

MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MONITORING AND REPORTING PROGRAM: RECYCLING INDUSTRIES TRANSFER STATION

Section 21081.6 of the Public Resources Code, enacted by passage of AB 3180 (Cortese Bill), requires public agencies approving projects with significant environmental impacts to adopt a Mitigation Monitoring and Reporting Program. The objective of the program is to ensure that mitigation measures adopted to avoid or mitigate potentially significant environmental impacts are implemented. Section 21081.6 of the Public Resources Code requires all state and local agencies establish monitoring and reporting programs whenever approval of a project relies upon a mitigated negative declaration or an environmental impact report (EIR). In accordance with these requirements, this mitigation monitoring and reporting program has been prepared to ensure that mitigation measures identified in the Initial Study/Mitigated Negative Declaration for the proposed Recycling Industries Transfer Station (RITS), Yuba City, California (or subsequent revisions thereto), are implemented in an effective and timely manner, and that identified impacts are avoided or mitigated to a level of insignificance. This plan identifies responsible parties for the mitigation program and includes a detailed discussion of monitoring and reporting procedures for each mitigation measure.

I. Responsible Party

RITS will be responsible for implementing and reporting mitigation measures in this program and will have responsibility for ensuring that mitigation measures are accomplished in an environmentally responsible manner. RITS will be responsible for ensuring that the status of mitigation measures is reported in accordance with this program and will be responsible for ensuring that the cost of mitigation is included in its budget, as appropriate. Mitigation measures will be included, if applicable, in any future operating agreements. The City and Local Enforcement Agency ("LEA") will be responsible for ensuring that applicable mitigation measures are carried forward in operational and maintenance procedures for this proposed expansion through reporting requirements and site inspections.

II. Mitigation Requirements

Based on the findings of the Initial Study, mitigation measures are not required for agriculture resources, biological resources, greenhouse gas emissions, land use and planning, mineral resources, population and housing, public services, and recreation. Specific mitigation measures are required or otherwise included for aesthetics, air quality, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, transportation and traffic, and utilities and services. Potentially significant impacts in these environmental resource areas will be avoided or minimized with implementation of forty-two (42) specific mitigation measures summarized on Table A-1.

RI Large Volume Transfer/Processing Facility Mitigation Monitoring and Reporting Program

Category	Mitigation No	TABLE A-1 Mitigation Measure	Initial Study Section
Aesthetics	A1	Perimeter fencing shall be provided and maintained around the RITS to screen operations from view, and all MSW will be tipped and loaded-out inside the proposed transfer station.	1.c
	A2	All exterior lighting shall be in compliance with a City approved plan and shall be shielded and directed downward so as to minimize glare and impacts to adjacent properties.	1.d
Air Quality	AQ1	All incoming material shall be tipped inside the building during periods when wind speeds are greater than 15 miles per hour (mph) averaged over a 15-minute period or when instantaneous wind speeds exceed 25 mph. Fencing, tarping, watering, misting, wind screens and other appropriate means will also be used to prevent litter and dust from blowing around outdoor tipping and storage areas.	3.b,c
	AQ 2	An overhead misting system at tipping and loadout areas and hoses are available for employees to lay down a mist of water over any dusty material during loading or unloading activities. The water is absorbed into the material and does not run off site.	3.b,c
	AQ 3	Open-top trailers in a top-loading configuration are required to cover or otherwise protect the load within 15 minutes after loading.	3.b,c
	AQ 4	Regular sweeping shall be used to clean the maneuvering area, and around the perimeter of the facility.	3.b,c
	AQ 5	Maintain off-road as well as on-road diesel-fueled collection trucks in tune with the manufacturer's specifications.	3.b,c
	AQ6	Trucks shall not be permitted to idle for more than five minutes during loading or unloading activities.	3.b,c
	AQ 7	All incoming loads are checked for excessive odors. Loads may be rejected at the scalehouse or, if accepted, transferred out as soon as possible.	3.e
	AQ 8	Should odiferous material be found in the tipping areas, it will be immediately sprayed with a deodorizer and loaded out in the next transfer truck leaving the site.	3.e
	AQ 9	A misting system with odor neutralizing agent shall be used over tipping and transfer/load-out areas, as needed, to control potential odors as well as dust emissions.	3.e
Air Quality (Cont.)			

RI Large Volume Transfer/Processing Facility Mitigation Monitoring and Reporting Program

Category	Mitigation No	TABLE A-1 Mitigation Measure	Initial Study Section
	AQ 10	All MSW, received at the facility will be transferred out within 48 hours and within 24 hours if possible.	3.e
	AQ 11	Regular site inspections will be conducted by site supervisor(s) to assure that all MSW is removed as required, the facility is cleaned on a daily basis and to minimize any other source for odors on site.	3.e
	AQ 12	The receiving/transfer area, where residue from waste transfer, recycling or material recovery operations can accumulate, will be swept and cleaned throughout the day and pressured washed on a regular basis.	3.e
	AQ 13	Should odor complaints go unabated, limits on the types of waste materials accepted or a reduction in the amount of incoming tonnage may be specified by the LEA.	3.e
Cultural Resources	CR1	Should artifacts or unusual amounts of bone or shell be uncovered during demolition or construction activity, all work shall be stopped and a qualified archeologist shall be contacted for on-site consultation. Avoidance measures or appropriate mitigation shall be completed according to CEQA guidelines. The State Office of Historic Preservation has issued recommendations for the preparation of Archeological Resource Management Reports which shall be used for guidelines. If the bone appears to be human, California law mandates that the Sutter County Coroner and the Native American Heritage Commission be contacted.	5.b,c,d
Geology and Soils	GS1	The structural plans shall be designed in accordance with the most recent seismic building code requirements as required by the City, and shall incorporate the geotechnical engineer's recommendations. The structural plans shall be reviewed and approved by the geotechnical engineer prior to the issuance of building permits.	6.a,c
Hazards and Hazardous Materials	HHM1	If inbound material contains prohibited material or hazardous material that is not detected at the time of delivery, then such material is separated, using procedures and methods to ensure employee safety, segregated by class, and manifested in accordance with federal and state regulations. Only employees with proper training will handle hazardous waste.	8.a

RI Large Volume Transfer/Processing Facility Mitigation Monitoring and Reporting Program

Category	Mitigation No	TABLE A-1 Mitigation Measure	Initial Study Section
	HHM2	All drivers, spotters and loader operators will attend a HazMat course to be able to identify hazardous materials in their collection routes to avoid picking them up.	8.a
	HHM3	RITS Transfer/Processing Facility will implement an approved Hazardous Waste Load Checking Program as described in the TPR. Inbound loads are inspected prior to or during unloading to prevent the acceptance of waste which is prohibited by the facility. When load checking reveals the presence of hazardous liquid, special waste, or medical waste the material is rejected entirely.	8.a
	HHM4	A spill response kit will include absorbent material, brooms, shovels, 55-gallon drums, protective gloves, clothing, boots, goggles and respiratory equipment.	8.a
	HHM5	Hazardous waste shall be kept in a special area which is restricted. This material is stored in a secure and safe area within a designated hazardous material locker as indicated in the facility's TPR.	8.a
	HHM6	Records of load checks and the training of personnel in the recognition, proper handling, and disposition of prohibited waste, as well as a copy of the load checking program and copies of the load checking records for the prior year shall be maintained in the operating record and be available for review by the appropriate regulatory agencies.	8.a
Hydrology and Water Quality	HWQ1	The facility will comply with the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.	9.a,f
	HWQ2	The facility will implement Best Management Practices (BMPs) contained in a Stormwater Pollution Prevention Plan (SWPPP) in order to minimize the potential for stormwater contamination from runoff.	9.a,f
Hydrology and Water Quality (cont.)	HWQ3	Proposed non-structural BMPs include: 1) Turning away any leaking truck; 2) Regularly scheduled preventative maintenance of facility vehicles; 3) Use of absorbent material to soak-up spots of leaked fluids; 4) Implementing a litter control plan as contained in the Facility Plan; and 5) Regular cleaning of all areas.	9.a,f
	HWQ4	The operator will implement and comply with a "Litter Control Program" as set forth in the facility Transfer/Processing Report. A cleanup crew will be assigned to keep the site, ingress and	9.a,f

Category	Mitigation No	TABLE A-1 Mitigation Measure	Initial Study Section
		egress points, and adjacent streets and alleys, free of litter. A designated litter control team will patrol adjacent public streets and sidewalks at least two times per day.	
	HWQ5	<p>A General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), as required under Construction General Permit Order No. 2009-009-DWQ, will be obtained prior to any onsite grading activities.</p> <p>If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.</p>	9.a,f
Hydrology and Water Quality (cont.)	HWQ6	Onsite infiltration of stormwater in compliance with the MS4 and City Low Impact Development requirements will be provided to offset the additional runoff associated with the proposed project. Preliminary calculations indicate that approximately 4,271 cubic feet of infiltration volume will be required (3 feet wide, 200 feet long and 7.1 feet deep or equivalent infiltration trench) to be provided onsite. The final design and supporting calculations for the LID will be reviewed and approved by the City prior to the issuance of building permits.	9.d
Noise	N1	The project shall comply with the City of Yuba City noise regulations, and any subsequent ordinances, which prohibit the emissions or creation of noise beyond certain levels at adjacent uses unless technically infeasible.	12.a-c

RI Large Volume Transfer/Processing Facility Mitigation Monitoring and Reporting Program

Category	Mitigation No	TABLE A-1 Mitigation Measure	Initial Study Section
	N2	Proper training will be provided to all employees to ensure facility operations are conducted in a manner that minimizes noise impacts.	12.a-c
	N3	Hearing protection for personnel is provided to equipment operators and others subject to excessive noise levels from operations, in compliance with OSHA. Equipment meets OSHA requirements and is maintained to operate in a clean, quiet and safe manner.	12.a-c
	N4	All vehicles operated by RITS shall be maintained with properly muffled exhaust systems.	12.a
	N5	The project will be limited to the hours of operation as set forth in the current Solid Waste Facility Permit as follows: Receipt and process refuse/waste from 7:00am-5:00pm, Monday through Saturday with ancillary operations/facility operating hours from 6:30am-8:00pm, Monday through Saturday.	12.a
Public Services	PS1	The RITS transfer station shall be equipped with a fire sprinkler and alarm system. All fire suppression equipment shall be continuously available and properly maintained.	14.a
Public Services (cont.)	PS2	Class ABC fire extinguishers shall be located throughout the facility to provide additional fire protection.	14.a
	PS3	Emergency safety and spill equipment shall be inspected monthly and maintained as required.	14.a
	PS4	Fire extinguishers shall be inspected once a month and recharged yearly by a contractor.	14.a
	PS5	Fire hoses shall be located throughout the site.	14.a
Transportation /Traffic	TT1	All recommendations of the City Engineering Department shall be incorporated into the project's final design.	16.d
	TT2	Customer vehicles are prohibited from stacking in the public right-of-way as they wait to access the site.	16.d
Utilities and Services	U1	A Revised Large Volume Transfer/Processing Solid Waste Facility Permit shall be obtained from CalRecycle and the LEA.	17.g

III. Schedule and Reporting Frequency

Table A-2 describes the method for executing the mitigation measure, organization responsible for implementing and funding the measure, estimated completion date for each measure, frequency of reporting, and significance after mitigation. Due to possible funding conditions and other external factors, facility construction and operation could be delayed. These delays may also affect the start and completion of mitigation measures.

