- I just
14 needed to understand the process so that we don't short
15 circuit or short change anybody.
16 STAFF COUNSEL BLOCK: Right. Essentially we
17 would have potentially some of the same discussion again,
18 but within the context of a proposed compliance order, as
19 opposed to today, because it's come to us as a proposed
20 time extension. So slightly different context.
21 CHAIRPERSON JONES: Any other questions of our
22 staff?
23 We do have the representative -- oh, I'm sorry.
24 COMMITTEE MEMBER MOULTON-PATTERSON: I just want
25 clarification here.

1 So what's before us today is a time extension to
2 2004; is that correct?
3 CHAIRPERSON JONES: Yes.
4 COMMITTEE MEMBER MOULTON-PATTERSON: See, I just
5 have a -- We had this discussion before. But I just have
6 a problem with giving the longer time extensions to
7 somebody who has not performed and, in a sense, thumbed
8 their nose at us. And it just seems to me --
9 CHAIRPERSON JONES: We agree.
10 COMMITTEE MEMBER MOULTON-PATTERSON: -- we would
11 want to give them a shorter time extension and work very
12 closely with them.
13 Am I missing something?
14 CHAIRPERSON JONES: Yeah -- well, no, you're not
15 missing anything. You're exactly right. And then what
16 staff is recommending is that we not allow them to have
17 this voluntary compliance order, but bring the item back
18 to the Board so we can put them on a mandatory --
19 COMMITTEE MEMBER MOULTON-PATTERSON: Right. I
20 understand that.
21 CHAIRPERSON JONES: -- and it's for the exact
22 reason that you just said, that they've basically thumbed
23 their nose and not participated to really achieve or to
24 offer the programs to their citizens.
25 So, no, you're a hundred percent right. And then

1 I think what this action will do is say, "We're not going
2 to go along with your request for a time extension. We're
3 going to disapprove it."
4 And then we'll bring the item back as a
5 compliance-type order, as I understand it. I think that's
6 close enough anyway for --
7 COMMITTEE MEMBER MOULTON-PATTERSON: So we vote
8 in the negative on this?
9 CHAIRPERSON JONES: Yeah, we're voting to
10 approve, but the approval is -- oh, no, we're voting
11 "no" -- we're voting "no" on this, yeah. I'm sorry, yeah.
12 Or we might, or we might -- yes, who knows. We're going
13 to let the county talk to us now.
14 Come on up. After all that, I'm sure you're
15 loving this.
16 You don't even have to come forward, if you don't
17 want to. But I'm giving you the opportunity.
18 MS. MILLER: Respectfully, I request on behalf of
19 Fresno County that you approve our --
20 CHAIRPERSON JONES: Oh, could you identify
21 yourself. I'm sorry.
22 MS. MILLER: I'm sorry.
23 Mary Ann Miller. I'm the Resources Manager for
24 Fresno County Public Works and Planning Department.
25 And we request that you approve our extension,

1 our SB 1066 extension request, contingent upon our
2 agreeing to comply with the six items that are identified
3 as additional programs and issues to be resolved.
4 Specifically, under the biomass industry
5 contingency plan, we would work with the biomass industry
6 to provide us with data that they have been somewhat
7 unwilling to provide us at this time. Whether we could
8 pass an ordinance to require them, we would need to work
9 with County Counsel and our Board on that.
10 To strengthen the private hauler recycling
11 infrastructure. I would like to say that we, the county
12 and the Board of Supervisors, had looked at this issue on
13 a number of times. And the haulers that haul in the
14 county island areas -- which, as you probably are familiar
15 with, are unincorporated areas that are located, scattered
16 throughout the city of Fresno -- and the haulers in those
17 areas do provide recycling containers to those who wish to
18 recycle. And in the neighborhood I live in, for example,
19 I'd estimate that the set-out rate is 35 to 40 percent.
20 They are conscientious, they have two bins. They put out
21 the newspapers, the standard recycling items, the
22 plastics, the glass, the cardboard, et cetera.
23 But it is -- the Board had not deemed it to be a
24 required on a mandatory basis. But it does occur on a
25 voluntary basis. And I would say that it's somewhat

1 higher than minimally.

