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REPORT TO COUNCIL
City of Sacramento

915 I Street, Sacramento, CA 95814-2671
www. CityofSacramento.org

Continued from 7-25-06

Public Hearing
July 25, 2006

Honorable Mayor and
Members of the City Council

Title: Call-up: Sacramento Recycling and Transfer Station Special Permit Major Modification (P05-060)

Location/Council District: 8491 Fruitridge Road; APN: 061-0173-028; Council District 6.

Recommendation: 1) Adopt a **Resolution** approving the Mitigated Negative Declaration and Mitigation Monitoring Plan and 2) adopt a **Resolution** approving the Special Permit Major Modification in order to increase from 2,000 tons per day (TPD) to 2,500 TPD the amount of recyclable and solid waste processed daily.

Contact: Kimberly Kaufmann-Brisby, Associate Planner, 808-5590; Tom Buford, Senior Planner, 808-7931

Presenter: Kimberly Kaufmann-Brisby

Department: Development Services
Division: Current Planning
Organization No: 4875

Description/Analysis:

Issue: The applicant is requesting a Major Modification to a Special Permit for the Sacramento Recycling and Transfer Station in order to increase from 2,000 tons per day (TPD) to 2,500 TPD the amount of recyclable and solid waste processed daily.

Policy Considerations:

The following General Plan goals and policies support the proposed modification

to the SRTS' special permit:

- Provide adequate solid waste disposal facilities and services for collection, storage and reuse of refuse. (7-11)
- Explore programs and new techniques of solid waste disposal to reduce the need for landfill sites. (7-14)
- Expand recycling and composting efforts to the maximum extent feasible in order to reduce the volume and toxicity of solid wastes that must be sent to landfill facilities. (7-14)

The proposed increase in the SRTS facility's throughput and recycling is consistent with the goals and policies previously stated in that the SRTS facility provides a state of the art recycling and transfer service to the City of Sacramento. Adequate services will be available with the increase in tonnage accepted at the facility because the facility was designed to process the additional tonnage. The facility will also help meet the growing need for public services and facilities because with the Sacramento Area Council of Governments (SACOG) Blueprint's projected urban expansion to accommodate 200,000 additional individuals within the next 20 years comes increased recyclable and waste production.

Smart Growth Principles: The City Council adopted a set of Smart Growth Principles in December of 2001 in order to encourage development patterns that are sustainable and balanced in terms of economic objectives, social goals, and use of environmental/natural resources. The project promotes resource conservation and energy efficiency.

Strategic Plan Implementation: The recommended action conforms to the City of Sacramento's Strategic Plan, specifically by adhering to policies that promote the improvement and expansion of public safety and by achieving sustainability and livability.

Committee/Commission Action: On April 13, 2006, the Planning Commission unanimously approved, with two commissioners absent and one commission seat vacant, the facility's proposed recycling and throughput capacity expansion. During the meeting, a College Glen Neighborhood Association member voiced opposition to the expansion because of the concentration of waste and recycling facilities within Council District 6 and the anticipated environmental impacts on the area.

Another community member, representing the Power Inn Business and Transportation Association (Power Inn BTA), voiced support for the project and indicated the applicant (BLT Enterprises) was a good neighbor. The Power Inn BTA then requested a list of project conditions be added to the project's conditions of approval. With the agreement of the applicant and the Power Inn BTA staff incorporated those Power Inn BTA conditions not already covered in

the conditions of approval and the Planning Commission subsequently approved the project with the amended list of conditions.

Environmental Considerations A Mitigated Negative Declaration has been prepared for this project. The Notice of Availability/Intent to approve was circulated for public comment for a 30-day period from January 18, 2006 to February 17, 2006. Written comments discussing the Mitigated Negative Declaration were received and are included as Attachment 7, the Planning Commission staff report.

The written comments were reviewed and staff revised the Mitigated Negative Declaration and Initial Study where appropriate. The revisions do not identify new significant impacts, and no mitigation measures have been added or revised. The environmental document, as circulated, is adequate and satisfies the requirements of the California Environmental Quality Act.

The Mitigation Monitoring Plan is based on mitigation measures identified in the environmental document. In compliance with Section 15070(B)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified impacts or to mitigate such impacts to a point where clearly no significant impacts will occur. These mitigation measures address air quality and hazards. The mitigation measures are listed in the attached Mitigation Monitoring Plan, Exhibit A, page 16.

Rationale for Recommendation: Staff recommends the City Council adopt a resolution (1) approving the Mitigated Negative Declaration Resolution; (2) adopting the Mitigation Monitoring Plan; and (3) adopting the Notice of Decision approving the Special Permit Major Modification for the Sacramento Recycling and Transfer Station to expand the recycling and throughput capacity of the Sacramento Recycling and Transfer Station (SRTS) by 500 Tons per Day (TPD) to 2,500 TPD.

The rationale for the tonnage processing increase is based on the projected population increase and the associated increase in solid waste and recyclable materials produced in and collected by the City and processed by BLT, the exclusive operator for the City's waste and recyclable processing contract. The population increase has been projected through the Sacramento Area Council of Governments (SACOG) "Blueprint" process and the City's General Plan Update process, currently underway. Approximately 79 percent of the daily SRTS recyclable and solid waste processing is generated by city of Sacramento sources. Additionally, the Florin-Perkins landfill is not accepting solid waste at present and does not process recyclable materials, thus increasing the quantity of private haulers utilizing the SRTS facility.

Opposition to the proposed increase has been expressed by the College Glen Neighborhood Association. Their concern centers on the imbalance of recycling

and solid waste facilities located in the south area versus the area north of the American River. The Association seeks the establishment of an operational north area transfer and recycling station prior to any additional requests to increase the recycling and solid waste processing at the SRTS facility. Further discussion and conditions addressing the concerns as well as discussion of possible imposition of time limits on the special permit may be found in Attachment 3.

Financial Considerations: None.

Emerging Small Business Development (ESBD): No goods or services are being purchased under this report.

Respectfully Submitted by: _____
David Kwong
Planning Manager

Approved by: _____
William Thomas
Development Services Director

Recommendation Approved:

_____
for RAY KERRIDGE
City Manager

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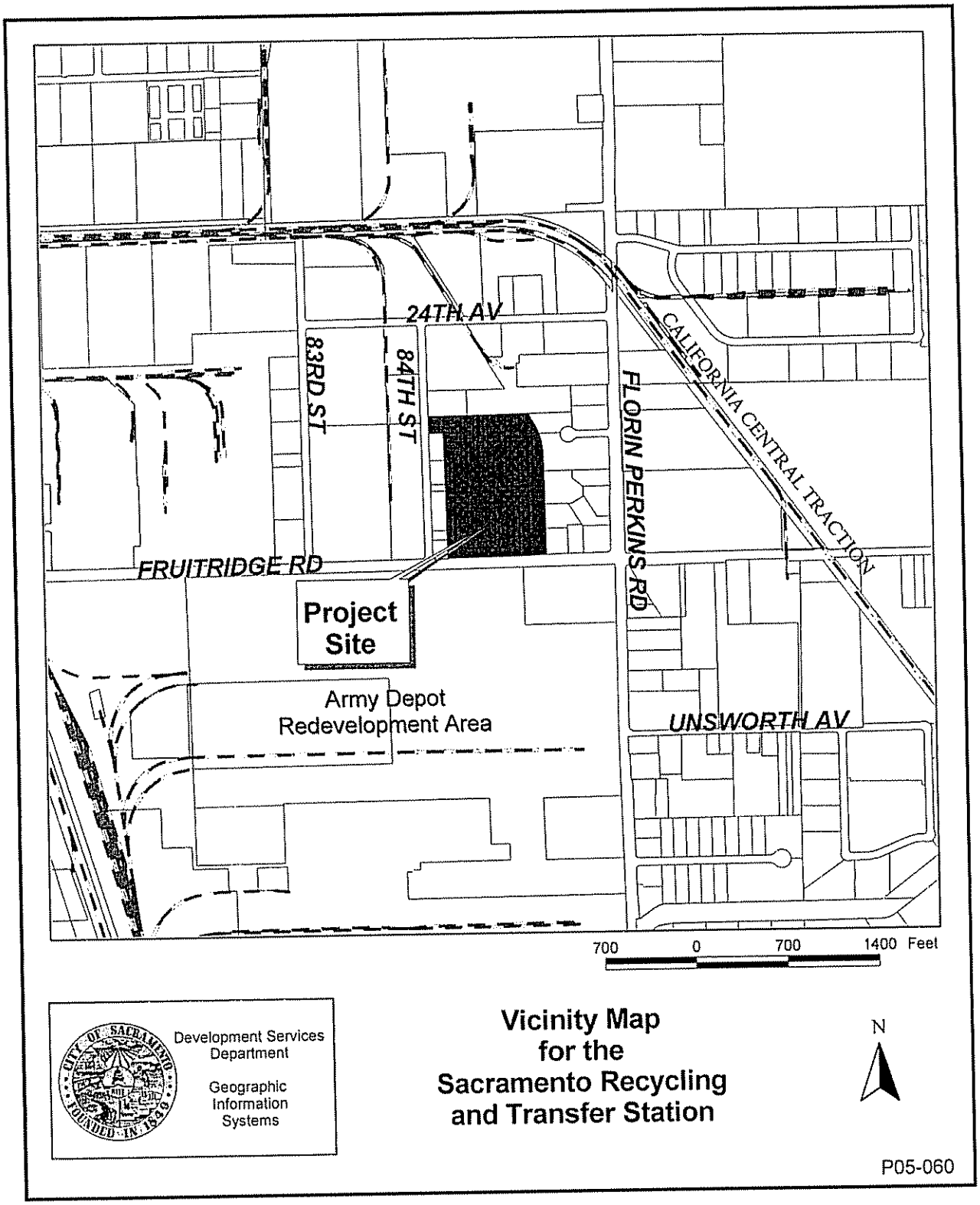
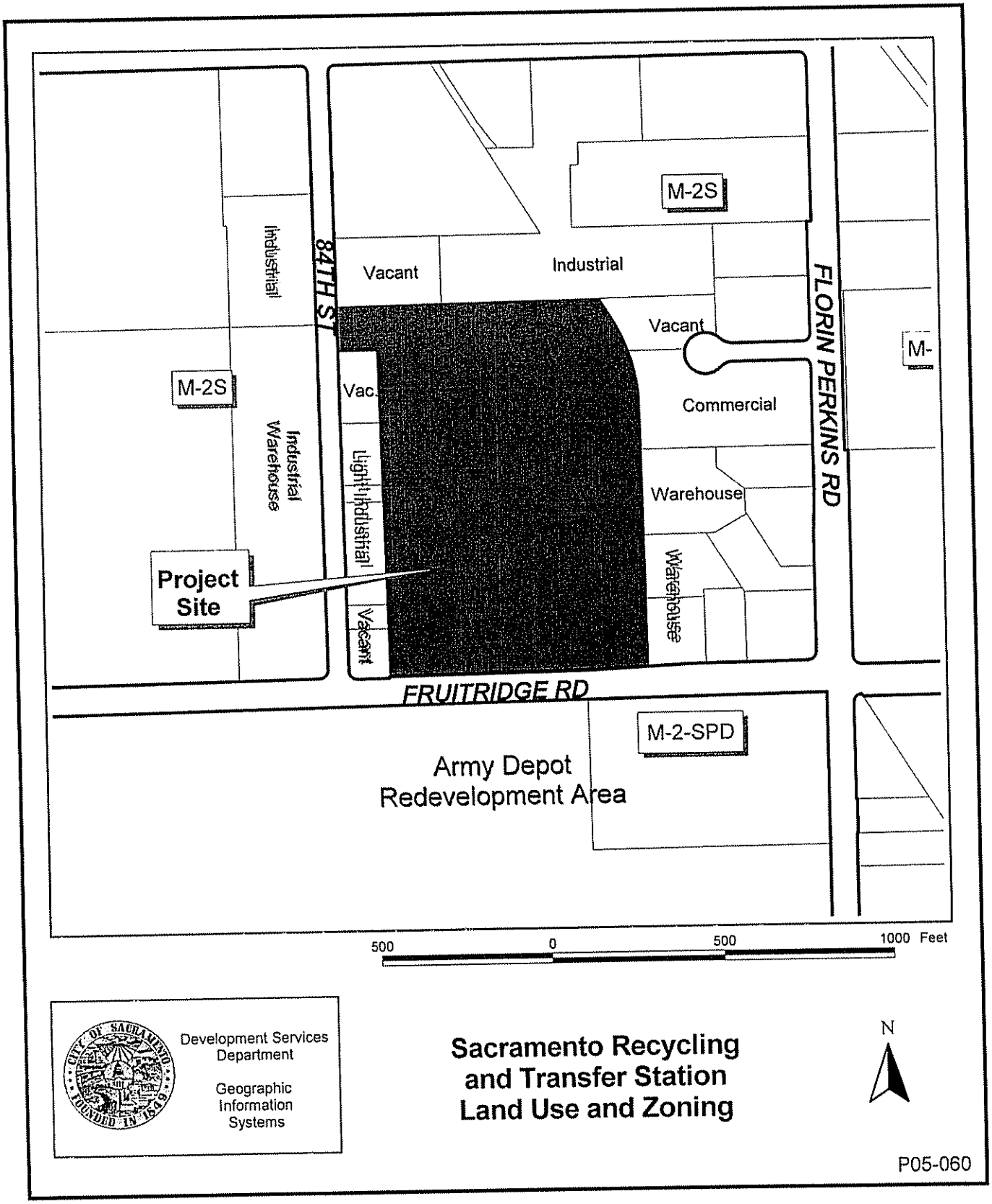
Attachment 1 - Vicinity Map