It should be noted that although impacts to noise from the proposed project will not be considered significant, mitigation measures to reduce noise have been included as part of this Mitigation Monitoring and Reporting Program.

The monitoring and accomplishment of each mitigation measure will be documented on a Mitigation Monitoring Report form (see Exhibit A). This form will be filled out by the appropriate individual in the event of an inadvertent discovery of archaeological materials, paleontological materials, or human remains as described in Table A-2. Supplemental recordkeeping, report preparation and documentation will be required for some mitigation measures. The Mitigation Monitoring Report form will be filled out by the appropriate individual verifying that steps to prevent or minimize environmental degradation have been completed as described in Table A-2. Monitoring reports will be submitted to City of Yuba City Planning Department and/or Building and Safety Department and be available for inspection upon request. Completion of these forms will demonstrate and document compliance with Public Resources Code 21081.6.

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
A1	Perimeter fencing shall be provided and maintained around the RITS to screen operations from view, and all MSW will be tipped and loaded-out inside the proposed transfer station.	A fencing plan shall be included as part of the plans submitted for building permit. The facility manager shall be responsible for maintaining screening and fencing.	Architect and Facility Operator.	Prior to submittal of building permit application with ongoing maintenance	Facility inspections which will include perimeter fencing are conducted daily.	Less than significant
A2	All exterior lighting shall be in compliance with a City approved plan and shall be shielded and directed downward so as to minimize glare and impacts to adjacent properties.	A lighting plan shall be included as part of the plans submitted for building permit. The facility manager shall be responsible for maintaining the exterior lights.	Facility Operator	Plan Design with ongoing maintenance	Facility inspections which will include all facility lighting are conducted daily.	Less than significant
AQ1	All incoming material shall be tipped inside the building during periods when wind speeds are greater than 15 miles per hour (mph) averaged over a 15-minute period or when instantaneous	The facility manager and scale house attendant shall be responsible for insuring that this mitigation measure is carried out by visually inspecting incoming and outgoing traffic.	Facility Operator	Ongoing	Violations will be noted in the daily log and repeat offenders will be barred from using or conducting business at the facility.	Less than significant

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
	wind speeds exceed 25 mph. Fencing, tarping, watering, misting, wind screens and other appropriate means will also be used to prevent liter and dust from blowing around outdoor tipping and storage areas.					
AQ2	An overhead misting system at tipping and loadout areas and hoses are available for employees to lay down a mist of water over any dusty material during loading or unloading activities.	The facility manager shall be responsible for insuring that this mitigation measure is carried out by properly training all staff.	Facility Operator	Ongoing	Broken and or clogged hoses will be noted in the special occurrences log book and repaired within 24 hours of being found to be broken or clogged.	Less than significant
AQ3	Open-top trailers in a top-loading configuration are required to cover or otherwise protect the load within 15 minutes after loading.	The facility manager and scale house attendant shall be responsible for insuring that this mitigation measure is carried out by visually inspecting outgoing trailers.	Facility Operator	Ongoing	Violations will be noted in the daily log and repeat offenders will be barred from using or conducting	Less than significant

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
					business at the facility.	
AQ4	Regular sweeping shall be used to clean the maneuvering area, and around the perimeter of the facility.	The scale house attendant shall be responsible for insuring that this mitigation measure is carried out by visually inspecting incoming and outgoing loads.	Facility Operator	Ongoing	Violations will be noted in the daily log and repeat offenders will be barred from using or conducting business at the facility.	Less than significant
AQ5	Maintain mobile equipment in tune with the manufacturer's specifications.	Maintenance shall be performed at the manufacturer's recommended intervals.	Facility Operator	Ongoing	Monthly	Less than significant
AQ6	Trucks shall not be permitted to idle for more than five minutes during loading or unloading activities.	The facility manager and spotters shall be responsible for insuring that this mitigation measure is carried out by monitoring all queuing and tipping areas.	Facility Operator	Ongoing	Violations will be noted in the daily log and repeat offenders will be barred from using or conducting business at the facility.	Less than significant

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
AQ7	All incoming loads are checked for excessive odor. Loads may be rejected at the scalehouse or, if accepted, transferred out as soon as possible.	The facility manager and scale house attendant shall be responsible for insuring that this mitigation measure is monitoring all incoming loads.	Facility Operator	Ongoing	Violations will be noted in the daily log and repeat offenders will be barred from using or conducting business at the facility.	Less than significant
AQ8	Should odiferous material be found in the tipping areas, it will be immediately sprayed with a deodorizer and loaded out in the next transfer truck leaving the site.	The facility manager and spotters shall be responsible for insuring that this mitigation measure is carried out by monitoring all tipping and storage areas for odiferous materials.	Facility Operator	Ongoing	Violations will be noted in the daily log and repeat offenders will be barred from using or conducting business at the facility.	Less than significant
AQ9	A misting system with odor neutralizing agent shall be used over tipping and transfer/load-out areas, as needed, to control potential odors as well as dust emissions.	The facility manager is responsible for insuring that this mitigation measure is carried out by monitoring site conditions and deploying and using the overhead misting system as necessary.	Facility Operator	Ongoing	Daily. All misting systems shall be maintained in good operating condition and the LEA will be notified is the system is not working and/or	Less than significant

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
					repairs are required.	
AQ10	All MSW received at the facility will be transferred out within 48 hours and within 24 hours if possible. Material will be processed on a first in, first out, basis.	The facility manager shall be responsible for insuring that this mitigation measure is carried out by monitoring when incoming MSW is brought to the facility and when it needs to be loaded out.	Facility Operator	Ongoing	If MSW can't be moved out within 48 hours as required, the LEA shall be notified.	Less than significant
AQ11	Regular site inspections will be conducted by site supervisor(s) to assure that all MSW is removed as required, the facility is cleaned on a daily basis and to minimize any other source for odors on site.	The facility manager is responsible for ensuring that housekeeping is being regularly conducted.	Facility Operator	Ongoing	High traffic areas as well as MSW, storage bunkers shall be cleaned on a daily basis.	Less than significant
AQ12	The receiving/transfer area, where residue from waste transfer, recycling or material recovery operations can accumulate, will be swept and cleaned throughout the day.	The facility manager and their designees will monitor tipping and loadout areas for waste accumulation and clean daily.	Facility Operator	Ongoing	Violations will be noted in the daily log and repeat offenders will be barred from using or conducting business at the facility.	Less than significant

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
AQ13	Should odor complaints go unabated, limits on the types of waste materials accepted or a reduction in the amount of incoming tonnage may be specified by the LEA.	The facility manager shall work with the LEA to ensure the facility is operated in compliance with all regulations.	Facility Operator	Ongoing	Violations will be noted in the daily log and repeat offenders will be barred from using or conducting business at the facility.	Less than significant
CR1	Should artifacts or unusual amounts of bone or shell be uncovered during demolition or construction activity, all work shall be stopped and a qualified archeologist shall be contacted for on-site consultation. Avoidance measures or appropriate mitigation shall be completed according to CEQA guidelines. The State Office of Historic Preservation has issued recommendations for the preparation of Archeological	Inform and education building contractor and heavy equipment operators prior to start of construction.	RITS	During site preparation and foundation excavation.	As needed.	Less than significant.

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
	Resource Management Reports which shall be used for guidelines. If the bone appears to be human, California law mandates that the Sutter County Coroner and the Native American Heritage Commission be contacted.					

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
GS1	The structural plans shall be designed in accordance with the most recent seismic building code requirements as required by the City, and shall incorporate the geotechnical engineer's recommendations. The structural plans shall be reviewed and approved by the geotechnical engineer prior to the issuance of building permits.	Use licensed structural and geotechnical engineers, supplemented with field investigations prior to preparation of structural plans.	RITS	Prior to submittal of building permit application.	Pre-construction	Less than significant.

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
HHM1	If inbound material contains prohibited material or hazardous material that is not detected at the time of delivery, then such material is separated, using procedures and methods to ensure employee safety, segregated by class, and manifested in accordance with federal and state regulations. Only employees with proper training will handle hazardous waste	All employees are trained to recognize and respond to potential hazardous materials discovered in the waste stream. Key employees are trained in the handling of hazardous materials.	Facility Operator	Ongoing	Any incident involving hazardous material, including spills, will be noted in the special occurrences log and the appropriate agencies notified as necessary.	Less than significant
HHM2	All drivers, spotters and loader operators will attend a HazMat course to be able to identify hazardous materials in their collection routes to avoid picking them up.	Employees trained in identifying hazardous materials will be responsible to try to avoid picking up hazardous waste.	Facility Operator	Ongoing	Any incident involving hazardous material will be noted in the special occurrences log and the appropriate agencies notified as necessary.	Less than significant

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
HHM3	RITS will implement an approved Hazardous Waste Load Checking Program as described in the facility Transfer Processing Report. Inbound loads are inspected prior to or during unloading to prevent the acceptance of waste which is prohibited by the facility. When load checking reveals the presence of hazardous liquid, special waste, or medical waste the material is rejected entirely.	All employees are trained to recognize and respond to potential hazardous materials discovered in the waste stream. Key employees are trained in the handling of hazardous materials.	Facility Operator	Ongoing	Any incident involving hazardous material will be noted in the special occurrences log and the appropriate agencies notified as necessary.	Less than significant
HHM4	A spill response kit will include absorbent material, brooms, shovels, 55gallon drums, protective gloves, clothing, boots, goggles and respiratory equipment.	The facility manager will inspect the spill response kit to ensure it is stock with appropriate materials.	Facility Operator	Ongoing	Any incident involving hazardous material, including spills, will be noted in the special occurrences log	Less than significant

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
					and the appropriate agencies notified as necessary.	
HHM5	Hazardous waste shall be kept in a special area which is restricted. This material is stored in a secure and safe area within a designated hazardous material locker as indicated in the Facility Plan.	Key employees are trained in the handling of hazardous materials.	Facility Operator	Ongoing	Any incident involving hazardous material, including spills, will be noted in the special occurrences log and the appropriate agencies notified as necessary.	Less than significant
HHM6	Records of load checks and the training of personnel in the recognition, proper handling, and disposition of prohibited waste, as well as a copy of the load checking program and copies of the load checking records for	Key employees are trained in the handling of hazardous materials.	Facility Operator	Ongoing	Daily.	Less than significant

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
	the prior year shall be maintained in the operating record and be available for review by the appropriate regulatory agencies.					
HWQ1	The facility will comply with the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.	The facility manager will ensure that the facility is in compliance with the Industrial General Permit.	Facility Operator	Ongoing	Annually	Less than significant
HWQ2	The facility will implement Best Management Practices (BMPs) contained in a Stormwater Pollution Prevention Plan (SWPPP) in order to minimize the potential for stormwater contamination from runoff.	The facility manager will prepare and/or update the storm water pollution prevention plan (SWPPP) and mitigation monitoring plan (MPP), inspect, monitor and sample storm water conveyance facilities and runoff in compliance with the general storm water permit.	Facility Operator	Ongoing	Daily, weekly, monthly, and annually	Less than significant
HWQ3	Proposed non-structural BMPs include: 1) Turning away any leaking truck; 2) Regularly scheduled preventative maintenance of facility vehicles; 3) Use of absorbent material to	The facility manager and Stormwater Pollution Prevention team will ensure all non-structural BMPs are implemented and properly conducted. All structural BMPs shall be cleaned and inspected before and after every storm.	Facility Operator	Ongoing	Daily and before and after storms	Less than significant

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Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
	soak-up spots of leaked fluids; 4) Implementing a litter control plan as contained in the Facility Plan; and 5) Regular cleaning of all areas.					
HWQ4	The operator will implement and comply with a "Litter Control Program" as set forth in the facility Transfer/Processing Report. A cleanup crew will be assigned to keep the site, ingress and egress points, and adjacent streets and alleys, free of litter. A designated litter control team will patrol adjacent public streets and sidewalks at least two times per day.	The facility manager and designees will ensure all non-structural litter patrols are implemented and properly conducted.	Facility Operator	Ongoing	Daily	Less than significant
HWQ5	A General Permit for Storm Water Discharges Associated with Construction Activities (Construction General	Obtain required permits from Central Valley Water Board as necessary	RITS	Prior to construction	As required by permit.	Less than significant.