2 We would also -- in terms of the C&D ordinance,

3 we would draft and propose to the Board a C&D ordinance.

4 However, I would like to also indicate that long before AB

5 939 came along there were companies who already recycled a

6 lot of the C&D material in the county. So we were not

7 able to include that because it was something that had

8 been going on for a long time. And that continues. But

9 we would certainly look at passing a C&D ordinance and

10 establishing a program if -- at the American Avenue

11 Landfill, which is the regional landfill.

12 On the clarification with the cities on the MOU

13 program. We are in the process of redoing the MOU. And

14 we would certainly go to the councils and the Board with

15 an addendum, as identified in the staff report, to clarify

16 the particular duties of the county, which are generally

17 the household hazardous waste program and the education

18 programs which we do in the schools and public venues.

19 Also, we have been working with the city and we

20 are also in the process of updating our computer system at

21 the American Avenue Landfill to identify on a -- when

22 self-haulers come in, ask them for a specific address

23 where their waste is from, and then using the GIS system

24 identify whether it's unincorporated or whether it is in

25 fact in one of the 15 jurisdictions.

1 And also there was an indication of a reporting
2 requirement. We would be certainly willing to update you
3 every six months. We already have in the works an agenda
4 item to go to the Board before the end of the year to
5 reduce the tipping fee at the American Avenue landfill to
6 encourage greenwaste recycling. The private haulers had
7 indicated that the rate we are discussing would stimulate
8 them, if you will, to provide separate collection. And
9 beyond that, we would also propose to the Board that --
10 and they have agreed in concept through this SB 1066
11 application -- an ordinance that would that require
12 mandatory collection of the greenwaste in a specified
13 geographic area, which would be the more densely populated
14 areas. Some of the areas in our county are very undense,
15 if you will, or sparsely populated. But we would identify
16 those areas, the county islands and the areas on the
17 borders of the county that are -- or the city rather that
18 are more densely populated for this type of a program.
19 And, lastly, we would also take to the Board
20 again an ordinance requiring the curbside collection of
21 the commingled recyclables as being mandatory. And the
22 situation has changed somewhat since there is a facility
23 now that is able to process commingled recyclables.
24 And based on that we would ask that you grant us
25 our extension, and with the contingency that we work

1 closely with your staff on the six items that have been
2 identified.
3 Thank you.
4 CHAIRPERSON JONES: Thank you.
5 Any questions?
6 I've had -- just so you know, when I read this --
7 I've done some dealing in Fresno County. We did a lot of
8 bids. Every time that a proposal came up in Fresno, we
9 responded to it. And I don't think any of them were ever
10 accepted. I think the county always decided they'd do it
11 themselves.
12 And so it's kind of distressing that the -- you
13 know, that we haven't been able to be more successful.
14 And I know part of that's the Board of Supervisors and
15 their willingness. So we may be able to help you there.
16 Thank you.
17 MS. MILLER: Thank you.
18 CHAIRPERSON JONES: So this resolution, as I see
19 it, agrees to not accept and to start the process. So
20 would that be an affirmative vote on this resolution? And
21 what we are in effect doing is saying we don't agree with
22 request of the county, we are going to start the process
23 for compliance. That's how I read that last paragraph.
24 STAFF COUNSEL BLOCK: Right. This resolution is
25 to disapprove the request for time extension. And then

1 separate from that the staff was asking for direction to
2 start the process for the compliance order. So --
3 CHAIRPERSON JONES: It's in the resolution.
4 STAFF COUNSEL BLOCK: Oh, okay. So it's actually
5 in the --
6 CHAIRPERSON JONES: There was some direction
7 we're going to vote a certain way. I just wanted to make
8 sure.
9 STAFF COUNSEL BLOCK: Okay. So an "aye" vote
10 would be to disapprove the request and to direct staff to
11 start the compliance process.
12 CHAIRPERSON JONES: Okay. And the dialogue that
13 we had earlier where if we approve this, that another item
14 would come forward where the county could come in front of
15 the full Board for the actual vote to start the compliance
16 order?
17 STAFF COUNSEL BLOCK: Right. We would be back in
18 either September or October, depending on what the
19 timelines are, with a consideration item to issue a
20 compliance order.
21 CHAIRPERSON JONES: Right. And that would be
22 like we did before with the -- Okay. I needed that.
23 Thank you.
24 All right. Members.
25 COMMITTEE MEMBER MOULTON-PATTERSON: And I

