



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.: 054  
For Agenda Of: Sept 16, 2008  
Placement: Departmental  
Estimated Tme: 15 minutes  
Continued Item: Yes  
If Yes, date from: June 24, 2008  
Vote Required: Majority

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**TO:** Board of Supervisors

**FROM:** Department Scott McGolpin, Public Works Director, ext. 3010  
Director(s)  
Contact Info: Mark Schleich, Public Works Deputy Director, ext. 3603

**SUBJECT: Ordinance Amending County Code Chapter 17 and Resolution Amending Rules & Regulations to Implement a Countywide Construction and Demolition Waste Recycling Program; All Supervisorial Districts**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:** N/A

As to form: No

**Recommended Actions:**

- A. Consider the introduction (first reading) of an ordinance amending Chapter 17 of the County Code (Solid Waste Services) as outlined in Exhibit A (attached);
- B. Set the second hearing on the departmental agenda for September 23, 2008 to consider the adoption (second reading) of the ordinance amending Chapter 17 of the County Code (Solid Waste Services);
- C. Approve the attached resolution modifying specific provisions of the County's Rules and Regulations for unscheduled solid waste handling services in the unincorporated areas of the County contained in Exhibit B (attached).
- D. Accept the Notice of Exemption pursuant to the State Guidelines for Implementation of CEQA (Exhibit C attached);

**Summary Text:**

In November 2007, the Board of Supervisors approved a conceptual comprehensive plan for the recycling of construction and demolition debris in the unincorporated areas of the County. One component of that plan is to revise County Code Chapter 17 and its associated Rules & Regulations to require that 50% of the waste collected by the unscheduled haulers permitted to operate in the County be

recycled on an annual basis. Also included in staff's recommendation was an umbrella requirement that 50% of all construction and demolition debris generated in the County be recycled.

At the June 24, 2008 Board hearing, the Board had concerns with this requirement and requested that staff return with a modified proposal. Attached is a modified proposal with a single modification that deletes the umbrella recycling requirement, proposed section 17-23 that previously read:

“To assist the County in maintaining compliance with AB 939: The Integrated Waste Management Act which requires the diversion of at least 50% of all waste generated, the County specifically requires 50% of all Construction & Demolition waste to be recycled.”

The deletion of this section did not negatively impact the recycling requirement for the unscheduled haulers. All other proposed changes to the ordinance and associated Rules & Regulations remain the same.

### **Background:**

The generation of construction and demolition related waste (C&D) is an increasing concern across the state of California and currently accounts for approximately one-third of all waste generated by the communities in the unincorporated regions of the County of Santa Barbara. A large amount of C&D material generated in the area is currently being recycled but it is imperative that the County integrate the requirement to recycle C&D material into County policies. On November 6, 2007, your Board directed staff to complete the following:

#### **1. Recycling C&D Waste from Small Projects through Unscheduled Solid Waste Service Providers**

The largest source of C&D waste is not from new development, but from the demolition and remodeling of existing buildings. The most common method of collecting waste from these types of projects is by roll-off containers, which are regulated through the County's Unscheduled Solid Waste Service Provider Permit. Currently there is no requirement for unscheduled haulers to recycle. Staff was directed to revise the Rules & Regulations of Chapter 17 to require Permitted Unscheduled Service Providers to recycle 50% of all of the waste they collect on an annual basis. Most unscheduled service providers already recycle above the 50% threshold and this policy would guarantee that all haulers would be maintaining best waste management practices. The proposed resolution and amendments to Chapter 17 and the Rules and Regulations contained in Exhibits A & B address this issue.

#### **2. Umbrella C&D Diversion Requirement**

The purpose of this recycling requirement was to identify C&D as a specific waste source that must be diverted from the landfill at a rate of at least 50%. At the June 24, 2008 Board hearing, your Board had concerns with this requirement and requested that staff return with an alternative proposal. In response to your Board's concern, staff modified the proposed ordinance amendment by deleting this umbrella requirement. The proposed ordinance change, without this requirement, is attached as Exhibit A.

A third component of the recycling program is the updating of the County's Thresholds & Guidelines Manual and the Standard Conditions used by the Planning Department to evaluate proposed projects. This component of the program is addressed in a separate Board Letter.

The proposed Notice of Exemption pursuant to CEQA applies to these proposed changes because they protect the environment by increasing recycling requirements and do not regulate construction activities.

**Performance Measure:**

None

**Fiscal and Facilities Impacts:**

Budgeted: No

**Fiscal Analysis:**

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative: There is no fiscal impact incurred as a result of approving these proposed revisions to Chapter 17 of the County Code and the associated Rules and Regulations.

**Staffing Impacts:**

**Legal Positions:**  
0

**FTEs:**  
0

**Special Instructions:**

Please direct the Clerk of the Board to ensure the legal noticing of the proposed modifications to the County Code. Please direct the Clerk of the Board to forward a certified minute order and executed copy of the ordinance and resolution to the Resource Recovery & Waste Management Division: attn. Leslie Wells. Please direct the Clerk of the Board to post the Notice of Exemption at the Clerk’s office following Board approval.

**Attachments:**

- Exhibit A: Ordinance Amending Chapter 17 of the County Code
- Exhibit B: Resolution to Revise County Rules and Regulations for unscheduled solid waste service providers
- Exhibit C: Notice of Exemption

**Authored by:** Leslie Wells, Program Manager, Public Works Department, ext. 3611.