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
	<p>Permit), as required under Construction General Permit Order No. 2009-009-DWQ, will be obtained prior to any onsite grading activities.</p> <p>If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land</p>					

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City of Yuba City
November 2018

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
	from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.					
HWQ6	Onsite infiltration of stormwater in compliance with the MS4 and City Low Impact Development requirements will be provided to offset the additional runoff associated with the proposed project. Preliminary calculations indicate that approximately 4,271 cubic feet of infiltration volume will be required (3 feet wide, 200 feet long	Civil engineer to prepare LID plans for approval by City.	RITS	Prior to submitting building permit application with periodic inspections as required by City.	Prior to building permit issuance/ongoing maintenance.	Less than significant.

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November 2018

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
	and 7.1 feet deep or equivalent infiltration trench) to be provided onsite. The final design and supporting calculations for the LID will be reviewed and approved by the City prior to the issuance of building permits.					
N1	The project shall comply with Yuba City noise regulations and any subsequent ordinances, assist in minimizing potential noise impacts which prohibit the emissions or creation of noise beyond certain levels at adjacent uses unless technically infeasible.	The facility manager and employees shall be responsible for insuring that this mitigation measure is carried out.	Facility Operator	Ongoing	Sources of noise that could potentially cause and impact shall be noted in the special occurrences log book.	Less than significant
N2	Proper training will be provided to all employees to ensure facility operations are conducted in a manner that minimizes noise impacts.	The facility manager will monitor the site operation to insure noise levels are kept to a minimum.	Facility Operator	Ongoing	Violations will be noted in the daily log.	Less than significant

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November 2018

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
N3	Hearing protection for personnel is provided to equipment operators and others subject to excessive noise levels from operations, in compliance with OSHA. Equipment meets OSHA requirements and is maintained to operate in a clean, quiet and safe manner.	The facility manager shall be responsible for insuring that this mitigation measure is carried out.	Facility Operator	Ongoing	Violations will be noted in the daily log.	Less than significant
N4	All vehicles operated by RITS shall be maintained with properly muffled exhaust systems.	The facility manager shall be responsible for insuring that this mitigation measure is carried out.	Facility Operator	Ongoing	Violations will be noted in the daily log.	Less than significant

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
N5	The project will be limited to the hours of operation as set forth in the current Solid Waste Facility Permit as follows: Receipt and process refuse/waste from 7:00am-5:00pm, Monday through Saturday with ancillary operations/facility operating hours from 6:30am-8:00pm, Monday through Saturday.	The facility manager shall be responsible for insuring that this mitigation measure is carried out.	Facility Operator	Ongoing	Violations will be noted in the daily log.	Less than significant
PS1	Fire suppression equipment shall be continuously available and properly maintained.	The facility manager shall be responsible for insuring that this mitigation measure is carried out.	Facility Operator	Ongoing	Violations will be noted in the daily log.	Less than significant
PS2	Class ABC fire extinguishers shall be located throughout the facility to provide additional fire protection.	The facility manager shall be responsible for insuring that this mitigation measure is carried out.	Facility Operator	Ongoing	Violations will be noted in the daily log.	Less than significant

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
PS3	Emergency safety and spill equipment shall be inspected monthly and maintained as required.	The facility manager shall be responsible for insuring that this mitigation measure is carried out.	Facility Operator	Ongoing	Violations will be noted in the daily log.	Less than significant
PS4	Fire extinguishers shall be inspected once a month and recharged yearly by a contractor.	The facility manager shall be responsible for insuring that this mitigation measure is carried out.	Facility Operator	Ongoing	Violations will be noted in the daily log.	Less than significant
PS5	Fire hoses shall be located throughout the site.	The facility manager shall be responsible for insuring that this mitigation measure is carried out.	Facility Operator	Ongoing	Violations will be noted in the daily log.	Less than significant
TT1	All recommendations of the City Engineering Department shall be incorporated into the project's final design.	Project architect and civil engineer.	Facility Operator	Prior to building permit submittal.	Prior to the issuance of building permits.	Less than significant
TT2	Customer vehicles are prohibited from stacking in the public right-of-way as they wait to access the site, and	The facility manager shall be responsible for insuring that this mitigation measure is carried out.	Facility Operator	Ongoing	Violations will be noted in the daily log.	Less than significant

Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
U1	A Revised Large Volume Transfer/Processing Solid Waste Facility Permit shall be obtained from CalRecycle.	An application for a revised large volume full solid waste facility will be obtained from the Yuba Sutter LEA Program in partnership with the California Department of Resources Recycling and Recovery (CalRecycle) prior to the start of any new operations proposed under this Draft IS/MND.	RITS	Prior to the processing the increased amount of material proposed under this Draft IS/MND.	Monthly inspections will be conducted by the LEA to insure the facility is operating as required under the solid waste facility permit.	Less than significant

Attachment 16: Use Permit 12-02 Extension Request



CITY OF YUBA CITY PLANNING COMMISSION STAFF REPORT

Meeting Date: June 13, 2018

To: Chair and Members of the Planning Commission

From: Development Services Department

Presentation By: Arnolando Rodriguez, AICP, Director

Public Hearing: Consideration of a two-year extension of Use Permit 12-01

Location: 140 Epley Drive (south of Lincoln Road, east of Garden Highway)

Project Information:

Dave Kuhnen, on behalf of Recycling Industries, Inc. is requesting authorization to extend previously approved Use Permit (UP-12-01) for an additional two years. Use Permits become null and void if the activity or use for which the permit was issued has not substantially commenced within the two years. Extensions may be granted in two-year increments. In this particular case, the Planning Commission approved the Use Permit on June 24, 2014 and granted the applicant a two-year extension in August 2016. As of today, the applicant has not effectuated the permit.

Use Permit 12-01 was a request to establish a Large Volume Transfer Station (LVTS). Prior to UP-12-01 being approved, the Planning Commission approved UP-07-12 in early 2008 which authorized the establishment of a recycling facility at the subject site. UP-12-01 was a proposal to convert the facility from a recycling center to a LVTS. Worth noting is that similar to other LVTS, the Yuba-Sutter Enforcement Agency (LEA) is responsible for ensuring compliance with applicable State mandated requirements. As a LVTS, the LEA requires that the applicant submit periodic reports while also providing them the ability to issue warnings and citations. In addition, the City has the discretion to impose conditions as it deems appropriate.

Today, the applicant operates a recycling center per UP-07-12, even though UP-12-01 authorized the development of a LVTS. However, because the applicant has not developed the site as outlined in UP-12-01, the permit is subject to becoming null and void.

Given that UP-12-01 has not been effectuated, the applicant is requesting an extension. A summary of UP-12-01 is as follows:

1. Ability to remove two metal buildings and the construction of a new 25,000 square foot building.
2. Would permit the facility to receive 100 tons or less per day of additional mixed recyclables and solid waste.

3. Would allow the applicant to expand existing operations for the acceptance of solid waste (i.e., putrescible material) of up to 10 percent of all delivered material.
4. Would allow for self-haul only. Packer garbage trucks would not be permitted.
5. The Use Permit would be reviewed annually by the Planning Commission for three years following construction of the facility.

Worth noting is that the subject property is zoned M-2 (*Industrial District*) and is currently occupied by five metal buildings. As part of the project, the applicant would demolish two of the five buildings and would construct a new 25,000 square foot receiving and sorting building.

In accordance with the requirements of the City's Municipal Code Section 8-5.2101, a Use Permit is required to operate a recycling and collection facility in the M-2 Zone District.

Use Permit Extension:

Section 8-5.7105 of the Yuba City Municipal Code states that approved Use Permits shall expire if construction has not substantially commenced within two years of the date of the approval. Section 8-5.7106 continues by stating that the body that originally considered the application may grant a two-year extension of time if the applicant submits a formal request for an extension and if it is determined that conditions have not changed to the extent that would warrant denial of the extension. No public hearing is required to grant an extension of time.

The following table summarizes the project timeline, including extension requests and expiration dates.

<i>Project Timeline(1)</i>		
	<i>Approved</i>	<i>Expiration Date</i>
Original application	July 23, 2014	July 23, 2016
Extension 1	August 24, 2016	July 23, 2018
Extension 2	TBD	TBD

(1) The table reflects the dates the Commission took action, not the date the extension was requested by the applicant.

Staff Analysis:

In accordance with Section 8-5.7106 of the Municipal Code, two conditions must be met in order to grant an extension of time for an entitlement. They include:

1. A timely request by the applicant seeking an extension; and
2. The body that considered the original application must determine that the conditions have not changed to the extent that would warrant denial of the extension.

In response to the former, the applicant submitted a timely request seeking authorization to extend the life of the Use Permit by an additional two years. In terms of the latter:

- The General Plan designates the subject site and immediate vicinity for Manufacturing, Processing, and Warehousing, while it is zoned Industrial District (M-2). The Industrial District accommodates a full range of industrial uses, including the proposed use. Neither the General Plan land use designation nor zoning have changed for the subject site or the immediate vicinity since the approval of the Use Permit.
- The surrounding area was and remains industrial in nature. Surrounding land uses include but are not limited to, a tire shop, several food businesses, metal fabrication, lumber remanufacture plant and sawmill, etc. It should be noted that to the northwest of the subject site, the former Yuba City Steel building, was recently purchased however the building is vacant.
- Since the approval of the Use Permit, the area has experienced nominal new building construction, with the exception of the Kingsbury building which was completed in September 2014. While some of the surrounding tenants may have made improvements and/or changed, land uses may be characterized as industrial in nature given that the Municipal Code limits uses.
- The applicant is not proposing to amend and/or modify the project as approved as part of this project. Rather, the project Conditions of Approval and Mitigation Measures identified as part of Environmental Assessment would remain in effect.

Proposal to Amend UP-12-01:

It should be noted that the property owner recently filed, with the City, several entitlements including a Use Permit and Lot Line Adjustment. More specifically, the applicant submitted Use Permit (UP-17-05), Development Plan (DP-17-03), and Environmental Assessment (EA-17-10). In summary, the applicant is proposing:

1. To expand the facility from 3 acres to 4 acres.
2. To increase the amount of material that could be accepted from 100 tons per day to 300 tons per day.
3. Removal of any limitations on putrescible material.
4. Removal of any limitations on type of deliveries (i.e. self-haul or commercial).