1 apologize. I was looking at the wrong attachment.
2 CHAIRPERSON JONES: No, no, no. My fault.
3 Go ahead.
4 I think I'll move adoption of Resolution
5 2002-443.
6 COMMITTEE MEMBER EATON: Second.
7 CHAIRPERSON JONES: We have a motion by Jones, a
8 second by Eaton.
9 Go ahead and substitute the previous roll?
10 Put it on consent?
11 Okay. So done.
12 You know what? You don't need a break, but I
13 think do. So I'm going to take five minutes or so. Then
14 we'll come back and finish these off. Okay.
15 (Thereupon a brief recess was taken.)
16 CHAIRPERSON JONES: We're going to reconvene.
17 COMMITTEE MEMBER EATON: No ex partes, Mr. Chair.
18 CHAIRPERSON JONES: Madam Chair?
19 None.
20 CHAIRPERSON JONES: Okay. No ex partes.
21 Mr. Schiavo.
22 DEPUTY DIRECTOR SCHIAVO: Okay. Item Number 43,
23 Committee Item T, is consideration of the application for
24 an SB 1066 time extension by the of Azusa, Los Angeles
25 County.

1 And Steve Uselton.

2 And Steve is going to do the next three, so he'll

3 introduce them.

4 CHAIRPERSON JONES: Okay.

5 MR. USELTON: Good morning, Committee Members.

6 The next three items deuce Use good morning

7 chair my members the next three items are regarding time

8 extensions for the cities of Azusa, Paramount and

9 Inglewood within Los Angeles County. These cities have

10 requested extensions through July 1st of 2003 in the case

11 of Azusa; December 31st, 2003, in the case of Paramount;

12 and December 31st, 2004, in the case of Inglewood.

13 The reason that these jurisdictions need a time

14 extension are as follows:

15 Azusa will need time to monitor the effectiveness

16 and impact on the diversion rate from the full MRF

17 processing of residential and commercial waste that began

18 in October of 2000.

19 Paramount will need time to implement and monitor

20 the effectiveness and impact on the diversion rate from

21 the new residential greenwaste collection program that

22 started in 2000; the full MRF processing of commercial

23 waste that started in 2002. And they will be implementing

24 a new C&D program to instruct applicants to demonstrate

25 that materials will be recycled or that the applicant will

use the franchise hauler who will be taking the material to a local material recovery facility for C&D sorting and diversion. There will also be enhanced business outreach and rate structure change to encourage commercial diversion; and a contingency in case it is needed for sending MRF residuals to waste to energy.

In the case of Inglewwood, they need additional time to plan, implement and monitor the effectiveness and impact on the diversion rate from:

A new automated residential curbside recycling and greenwaste collection program that is scheduled to be implemented in 2003;

Mandatory commercial diversion programs that are being required;

Construction and demolition project diversion requirements;

Expanding public education and outreach to both residential and commercial sectors;

And expanding routing to waste energy facilities if it is needed as a contingency.

The program listed in the jurisdiction's plan of correction and the respective anticipated percent increases in diversion rate are provided in the table included in each jurisdiction's agenda item.