Attachment 2 – Land Use and Zoning Map



Attachment 3 – Project Background, discussion of special permit time limit and changes to project conditions

Summary:

The applicant is requesting a major modification to a previously approved special permit in order to expand the recycling and throughput capacity of the Sacramento Recycling and Transfer Station (SRTS) by 500 Tons per Day (TPD). The daily permitted municipal solid waste and recyclables capacity would increase from 2,000 TPD to the facility's design capacity of 2,500 TPD in a Heavy Industrial (M-2S) zone of the South Sacramento Community Plan area.

Background Information:

The proposed project site is located at 8491 Fruitridge Road. Industrial uses surround the site with the Army Depot Redevelopment Area located south of the site across Fruitridge Road.

The Sacramento Regional Transfer Station (SRTS) was approved in 1998 (Resolution No. 98-461) and was subsequently constructed and in operation that same year. An Environmental Impact Report (EIR) was prepared for the project and certified by the City Council in September of 1998. The facility was designed and constructed to ultimately receive and process a maximum of 2,500 Tons per Day (TPD) of recyclable and municipal solid waste materials. The initial resolution approving the special permit allowed the processing of municipal waste and recyclables of up to 1,500 TPD. The facility operates under permits issued by the City of Sacramento and the California Integrated Waste Management Board (CIWMB). The CIWMB delegates enforcement authority to the Sacramento County Environmental Management Department as the Local Enforcement Agency (LEA).

In March of 2000 the operator of SRTS sought and received approval to increase the tonnage received and processed at the facility from 1,500 TPD to 2,000 TPD, and to extend the hours of operation from 7 a.m. to 5 p.m. to 5 a.m. to 10 p.m. (P00-089). The extended hours were needed to accommodate peak loading in the waste market and were for receiving only; other operational aspects of the facility remained unchanged. An Addendum to the previously certified EIR was prepared in connection with the March 2000 application and was approved with the project.

The project approval increasing the throughput capacity from 1,500 TPD to 2,000 (P00-089) contained several conditions of approval which were prerequisites to the facility expanding beyond the approved 2,000 TPD. Staff believes the applicant has substantially complied with the conditions (see Attachment 7 – April 13, 2006, CPC Staff Report).

Changes to the approved Planning Commission Conditions of Approval

Following the Planning Commission April 13, 2006, project approval, staff was involved in discussions regarding the project conditions of approval. The discussions included staff from Solid Waste, the applicant and the College/Glen Neighborhood Association.

The Solid Waste Division commented on two conditions approved by Planning Commission. Solid Waste expressed concerns regarding conditions 8 and 14. The College/Glen Neighborhood Association had concerns regarding the BLT transfer truck driving limitations along Power Inn Road, condition 15, and the establishment of a North Area Transfer Station. Conditions 8 and 14, as approved by the Planning Commission, would limit the City's recycling programs and imply green waste would be processed outside the facility. Condition 15 would restrict BLT transfer truck traffic along Power Inn Road to between Fruitridge Road and Folsom Boulevard.

The conditions were discussed with Solid Waste staff and the College/Glen Neighborhood Association and have been revised to respond to their concerns. The revised conditions are included in the Resolution conditions of approval and read as follows:

8. BLT Enterprises may temporarily store a limited amount of baled and/or containerized recyclable material(s) out of doors within the 25' x 50' site specifically designated for bale storage, adjacent to the truck dock on the western side of the transfer station/equipment –MRF building and within the 50' x 200' outside storage area located on the eastern portion of the site (as shown on the Site Plan-Exhibit A). The baled material storage height shall not exceed the height of the screening fences/walls surrounding the facility or a height of 9 feet, whichever is less, nor may baled and/or containerized material(s) be stored outside of the designated outdoor storage areas. With the exception of an emergency(s) Baled recyclable and/or containerized material(s) shall be stored outside for no more than three successive days before being transported off-site. The operator shall notify the City's Integrated Waste Manager of any emergency within a reasonable period of time <u>not to exceed three days. The outdoor operations and outdoor location and storage of hazardous waste, refrigerator recycling, e-waste may still occur;</u>

14. All recyclable processing operations, except for ~~green waste~~, source-separated gypsum and wallboard, <u>hazardous waste, refrigerator recycling, e-waste,</u> and outside storage outlined in Condition 8 must occur inside the building.

15. Traffic Mitigation Plan limits the amount of trips during peak hours; therefore, most of the transfer trucks shall be scheduled to arrive and depart during off peak hours, outside of 7-9 a.m. and 3-6 p.m. Transfer trucks may utilize Power Inn Road ~~between Fruitridge Road and Folsom~~

~~Boulevard~~.

Time Limits on the Special Permit Major Modification

In addition to the previously discussed project condition changes, comments were received which suggested the special permit could be limited in time requiring the applicant to return to renew the permit. The Zoning Code sets forth the general rule that once a permitted use has commenced the special permit is of indefinite duration. However, the Zoning Ordinance does provide for permits of limited duration by providing for temporary permits and time restricted permits.

A temporary permit is provided for when the use is temporary in nature. (Zoning Ordinance Section 17.212.100.C) The applicant clearly intends for the activity proposed to be permanent, and this section does not apply.

A special permit may be time restricted, i.e. a permit may be issued for a period of not less than one year, and may be conditioned to either expire automatically or be renewable after the stated time period elapses only if one or more of the following findings set forth in Section 17.212.100.D can be made:

1. The proposed use is compatible with existing developments but may become incompatible once anticipated development or redevelopment of the area occurs.
2. The proposed use has the potential to create adverse environmental impacts to surrounding land uses and it is necessary to evaluate whether such impacts have occurred once the use has been in operation.
3. It is necessary to evaluate whether the proposed use has complied with the conditions imposed upon permit approval because such conditions are essential for mitigating the impacts generated by the use.

Staff has reviewed the Section 17.212.100.D requirements for a time restriction on the special permit. The first finding in subsection 1 would not be applicable because the proposed use (increased handling of solid waste) is compatible with existing development and the project area is not likely to substantially change in character due to development or redevelopment in such a way to make the proposed use incompatible with surrounding future uses. The most significant changes could occur at the Army Depot property on the south side of Fruitridge Road, but no substantial changes have been proposed. Hence, the finding required under subsection 1 cannot be made.

The findings set forth in subsections 2 and 3 of Section 17.212.100.D also are not applicable. These findings relate to the need to evaluate impacts on neighboring properties and confirmation of compliance with project conditions. The environmental document has analyzed the project increase of 500 tons per day and has determined no significant impacts would occur. Staff does not anticipate the discovery of any new adverse impacts over and above those which were considered in the environmental document. Accordingly, there is no need to restrict the duration of the permit in order to

evaluate impacts at a future date and the finding required under subsection 2 cannot be made. With respect to the finding required under subsection 3, the ongoing operations of the applicant and its compliance with special permit conditions would be subject to oversight of the City and staff believes a time limitation on the permit is not needed to assist in such compliance review. Moreover, the proposed use will be under the oversight of the Sacramento County Environmental Management Department as the local enforcement agency for the Solid Waste Facility Permit issued by the California Integrated Waste Management Board for compliance with the applicant's facility permit. Therefore, the finding required under subsection 3 also cannot be made.

While the special permit may not be restricted as to time by the City, the applicant could voluntarily agree to such a restriction. Staff has held discussions with the applicant and such an agreement seems unlikely.

The previous project approval (P00-089), which increased the facility's throughput and recycling capacity from 1,500 to 2,000 TPD, contained conditions of approval which were to have been satisfied prior to the request for additional facility expansion. The previous conditions read as follows:

5. The applicant (BLT Enterprises) shall obtain a site (an option or other ownership interest allowing it to proceed to develop the facility) north of the American River for a solid waste/transfer facility, prior to the issuance of a permit to accept 500 additional tons of waste per day at the Fruitridge facility.
6. An application for development of a solid waste/transfer facility (north of the American River) of equal or greater capacity than the Fruitridge facility shall be submitted to the City for consideration prior to issuance of a permit to accept 500 additional tons of waste per day; applicant shall pay the necessary fees for processing the application and the environmental analysis.
7. The applicant (BLT Enterprises) shall show a good faith effort to have a north area facility developed and operational no later than mid-year 2002.

The applicant has demonstrated to the satisfaction of staff these conditions have been satisfied. The applicant took title to a site on Raley Boulevard, north of Bell Avenue, in north Sacramento, and filed an application for the construction and operation of a recycling and solid waste transfer facility. The project site was not developed with a recycling and solid waste facility but the applicant operated in good faith in pursuing the effort. The applicant and the City have entered into negotiations for an agreement to operate a North Area Transfer Station (NATS) and the environmental review for the project will commence in earnest shortly. Even though the applicant satisfied the conditions (see Planning Commission staff report, Attachment F), the NATS is not yet a reality.

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

APPROVING THE MITIGATED NEGATIVE DECLARATION AND ADOPTING THE MITIGATION MONITORING PLAN FOR THE SACRAMENTO RECYCLING AND TRANSFER STATION LOCATED AT 8491 FRUITRIDGE ROAD, SACRAMENTO, CALIFORNIA.
(P05-060) (APN: 061-0173-028)

BACKGROUND

A. The City Council of the City of Sacramento finds as follows:

i. The City of Sacramento's Environmental Planning Services conducted or caused to be conducted an Initial Study on Sacramento Recycling and Transfer Station (P05-060) ("Project") to determine if the Project may have a significant effect on the environment.

ii. The Initial Study identified potentially significant effects of the Project. Revisions to the Project made by the Project applicant before the proposed Mitigated Negative Declaration and Initial Study were released for public review were determined by City's Environmental Planning Services to avoid or reduce the potentially significant effects to a less-than-significant level, and, therefore, there was no substantial evidence that the Project as revised and conditioned may have a significant effect on the environment. A Mitigated Negative Declaration (MND) for the Project was then completed, noticed and circulated in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures as follows:

1. On January 18, 2006, a Notice of Availability/Intent to Approve the MND (NOI) dated January 18, 2006, was circulated for public comment for 30 days. The public comment period began on January 18, 2006 and ended on February 17, 2006. The NOI was sent to those public agencies that have jurisdiction by law with respect to the proposed project and to other interested parties and agencies, including property owners within 500 feet of the boundaries of the proposed project. The comments of such persons and agencies were sought.