On March 12, 2018, staff notified the applicant that in order to process their most recent request, they would need to retain, at their expense, a qualified environmental consultant to prepare an Initial Study pursuant to the California Environmental Quality Act (CEQA). Said consultant must be approved by the City. Upon submittal of an Initial Study, the City will retain an independent consultant to peer review said document. The applicant is responsible for reimbursing the City for any cost/s for an independent consultant review. The preparation of the Initial Study is the first step in determining what level of CEQA review is warranted. City staff deemed the application complete and accepted it for processing on May 4, 2018 and is awaiting the preparation of the draft Initial Study.

Upon submittal of the necessary documents, staff will schedule UP-17-05, DP-17-03, and EA-17-10 for consideration by the Planning Commission.

Recommended Action:

Based upon the reasons previously noted, staff recommends that the Planning Commission take the following action:

1. Grant an extension of its approval of Use Permit 12-01 for two years with a new expiration date of July 23, 2020, subject to compliance with all conditions and/or mitigation measures as approved by the Planning Commission on July 23, 2014, and the addition of the following condition:
 - A. The applicant agrees to defend, indemnify and hold harmless the City, its officers, agents and employees, from any and all claims, damages, liability or actions arising out of or connected with this project, except to the extent such liabilities are caused by actions of the City.

Commission Action:

The Commission's action is final unless an appeal is filed pursuant to Section 8-5.7104(b) of the Yuba City Municipal Code.

Attachments:

1. Aerial Photo
2. Letter from Recycling Industries requesting a two-year extension
3. Staff report including attachments as approved by the Planning Commission on July 23, 2014

Attachment 1:

Aerial Photo

Aerial Photo



Attachment 2: Extension Request

Arnoldo Rodriguez

From: David Kuhnen <dk@recyclingindustries.com>
Sent: Wednesday, May 9, 2018 10:35 PM
To: Darin Gale
Cc: Arnoldo Rodriguez; David Flores; Patrick Mitchell (pmitchell@mitchellchadwick.com); Larry Miner; Chip Clements
Subject: Re: Extension

Hello Darin and Arnoldo

Please accept this email as Recycling Industries request to extend its current Use Permit 12-01. Please let me know next steps.

Recycling Industries has already paid the necessary extension fees

Thanks
David Kuhnen
General Manager
Recycling Industries, Inc.
GREEN IS GOOD!
www.recyclingindustries.com

----- Original message -----

From: Darin Gale <dgale@yubacity.net>
Date: 5/8/18 10:36 PM (GMT-08:00)
To: David Kuhnen <dk@recyclingindustries.com>
Cc: Arnoldo Rodriguez <arodrigu@yubacity.net>
Subject: Extension

David

What would you like the city to do with your extension? At one time you asked to put it on hold, what is your desire now?

Darin

Sent from my iPhone

CITY OF YUBA CITY EMAIL DISCLAIMER: This email and any attachments thereto may contain private, confidential, and privileged material for the sole use of the intended recipient. Any review, copying, or distribution of this email (or any attachments thereto) by other than the City of Yuba City or the intended recipient is strictly prohibited. If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments thereto.

Attachment 3:
Report to the Planning
Commission from July 23, 2014



City of Yuba City
Planning Division Staff Report
Planning Commission Meeting

July 23, 2014

Presentation By: Aaron Busch, Community Development Director

PUBLIC HEARING: USE PERMIT UP 12-01 TO EXPAND THEIR EXISTING RECYCLING FACILITY LOCATED AT 140 EPLEY DRIVE INTO A LARGE VOLUME TRANSFER STATION; ASSESSOR'S PARCEL NUMBERS: 54-083-014 AND 54-083-023; APPLICANT/OWNER: DAVE KUHNEN, RECYCLING INDUSTRIES, INC.

Project Description:

The applicant is proposing to expand their existing recycling facility located at 140 Epley Drive into a Large Volume Transfer Station. The Recycling Industries Transfer Station (RITS) would receive 100 tons or less per day of additional mixed recyclables and solid waste. The current proposal will allow the applicant to expand existing operations for the acceptance of solid waste that would exceed the total facility residual amount of 10% of all delivered material or exceed 15 tons per day of non-recyclable material disposed at landfills. The expansion will enable the facility to provide expanded recycling and self-haul solid waste transfer services generated by residents and businesses in Yuba City and Sutter County by providing a waste transfer and recycling facility closer to their residences and businesses.

The subject property is zoned M-2, Industrial District and is currently occupied by five metal buildings which will be used for the proposed use. As part of the proposed project, the applicant will remove the two metal buildings identified as "existing buildings 2 and 3" from the site and construct a new 25,000 square foot receiving and sorting building in their place. Due to the size and location of the building, the structure will cross over onto the adjoining property which will necessitate the merging of the two parcels.

In accordance with the requirements of the City's Zoning Ordinance Section 8-5.2101, a Use Permit approved by the Planning Commission is required to operate a recycling and collection facility in the M-2 Zone District. It should be noted that in addition to being required to comply with local regulations and requirements, the proposed Large Volume Transfer Station must also comply with all applicable State regulations and requirements. Additional details regarding the applicable State requirements is provided in the *Environmental* section.

Property Description:

The project site is located at the southwest corner of Epley Drive and Putman Avenue. Street improvements (curb, gutter and sidewalk) exist along the frontage of both parcels. There are five buildings and improved surface on the northerly parcel. The southerly parcel is vacant and unimproved. Public ingress and egress will be provided via a driveway on Epley Drive. Truck access will be provided via the same driveway on Epley Drive, and egress will be provided via a

gated driveway on Putman Avenue. (See Attachment 1, "Aerial Photo")

General Plan Designation:

Manufacturing, Processing, and Warehousing

Zoning Classification:

Industrial (M-2) District

Surrounding Land Use:

Vacant industrial land that is utilized for the D & H Transport truck storage business is located immediately north of the site across Epley Drive. Yuba City Steel is also located across Epley Drive to northwest of the site. To the east, across Putnam Avenue are multiple industrial businesses including: Unity Forest; Sheet Metal Workers; and, Bandag Tires Repair. To the immediate west of the project site is the Hilo Erectors industrial business, and to the immediate south of the site is vacant industrial land which separates the project from the recently constructed Kingsbury Bearings industrial business located further to the south. The Feather River and the levee are located over 1,500 feet to the east of the facility. The nearest residence is over 1,900 feet to the west of the project site boundary.

Previous Commission Actions and/or Policies:

On February 29, 2008, the Planning Commission adopted a Mitigated Negative Declaration (File # EA 07-29) and approved a Use Permit (File # UP 07-12) to relocate an existing recycling facility from its prior location at 389 Wilbur Avenue to the subject property at 140 Epley Drive.

Environmental:

A Mitigated Negative Declaration (Exhibit A) was prepared for the project and is attached for the Commission's review and consideration. As previously mentioned, in addition to complying with all applicable local regulations and requirements, the proposed project must also comply with the applicable State standards and regulations.

The proposed Large Volume Transfer Station will be required to meet the State standards for solid waste handling as defined in the California Code of Regulations (CCR), Title 14, Article 3.2, Section 18221.5 and Article 6.0, Sections 17402 and 17403. Given the request for a Large Volume Transfer Station (LVTS), the Yuba-Sutter Local Enforcement Agency (LEA) will be responsible for ensuring the project complies with all applicable State mandated requirements in the aforementioned code sections.

As part of the State mandated requirements of CCR Title 14, the applicant is required to prepare a *Facility Processing Report* (FPR) which details how the proposed RITS will comply with those requirements by fully describing the design and operations of the proposal. The FPR prepared for the RITS is included as an attachment to Mitigated Negative Declaration document.

In addition to the proposal being subject to compliance with the provisions of CCR Title 14 under the authority of the Yuba-Sutter LEA, the following regulatory requirements also apply to the proposed RITS facility:

- **Use Permit** - A Use Permit (UP) for the RITS is required by the City of Yuba City to allow the operation of a transfer station on the subject property. This step is also required to ensure conformance to the Regions Waste Management Plan. Following approval from the City of Yuba City, RI will need to apply and present to the Regional Waste Management Authority (RWMA) its solid waste facility plans to add a new non-disposal solid waste facility that will help comply with the RWMA's Waste Management Plan. The RWMA's Waste Management Plan is required by AB939 and includes a Source Reduction and Recycling Element (SRRE) to identify how the region will comply with AB939 and reduce the waste going into landfills.
- **Revision of County Non-Disposal Facility Element (NDFE)** - The Regional Waste Management Authority (RWMA) will need to revise the NDFE, to include the RITS facility. The proposed facility will have to be identified through an amendment to the RWMA's Non-Disposal Facility Element (NDFE), which was last updated in 2008. With the proposed facility primarily a recycling facility and diversion expected to be 50% - 80% of incoming material, the RWMA is expected to approve this facility as supporting their Waste Management Plan.
- **Storm Water Permit** - The facility maintains a General Industrial Storm Water Permit (NPDES) with the State Water Resources Control Board (SWRCB). A Storm Water Pollution Prevention Plan (SWPPP) and Monitoring Program Plan (MPP) has been developed and is monitored by Bishop Environmental.
- **California Department of Conservation Processor Certification Permit** - The State of California Department of Conservation has issued a Certification for the facility to operate as a State Certified Processor to support Certified Recycling Centers and Collection Programs. State Certification Approval was in June 2009.
- **Hazardous Waste Generator ID Number** - The facility will not generate over 250 gallons of hazardous waste per year. Operating under this level, the facility will not be required to have a Hazardous Waste Generator ID Number.
- **Solid Waste Facilities Permit** - A Solid Waste Facilities Permit application has been submitted and will be required to be approved by the County of Yuba Environmental Management Department, Environmental Health Division (LEA), and the City of Yuba City. Following local approval, the LEA will submit the proposed permit to CalRecycle for State of California approval.

In compliance with the requirements of CEQA, the proposed project and the associated Mitigated Negative Declaration were routed to the State *Office of Planning and Research, State Clearinghouse and Planning Unit* for review and distribution. The public review period for the Mitigated Negative Declaration began on May 23, 2014 and closed on June 25, 2014. The State Clearinghouse file number assigned to the project is SCH# 2014052082. Staff received several responses from affected agencies which have been included as Attachment 2. In general, the majority of the comments provided are advisory in nature to ensure that the applicant follows the

proper procedures and is aware of applicable code sections. Other comments which request additional clarification regarding operational issues are addressed in the attached RITS FPR and will be further expanded upon during the State's processing of the applicant's request. No other comments from affected agencies or the general public were received during the public review period.

Based on the conclusions of the attached Mitigated Negative Declaration and the fact that there were no significant comments about the proposal received, staff is recommending that the Planning Commission adopt the attached Mitigated Negative Declaration.

Staff Comments:

Provided below is an evaluation of the findings required to approve the use permit. The required findings are in bold, italicized font.

1. The proposal is consistent with the General Plan.

Staff analysis: The property is zoned M-2, Industrial District, which is consistent with the existing General Plan designation of Manufacturing, Processing, and Warehousing. The M-2 District allows recycling and collection facilities (including a LVTS) subject to the issuance of a Use Permit by the Planning Commission.

2. The site for the proposed use is adequate in size and shape to accommodate said use, public access, parking and loading, yards, landscaping, and other features required by this chapter.