Board staff has determined that the information

1 submitted in all the applications is adequately
2 documented. And based on this information, Board staff is
3 recommending that the Board approve the time extension
4 request for these jurisdictions.
5 Representatives from some of the jurisdictions
6 are available to answer questions. And staff will do its
7 best to answer questions as well.
8 That concludes my presentation.
9 CHAIRPERSON JONES: Questions?
10 MS. CRUZ: He is also doing a new C&D program,
11 right? Did you say that in your report?
12 MR. USELTON: Yes, I did.
13 CHAIRPERSON JONES: I'm sorry. Okay.
14 COMMITTEE MEMBER EATON: Mr. Chairman, move we
15 adopt Resolution 2002-444, regarding the city of Azusa's
16 request for extension of time.
17 COMMITTEE MEMBER MOULTON-PATTERSON. Second.
18 CHAIRPERSON JONES: Got a motion by Mr. Eaton, a
19 second by Linda Moulton Patterson.
20 Substitute the previous roll?
21 On consent?
22 Thank you.
23 COMMITTEE MEMBER EATON: Mr. Chair, I move that
24 we adopt Resolution 2002-445, regarding the City of
25 Paramount's request for extension of time.

1 COMMITTEE MEMBER MOULTON-PATTERSON: Second.
2 CHAIRPERSON JONES: Got a motion by Mr. Eaton, a
3 second by Linda Moulton-Patterson.
4 Substitute the previous roll?
5 On consent?
6 COMMITTEE MEMBER EATON: Mr. Chair, I move that
7 we adopt Resolution 2002-446, regarding the City of
8 Inglewood's request for extension of time.
9 COMMITTEE MEMBER MOULTON-PATTERSON: Second.
10 CHAIRPERSON JONES: Got a motion by Mr. Eaton, a
11 second by Linda Moulton-Patterson.
12 Substitute the previous roll?
13 It's going on consent.
14 456, was that the one for Inglewood? 456, right?
15 COMMITTEE MEMBER EATON: 44 --
16 CHAIRPERSON JONES: 456. I have 456.
17 COMMITTEE MEMBER EATON: Yeah, 456.
18 CHAIRPERSON JONES: Okay. I just didn't hear
19 you.
20 COMMITTEE MEMBER EATON: How do you get from 445?
21 Ten resolutions missing don't make a difference.
22 CHAIRPERSON JONES: All right. Thank you,
23 members.
24 Now let me see. We are on item Y, Number 48.
25 DEPUTY DIRECTOR SCHIAVO: This is consideration

1 of a request to change the base year to 1998 for the
2 previously approved source reduction and recycling element
3 for the unincorporated area of Santa Cruz County.
4 And Terri Edwards will make this presentation.
5 MS. EDWARDS: Good morning, Committee members.
6 The jurisdiction originally submitted a new base
7 year request with a diversion rate of 46 percent. As part
8 of the base year study review board staff conducted a
9 detailed site visit. As a result inaccuracies of
10 estimates of both residential and nonresidential diversion
11 were discovered, and in more than one case tonnage was
12 underestimated.
13 However, overall the study was very close to
14 Board staff recommended changes. These changes can be
15 viewed in detail by referring to Attachment 3 of the
16 agenda item packet.
17 As a result of these differences, Board staff
18 recommends a revised diversion rate of 45 percent for the
19 1998 base year.
20 Board staff has determined that the information
21 is adequately documented. Based on this information Board
22 staff is recommending Option 2 of the agenda item, which
23 would approve the revised new base year with staff
24 recommendations.
25 A representative from the Santa Cruz

1 unincorporated area is present to answer any questions, as
2 well as Board staff.
3 This concludes my presentation. Thank you.
4 CHAIRPERSON JONES: Members, any questions?
5 Okay. Madam Chair.
6 COMMITTEE MEMBER MOULTON-PATTERSON: I move
7 Resolution 2002-448.
8 COMMITTEE MEMBER EATON: Second.
9 CHAIRPERSON JONES: We've got a motion by Linda
10 Moulton-Patterson, a second by Mr. Eaton.
11 Substitute the previous roll?
12 Put it on consent?
13 Thank you very much.
14 Item 49, Z.
15 COMMITTEE MEMBER EATON: Just as an
16 administrative thing.
17 There was ten numbers skipped in the resolution
18 numerical sequencing. Just -- let's make sure that we
19 don't go back, and since we started 446 -- I think which
20 is a typographical error. But there was ten -- you know,
21 we moved from like 446 to 456 and now we're back to 44.
22 EXECUTIVE DIRECTOR LEARY: I understand.
23 COMMITTEE MEMBER EATON: Thank you.
24 CHAIRPERSON JONES: Okay. Item number 49, Z.
25 DEPUTY DIRECTOR SCHIAVO: This is consideration