2. On January 18, 2006, the project site was posted with the NOI, the NOI was published in the Daily Recorder, a newspaper of general circulation, and the NOI was posted in the office of the Sacramento County Clerk.

3. The City Council has reviewed and considered the information contained in the MND, including the Initial Study, the revisions and conditions incorporated into the project, and the comments received during the public review process and the hearing on the Project. The City Council has determined that the MND constitutes an adequate, accurate, objective and complete review of the environmental effects of the proposed project.

iii. Based on its review of the MND and on the basis of the whole record, the City Council finds that the MND reflects the City Council's independent judgment and analysis and that there is no substantial evidence that the Project will have a significant effect on the environment.

iv. Pursuant to CEQA Guidelines Section 15074, and in support of its approval of the Project, the City Council adopts a Mitigation Monitoring Program to require all reasonable feasible mitigation measures be implemented.

v. The documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in the City of Sacramento Development Services Department, Environmental Planning Services, 2101 Arena Boulevard, Suite 200, Sacramento, CA 95834. The custodian of these documents and other materials is the Development Services Department, Environmental Planning Services.

vi. Upon approval of the Project, the City's Environmental Planning Services shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to section 21152(a) of the Public Resources Code and the State EIR Guidelines adopted pursuant thereto.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The City Council approves the Mitigated Negative Declaration for the Sacramento Recycling and Transfer Station (P05-060) and determines that the Background statements are true.

Section 2. The City Council approves the Mitigation Monitoring Plan for the Sacramento Recycling and Transfer Station (P05-060) based upon the following findings:

1. One or more mitigation measures have been added to the above-identified project;

2. A Mitigation Monitoring Plan has been prepared to ensure compliance and implementation of the mitigation measures for the above-identified project, a copy of which is attached as Exhibit A;

3. The Mitigation Monitoring Plan meets the requirements of Public resources Code Sec. 21081.6; and,

4. The Mitigation Monitoring Plan is approved, and the mitigation measures shall be implemented and monitored as set forth in the plan.

MAYOR

ATTEST:

CITY CLERK

P05-060

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Exhibit A: Mitigation Monitoring Plan – 4 Pages

Exhibit A

SACRAMENTO RECYCLING AND TRANSFER STATION
P05-060
MITIGATION MONITORING PLAN

TYPE OF ENVIRONMENTAL DOCUMENT:
INITIAL STUDY/ NEGATIVE DECLARATION

PREPARED FOR:
CITY OF SACRAMENTO, DEVELOPMENT SERVICES DEPARTMENT

DATE: January 18, 2006

ADOPTED BY:
CITY OF SACRAMENTO
PLANNING COMMISSION

DATE:

_____

ATTEST:

_____

SACRAMENTO RECYCLING AND TRANSFER STATION (P05-060)
MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Development Services Department, Environmental Planning Services, 2101 Arena Boulevard, Second Floor, Sacramento, CA 95834, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number: Sacramento Recycling and Transfer Station/P05-060

Owner/Developer- Name: BLT Enterprises
Shawn Guttersen
8491 Fruitridge Road
Sacramento, CA 95826
(916) 379-0500
FAX (916) 379-0501

Project Location / Legal Description of Property: The Sacramento Recycling and Transfer Station is located on a 19.5-acre parcel near the intersection of Fruitridge Boulevard and Florin Perkins Road in the southeast portion of the City of Sacramento. (APN: 061-0173-028). The physical address is 8491 Fruitridge Road, Sacramento.

Project Description: The proposed project would increase the allowable tons per day to be received and processed at the site from 2,000 TPD to 2,500 TPD, the design capacity for the facility. The hours of operation of the facility would remain unchanged. No new construction is proposed.

SECTION 2: GENERAL INFORMATION

The Plan includes mitigation for the Sacramento Recycling and Transfer Station. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

The mitigation measures have been taken verbatim from the Initial Study and are assigned the same number they have in the document. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The developer will be responsible for fully understanding and effectively implementing the mitigation measures contained with the MMP. The City of Sacramento will be responsible for ensuring compliance.

			VERIFICATION OF COMPLIANCE		
Mitigation Measure	**Implementing Responsibility**	**Monitoring Responsibility**	**Compliance Standards**	**Timing**	**Verification of Compliance (Initials / Date)**
Air Quality					
AQ-1 The operators of the facility shall prioritize the processing and transport of all materials, such as the City municipal solid waste, to ensure that these materials do not remain on site for more than 48 hours or on the tipping floor for more than 24 hours. The operators of the facility shall remove all wet waste from the tipping floor at the end of each working day.	Applicant/Operator	City of Sacramento Development Services Department	Periodic observation of operations	Inspection of operations	
AQ-2 A ventilation system shall be utilized to maintain pressure within the enclosed building where waste is tipped and processed.	Applicant /operator	City of Sacramento Development Services Department	Inspection	Inspection for installation	
AQ-3 A light misting system shall be utilized in the area of the municipal solid waste tipping areas to minimize dust and odors.	Applicant/ operator	City of Sacramento, Development Services Department	Inspection	Inspection for installation	
Hazard 1					
All employees, particularly sorters and other personnel on the tipping floor, shall be advised of the potential	Applicant/ operator	City of Sacramento, Development Services	Inspection	Review of training procedures and	

			VERIFICATION OF COMPLIANCE		
Mitigation Measure	**Implementing Responsibility**	**Monitoring Responsibility**	**Compliance Standards**	**Timing**	**Verification of Compliance (Initials / Date)**
hazards and types of personal protective equipment (PPE) and respiratory protection necessary to control any exposures, and trained in identification, proper handling, and reporting. The Respiratory Protection Program shall include a provision that all sorters and workers on the tipping floor be provided with appropriate air-purifying particulate respirators that protect against penetration by blood-borne pathogens, or other harmful solid and liquid particles as certified under the provisions of 42 CFRR Part 84. Individuals potentially exposed shall be immediately tested by an occupational physician or other trained medical personnel. All sorters shall be included in a medical surveillance program and examined as necessary.		Department		materials; interviews with employees	

RESOLUTION NO.

Adopted by the Sacramento City Council

Date

APPROVING THE SPECIAL PERMIT MAJOR MODIFICATION FOR THE SACRAMENTO RECYCLING AND TRANSFER STATION (SRTS) LOCATED AT 8491 FRUITRIDGE ROAD IN SACRAMENTO, CALIFORNIA. (P05-060) ASSESSOR'S PARCEL NUMBER (APN): 061-0173-028

BACKGROUND

A. On April 13, 2006, the City Planning Commission approved the mitigated negative declaration (MND), adopted the mitigation monitoring plan (MMP), and approved the special permit major modification for the Sacramento Recycling and Transfer Station project (P05-060); and,

B. On April 24, 2006, the project was called-up to be heard by the City Council by Council member McCarty; and,

C. On July 25, 2006, the City Council heard and considered evidence in the above-mentioned matter.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. At the regular meeting of July 25, 2006, the City Council heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the City Council takes the following actions for the location listed above:

A. Approves the Sacramento Recycling and Transfer Station Special Permit Major Modification to expand the recycling and throughput capacity of the Sacramento Recycling and Transfer Station (SRTS) by 500 Tons per Day (TPD) to 2,500 TPD.

Section 2. These actions are made based upon the following findings of fact and subject to the following conditions:

A. <u>FINDINGS OF FACT</u>

A. Special Permit Major Modification: The Sacramento Recycling and Transfer Station Special Permit Major Modification to expand the recycling and throughput capacity of the Sacramento Recycling and Transfer Station (SRTS) by 500 Tons per Day (TPD) to 2,500 TPD is approved based on the following Findings of Fact and subject to the Conditions of Approval:

1. The project is based upon sound principles of land use in that:

   a. The increase in capacity will not substantially alter the site characteristics or the surrounding industrial area;

   b. The facility was previously analyzed and constructed to process the proposed 2,500 TPD capacity;

   c. The SRTS is located outside the Solid Waste Restricted Overlay zone;

   d. The expansion does not involve any new construction;

   e. The site is an industrial use in an industrial zone; and,

   f. The increased capacity will allow more recyclable waste to be recovered instead of being taken to a landfill.

2. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:

   a. Adequate parking, landscaping, screening, truck circulation, and setbacks are provided;

   b. The facility is a model operation with no history of code violations or inappropriate operating practices; and,

   c. The increased capacity will not have an impact on the surrounding industrial uses.

3. The project is consistent with the General Plan which designates the site for Heavy Commercial or Warehouse use. A transfer and recycling facility is allowed in the industrial zone with approval of a special permit.

B. CONDITIONS OF APPROVAL

The Sacramento Recycling and Transfer Station Special Permit Major Modification to expand the recycling and throughput capacity of the Sacramento Recycling and

Transfer Station (SRTS) by 500 Tons per Day (TPD) to 2,500 TPD is hereby approved subject to the following conditions of approval:

Current Planning:

1. The applicant (BLT enterprises) shall modify the existing contract between the City and BLT enterprises, as deemed necessary, prior to implementation of the tonnage increase;

2. Any deviation or modification to the operations and/or the amount of tonnage accepted at the SRTS shall be subject to additional planning review, including, but not limited to, special permit modification(s) or a new special permit;

3. The amount of municipal solid waste and recyclable materials (combined) processed shall not exceed 2,500 tons per day (TPD).

4. Prior to increasing the allowable municipal solid waste and recyclable materials (combined) processing above 2,000 TPD, the applicant (BLT Enterprises) shall obtain all necessary approvals and permits from the Sacramento County Environmental Management Department, the Local Enforcement Agency (LEA) to increase the throughput to 2,500 TPD;

5. The SRTS hours of operation for receiving waste are from 5 a.m. to 10 p.m., daily;

6. BLT Enterprises shall show a good faith effort to have a north area solid waste transfer station, with a minimum 1,500 TPD capacity developed, constructed and operational no later than August of 2008.

7. The applicant (BLT Enterprises) shall comply with all original conditions of approval (P97-072-Resolution 98-461), except the amended portion of condition 8 with regard to outdoor storage. The new condition shall read:

8. BLT Enterprises may temporarily store a limited amount of baled and/or containerized recyclable material(s) out of doors within the 25' x 50' site specifically designated for bale storage, adjacent to the truck dock on the western side of the transfer station/equipment –MRF building and within the 50' x 200' outside storage area located on the eastern portion of the site (as shown on the Site Plan-Exhibit 1B). The baled material storage height shall not exceed the height of the screening fences/walls surrounding the facility or a height of 9 feet, whichever is less, nor may baled and/or containerized material(s) be stored outside of the designated outdoor storage areas. With the exception of an emergency(s) baled recyclable and/or containerized material(s) shall be stored outside for no more than three successive days before being transported off-site. The operator shall notify the City's Integrated Waste Manager of any emergency within a reasonable period of time not to exceed three days. The outdoor

operations and outdoor location and storage of hazardous waste, refrigerator recycling, and e-waste may still occur;

9. All areas (indoors and out of doors) utilized for storage of vehicles shall be paved according to City standards including, but not limited to, drainage, paving type and depth and water quality and detention;

10. The applicant shall comply with all mitigation measures as described in the Mitigation Monitoring Plan for P05-060;

11. On-site graffiti shall be removed within 24 hours;

12. The owner/operator shall be responsible for the weekly removal of all litter generated by SRTS within a one-half mile radius. Roadways to be policed include, but are not limited to Fruitridge Road, 84th Street, Florin-Perkins Road, 24th Avenue, Unsworth Avenue, 83rd Street. Additionally, all four corners of the intersection at Power Inn and Fruitridge roads shall be policed for litter on a weekly basis.