Staff analysis: The site for the proposed use is adequate to accommodate the proposed LVTS facility. The applicant has proposed a number of modifications to the site to bring it into conformance with the Zoning Regulations and to provide the necessary site improvements for the proposed use and its associated users. For example, the applicant will pave the entire southern parcel as it will be utilized by vehicles. Additionally, new truck loading docks will be provided to ensure efficient on-site circulation. With regards to parking, the table below shows the parking spaces required by the uses proposed for each building.

CURRENT PROJECT

Building Number/Use	Building Size	Parking/sf	Required Parking
1: Warehouse	12,480 sf	1 space/2000 sf	6.3 spaces
2: Recycling	1,800 sf	1 space/500 sf	3.6 spaces
3: Recycling	3,600 sf	1 space/500 sf	7.2 spaces
4: Recycling	3,000 sf	1 space/500 sf	6 spaces
5: Warehouse	2,700 sf	1 space/2000 sf	1.4 spaces
Outdoor use	2 acres	1 space/0.5 acres	4 spaces
Total:			29 spaces

PROPOSED PROJECT

Building Number/Use	Building Size	Parking/sf	Required Parking
1: Warehouse	12,480 sf	1 space/2000 sf	6.3 spaces
2: Recycling	Eliminated	1 space/500 sf	0
3a: Recycling	7,000 sf	1 space/500 sf	14 spaces
3b: Warehouse	18,000 sf	1 space/2000 sf	9 spaces
4: Recycling	3,000 sf	1 space/500 sf	6 spaces
5: Warehouse	2,700 sf	1 space/2000 sf	1.4 spaces
Outdoor use	3 acres	1 space/0.5 acres	6 spaces
Total:			43 spaces

As shown on the project Site Plan (Exhibit B), the applicant will provide 53 parking spaces, which includes 19 spaces on the street and 34 spaces on-site. The Site Plan also shows the proposed flow of vehicle and truck traffic upon entering and exiting the site which is sufficient to accommodate the proposed use. The site has sufficient on-site space to prevent any truck from queuing outside the property or the enclosed fence area in the event of a surge of visiting trucks to the site. The inbound and loading dock area is large enough to park 30 inbound trucks.

To ensure that there is safe and efficient traffic movement at the site, the applicant is required to have an on-site traffic management plan as part of the FRP document. This plan will ensure that during material receiving hours, facility personnel stationed in the scale house will monitor and direct all incoming traffic.

3. The streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.

Staff analysis: The applicant is proposing to expand the facility from a recycling facility to a LVTS which could result in increased traffic to the site. According to the FPR, the anticipated amount of additional traffic to the site as a result of the new use is estimated to be 111 new vehicular (including truck) trips. The total peak number of vehicular trips is estimated at 238 trips for the entire day. According to the Engineering Division, based on these trip estimates, the proposed use would not result in more than 50 p.m. peak trips to the site. As a result, no traffic study was required for the proposed project. The surrounding streets are designed to carry industrial-type traffic, such as the large trucks that will intermittently pick up crushed and baled recyclables as well as any material that cannot be recycled (i.e. waste). Therefore, the streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.

4. The site design and size and design of the buildings will complement neighboring facilities.

Staff analysis: The design of the site meets the requirements of the Zoning Regulations relative to the provision of adequate parking, shading and buffer landscaping. To accommodate the expanded use as a LVTS, the applicant is proposing to construct a new 25,000 square foot processing building that will be used to sort and bale all materials delivered to the site. The proposed building will be similar in size (10,000 s.f. smaller) and design to the recent building built immediately to the south on the Kingsbury Bearings property. The proposed building will

be compatible with all other industrial buildings which surround the subject property and will ensure that the proposed business operations are kept inside an enclosed space. Presently the project site is surrounded by a six foot high chain-link fence and landscaping. No additional exterior site improvements are proposed as part of the project.

- 5. The establishment or operation of the use or building applied for will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the vicinity of the proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.*

Staff analysis: The project site is highly suited for a LVTS. The surrounding uses are industrial in nature, so the operation of the LVTS facility will not be detrimental or injurious to property or improvements in the neighborhood. As detailed in the attached Mitigated Negative Declaration and the Facility Processing Report (FPR), the proposed LVTS must incorporate multiple components to ensure its compatibility with the surrounding properties. These components which are mandated by the State's application process include:

Stations Control Plan which addresses: nuisance controls (i.e. daily cleanup of the site); dust control measures to mitigate on-site dust; vector and bird control measures to prevent these items from becoming nuisances; litter control measures; noise control measures; odor control measures; and, traffic control measures.

Records and Reporting Plan which addresses the types of on-going reporting required for the operation of the LVTS. These include: employee training program; Facility self-inspection program; health and safety program; hazardous waste reporting program; public complaint log; and, a monitoring and inspection schedule report.

As previously mentioned in the *Environmental* discussion section, since the proposed project is considered a Large Volume Transfer Station, the Yuba-Sutter Local Enforcement Agency (LEA) will be responsible for ensuring the project complies with all applicable State mandated requirements. Given this designation, the applicant will be responsible for monthly reporting to the LEA to ensure compliance with all State requirements. Additionally, the LEA will also be responsible for enforcement of all local restrictions placed on the proposed use which includes key elements that ensure the compatibility of the use with the surrounding properties. For example, through this designation process as a LVTS, the City is placing the following restrictions on the operations of the proposed RITS LVTS:

- The facility cannot accept any hazardous waste (except for electronic waste);
- The facility cannot accept more than ten (10) percent putrescible material;
- The facility will be limited to receive 100 tons or less per day of material; and,
- The facility will only be allowed to receive self-haul waste in addition to the allowable recyclable materials.

All of the above restrictions are included in the attached Facility Processing Report (FPR) which is an attachment to the Mitigated Negative Declaration (Exhibit A). Compliance with these restrictions is included as condition of approval number 3. If the project were classified as

something other than a LVTS, (such as a Medium Volume Transfer Station), then the City would be required to perform all enforcement of the above required provisions of the permit.

Finally, to ensure that the surrounding business owners were aware of the proposed project, the applicant spoke with all of the business and property owners in the Epley Drive area. Included as Attachment 3 are multiple letters of support from the surrounding business owners who are located immediately adjacent to the proposed LVTS and support the proposed use. Although the applicant does not have a letter from the adjacent Kingsbury Bearings business to the south, the applicant did meet with them. According to the applicant, they have received verbal support from Kingsbury but they were very busy completing their new building to prepare a written letter of support.

Based on the design of the project, the special restrictions placed on the project in the FPR, and the support of the project from the surrounding business and property owners, staff supports the proposed LVTS project.

Recommended Action:

Staff recommends that the Planning Commission take the following actions:

- A. Adopt the Mitigated Negative Declaration.
- B. Adopt the following findings:
 - 1. Use Permit UP 12-01 is consistent with the General Plan.
 - 2. The site for the proposed use is adequate in size and shape to accommodate said use, public access, parking and loading, yards, landscaping, and other features required by this chapter.
 - 3. The streets serving the site are adequate to carry the quantity of traffic generated by the use of a Large Volume Transfer Station.
 - 4. The site design and size and design of the building will complement neighboring facilities.
 - 5. The establishment or operation of the use or building applied for will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the vicinity of the proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
- C. Approve the requested use permit for establishment of a Large Volume Transfer Station subject to the following 13 conditions of approval:

General

1. Approval of Use Permit UP 12-01 shall be null and void without further action if utilization of Use Permit UP 12-01 has not been substantially commenced within 2 years of the date of its approval, or on July 23, 2016.
2. The Conditions of Approval shall be attached to, and be made an integral part of, the improvement plans.
3. Use Permit UP 12-01 is approved as shown in Exhibit B; as detailed in the attached Facility Processing Report; and, as conditioned herein.
4. Traffic control construction signs shall be installed/erected per City of Yuba City Standards and Details, CalTrans Standards and Details, and the Manual of Uniform Traffic Control Devices. The signs shall be maintained throughout the project duration.
5. Any utilized cracked/damaged driveways shall be removed and replaced with a heavy-duty driveway that is in conformance with the City of Yuba City Standard Details.
6. Sidewalks adjacent to the site shall be kept clean and remain accessible for American Disability Act compliance.
7. Storage of vehicles/containers will not be allowed in the public right-of-way.
8. The following minimum Best Management Practices (BMPs) shall be required during construction:
 - a. Construction crews shall be instructed in preventing and minimizing pollution on the job.
 - b. Stabilize construction entrance/exit to prevent tracking onto roadway. Only one stabilized construction entrance/exit will be allowed per site. Vehicles entering and leaving construction sites spread pollutants such as sediment, gravel, and other loose particles onto adjacent roads. Pollutants are washed into gutters and are a nuisance to drivers and may cause damage to vehicles.
 - c. Use brooms and shovels when possible to maintain a clean site. Use of a hose is not recommended. Introducing water as a cleanup method adds to water pollution.
 - d. Designate a concrete washout area, as needed, to avoid wash water from concrete tools or trucks from entering storm drain systems. Maintain washout area and dispose of concrete waste on a regular basis.
 - e. Establish a vehicle storage, maintenance, and refueling area, as needed, to minimize the spread of oil, gas, and engine fluids. Use of oil pans under stationary vehicles is strongly recommended.
 - f. Protect drain inlets from receiving polluted storm water through the use of filters such as fabrics, gravel bags or straw wattles.

- g. Be prepared for rain and have the necessary materials onsite before the rainy season.
- h. Inspect all BMPs before and after each storm event. Maintain BMPs on a regular basis and replace as necessary, through the entire course of construction.
- 9. The contractor shall obtain an Encroachment Permit from the City prior to performing any work within public rights-of-way.
- 10. If new backflow preventers are installed, they shall be tested, and a backflow preventer certification performed by an AWWA licensed tester shall be submitted to the Public Works Department.
- 11. All travel ways interior to the site shall be paved.
- 12. Prior to the issuance of a building permit, the property owner shall merge the two parcels into one property or shall relocate the property line so it does not bisect the building.
- 13. Following State approval of the Large Volume Transfer Station, the applicant will negotiate a "host fee" with the City. The Host fee will be a function of the amount of garbage that is ultimately transferred to the Landfill by the applicant.
- D. Authorize the Community Development Director (or his designee) to approve minor amendments to the project Facility Processing Report as necessary to accommodate final approval from the State of California,
- E. Authorize the Community Development Director (or his designee) to provide all necessary approvals required to obtain final approval from the State of California for the proposed Large Volume Transfer Station.

Attachments:

- 1. Aerial photo
- 2. Comment letters received on the Mitigated Negative Declaration
- 3. Letters of support for the proposed project.

Exhibits:

- A. Mitigated Negative Declaration
- B. Site plan



UP 12-01
Recycling Industries



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

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JUL 01 2014

Community Development

June 26, 2014

Aaron Busch
Yuba City
1201 Civic Center Boulevard
Yuba City, CA 95902

Subject: Recycling Industries Transfer Station
SCH#: 2014052082

Dear Aaron Busch:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 25, 2014, and the comments from the responding agency(ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

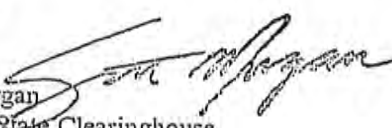
Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,


Scott Morgan
Director, State Clearinghouse

Enclosures

cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2014052082
Project Title Recycling Industries Transfer Station
Lead Agency Yuba City

Type MND Mitigated Negative Declaration

Description. Expand existing operations for the acceptance of solid waste that would exceed the total facility residual amount of 10% of all delivered material of exceed 15 tons per day of non-recyclable material disposed at landfills. The expansion will enable the facility to provide expanded recycling and self-haul solid waste transfer services generated by residents and business in Yuba City and Sutter County by providing a waste transfer and recycling facility closer to their residences and businesses. The Large Volume Transfer Station will meet the state standards for solid waste handling as defined in the California Code of Regulations (CCR), Title 14, Article 3.2, Section 18221.5 and Article 6.0. The Yuba-Sutter Local Enforcement Agency (LEA) will be responsible for ensuring the project complies with all applicable state mandated requirements in the aforementioned code sections.

