

Addendum to Countywide Siting Element

June 14, 2011

Outline for today's presentation

- Overview
- Siting Element Process
- Board Questions from June 7, 2011
- Presentation by the City of Santa Maria

Overview

- The Multi-jurisdictional Solid Waste Task Group (MJSWTG) developed a long-range solid waste management plan for the county.
 - The Los Flores Landfill was an identified project for the Santa Maria Wasteshed.
 - Waste Conversion Technology was an identified project for the Tajiguas Wasteshed.
- All participating Cities and the County adopted the plan in 2004.

Addendum to Countywide Siting Element

- Every County must demonstrate 15 years of waste disposal capacity through a Countywide Siting Element
- County staff given responsibility to prepare this document and subsequent amendments
- If entity wishes to develop or expand a solid waste disposal facility, it must be included in the Countywide Siting Element via an Addendum
- The entity initiates this process by sending a project description to County BOS

Addendum to Countywide Siting Element

- City of Santa Maria is proposing to develop a new landfill at Los Flores Ranch, currently owned by the City
- Los Flores Ranch is 1,774 acres
- 617 acres of site disturbance of which 286 acres to be used as a landfill
- If receive 161,000 tons per year, will provide 90 years of capacity

Addendum to Countywide Siting Element

- Entity must submit proposed project to the Local Task Force to comment on regional diversion efforts and the regional impact of the facility
- SB Local Task Force provided 3 comments
 - SM to implement curbside collection of greenwaste – July 2011
 - SM to implement small business hazardous waste collection program – Jan 2012
 - Monitor other feasible recycling, composting and conversion technologies tied to 5-year permit cycle

Addendum to Countywide Siting Element

- Have presented the project to the Multi-Jurisdictional Solid Waste Task Group on at least 8 occasions
- Environmental Impact Report has been prepared and certified by City of SM City Council – April 2010
- County submitted comments on EIR – August 2009
- SM held 3 community meetings, distributed press releases, and posted project on City website

Addendum to Countywide Siting Element

- An Addendum must be approved by County and majority of the cities within the County that has a majority of the population
- If an entity takes no action, the addendum is deemed to be approved
- All cities in the County have approved via action or no action

Addendum to Countywide Siting Element

- If entity disapproves the project, it must provide evidence in the record of 1 or more significant adverse impacts to the County
- Any person can file with Superior Court for writ of mandate for review of the decision to disapprove

Recommendations

- Adopt resolution approving Addendum to Siting Element

OR

- Continue the item until August 2, 2011 to allow staff to return with information regarding possible significant adverse impacts to the County

Board Questions of June 7, 2011

- Non-Hazardous Impacted Soil
- Out of County Waste
- Host Fees

Non-Hazardous Impacted Soil (NHIS)

- **Current NHIS Program**
 - Source of material is from old oil development sites
 - Currently taken to Santa Maria Landfill as Alternative Daily Cover (ADC) or landfill closure material
 - NHIS at the SM Landfill is approved by the RWQCB
 - **County/City MOU approved to address impacts to County Road System.**

Non-Hazardous Impacted Soil (NHIS)

- NHIS as proposed in the EIR
 - NHIS to be used as alternative daily cover (ADC) under the same permit condition that currently exist
 - With a maximum of 250 truck trips per day
 - And a maximum of 5,000 tons per day
 - 75% of the material from North of the site and the remainder from the South
- **Staffs agree the current MOU should be continued to address future impacts to County Road System.**

Out of County Waste

- In 2010, the Santa Maria Landfill accepted less than 1,000 tons from San Luis Obispo County
- In the Los Flores Canyon EIR
 - The Project Description identifies the potential for Municipal Solid Waste (MSW) from southern San Luis Obispo County
 - The Project Description also identifies the MSW currently buried at the Tajiguas Landfill
 - The EIR did not analyze the waste from SLO
 - The EIR did analyze the waste from the Tajiguas Landfill in detail

Host Fees

- When a landfill is located on County owned property, Host Fees are sometimes imposed to assure future landfill space for county generated waste (local control)
- Pending legislation may restrict this option (AB 1178)
- Host fees may not however be imposed as a condition of approving the Siting Element
- City of SM is willing to work with County on potential countywide policy or ordinance

Presentation by City of Santa Maria

Recommendations

- Adopt resolution approving Addendum to Siting Element

OR

- Continue the item until August 2, 2011 to allow staff to return with information regarding possible significant adverse impacts to the County

Addendum to Countywide Siting Element

- PRC Section 41704 requires that any area used for a disposal facility must be identified as such in the applicable City or County General Plan
- Although Government Code Section 53090 indicates “local agencies” must comply with applicable zoning ordinances where they are located – cities and counties are not considered “local agencies” for zoning purposes.
- Court of Appeal determined that cities and counties are mutually exempt from having to comply with each other’s ordinances (Lawler v. City of Redding (1992) [Inter-governmental immunity])
- City of SM found the proposed site to be consistent under its General Plan