



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Department Name: Public Works  
Department No.:  
For Agenda Of: May 8, 2018  
Placement: Administrative  
Estimated Time:  
Continued Item: No  
If Yes, date from:  
Vote Required: 4/5 vote

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**TO:** Board of Supervisors

**FROM:** Department  
Director(s) Scott D. McGolpin, P.E. Director x3010  
Contact Info: Mark A. Schleich, P.E. Deputy Director x3605

**SUBJECT:** **Extension of Urgency Ordinance for Interim Authorization of New Tip Fee for Disaster Debris at Tajiguas Landfill, Third Supervisorial District**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:** Risk Management

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

- a) Pursuant to Government Code sections 66017, 25123 and 25131, adopt the urgency ordinance which extends the Tip Fee for Debris Disposal at Tajiguas Landfill for Debris Resulting from the Thomas Fire and Debris Flow Urgency Ordinance by 30 days to June 7, 2018, thereby extending the interim authorization for a \$55/ton tip fee at Tajiguas Landfill for receipt, sorting and temporary storage of mixed dirt, rock and trees to expedite removal of private residential property debris in order to protect against the current and immediate threat to the public health, welfare and safety issues resulting from the Thomas Fire and subsequent debris flows; and
- b) Read the title and waive further reading of the Urgency Ordinance; and
- c) Determine that adoption of the Urgency Ordinance is exempt from the California Environmental Quality Act pursuant to California Environmental Quality Act Guidelines Section 15269(c).

**Summary Text:**

This item is on the agenda in order to adopt the second extension of Urgency Ordinance for Interim Authorization of new tip fee for disaster debris at the Tajiguas Landfill. At the March 20, 2018 hearing, the Board adopted the Tip Fee for Debris Disposal at Tajiguas Landfill Urgency Ordinance to authorize a new tip fee of \$55 per ton at the Tajiguas Landfill for mixed dirt, rocks and trees to mitigate current and immediate threats to life, public health, welfare and safety by expediting actions to clear residential

debris. The urgency ordinance was extended by your Board on April 10 and the ordinance may be extended one more time for 30 days.

Without further action, the Tip Fee for Debris Disposal at Tajiguas Landfill Urgency Ordinance would expire on May 10, 2018. This Board Letter is requesting a 30-day extension of the urgency ordinance because of the continued need to mitigate current and immediate threats to life, public health, welfare and safety due to residential debris and to allow staff sufficient time to evaluate long-term solutions for this type of activity. Adoption of this extension of the ordinance requires a four-fifths vote by the Board and would extend the ordinance to June 7, 2018. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15269(c), the adoption of the Urgency Ordinance is exempt from CEQA as an action necessary to prevent an emergency from additional storms and mitigate for the state and federally declared emergency.

**Background:**

As you are aware, portions of southern Santa Barbara County continue to be under a Presidential Major Disaster Declaration as a result of the Thomas Fire and the subsequent mud debris flow event that affected the Montecito area. In addition, recent research has shown that a significant threat continues to be posed to the areas affected by the fire with future rain events. The County has worked to clear the sedimentation basins, creek channels, and roadways. However, there continues to be a risk to the Montecito community due to mixed dirt, rock and trees located on private residential property deposited by the debris flows. Due to the nature of the debris material (mud/dirt, rocks and trees), it is not required to be deposited in a landfill. Significant effort has been undertaken by County staff to identify existing outlets for these materials including developing a Material Exchange website to facilitate the transfer of these resources from one property to another. Efforts have included outreach to private facilities as well as working with planning departments within our region. Unfortunately, despite these efforts, there is limited local capacity for managing this material.

The County identified this deficiency and has been working with the State of California through CalEPA and CalRecycle to expand the landfill capacity for debris from this emergency. However, as portions of the County continue to be under a Major Disaster Declaration as well as a Proclamation of Local Emergency, a more immediate solution to the shortage of debris management infrastructure is needed to avoid the illegal dumping of this material and expedite the removal of debris from private property. As such, Public Works has prepared an interim solution to accept mixed debris material (mud/dirt, rocks and trees and no structural debris) at the Tajiguas Landfill at a rate of \$55 per ton. The debris will be processed into different material types and the rocks and trees will be beneficially reused and the dirt will be stockpiled for future landfill activities. There is a limit to the amount of space that is available for this type of activity so more long term solutions will continue to be evaluated and potentially brought to the Board for future consideration in light of the potential for future disaster events in the community. Although the mixed loads of dirt, rocks and trees resulting from the Thomas Fire and debris flows precipitated the proposal of this new tip fee of \$55 per ton, all mixed loads of dirt, rock and trees from any location will be charged the same tip fee as this is the full cost recovery for processing this type of material.

As discussed at the March 20<sup>th</sup> hearing, movement of this material to the North is expected to occur in the daytime and during dry weather.

Pursuant to CEQA Guidelines Section 15269(c), the adoption of this extension of the Urgency Ordinance is exempt from CEQA as an action necessary to prevent an emergency from additional storms and mitigate for the state and federally declared emergency.

**Fiscal and Facilities Impacts:**

The above described emergency services are not currently included in the Resource Recovery & Waste Management Division of Public Works' (Resource Recovery) FY 17/18 budget. An engineer's estimate has been made for the proposed services and it is anticipated that at \$55 per ton, the cost to provide the service will be covered by the tip fee revenue. Resource Recovery is able to charge less than the current \$99 per ton fee for municipal solid waste because the material by its nature is not required to be landfilled and it costs less to minimally process and reuse the material on or off site than to landfill.

**Fiscal Analysis:**

Narrative: The cost to provide the emergency debris management services is expected to be covered by the proposed \$55 per ton tipping fee for debris material. The costs and revenues for this service will be housed in the Resource Recovery Enterprise Fund 1930.

**Special Instructions:**

Please send a executed copy of the ordinance and a Minute Order to the Resource Recovery & Waste Management Division of the Public Works Department, attn.: Sheila de la Guerra.

Following Board approval, Clerk of the Board to please post the Notice of Exemption and forward a stamped copy to the Resource Recovery & Waste Management Division of the Public Works Department, Attn: Jody Leipner.

Prior to May 23, 2018 Clerk of the Board to please post a summary of the urgency ordinance together with the names of the members of the Board voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara in compliance with Government Code Section 25124.

The Public Works Department has noticed this public hearing according to Government Code 6062a.

**Attachments:**

Attachment A: Tip Fee for Debris Disposal at Tajiguas Landfill for Debris Resulting from the Thomas Fire and Debris Flow – Urgency Ordinance

Attachment B: Notice of Exemption

**Authored by:**

Leslie Wells