Lead Agency Contact

Name Aaron Busch
Agency Yuba City
Phone (530) 822-3231
email
Address 1201 Civic Center Boulevard
City Yuba City
State CA **Zip** 95993
Fax

Project Location

County Sutter
City Yuba City
Region
Lat / Long
Cross Streets Epley Drive and Garden Highway
Parcel No. 54-083-023 and 014
Township 15N **Range** 3E **Section** 35 **Base**

Proximity to:

Highways Hwy 99, 20
Airports Sutter County
Railways
Waterways Feather River
Schools
Land Use Manufacturing, Processing and Warehousing/M-2 Industrial

Project Issues Aesthetic/Visual; Air Quality; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Public Services; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 2; Department of Parks and Recreation; Department of Water Resources; Resources, Recycling and Recovery; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 3 N; Air Resources Board: Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Toxic Substances Control; Native American Heritage Commission

Date Received 05/27/2014 **Start of Review** 05/27/2014 **End of Review** 06/25/2014



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • WWW.CALRECYCLE.CA.GOV • (916) 322-4027

P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812

June 19, 2014

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JUN 19 2014

STATE CLEARING HOUSE

Aaron Busch
Community Development Director
Yuba City Development Services
1201 Civic Center Blvd.
Yuba City, CA 95993

SUBJECT: RE: SCH 2014052082 - Comments on the Initial Study/Mitigated Negative Declaration (IS/MND)
for Recycling Industries Transfer Station, No SWIS Number Assigned, Yuba City, CA

Dear Mr. Busch:

Thank you for allowing the Department of Resources Recycling and Recovery (CalRecycle) staff to provide comments for this proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

PROJECT DESCRIPTION

The City of Yuba City, Community Development Services Planning Division, acting as Lead Agency, has prepared and circulated an IS/MND in order to comply with CEQA and to provide information to, and solicit consultation with, Responsible Agencies in the approval of the proposed project.

Recycling Industries Transfer Station (RITS), now operating as a recycling facility, is proposing to expand existing operations to a transfer/processing facility. The expansion will enable the facility to provide expanded recycling and self-haul solid waste transfer services generated by residents and businesses in Yuba City and Sutter County by providing a waste transfer and recycling facility closer to their residences and businesses. Currently, the Yuba/Sutter region has only one transfer station open to the public. However, over 60% of the region's self-haul waste is generated within Yuba City and the surrounding Sutter County area. The project would expand to construct a new 25,000+ Square foot receiving area with sorting and baling capabilities.

Material is received and shipped to end use markets on a regular basis. Daily inventory is approximately five days of processed material. Material is shipped out of the facility after being on site from two to thirty days.

Company owned vehicles and equipment are parked on-site at the end of the day. On-site parking is provided for all employees and visitors to minimize off-site parking.

The site is surrounded by Industrial Buildings (Yuba City Steel & HILO Erectors) to the west, Industrial building (Unity Forest Product) to the east, vacant land directly south and north (D&H Transport). Within 1,000 feet, there are several industrial facilities to the west. The Yuba City Wastewater Treatment facility is 1,000 feet to the south and a Softball complex is 1,500 feet to the southwest. The nearest residence is over 1,900 feet to the west of the site boundary. The Feather River and the levee are located over 1,500 feet to the east of the facility.

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JUN 19 2014

STATE CLEARING HOUSE

Attached to the IS/MND is a "Facility Processing Report," which further describes operations at the facility. According to this document the maximum permitted tonnage will not exceed 100 tons per day (TPD) of non-hazardous municipal solid waste and source separated recyclables. Site acreage is three acres. Peak traffic volume will not exceed 238 vehicles per day. Days and hours of operation are 7:00 a.m. – 5:00 p.m., 6 days per week.

COMMENTS

The IS/MND states that the applicant wishes to expand their recycling operations at RITS into a Large Volume Transfer Station (LVTS). The IS/MND also states in the project description that RITS would receive less than 100 tons per day of mixed recyclables and solid waste. The Facility Processing Report states that peak loading will not exceed 100 tons per day. As mentioned above, attached to the IS/MND is a "Facility Processing Report", which was prepared, according to the IS/MND, to satisfy the requirements of 14 CCR 18221.5.

There is some confusion that needs to be resolved regarding these statements. LVTS are solid waste facilities that are permitted to receive 100 tons or more of solid waste in an operating day. Based on the desire to take 100 tons per day, it would appear that the LVTS designation is accurate. However, as found in 14 CCR 18221.6, the documentation appropriate to describe operations at a LVTS is a "Transfer Processing Report." Section 18221.5 refers to a "Facility Plan (not Facility Processing Report)", which describes operations at a "Medium Volume Transfer/Processing Facility." If the operator wishes to apply as a Medium Volume Transfer/Processing Facility, the MND should state this and clearly state that the facility will be limited to 99 tons per day.

The IS/MND states that it is anticipated that the facility will be able to grow and provide services to receive additional material in the next three to five years. If the operator plans to grow from what is currently analyzed in "three to five" years, the IS/MND should identify those numbers (e.g. maximum tonnage, vehicles, hours of operation) and analyze for the larger operation now; or another environmental review will need to be conducted for any additional increases.

The draft IS/MND must detail all provisions in order to indicate the ability to meet State Minimum Standards for environmental protection (Title 14, California Code of Regulations, Section 17000 et seq.). The following internet link accesses checklists developed by CalRecycle staff as a guide to Lead Agencies in the preparation of MND's for transfer/processing facilities:

<http://www.calrecycle.ca.gov/SWFacilities/Permitting/CEQA/Documents/Guidance/Transfer.htm>

Maps and Drawings

Please provide accurate and to scale maps and drawings delineating the different areas of the project site, indicating areas for loading, unloading, processing, transfer, storage, etcetera. The site plans in the Facility Processing Report lack sufficient detail.

Land Use Compatibility

The local government, in whose jurisdiction the facility will be located, must make a finding that the facility is consistent with the General Plan (PRC Section 50000) and is identified in the most recent County Solid Waste Management Plan (PRC Section 50001).

Buildings and On-site Improvements

Will each building be equipped with a misting system and a ventilation system with reverse air pressure to control odor, dust, and other nuisances?

June 19, 2014

Page 3 of 3

Self-Haul Unloading Area

What measures and design features will be taken to ensure that the self-haul unloading area is kept separate from the collection truck unloading area? As previously stated, please provide a map and drawings showing the unloading areas for self-haul and collection haulers.

Traffic

Please provide a map showing the on-site ingress and egress routes for self-haul vehicles, collection trucks, transfer trucks, commodity trucks, employee/visitor vehicles, etc. The plan in the Facility Processing Report does not show all traffic routing in detail.

Permits

The Local Enforcement Agency (LEA) contact for this proposed project is Paul Donoho of the Yuba County Department of Environment Health. He can be reached at 530-749-5471 or by e-mail at pdonoho@co.yuba.ca.us. Please contact the LEA to discuss permit requirements for the proposed project.

CONCLUSION

CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the environmental document and hopes that this comment letter will be useful to the Lead Agency in carrying out their responsibilities in the CEQA process.

CalRecycle staff requests copies of any subsequent environmental documents, copies of public notices and any Notices of Determination for this project are sent to the Permitting and Assistance Branch.

If the environmental document is adopted during a public hearing, CalRecycle staff requests ten days advance notice of this hearing. If the document is adopted without a public hearing, CalRecycle staff requests ten days advance notice of the date of the adoption and project approval by the decision-making body.

If you have any questions regarding these comments, please contact me at 916.341.6399 or by e-mail at Margaret.Comotto@calrecycle.ca.gov.

Sincerely,



Margie Comotto
Permitting and LEA Assistance Branch
Waste Permitting, Compliance and Mitigation Division

cc: David Otsubo, Supervisor
Permitting and Assistance Branch

Paul Donoho
Solid Waste Management Program
Yuba County Department of Environment Health
pdonoho@co.yuba.ca.us



CLEAR

6/25/14

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SHIRLEY C. SHAW, JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

18 June 2014

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JUN 19 2014

Aaron Busch
City of Yuba City
1201 Civic Center Blvd
Yuba City, CA 95993

STATE CLEARING HOUSE

CERTIFIED MAIL
7013 2250 0000 3465 2220

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE
DECLARATION, RECYCLING INDUSTRIES TRANSFER STATION PROJECT,
SCH NO. 2014052082, SUTTER COUNTY.

Pursuant to the State Clearinghouse's 27 May 2014 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Recycling Industries Transfer Station Project, located in Sutter County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit, or any other federal permit, is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

Recycling Industries Transfer Station Project - 4 - 18 June 2014
Sutter County

If you have questions regarding these comments, please contact me at (916) 464-4684 or
tcleak@waterboards.ca.gov.



Trevor Cleak
Environmental Scientist

cc: State Clearinghouse Unit, Governor's Office of Planning and Research, Sacramento



Unity Forest Products Inc.
Specialized Lumber Manufacturer
800-248-4940

January 29, 2014

City of Yuba City
Development Planning Services Division
Attn: Mr. Aaron Busch
1201 Civic Center Blvd.
Yuba City, CA 95993

Re: Recycling Industries - Use Permit UP 12-01

Dear Mr. Busch:

I am writing on behalf of Unity Forest Products (UFP) to inform you of our support for the Recycling Industries (RI) Use Permit application for their facility located at 140 Epley Drive, Yuba City, CA. UFP is located at 1162 Putnam Ave, directly across the street from the proposed project.

I had the opportunity to meet with Dave Flores and Jeff Donlevy from Recycling Industries to review the project and plans for their expansion. They addressed my concerns and how they would continue to maintain the area and be a good neighbor. They also explained how the facility will be operated to manage the potential impacts of their expanded operations.

The potential benefits of additional jobs for the area, the potential for reduced traffic in the area, and other benefits to the community will all be positives for our community.

After meeting with them, UFP supports the project and believe they will continue to be good stewards to the environment and to the Yuba City business community.

Thank you for your consideration and support of the Recycling Industries Use Permit UP 12-01

Sincerely,

Mike Smith
General Manager

P.O. Box 1849, Yuba City CA 95992
1162 Putnam Ave, Yuba City CA 95991
800-248-4940

HILO ERECTORS, INC.