1 of a request to change the base year to 2000 for the
2 previously approved source reduction and recycling element
3 and consideration of the 1999-2000 biennial review
4 findings for the source reduction and recycling element
5 and householder hazardous waste element for the
6 unincorporated area of Santa Barbara County.
7 And Nikki Miswinski will be making this
8 presentation.
9 MS. MIZWINSKI: Goods morning, Chairman Jones and
10 Committee Members.
11 The county of Santa Barbara submitted a request
12 to change their base year from 1990 to the year 2000. The
13 county originally submitted a new base year change request
14 with a diversion rate of 59 percent for the year 2000.
15 As a part of the base year study review, Board
16 staff conducted a detailed site visit.
17 Board-staff-proposed changes can be seen in their entirety
18 in Attachment 3.
19 With these changes the county's diversion rate
20 for the year 2000 would be 59 percent, which exceeds the
21 50 percent diversion goal for the year 2000.
22 Staff also conducted a review of the county's
23 diversion programs. The city has reported that they have
24 successfully implemented source reduction, recycling,
25 composting, and public education programs to exceed the 50

1 percent diversion goal.

2 Board staff is recommending Option 2 of the

3 agenda item, which would approve the revised new base year

4 with staff recommendations, an accept the 1999-2000

5 biennial review findings.

6 Representatives from the county are present to

7 answer any questions.

8 This concludes my presentation. Thank you.

9 CHAIRPERSON JONES: Two things.

10 Staff's verification actually added tons?

11 MS. MIZWINSKI: Yes.

12 CHAIRPERSON JONES: Okay. I just want that on

13 the record, that we actually found some tonnage.

14 And 12.65 pounds per person per day, is that just

15 because they're all rich? Or do we really have ag waste

16 in here or -- I mean that's a pretty high number.

17 MS. MIZWINSKI: We do. We have a high diversion

18 and ag waste and also high in inerts. And we did go visit

19 those facilities and I talked to them.

20 CHAIRPERSON JONES: I appreciate it. It's just

21 twelve six five is a pretty good number.

22 MS. MIZWINSKI: I know. It's very high. They're

23 very good.

24 CHAIRPERSON JONES: Okay. Members.

25 COMMITTEE MEMBER MOULTON-PATTERSON: I'll go

1 ahead and I'll move Resolution 2002-451 for approval, the
2 unincorporated ares of Santa Barbara.
3 COMMITTEE MEMBER EATON: Second.
4 CHAIRPERSON JONES: Great. We've got a motion by
5 Linda Moulton-Patterson, a second by Mr. Eaton.
6 Substitute the previous roll?
7 And put it on consent?
8 Thank you, member.
9 Item 50, which is double A.
10 DEPUTY DIRECTOR SCHIAVO: Okay. Items 50, 51,
11 and 52 is AA, AB, and AC. And these are consideration of
12 request to the change the base year to 2000. And these
13 are for the City of Calipatria, Holtville, and the City of
14 Imperial, all within Imperial County.
15 And Kauro Cruz will be making this presentation.
16 MS. CRUZ: Good morning, Committee Members.
17 First of all I'd like to note a few corrections
18 in the agenda items.
19 Agenda item for the City of Imperial contains
20 Holtville's Attachment 2B instead of the Imperial's
21 Attachment 2B. And the collection has been submitted to
22 you right now.
23 And also in attachment -- again attachment for
24 the City of Holtville, the first page in the table, key
25 jurisdictions condition, nonresidential waste stream