13. All waste processing operations, except for outside storage outlined in Condition 8 must occur inside the building.

14. All recyclable processing operations, except for source-separated gypsum and wallboard, hazardous waste, refrigerator recycling, e-waste, and outside storage outlined in Condition 8, must occur inside the building.

15. Traffic Mitigation Plan limits the amount of trips during peak hours; therefore, most of the transfer trucks shall be scheduled to arrive and depart during off peak hours, outside of 7-9 a.m. and 3-6 p.m. Transfer trucks may utilize Power Inn Road.

16. Noise control must include on-site equipment that will be new or operate with new exhaust technology.

17. Visual improvements, including attractive, industrial park-type concrete tilt-up buildings shall be required on any new building constructed on site.

18. All new buildings to have tinted glazed glass. Sight area must be shielded from roadways and adjacent businesses with masonry block walls and landscaping.

19. All entry/exit points shall have either rolling or electric gates that are made of metal, not security fencing, to secure the facility during off hours.

20. Curb, gutter and sidewalk improvements throughout for any new building.

21. Operational measures will include manual and mechanical sweeping and litter

collection program. This includes the exterior property and off-site up to 1200 feet from property line, and includes surrounding properties and adjacent streets. Also included is a mandatory tarping program that requires all incoming and outgoing loads to be tarped.

22. Cooperation with area business to control illegal dumping and to assist in pickup and/or cleanup programs. Litter associated with the operation shall be removed off the premises and off adjacent streets. Cooperation with area businesses to control, illegal dumping and with the Power Inn BTA to beautify Power Inn Road. Assistance with litter control on Power In Road, Fruitridge Road and Florin Perkins Road.

23. Odor, Dust Control program will include a ventilation system that creates a negative pressure environment within the building, and misting system for dust suppression and odor control.

24. Operator shall ensure that purchase of clean air vehicles—hybrid, electric or diesel from year 2000 forward, is compliant with the Sacramento Metropolitan Air Quality Management District regulations.

25. Should the City of Sacramento implement a host benefit fee on solid waste and recycling facilities in the Power Inn area, the operator may be required to pay the fee and will participate in the discussions and possible formulation of the fee, with the fee limited to the mitigation, regulation and monitoring of the adverse impacts of the industry in the area where the funds are generated and not to be included as part of the City's general fund. This condition shall not be interpreted as limiting the discretion of the City Council.

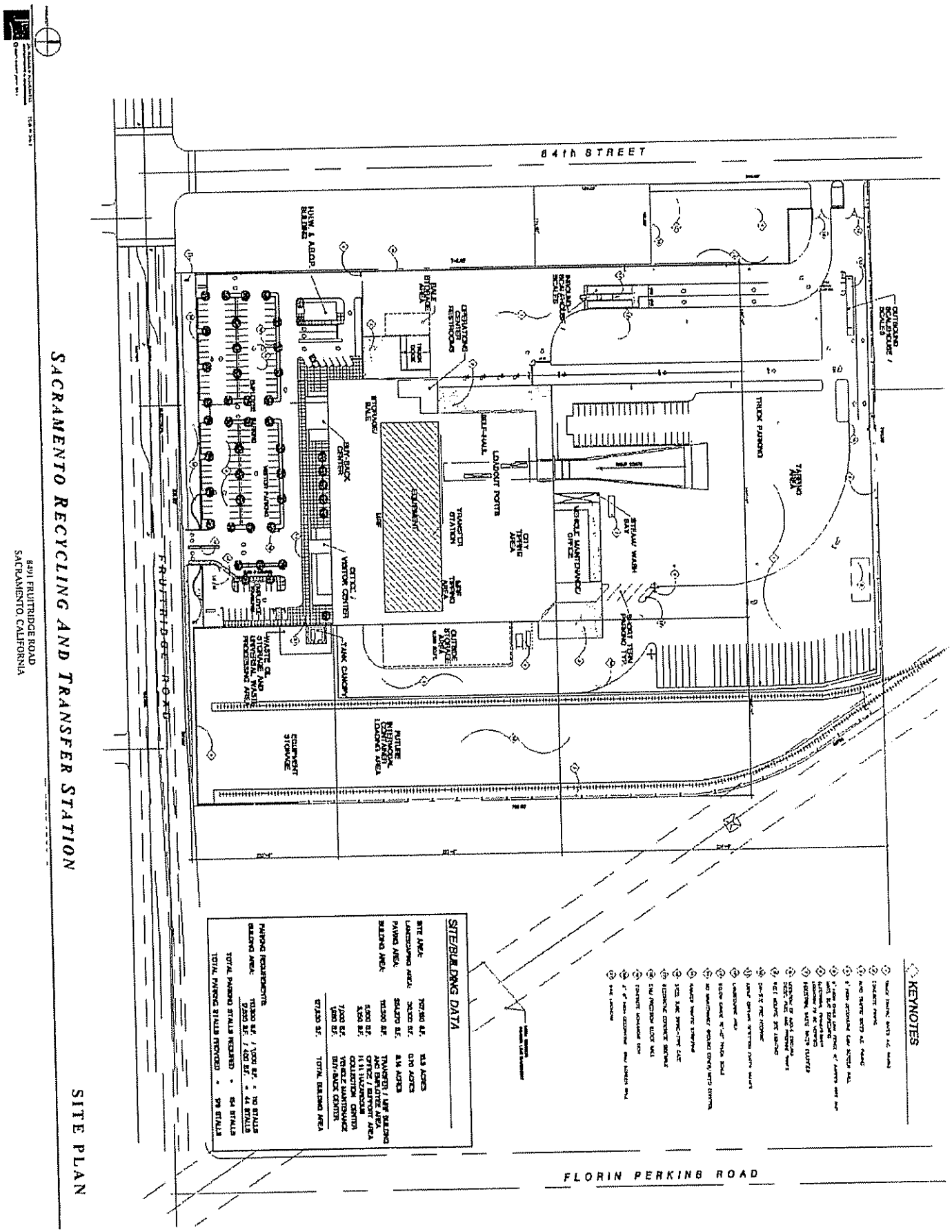
County Sanitation District 1 (CSD-1) <u>Advisories</u>

26. Developing this property may require the payment of sewer impact fees. Impact fees for CSD-1 shall be paid prior to issuance of any expansion permits. Applicant should contact the Fee Quote Desk a (916) 876-6100 for sewer impact fee information.

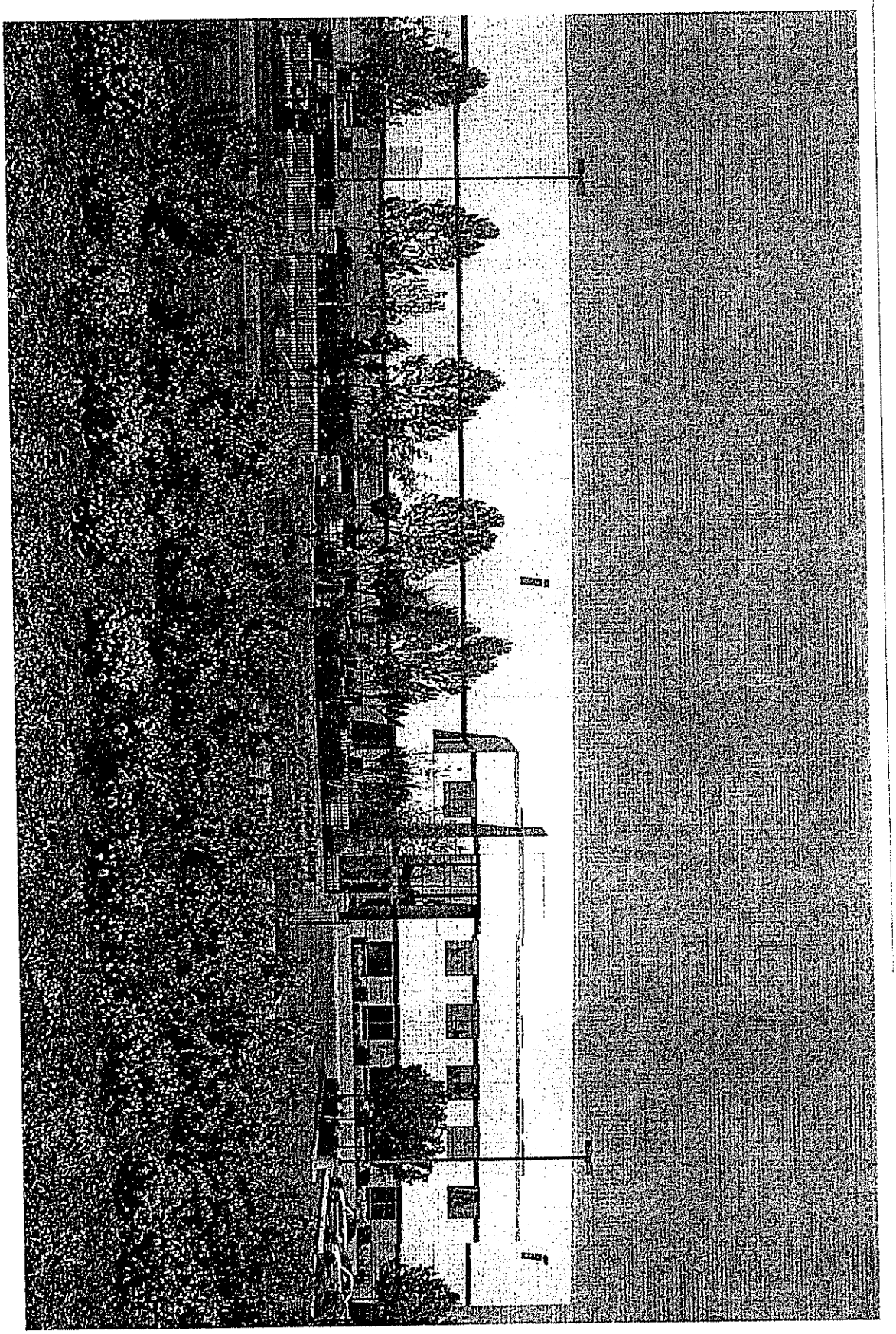
27. Applicant shall contact the Fee Quote Desk prior to finalizing the improvement plans as quantity of discharge determines capacity available to serve this project, and the amount of connection fees and basic entitlement.

28. The additional uses proposed by this facility under the subject application constitute a potential industrial waste discharge. Applicant should contact Industrial Waste at 916-875-6470 for additional industrial waste discharge concerns.