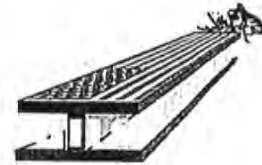
CONTRACTOR LICENSE #775709

216 EPLEY DRIVE, YUBA CITY, CA 95991

SHOP TEL: 530-751-0354 FAX: 530-751-0614

ACCOUNTING TEL: 530-751-9060 FAX: 530-751-9475

hilo@hiloerectors.com



January 30, 2014

City of Yuba City
Development Planning Services Division
Attn: Mr. Aaron Busch
1201 Civic Center Blvd.
Yuba City, CA 95993

RE: Recycling Industries – Use Permit UP 12-01

Dear Mr. Busch;

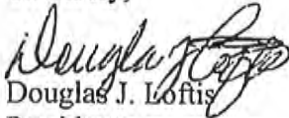
I am writing to inform you of our support for the Recycling Industries (RI) Use Permit application for their facility located at 140 Epley Drive, Yuba City, CA. Our company, Hilo Erectors Inc., is located at 216 Epley Drive, approximately 30 feet from the RI facility property line.

We had the opportunity to meet with RI to review the project and the application. RI informed us of the potential benefits of additional jobs for the area, the potential for reduced traffic, and other benefits to the community by having access to this facility. They also explained how the facility will be operated to manage the potential impacts of their expanded operations.

After meeting with them, we support the project and believe they will be good stewards to the environment and to the community in Yuba City.

Thank you for your consideration and support of the Recycling Industries Use Permit UP 12-01.

Sincerely,


Douglas J. Loftis
President



YUBA CITY STEEL PRODUCTS Co., INC.

345 EPLEY DRIVE • YUBA CITY, CALIFORNIA 95991

(530) 673-4554 • FAX (530) 673-6871

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FEB 06 2014

Community Development

City of Yuba City

Development Planning Services Division

Attn: Mr. Aaron Busch

1201 Civic Center Blvd.

Yuba City, CA 95993

Re: Recycling Industries - Use Permit UP 12-01

Dear Mr. Busch:

I support the approval of a Use Permit for Recycling Industries for the expansion of their facility at 140 Epley Drive. My company, Yuba City Steel, is located at 345 Epley Dr., about half a block from their plant.

I met with Jeff Donlevy of Recycling Industries and reviewed the nature of the project. There appears to be no visible adverse impact to our operations from theirs and there could be some positive aspects that Mr. Donlevy and I discussed. It is good to see a local business growing and adding jobs.

Thank you for your consideration and support of the Recycling Industries Use Permit UP 12-01

Sincerely,

Clinton West
President

D & H Transportation, Inc.



January 29, 2014

FEB 06 2014

City of Yuba City
Development Planning Services Division
Attn: Mr. Aaron Busch
1201 Civic Center Blvd.
Yuba City, CA 95993

Community Development

Re: Recycling Industries - Use Permit UP 12-01

Dear Mr. Busch:

I am writing to inform you of our support for the Recycling Industries (RI) Use Permit application for their facility located at 140 Epley Drive, Yuba City, CA. Our company, **D & H Transport's** property, is located across the street on the north side of Epley Drive, approximately 80 feet the RI facility.

We had the opportunity to meet with Recycling Industries to review the project and their expansion. RI informed us of the potential benefits of additional jobs for the area, the potential for reduced traffic, and other benefits to the community by having access to this facility. They also explained how the facility will be operated to manage the potential impacts of their expanded operations.

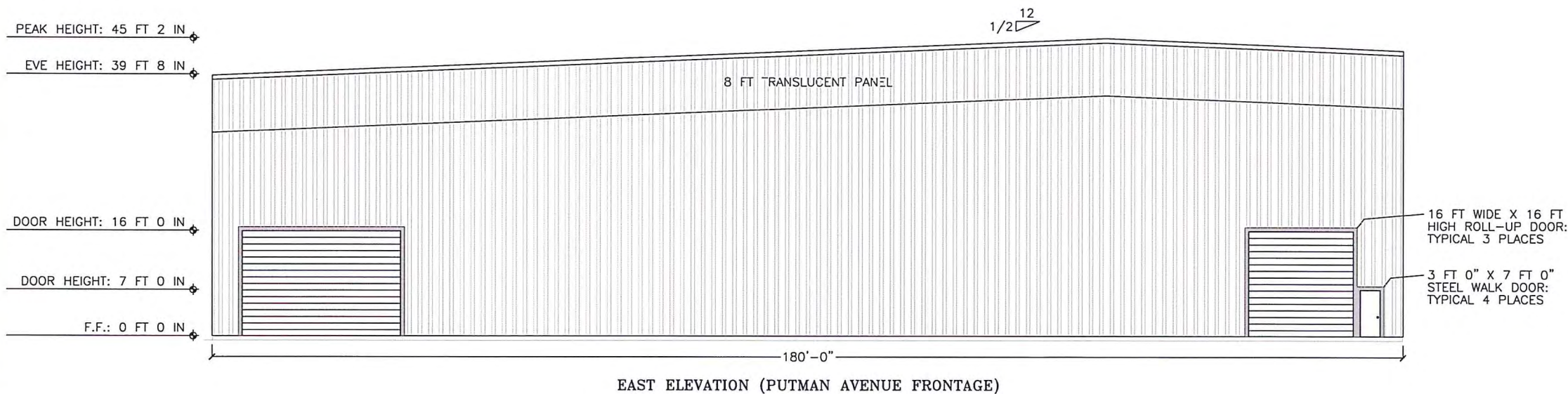
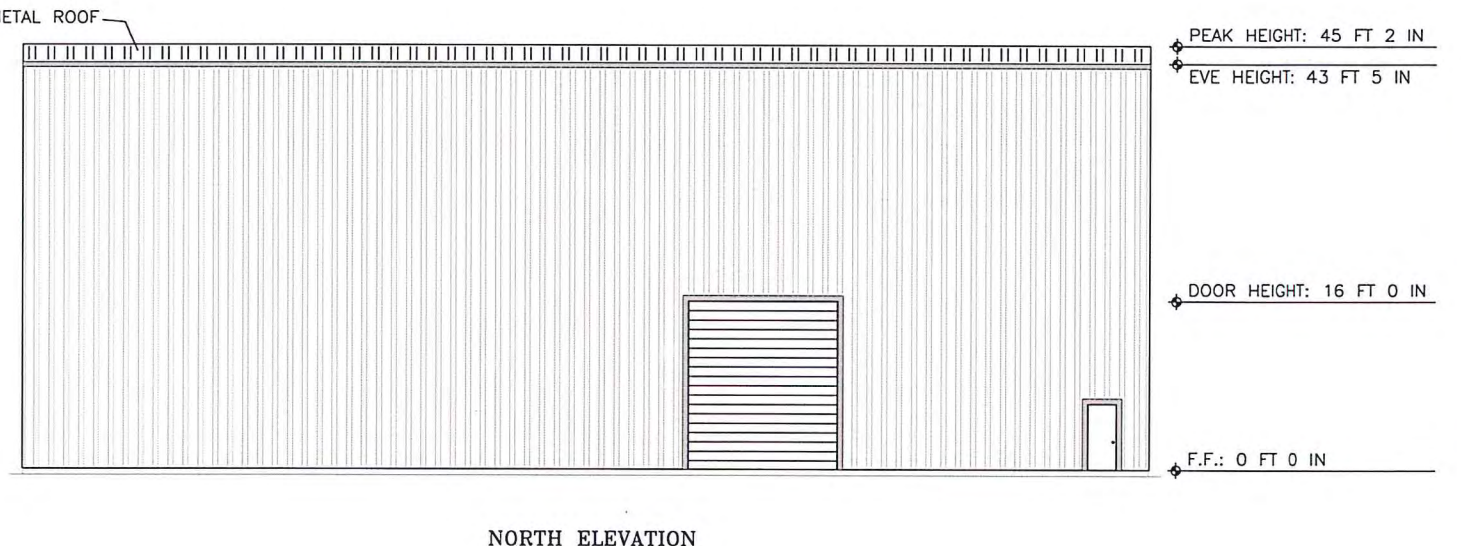
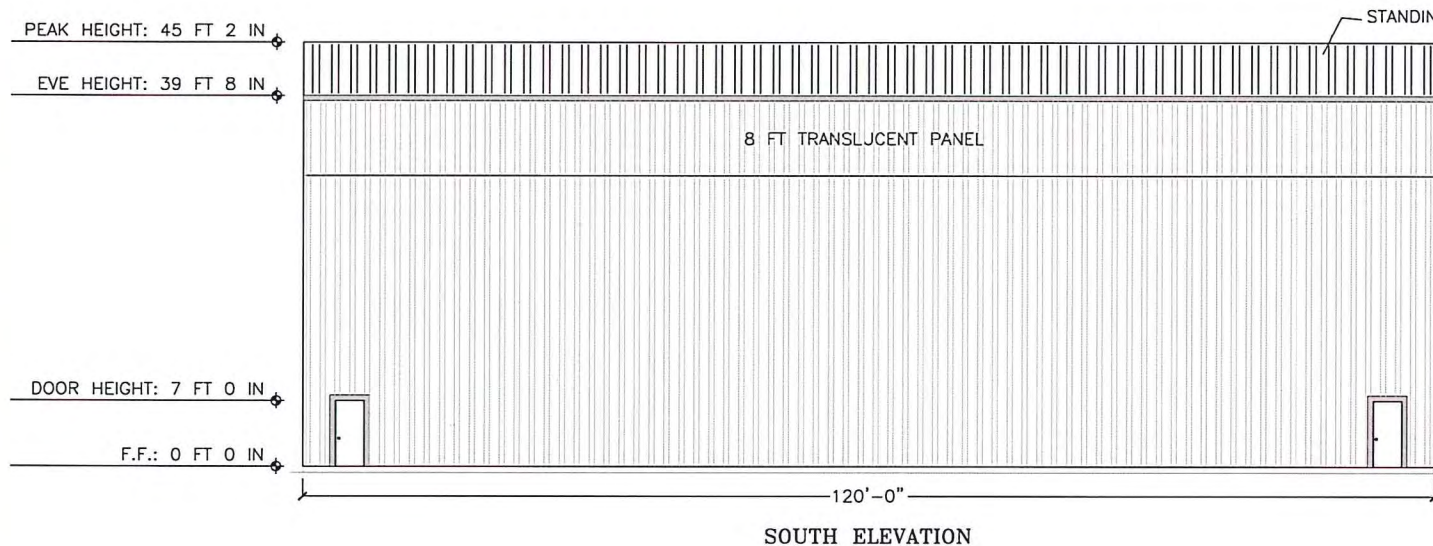
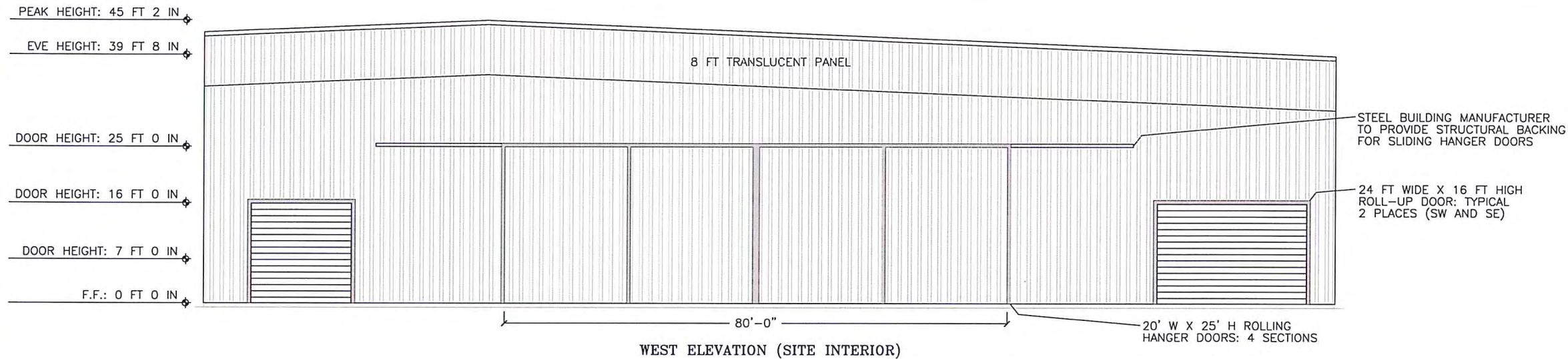
After meeting with them, we support the project and believe they will be good stewards to the environment and to the community in Yuba City. Recycling Industries has been a Great Neighbor since they opened the Epley Facility.