1 percentage and residential waste stream percentage has
2 been reversed. The correct percentage for nonresidential
3 waste stream is 65 percent and residential waste stream
4 percentage is 35 percent.
5 Also, for the city of Imperial's agenda item,
6 first page in the table, key jurisdiction conditions,
7 again nonresidential waste stream percentage and
8 residential waste stream percentage has been -- it's
9 reversed. So 74 percent should be for the nonresidential
10 waste stream percentage and 26 percent is for the
11 residential sector.
12 CHAIRPERSON JONES: Okay.
13 MS. CRUZ: The City of Calipatria, Holtville, and
14 Imperial submitted a request to change their base year
15 from 1990 to year 2000.
16 The City of Calipatria originally submitted a new
17 base year change request with a diversion rate of 36
18 percent for year 2000.
19 The city of Holtville originally submitted a new
20 base year change request with a diversion rate of 42
21 percent for year 2000.
22 City of Imperial originally submitted a new base
23 year change request with a diversion rate of 53 percent
24 for year 2000.
25 As part of the base year study review, Board

1 staff conducted a detailed site visit for each
2 jurisdiction. The Board staff proposed change can be seen
3 in their entirety in each Attachment 3. With these
4 changes Calipatria's diversion rate for year 2000 will be
5 30 percent, Holtville's diversion rate for the year 2000
6 will be 12 percent, and Imperial's diversion rate for year
7 2000 will be 37 percent.
8 The major programs that the three jurisdictions
9 have implemented are curbside recycling correction,
10 business waste diversion, and inert recycling in year
11 2000.
12 Board staff is recommending Option 2 of the
13 agenda item, which would approve the revised new base year
14 study with staff recommendation.
15 A representative from the jurisdiction is present
16 to answer any questions.
17 This concludes my presentation. Thank you.
18 CHAIRPERSON JONES: Any questions, members?
19 COMMITTEE MEMBER MOULTON-PATTERSON: Mr. Jones,
20 I'd like to move approval of Resolutions 2002-452 for the
21 city of Calipatria.
22 COMMITTEE MEMBER EATON: Second.
23 CHAIRPERSON JONES: Okay. Substitute the
24 previous roll and put it on consent?
25 Thank you.

1 COMMITTEE MEMBER MOULTON-PATTERSON: Okay. And
2 also resolution -- move approval of Resolution 2002-453
3 for the city of Holtville, Imperial County.
4 COMMITTEE MEMBER EATON: Second.
5 CHAIRPERSON JONES: We've got a motion by Linda
6 Moulton-Patterson, seconded by Mr. Eaton.
7 We are going to substitute the previous roll and
8 put it on consent?
9 So ordered.
10 COMMITTEE MEMBER MOULTON-PATTERSON: And, lastly,
11 move approval of Resolution 2002-454, for the city of
12 Imperial.
13 COMMITTEE MEMBER EATON: Second.
14 CHAIRPERSON JONES: We have a motion by Linda
15 Moulton-Patterson, second by Mr. Eaton.
16 We'll substitute the previous roll and put it on
17 consent.
18 This is our time for public comment if anybody
19 wants to come forward and say anything.
20 Seeing -- I'm sorry, 53 was pulled.
21 I want to thank our staff.
22 We will have Item Number 38, which was 0,
23 consideration for San Benito, has been continued to the
24 full Board meeting. Okay. So we'll have that item at the
25 full Board meeting.

1 I thank the staff. Nice job, everybody.
2 We're done. And we're out of here in time for
3 Linda to go to her meeting.
4 (Thereupon the California Integrated Waste
5 Management Board, Diversion, Planning and
6 Local Assistance Committee meeting
7 adjourned at 11:10 a.m.)
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1 CERTIFICATE OF REPORTER

2 I, JAMES F. PETERS, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:
5 That I am a disinterested person herein; that the
6 foregoing California Integrated Waste Management Board,
7 Diversion, Planning and Local Assistance Committee meeting
8 was reported in shorthand by me, James F. Peters, a
9 Certified Shorthand Reporter of the State of California,
10 and thereafter transcribed into typewriting.
11 I further certify that I am not of counsel or
12 attorney for any of the parties to said meeting nor in any
13 way interested in the outcome of said meeting.
14 IN WITNESS WHEREOF, I have hereunto set my hand
15 this 3rd day of August, 2002.
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22
23 JAMES F. PETERS, CSR, RPR
24 Certified Shorthand Reporter
25 License No. 10063