Exhibit A – Site Plan

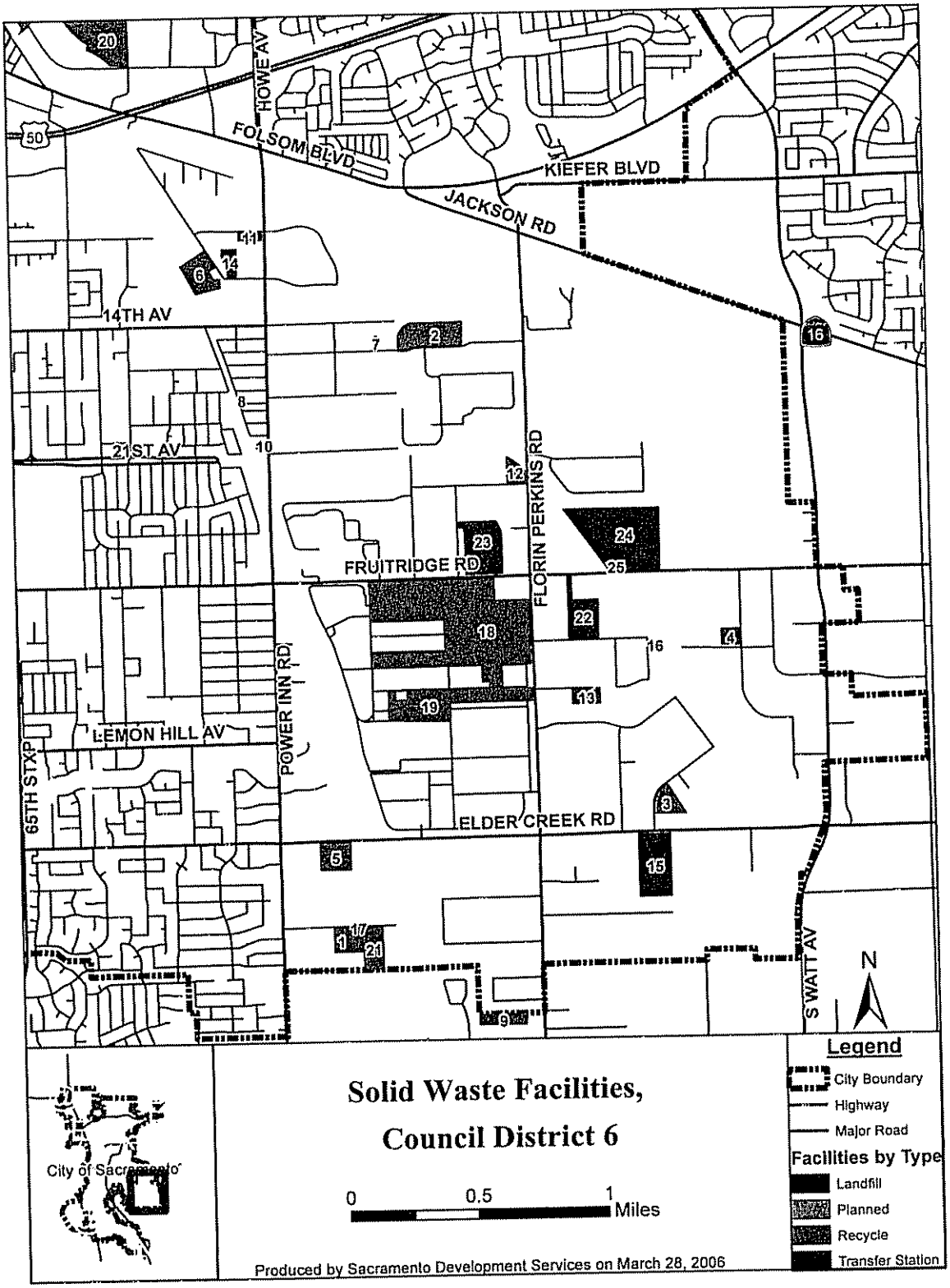


Attachment 4 – Fruitridge Road Elevation



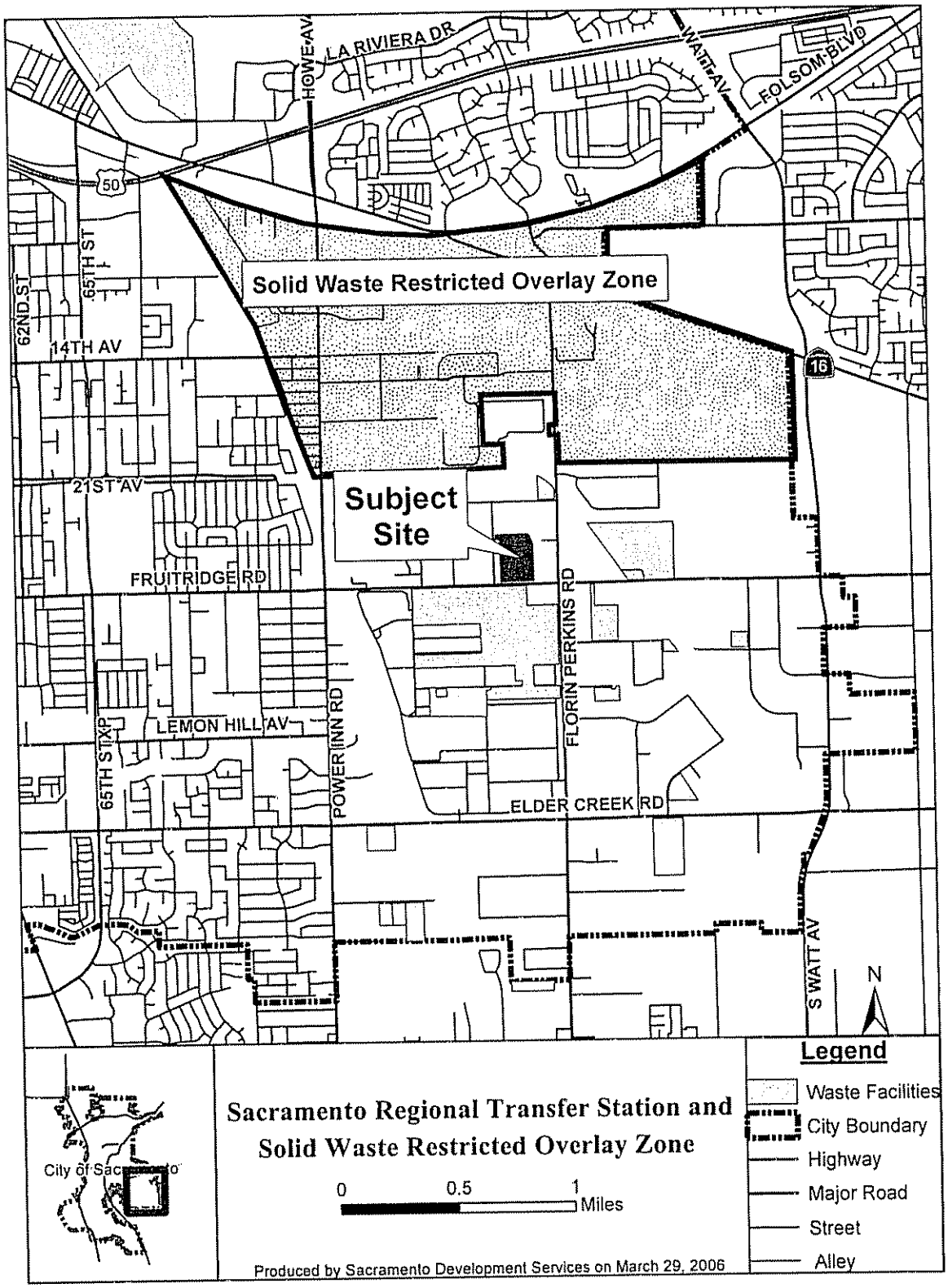
Sacramento Recycling and Transfer Station
8491 Fruitridge Road
Sacramento, California 95826

Attachment 5 – District 6 Solid Waste Facilities Map and Index



Waste Facilities in the City of Sacramento: District 6					
ID	TYPE	NAME	ADDRESS	APN	PHONE
1	Recycle: Computers	California Electronic Asset Recovery	8200 Berry Ave. Suite 140	040-0121-028	388-1777
2	Recycle: Computers	HMR USA Inc.	8301 Belvedere Ave.	061-0140-051	381-5504
3	Recycle: Center	Waste Management Collection & Recycling	8761 Younger Creek Dr.	062-0150-014	731-4004
4	Recycle: Center	Western Strategic Materials	5850 88TH ST	062-0080-036	388-1076
5	Recycle: Foam	Sunshine Padding & Foam Recycling	8172 Elder Creek Rd.	040-0101-014	383-5213
6	Recycle: Greenwaste	Waste Management Chip and Grind	3562 Ramona Ave.	079-0300-006	452-0142
6	Planned: Recycle Facility	K and M Recycling Facility	3563 Ramona Ave.	079-0300-006	452-0142
7	Recycle: Metals	Sunshine Steel Enterprise	8265 Belvedere Ave.	061-0041-008	455-8371
8	Recycle: Pallets	Cental Valley Pallets	7901 Merced Ave.	061-0081-023	739-6726
9	Recycle: Pallets	Consolidated Pallet Co. Inc.	6934 Florin Perkins Rd.	064-0040-025	381-8123
10	Recycle: Pallets	Super Pallet Recyling Co.	4600 Power Inn Rd.	061-0113-014	686-1700
11	Recycle: Paper	Recycling Industries	3300 Power Inn Rd.	079-0282-027	452-3961
12	Recycle: Paper	Smurfit-Stone Recycling	4800 Florin Perkins Rd.	061-0164-019	381-3340
13	Recycle: Tires	Tri-C Tire Recycling	8588 Thys Ct.	062-0070-025	388-2093
14	Transfer Station	Atlas Disposal Industries	3453 Ramona Ave.	079-0282-016	455-2800
15	Transfer Station	Elder Creek Transfer & Recovery Inc.	8642 Elder Creek Rd.	064-0020-008	387-8425
16	Planned: Inerts	California Concrete Crushing	5980 Outfall Circle	062-0120-003	387-5050
17	Recycle: Center	Fidelity Industries	8210 Berry Ave. Suite 170	040-0121-029	383-9198
18	Recycle: Computers	Federal Assets Recovery Inc.	8311 Valdez Ave.	062-0010-018	387-9988
19	Recylce: Pallets	Valley Pallet	8322 Galena Ave.	062-0010-017	381-7954
20	Recycle: Center	CSUS Community Recycling Center	6000 J St.	005-0010-007	535-5116
21	Recycle: Greenwaste	Sierra Waste Wood Grinding	8260 Berry Ave.	040-0121-022	388-8320
22	Transfer Station	South Area Transfer Station	8550 Fruitridge Rd.	062-0090-021	875-6789
23	Transfer Station	Sacramento Recycling and Transfer Station	8491 Fruitridge Rd.	061-0173-021	379-0500
24	Landfill	L & D Landfill Co.	8635 Fruitridge Rd.	061-0180-007	737-8640
25	Planned: Transfer	L & D Landfill Co.	8635 Fruitridge Rd.	061-0180-007	737-8640

Attachment 6 – SRTS and Solid Waste Restricted Overlay Zone Map



Attachment 7 – April 13, 2006, Planning Commission staff report

CITY PLANNING COMMISSION
SACRAMENTO, CALIFORNIA
MEMBERS IN SESSION:

ITEM #4
April 13, 2006
PAGE 1

P05-060 – Sacramento Recycling and Transfer Station Special Permit Major Modification

REQUEST:

A. **Environmental Determination:** Mitigated Negative Declaration

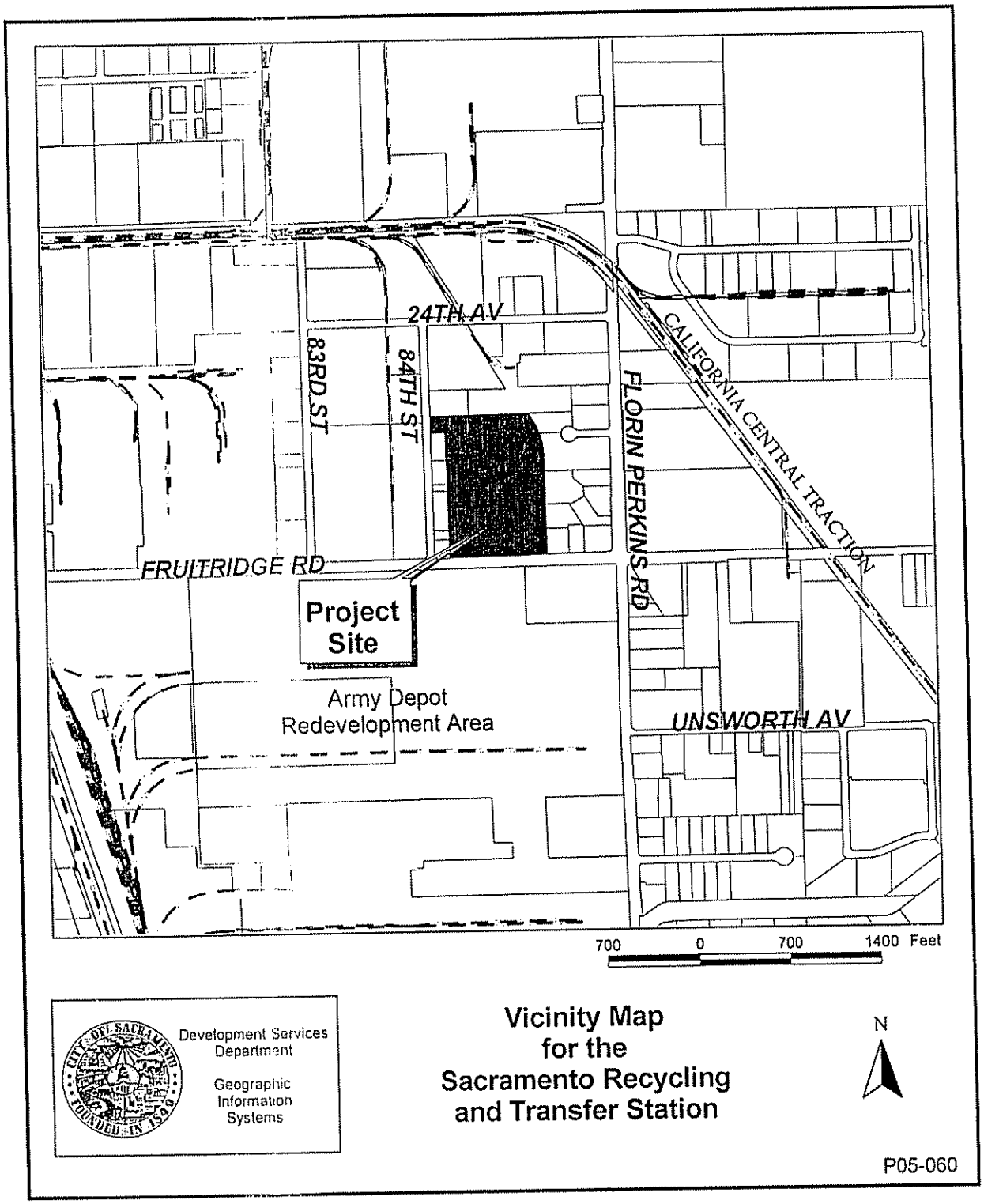
B. **Mitigation Monitoring Plan**

C. **Special Permit Major Modification** to increase the allowable recycling and throughput capacity for an existing recycling and transfer station by 500 Tons per Day (TPD). The daily permitted municipal solid waste and recyclables capacity would increase from 2,000 TPD to the facility's design capacity of 2,500 TPD in the Heavy Industrial (M-2S) zone

LOCATION: 8491 Fruitridge Road
Assessor's Parcel Number: 061-0173-028
Sacramento City Unified School District
Council District 6

APPLICANT:	BLT Enterprises of Sacramento, Inc. – Evan Edgar 8491 Fruitridge Road Sacramento, CA 95826 916-379-0500
OWNER:	BLT Enterprises of Sacramento, Inc. 8491 Fruitridge Road Sacramento, CA 95826
APPLICATION FILED:	April 26, 2005
APPLICATION COMPLETED:	May 26, 2005
STAFF CONTACT:	Kimberly Kaufmann-Brisby, 916-808-5590

SUMMARY: The Sacramento Recycling and Transfer Station (SRTS) is a materials recovery facility and transfer station. The facility was constructed in 1998, and operates pursuant to a Special Permit issued by the City of Sacramento and a Solid Waste Facility Permit issued by the California Integrated Waste Management Board. The applicant is requesting a Major Modification to a previously approved Special Permit (P97-072) for an existing transfer station and large volume material recovery facility on ±18.9 developed acres in the Heavy Industrial (M-2S) zone. The applicant proposes to increase the processing volumes from 2,000 Tons per Day (TPD) to 2,500 TPD.


24TH AV
83RD ST
84TH ST
FLORIN PERKINS RD
CALIFORNIA CENTRAL TRACTION
FRUITRIDGE RD
Project Site
Army Depot Redevelopment Area
UNSWORTH AV
700 0 700 1400 Feet
Development Services Department
Geographic Information Systems
Vicinity Map for the Sacramento Recycling and Transfer Station
N
P05-060

The previous project approval to increase the throughput capacity from 1,500 TPD to 2,000 (P00-089) contained several conditions of approval which were prerequisites to the facility expanding beyond the approved 2,000 TPD. Staff believes the applicant is in substantial compliance with the conditions. Additionally, the applicant has requested a condition of approval associated with the original project, P98-072, be revised to allow the storage of baled recyclable materials outdoors. Based on comments received regarding the project's environmental document and ongoing discussions regarding the preponderance of solid waste facilities in the south area staff finds the project to be somewhat controversial

RECOMMENDATION: Staff recommends approval of the project, subject to conditions in the Notice of Decision This recommendation is based on: the project's consistency with the General Plan goals and policies promoting increasing the recycling of solid waste materials and reducing the volume of solid waste sent to landfills; the requested throughput increase is consistent with the facility's design capacity and would have a less than significant impact on the surrounding area; the facility is outside of the Solid Waste Restricted Overlay zone; and the facility's capacity increase is an appropriate industrial use in an industrially zoned area.

PROJECT INFORMATION:

General Plan Designation.	Heavy Commercial or Warehouse
Existing Land Use of Site:	Recycling and transfer station
Existing Zoning of Site.	Heavy Industrial (M-2S)

Surrounding Land Use and Zoning:
- North: Vacant, Industrial; M-2S
- South: Army Depot Redevelopment Area; M-2-SPD
- East: Warehouse, Commercial; M-2S
- West: Vacant, Light Industrial; M-2S

Building Area:	±127,930 sq. ft. for entire site (110,300 sq. ft. Transfer/MRF building, 5,500 sq. ft. office, 3,150 household hazardous waste collection center, 7,000 sq. ft. vehicle maintenance building, 1,880 sq. ft. buy-back center)
Exterior Building Materials:	Concrete
Roof Material:	Metal
Building height:	40 feet, 2 stories
Number of employees:	84 currently, increase to 100 with expansion
Hours of Operation:	5 a.m. – 10 p.m.
Parking Required:	136 spaces total (122 warehouse spaces plus 14 office spaces)
Parking Provided:	179 spaces

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Parking Provided:	179 spaces

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

Permit	Agency
Solid Waste Facility Permit	California Integrated Waste Management Board

BACKGROUND INFORMATION: The Sacramento Regional Transfer Station (SRTS) was approved in 1998 (Resolution No. 98-461) and was subsequently constructed and in operation that same year. An Environmental Impact Report (EIR) was prepared for the project and certified by the City Council in September of 1998. The facility was designed and constructed to ultimately receive and process a maximum of 2,500 Tons per Day (TPD) of recyclable and municipal solid waste materials. The initial resolution approving the special permit allowed the processing of municipal waste and recyclables of up to 1,500 TPD. The facility operates under permits issued by the City of Sacramento and the California Integrated Waste Management Board.

In March of 2000 the operator of SRTS sought and received approval to increase the tonnage received and processed at the facility from 1,500 TPD to 2,000 TPD, and to extend the hours of operation from 7 a.m. to 5 p.m. to 5 a.m. to 10 p.m. (P00-089). The extended hours were needed to accommodate peak loading in the waste market and were for receiving only, other operational aspects of the facility remained unchanged. An Addendum to the previously certified EIR was prepared in connection with the March 2000 application and was approved with the project.

The proposed project would increase the allowable TPD to be received and processed at the facility from 2,000 TPD to 2,500 TPD, the facility's design capacity. The hours of operation would remain the same and no new construction is proposed.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The General Plan designates the parcel as Heavy Commercial or Warehouse. The site zoning is Heavy Industrial (M-2S). The land use and zoning designations are consistent with the existing use. The proposal to increase the allowable recycling and throughput capacity for an existing recycling and transfer station is allowed with the approval of a Special Permit Major Modification, provided certain Findings of Fact can be made.

General Plan

The proposed increase of throughput and recycling materials is consistent with the existing General Plan land use designation. The project is consistent with the overall goals of the Public Facilities and Services Element of the Sacramento General Plan Update (SGPU).

In order to reduce the quantity of waste material sent to landfills, the City is continually promoting the recycling of solid waste materials. In 1989, the City's Source Reduction Recycling Element (SRRE) was adopted by the state. The SRRE outlines the City's goals, policies, and programs directed at reaching the state's mandate of a 50 percent reduction and diversion in landfill waste disposal. Included in the strategy is the City's dedication to establishing, sustaining, and expanding recycling-based manufacturing businesses. Creating and maintaining a healthy recycling market is essential to meeting the City's landfill reduction goals and mandates. The following goals and policies support the proposed modification to the SRTS's special permit:

Goal A "Provide adequate solid waste disposal facilities and services for collection, storage and reuse of refuse."

Policy 2 "Explore programs and new techniques of solid waste disposal to reduce the need for landfill sites."

Policy 4 "Expand recycling and composting efforts to the maximum extent feasible in order to reduce the volume and toxicity of solid wastes that must be sent to landfill facilities."

The proposed increase in throughput and recycling TPD is consistent with the goals and policies stated above, in that, the SRTS facility provides a state of the art recycling and transfer service to the City of Sacramento. Adequate services will be available with the increase in tonnage accepted at the facility because the facility was designed to process the additional tonnage. The facility will also help meet the growing need for public services and facilities because with urban expansion comes increased waste production.

To address the concentration of solid waste facilities in the southeast portion of the City (all in District 6) a Solid Waste Restricted Overlay (SWRO) zone was adopted by the City Council on July 29, 2003 (M01-120). The overlay zone's southern boundary is 21st Avenue (see Exhibit 1E). The establishment of new hazardous waste facilities, solid waste landfills or solid waste transfer stations as well as any increases in tonnage, volume, or other capacity increases is restricted within the SWRO zone. The overlay zone language does not address facilities located outside the adopted overlay zone. The existing SRTS facility is located south of the restricted zone and is not subject to the restrictions including increasing the facility's capacity.

The project site is located in a Recycling Market Development Zone (RMDZ). The RMDZ program combines recycling with economic development to encourage new businesses, expand existing ones, create jobs, and divert waste from landfills. The program provides loans, technical assistance and free product marketing to businesses within the zone boundaries.

The SRTS is also located within the Florin-Perkins Enterprise zone. The Zone

was established by the City and provides tax credits, deductions, and other state and local incentives to businesses within the zone boundaries.

B. Zoning Ordinance Requirements/Site Plan Design and Facility Operation

1. Zoning Ordinance

The City's Zoning Ordinance requires solid waste transfer stations obtain a Special Permit for operation in the Heavy Industrial (M-2S) zone. The SRTS facility operates pursuant to the approval of a special permit. Approval of a Special Permit Major Modification is required in order to increase the allowable daily tonnage. The proposed modification would not change the nature of operations at the site. No new construction is proposed as part of the application. The existing facility was designed to efficiently handle the increased tonnage to 2,500 TPD, the facility's built design capacity.

2. Site Plan Design and Facility Operations

The project site is surrounded by warehouse, manufacturing, and industrial uses. The surrounding properties are also zoned Heavy Industrial (M-2S). The nearest residence is located approximately 2,000 feet southeast of the project site on Unsworth Avenue on industrially zoned land. The nearest residential neighborhood is located approximately 3,000 feet west of the project along Fruitridge Road.

The SRTS is located on a ±18.9 acre site near the intersection of Fruitridge and Florin-Perkins roads. The facility comprises a waste transfer station and a materials recovery facility (MRF). The operations are located within a single building with an area of ±110,300 square feet. The site also includes separate partially enclosed areas designated to receive household hazardous waste and electronic waste as mandated by recent regulatory changes. With the exception of the facility's office frontage along Fruitridge Road the entirety of the site is enclosed by 8' to 9' tall masonry walls or screening fences. A screening wall or fence with a minimum height of 6 feet is required in the M-2S zone.

The facility is open to receive municipal solid waste (MSW) and recyclables Monday through Saturday between 5 a.m. and 10 p.m. The facility also accepts self-haul and commercial waste on Sundays. The City of Sacramento employs BLT Enterprises, the owner and operator of the SRTS, as the sole vendor for the City's solid waste transfer, transport, and disposal service. Over the past six months, the SRTS has averaged 1,617 TPD from 397 vehicles per day (VPD). City of Sacramento sources generate approximately 1,270 TDP in 340 VPD which translates into 79 percent of the tonnage and 86 percent of the traffic.

The Transfer Station processes municipal solid waste for transfer to landfills, and separates recyclables for processing. BLT contracts with the City of Sacramento

to receive residential solid waste and recyclables collected by the City at curbside. The curbside waste and recyclables arrive at the transfer station in recycling and garbage collection trucks. All traffic enters and exits the project site via 84th Street from Fruitridge Avenue. All facility waste and recycling operations are conducted within the building.

The solid waste is emptied from the trucks in the interior sorting area, then is transferred to larger capacity semi-trailer trucks for conveyance to one of two receiving landfills, the Kiefer Landfill, located in Sacramento County or the Lockwood Regional Landfill located in Sparks, Nevada. The commingled recyclables are emptied in a separate interior space and sorted via a "pick line" then processed for transfer.

The Transfer Station also receives solid waste and recyclables from self-haul vehicles. Private self-haul vehicles consist primarily of loaded pickup trucks, cars, or trucks with a loaded trailer. The self-haul solid waste and recyclables are processed in the same manner as commercial and City haulers, with all sorting and processing taking place within the facility's interior.

C. Compliance with Prior Conditions of Approval

The previous project approval (P00-089), which increased the facility's throughput and recycling capacity from 1,500 to 2,000 TPD, contained conditions of approval which were to have been satisfied prior to the request for additional facility expansion. The previous conditions read as follows:

5 The applicant (BLT Enterprises) shall obtain a site (an option or other ownership interest allowing it to proceed to develop the facility) north of the American River for a solid waste/transfer facility, prior to the issuance of a permit to accept 500 additional tons of waste per day at the Fruitridge facility.

6. An application for development of a solid waste/transfer facility (north of the American River) of equal or greater capacity than the Fruitridge facility shall be submitted to the City for consideration prior to issuance of a permit to accept 500 additional tons of waste per day; applicant shall pay the necessary fees for processing the application and the environmental analysis.

7. The applicant (BLT Enterprises) shall show a good faith effort to have a north area facility developed and operational no later than mid-year 2002.

On August 3, 2000, BLT Enterprises filed an application for a 1,500 TPD "North Sacramento Recycling and Transfer Station" located on ±11.5 vacant acres on the southeast corner at the intersection of Raley Boulevard and Vinci Avenue (P00-108). The application processing was delayed due to land use issues associated with the siting of the project and the environmental document

preparation. Ultimately, the project was withdrawn and a warehouse was approved for the site.

As an interim measure to provide waste disposal for the northern portion of the City until a City facility is constructed, the City is delivering up to 25,000 tons of municipal solid waste (MSW) per year to the County's North Area Recovery Station (NARS). The municipal solid waste being delivered to the NARS originates in the portion of the City lying north of the American River and is diverted from the SRTS, thus reducing the amount of municipal solid waste the SRTS receives from the City.

In exchange for agreeing to a reduction in processing fees, in the short term, BLT Enterprises entered into an agreement with the City which extends BLT's exclusive contract to process the City's MSW for five additional years. Terms of the contract state BLT Enterprises is required to site, permit and construct the BLT North transfer and recycling facility and make it available to accept City waste from the North Area as soon as possible using reasonable business efforts but in no event later than three years from the date of the execution of the Agreement, August 3, 2005. Should the North facility be delayed beyond the August 2008 deadline, due to City processing delays, the City will then redirect the municipal solid waste being delivered to the NARS to the SRTS until such time as the North facility is operational.

The applicant's incentive to comply with the timeline is the guaranteed delivery of the City's north area municipal solid waste to BLT's North facility once it is operational. The City's incentive to process the North facility project in a timely manner is the savings in both fuel costs and travel time for the City MSW vehicles as well as to provide more efficient City MSW service.

The applicant has requested condition 8 of the original project approval be revised to allow the outdoor storage of baled and containerized recyclables. Condition 8 currently reads: "....All storage shall be located inside of the building." Provided the outdoor storage is completely screened from adjacent properties and from the street, staff does not oppose amending the language to allow temporary outdoor storage of baled or containerized recyclable material(s). Condition C8 as proposed would impose a height and area limit on the outdoor storage of baled or containerized material. The baled material storage height cannot exceed the height of the screening fences/walls surrounding the facility nor may it be stored outside of the 25' x 50' or the 50' x 200' site specifically designated for storage, on the western and eastern sides of the site.

The proposed project is consistent with General Plan Goals and Policies, is consistent with the General Plan land use designation; meets all Zoning Code requirements; and is not located within the Solid Waste Restricted Overlay zone. There are no policies or codes restricting the increased facility throughput and recycling capacity. It is an industrial use located in an industrially zoned area.

BLT operates a model facility which operates safely and efficiently and the facility was designed and constructed to handle to increased tonnage. Staff recommends the proposed project be approved subject to conditions.

PROJECT REVIEW PROCESS:

A. Environmental Determination

Environmental review was conducted pursuant to the California Environmental Quality Act (CEQA). The City prepared an Initial Study for the project pursuant to CEQA Guidelines Section 15063. Based on review of the Initial Study, it was determined that, with implementation of the mitigation measures identified in the Initial Study, there is no substantial evidence that the project or any of its aspects would have a significant effect on the environment. A Mitigated Negative Declaration was prepared.

The proposed Mitigated Negative Declaration and Notice of Intent to Adopt was circulated for public review pursuant to CEQA Guidelines Section 15072. Notice was provided as follows: notice was mailed to property owners within 500 feet of the project boundaries, to interested agencies and to neighborhood groups as applicable; the project site was posted with a Notice of Intent to Adopt; the Notice of Intent to Adopt was published in the Daily Recorder, a newspaper of general circulation; and the Notice of Intent to Adopt was posted in the office of the County Clerk. In addition, the documents were filed with the State Clearinghouse.

The public review period for the document was January 18, 2006 to February 17, 2006.

The Mitigated Negative Declaration identified potentially significant impacts for air quality and hazards. The mitigation measures identified in the Mitigated Negative Declaration, which have been agreed to by the applicant, require installation and maintenance of equipment, specific processing procedures and training of employees.

The following written comments, attached below, were received on the Mitigated Negative Declaration:

Matthew G. Darrow, County of Sacramento Department of Transportation, January 23, 2006

Comment: The comment indicates that no comments would be submitted regarding the environmental document.

Response: No response is required.

Annette Deglow, President, College/Glen Neighborhood Association, February 5, 2006

Comment: The letter asserts there is over-concentration of solid waste facilities in the Power Inn Industrial area, with added air pollution and traffic congestion, and asks that the application be denied. The comment also asks for a new comprehensive City-wide environmental study/review of the solid waste industry.

Response: The environmental document evaluated the effects of the proposed project, which would increase the allowable daily tonnage under the City's Special Permit from 2,000 tons per day to 2,500 tons per day. The traffic impacts were found to be less than significant, and air quality and hazards impacts were mitigated to a less-than-significant level.
The comment points to cumulative impacts. The use at the project site is consistent with the City's General Plan and Community Plans, and environmental review has previously been conducted regarding the cumulative impacts of such uses

The comment raises land use planning and policy issues that may be addressed in the planning process and may be considered by the Planning Commission. The issues raised under the California Environmental Quality Act (CEQA), however, have been adequately addressed in the Mitigated Negative Declaration.

Terry Roberts, Governor's Office of Planning and Research, February 16, 2006

Comment: The comment confirms the filing and distribution of the environmental document through the State Clearinghouse.

Response: No response is required.

Wendy Haggard, P.E., County Sanitation District 1, February 7, 2006

Comment: The comment indicates the District has no specific concerns, and that compliance with project conditions and requirements of the District will ensure that impacts are less than significant.

Response: No response is required.

Diana Post, California Integrated Waste Management Board, February 14, 2006

Comment re Project Description: The comment suggests textual changes to the Project Description.

Response: The text has been revised as requested.

Comment re Consultation with Responsible Agencies: The comment indicates that the City did not consult with the California Integrated Waste Management Board prior to determination of the environmental document.

Response: The City consulted with the Sacramento County Environmental Management Department, the Local Enforcement Agency (LEA), regarding the content of the environmental document prior to its release. The City agrees it did not consult with the Board. The Board is responsible for ensuring that State waste management programs are primarily carried out through LEAs. LEAs have the primary responsibility for ensuring the correct operation and closure of solid waste facilities in the state.

Comment re Traffic: The comment refers to the procedure for calculating personal car equivalents (PCEs), and the responsibility of operators.

Response: The text has been revised to include conversion factors as requested by the Board.

Comment re Land Use Compatibility: The comment references the requirement for a finding of land use compatibility by the local jurisdiction.

Response: The environmental document evaluates land use consistency, and concluded that the project operations are consistent with surrounding land uses. The identified finding would be consistent with the environmental document.

Comment re Removal of Solid Waste: The comment indicates that solid waste and residual solid waste must be removed within 48 hours of receipt.

Response: Mitigation Measure AQ-1 imposes such a requirement.

Comment re Mitigation Monitoring and Reporting: The comment indicates that a Mitigation Monitoring or Reporting Program (MMP) must be included as part of project approval.

Response: The City adopts a Mitigation Monitoring Plan in compliance with the requirements of the California Environmental Quality Act as part of the project approval process.

Wendy Hoffspiegel, County of Sacramento Environmental Management Department, February 23, 2006

Comment re Project Description: The comment indicates that the project description does not reflect the increase in traffic, and references the City's Special Permit condition that requires that all storage should be located inside the building.

Response: The project description has been revised to include reference to the increase in traffic, and the use of personal car equivalents (PCEs). The Solid Waste Facility Permit regulates the amount of traffic at the facility as a permit condition.

The outside storage of materials, while allowed in the applicable zone by the Zoning Code, is restricted to "...inside the building" by Condition 8. The area that is used for outside storage is screened on all sides from views from adjacent properties, and any impact on aesthetics would be negligible. Stored materials consist of baled or bound recylables, and litter is not a significant issue. The City does not believe outside storage of materials would have a potentially significant impact. The facility has engaged in outside storage on a regular basis, on the applicant's stated understanding that restrictions on outside storage were intended to restrict loose materials and materials that would create litter.

Staff intends to clarify the condition regarding outside storage, and to recommend the imposition of a revised condition that would limit such storage to specific materials, and to specified areas. As conditioned, the outside storage of materials would have no impact, and no mitigation measures are, or would be, required.

Comment re Equipment and Construction: The commenter indicates that the facility is currently undergoing construction of additional equipment to be able to process the additional recyclable material that will be received. The comment cites various pages in the environmental document that appear to be in conflict with these activities

Response: The facility as originally approved in 1998 had a capacity to receive and process up to 2,500 tons per day of municipal solid waste and recyclables (personal communication, Shawn Gutterson, BLT, 3/2/06). The facility has processed less than the design amount due to permit limits as set forth in the Integrated Waste Management Board's Solid Waste Facility Permit and the City's Special Permit.

The Initial Study notes:

> No additional equipment would be added or used as part of the project. Equipment used within the transfer station will be replaced from time to time as part of normal equipment maintenance and replacement, and may be upgraded over time with newer and more efficient equipment with similar capabilities. (page 7)

The equipment utilized in the interior of the facility is related to the sorting and processing recyclables. The source of power (i.e., electricity) does not change, and because the equipment is located in the interior of the building, noise and other impacts are negligible.

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Comment re Consultation with Responsible Agencies: The comment indicates that the City did not consult with the California Integrated Waste Management Board prior to determination of the environmental document.

Response: The City consulted with the Sacramento County Environmental Management Department, the Local Enforcement Agency (LEA), regarding the content of the environmental document prior to its release. The City agrees it did not consult with the Board. The Board is responsible for ensuring that State waste management programs are primarily carried out through LEAs. LEAs have the primary responsibility for ensuring the correct operation and closure of solid waste facilities in the state.

Comment re Traffic: The comment refers to the procedure for calculating personal car equivalents (PCEs), and the responsibility of operators.

Response: The text has been revised to include conversion factors as requested by the Board.

Comment re Land Use Compatibility: The comment references the requirement for a finding of land use compatibility by the local jurisdiction.

Response: The environmental document evaluates land use consistency, and concluded that the project operations are consistent with surrounding land uses. The identified finding would be consistent with the environmental document.

Comment re Removal of Solid Waste: The comment indicates that solid waste and residual solid waste must be removed within 48 hours of receipt.

Response: Mitigation Measure AQ-1 imposes such a requirement.

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The equipment utilized in the interior of the facility is related to the sorting and processing recyclables. The source of power (i.e., electricity) does not change, and because the equipment is located in the interior of the building, noise and other impacts are negligible.

The environmental document adequately references the replacement of equipment on a periodic basis as part of the ongoing operation.

Comment re Storm water Runoff: The comment indicates that the environmental document does not reference the storage of vehicles and equipment on the grass and gravel area in the southeast corner of the project site, and that this storage should be addressed as an environmental impact.

Response: The proposed project would increase the allowable daily tonnage at the facility, and this is the change in operations that is evaluated in the environmental document. To the extent the comment relates to conditions at the facility that are in violation of permit conditions, the issue is one of compliance and not environmental effect. The project description has, however, been revised to reflect the presence of stored materials in the southeast corner of the project site

Staff observed the storage of tractor-trailers and storage boxes in the southeast corner of the project site (site visit, 3/2/06). The storage of such equipment would not have a potentially significant effect on groundwater due to the absence of materials that could adversely affect water quality, and no new impact is presented.

Comment re Employees: The comment notes that new employment would be expected as a result of the project.

Response: The comment correctly notes that employment at the facility would increase due to an increase in allowable daily tonnage. References in the environmental document have been corrected n the discussion of Population & Housing, Transportation and Recreation. Air quality impacts were evaluated based on an increase in employment to 100 employees. No new impacts have been identified.

Comment re Parking: The comment notes that the environmental document refers to 179 parking spaces, and the application reviewed by the commenting agency indicates 99 spaces have been provided.

Response: The site plan indicates there are 179 parking spaces at the facility, and this has been confirmed by a parking space count by staff.

Comment re Traffic Volume: The comment indicates the basis for the reference to 280 daily trips by garbage trucks in the Air Quality discussion is unclear.

Response: The commenter is correct. The actual number of daily trips is 240, and is based on the traffic study. A cross-reference to Table 5 in the Transportation discussion has been provided.

Comment re Traffic Volume: The comment indicates that it would be helpful to include traffic data from the 2000 Addendum to the EIR, and the conversion factor for personal car equivalents.

Response: The data from the 2000 Addendum is available in the Traffic Impact Study, as noted in the comment. This information was not included because it was not used in the evaluation of impacts, and could be confusing to the reader. Conversion factors for PCEs are now included in the project description, consistent with the request from the California Integrated Waste Management Board.

Comment re Facility Size: The comment notes a reference to acre-feet, and notes that various documents contain different square footage for the facility.

Response: The reference has been corrected to refer to square feet for the size of the structure. The facility includes a total of 127,930 square feet (personal communication, Evan W.R. Edgar, 1/6/06).

Comment re Site Plan: The comment indicates that the Site Plan in Attachment B reflects a date of June 1998, and is not an accurate depiction of the facility.

Response: Attachment B, Site Plan, in the copy of the Mitigated Negative Declaration circulated for public review included a current site plan for the facility. The document referred to in the comment is a site plan that was included in the 1998 EIR, and was supplied by staff in electronic form in error.

Conclusion

The written comments have been reviewed, and staff has revised the Mitigated Negative Declaration and Initial Study where appropriate. The revisions do not identify new significant impacts, and no mitigation measures have been added or revised. The environmental document as circulated is adequate, and satisfies the requirements of the California Environmental Quality Act.

B. Public/Neighborhood/Business Association Comments

Early Project Notification was sent to the following groups: Power Inn Business & Transportation Association (BTA), Southeast Area Neighborhood Association, Rosemont Community Neighborhood Association, the College-Glen Neighborhood Association and the Army Depot Redevelopment PAC-SHRA.

To date, the Rosemont Community Association responded to the Early Notification and they had no comment regarding the project. The Power Inn Business & Transportation Association responded in support of the project but did provide 19 conditions with which the project must be in compliance

(Attachment 2). Staff has reviewed the conditions and found the project already has implemented or is in compliance with many/most of them. Several conditions must have a nexus established between the project impacts and the mitigation(s)/condition(s) proposed however the nexus has not been established either in the environmental review or staff planning review, thus, the condition(s) cannot be applied to the project as currently proposed.

C. **Summary of Agency Comments**

The project has been reviewed by several City Departments and other agencies. The comments have been incorporated as conditions of approval and are listed in the Notice of Decision and Findings of Fact.

PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny A, B, and/or C. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 calendar days of the Planning Commission action.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

A. Adopt the attached Notice of Decision and Findings of Fact (Attachment 1) ratifying the Mitigated Negative Declaration;

B. Adopt the attached Notice of Decision and Findings of Fact (Attachment 1) approving the Mitigation Monitoring Plan;

C. Adopt the attached Notice of Decision and Findings of Fact (Attachment 1) approving the **Special Permit Major Modification** to increase the allowable recycling and throughput capacity for an existing recycling and transfer station by 500 Tons per Day (TPD). The daily permitted municipal solid waste and recyclables capacity would increase from 2,000 TPD to the facility's design capacity of 2,500 TPD in the Heavy Industrial (M-2S) zone.

Report Prepared By:

Kimberly Kaufmann-Briaby, Associate Planner

Report Reviewed By:

Tom Buford, Senior Planner

Attachment 8 – College/Glen Neighborhood Association Letters

College/Glen Neighborhood Association

July 9, 2006

To: Tom Buford, Senior Planner
David Kwong, Planning Manager
Kimberly Kaufmann-Brisby, Associate Planner
Robert Tokunaga, Supervising Deputy City Attorney

FAXED JUL 09 2006

Tom Buford

From: Annette Deglow, President
College-Glen Neighborhood Association
8424 Olivet Court • Sacramento, CA 95826
Home: 383-6621 • fax: 383-9196 • Cell: 806-3138
e-mail: jadeglow@sbcglobal.net

Subject: **Appropriateness of a Temporary Permit**

Our Association believes a case can be made for a temporary permit under current City regulation for Sacramento Recycling's request for increase tonnage. It has been acknowledged by City Staff that there is an over concentration of solid waste processing in Council District 6 and that condition is exacerbating the adverse impacts of the process upon our community and the City. In addition, City Staff have confirmed that the condition is costly both environmentally and financially.

The extent to which this condition can be mitigated can not be accurately established until the City conducts a City wide environmental study that includes an accurate accounting of how much solid waste is being process, where it is coming from and where it is going. According to Gary Reents, Director of City Utilities such a study is under way and will be funded by the City.

A temporary permit at this time is appropriate since it has already been confirmed by City Staff that the City is being exposed to added cost both environmentally and financially due to the over concentration of solid waste processing with in a given region. It follows that approval of more tonnage in the area of over concentration will further compound the acknowledged exacerbation of the adverse impacts upon the immediate community and the City. Approval of a permanent increase in the processing of solid waste in Council District 6 at this time is inconsistent and counter to good planning and policy.

The offer by Sacramento Recycling to not request another tonnage increase for 5 years is an acknowledgment that they have every intention of increasing their tonnage to 3,500 tons per day design capacity of their facility. This is not acceptable to our community until such time as it can be documented that to do so is both cost effective and environmentally advantageous for the residents of the City of Sacramento.

It is time for the City to take charge of this process. City ordinances provide for a temporary permit. Approve a **temporary** permit or **No** permit.

College/Glen Neighborhood Association

July 9, 2006

FAXED JUL 09 2006

To: Law and Legislation Committee Members
Sacramento City Council
Via Fax: (916) 808-7680

From: Annette Deglow, President
College-Glen Neighborhood Association
Home: (916) 383-6621
Cell: (916) 806-3138

Regarding: **Inspection Fee Ordinance**

I will be out of town on July 18, 2006 the scheduled hearing date for this issue. Please accept this document on our behalf.

The College/Glen Neighborhood Association supports the proposed Solid Waste, Hazardous Waste and Recycling Facility Inspection fee ordinance.

It has been our observation, as a neighborhood association that has been involved in the issues related to solid waste, that the local area enforcement of State regulations is not responsive to the communities need. We believe that an inspection fee that can be used to establish, monitor and enforce appropriate industry regulations will benefit both the operators and the industry.

We also believe for the ordinance to adequately monitor the industry it must apply to all types of solid waste processing and not just to transfer stations. All recycling facilities must be included in the ordinance and be accountable for the proper storage and handling of the products being processed and debris generated by their operation.

Please support this proposed ordinance for all solid waste facilities.

P.O. Box 276474 • Sacramento, CA 95826 • (916) 383-6621

Jul 09 2006 10:32PM HP LASERJET FAX (916) 383-9196 p.3

College/Glen Neighborhood Association

July 9, 2006

FAXED JUL 0 8 2006

To: Kevin McCarty, Councilmember
District 6
Phone: (916) 808-7007
Fax: (916) 264-7680

Attn: Maria Alvarez
Aubrie Fong

Via e-mail kmccarty@cityofsacramento.org
malvarez@cityofsacramento.org
afong@cityofsacramento.org

From: Annette Deglow, President
College-Glen Neighborhood Association
8424 Olivet Court • Sacramento, CA 95826
Home: 383-6621 • fax: 383-9196 • Cell: 806-3138
e-mail: jadeglow@sbcglobal.net

Subject: **Solid Waste & Increased Tonnage**

Our Association has not altered its position regarding the processing of increased tonnage within our area. Because Sacramento Recycling is a good operator and neighbor we agreed to support of a temporary permit until City services can be established north of the American River.

We believe a case can be made for a temporary permit under current City regulation. It has been acknowledged by City Staff that there is an over concentration of solid waste processing in Council District 6 and that condition is exacerbating the adverse impacts of the process upon our community and the City. In addition, City Staff have confirmed that the condition is costly both environmentally and financially.

The extent to which this condition can be mitigated can not be accurately established until the City conducts a City wide environmental study that includes an accurate accounting of how much is being processed, where it is coming from, and where it is going. According to Gary Reents, Director of City Utilities, such a study is under way and will be funded by the City.

To approve a permanent increase in the processing of solid waste in Council District 6 at this time is, in our opinion, counter to the City's goals of smart growth and desire to be the "Most Livable City".

As a community association, we feel betrayed by this otherwise good neighbor. We were willing to accept a temporary increase in tonnage to facilitate both the City of Sacramento and Sacramento Recycling. However, Sacramento Recycling countered with an absolute refusal to consider a temporary permit. It is time for the City to take charge of this process.

The offer by Sacramento Recycling to not request another tonnage increase for 5 years is an acknowledgment that they have every intention of increasing their tonnage to 3,500 tons per day design capacity of their facility. This is not acceptable to our community unless it can be documented that to do so is both cost effective and environmentally advantageous for the residents of the City of Sacramento.

It is time for Council District 6 to stand up and say No! and find out where the other Council members stand on this issue. If Council District 3, which is the center of the City's collection centroid, can refuse to process **any tonnage** in its District, Council District 6 should be able to say no to any more processing within its District until a more equitable distribution of processing facilities within the City has been established.

Thank you for your assistance.