Thank you for your consideration and support of the Recycling Industries Use Permit UP 12-01

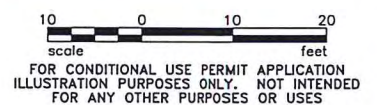
Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Howe', with a long horizontal line extending to the right.

Greg Howe
Vice President of Operations



- SHEET NOTES:**
- BUILDING IS STEEL FRAMED WITH STEEL WALK DOORS, STEEL CURTAIN DOORS AND COATED STEEL SIDING/ CLADDING, WITH THE EXCEPTION OF TRANSLUCENT PANELS WHERE NOTED, WHICH ARE FIBERGLASS COMPOSITE.
 - EXTERIOR FINISH IS FACTORY-APPLIED SILICONIZED POLYESTER "DURA-20" WITH EGGSHELL FINISH. SIDING IS DURA-20 "SADDLE TAN" (LIGHT GOLDEN TAN) WITH "COLONY GREEN" (MUTE GRAYISH-GREEN) TRIM, AND WITH NO ARCHITECTURAL FACADES.



REVISIONS				BENCH MARK		ELEV. ??'??		FIELD BOOK		EXTERIOR ELEVATIONS: PROPOSED BUILDING				ILLUSTRATION FOR PROJECT DESCRIPTION										FIGURE			
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1								HORIZ: BAR		DRAWN BY: BJB				DESIGN BY: OTHER PARTIES				CHECKED BY: B. JEFFREY BERGMANN								— OF —	
2								VERT: NA		DATE 2017-0918				R.C.E. No. 48143 DATE 2017-0531				R.C.E. No. 48143 DATE 2017-0918								NA	
3	COLOR PALETTE IN LIEU OF LINEWORK COLORIZATION	09-18-17	BJB															YUBA CITY USE PERMIT No. 12-01								SHEETS	
4	LINEWORK FOR USE PERMIT APPLICATION SUBMITTAL	09-01-17	BJB															USE PERMIT MODIFICATION PROPOSAL									

Attachment 2: Conditions of Project Approval
(Adopted by Planning Commission November 28, 2018)

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Feather River Air Quality Management District:	7
Sutter-Yuba Local Enforcement Agency:	7
Central Valley Regional Water Quality Control Board:	7

Indemnification:

1. The applicant, operator, and/or property owner ("Applicant" herein) is required to enter into an agreement with the City agreeing to indemnify, defend, and hold harmless the City of Yuba City, its officers, attorneys, agents, employees, departments, commissioners, authorized volunteers, and boards ("City" herein) against any and all liability, claims, actions, causes of action or demands whatsoever against them, or any of them, before administrative or judicial tribunals of any kind whatsoever, in any way arising from, the terms and provisions of this land use approval, including without limitation any California Environmental Quality Act (CEQA) approval or any related development approvals or conditions whether imposed by the City, or not, except for City's sole active negligence or willful misconduct. This indemnification condition does not prevent the Applicant from challenging any decision by the City related to this project and the obligations of this condition apply regardless of whether any other permits or entitlements are issued. The land use approval shall not become effective until Applicant executes a "Covenant to Indemnify."
2. In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within 90 days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project.

This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

Materials:

3. The facility shall not receive more than 100 tons per day.
4. The facility shall only receive material generated within the Sutter and Yuba Counties.
5. Putrescible material: maximum of 10 percent of all material. Material shall be removed within 48 hours.
6. The facility shall not accept, store, or process:
 - a. Hazardous Material
 - b. Biohazardous Material
 - c. Medical Waste

If any of the above waste (hazardous, biohazardous or medical) is dumped illegally at the site, the operator shall take necessary steps to properly handle and dispose of such items listed.

7. Tires: Shall be stored in a bin no larger than 40 yards in size. A maximum of one tire bin shall be at the facility at any given time.
8. Green Waste:
 - a. No green waste shall be accepted via a packer truck, including side, front, or rear loaders.
 - b. Self-haul green waste may be accepted and processed.

- c. Shall be removed within 48 hours of being accepted.
- 9. Pallets: Shall not be stacked taller than 6 feet in height outdoors.

Delivery of Material:

- 10. Except for source separated curbside recyclables, material may not be accepted via packer trucks. This includes side, front, or rear loaders.
- 11. Roll off bins of up to 50 yards may be accepted
- 12. The facility is closed Sunday. The facility is open from to refuse/waste from 7am – 5pm, Monday through Saturday with ancillary operations from 6am – 9pm, Monday through Saturday.

Storage:

- 13. All utilized areas, including storage areas, shall be paved.
- 14. Bundled, packaged, and/or palletized material shall be stored on paved areas.

Vector Control:

- 15. Operator shall follow all controls listed in Section 5.5 of Transfer/Processing Report (TPR).

Noise:

- 16. Operator shall contract with an independent acoustical engineer to measure noise being generated by the facility within 10 working days as requested by the City. Should noise levels exceed adopted standards, said noise levels shall be reduced to acceptable levels within 24-hours.

Odor Control:

- 17. Operator shall comply with all provisions listed in Section 5.4 of TPR
- 18. Trucks shall be washed weekly off-site or on-site where solids in water can be captured before entering the City system.

Queuing:

- 19. There shall be no stacking and/or queuing of vehicles entering the facility and/or waiting to access the scale on the public right-of-way. Vehicles shall not be directed to leave the facility to avoid queuing; rather operational changes shall be implemented within 24 hours of notification by the City.

Processing:

- 20. All processing, sorting, compacting, shredding, baling, crushing, etc. of solid waste destined to a landfill shall occur indoors.
- 21. All green waste shall be stored indoors unless contained in a roll-off container and covered.

22. Storage of roll off bins destined to be dumped and processed at the site shall be properly covered, unless stored indoors.
23. Storage of construction vehicles/material is not allowed in the public right-of-way.

Litter Control:

24. Litter control shall be implemented as described in section 4.11.2 of the TPR report.
25. The transfer station operator shall manage the facility in such a manner that confines litter to the work area, which prevents litter from accumulating on other parts of the site and which prevents litter from being blown off the site.
26. The transfer station operator shall implement a program requiring transfer station users to securely containerize their load to avoid littering. The program shall be subject to the approval of the City.
27. Under windy conditions, the transfer station operator shall cover the refuse with City approved cover materials as often as necessary to control blowing litter. Other options shall be considered as necessary, including the alignment of unloading areas away from the prevailing wind direction.
28. The transfer station operator shall install portable litter fencing in the work area to intercept wind-blown debris.
29. The transfer station operator shall remove litter from the litter fencing and planting screens at least once a day. On site access areas shall be policed at least daily. The City may require more frequent policing to control the accumulation of litter.
30. The transfer station operator shall provide weekly (or more frequent) litter clean up along City right-of-way to and from the facility. The City may modify the frequency of clean up and/or area of coverage. If wind-blown litter from the transfer station reaches other properties, the Public Works Director may require the transfer station operator to remove the litter and the Director may require the operator to institute additional measures to prevent recurrence of the problem.
31. Paved roadways proximate to the site shall be cleaned as necessary when soil material has been carried by patrons of the facility onto public roadways. If the operator fails to do so upon notice, the City may clean the roadway at the operator's expense.
32. The transfer station operator shall post signs, as determined necessary by the City, along access roads to the transfer station noting littering and illegal dumping laws. The operator should periodically publish these laws and operation hours in mailings.
33. The transfer station operator shall post signs at the transfer station entrance noting the hours of operation.

Posting of Signs:

34. The transfer station operator shall post signs, at their expense, notifying patrons of littering regulations and the need to properly tarp their vehicles to minimize debris from exiting the vehicle onto the roadway and/or neighboring sites.

Host Fee:

35. Following State approval of the proposed expansion of the Large Volume Transfer Station, the applicant will negotiate a “host fee” with the City. The Host Fee will be calculated based upon the amount of garbage that is ultimately transferred to the Landfill by the applicant.
 - a. Authorize the Community Development Director (or his designee) to approve minor amendments to the project Transfer Processing Report as necessary to accommodate final approval from the State of California.
 - b. Authorize the Community Development Director (or his designee) to provide all necessary approvals required to obtain final approval from the State of California for the proposed Large Volume Transfer Station.

Public Works:

36. To help contain fugitive dust, construction sites shall be watered down during the construction phase of the project or as directed by the Public Works Department.
37. The applicant, at their expense, shall be solely responsible for all quality control associated with the project. The quality control shall include, but is not limited to, the following: survey work, potholing existing utilities, all geotechnical testing, soil reports, concrete testing, asphalt testing, and any other required special testing/inspections. The City will only perform necessary testing to insure compliance.
38. Storage of construction vehicles/material is not allowed in the travel way.
39. The improvement plans for the development of the subject property shall include all measures required to ensure that no drainage runoff resulting from the development of the property flow onto the adjacent lands or impede the drainage from those properties. The rear yards and/or side yards of the parcel shall have the same finish grade elevation as those lots within tolerances as approved by the Public Works Department. If retaining walls are required they shall be constructed of concrete or masonry block.
40. The contractor shall obtain an Encroachment Permit from the City prior to performing any work within public rights of way.
41. The Developer shall place, within the property boundary, an in-line separator on the storm drain line prior to the point of connection to the storm drain line in the City right-of-way. Property owner shall be responsible for all maintenance of the system.
42. Required Improvement Plan Notes:
 - a. "Any excess materials shall be considered the property of the contractor/owner and shall be disposed of away from the job site in accordance with applicable local, state and federal regulations."
 - b. "During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. The Contractor shall be responsible that all construction equipment is equipped with manufacturers approved muffler baffles. Failure to do so may result in the issuance of an order to stop work."

- c. "If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Sutter County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies."
 - d. "The Contractor(s) shall be required to maintain traffic flow on affected roadways during non-working hours, and to minimize traffic restriction during construction. The Contractor shall be required to follow traffic safety measures in accordance with the CalTrans "Manual of Traffic Safety Controls for Construction and Maintenance Work Zones." The City of Yuba City emergency service providers shall be notified, at least two working days in advance, of proposed construction scheduled by the contractor(s)."
 - e. "Soil shall not be treated with lime or other cementitious material without prior express permission by the Public Works Department."
43. Prior to paving, the Developer shall vacuum test all manholes to ensure no leakage will occur.
44. The curb, gutter, sidewalk, and lot drainage shall be inspected and approved by the City. Any curb, gutter and sidewalk which is not in accord with City standards or is damaged before or during construction, shall be replaced. All sidewalks along the City right-of-way shall be free of any non-control joint cracking. In addition, any concrete with cracks, chips, blemishes, and spalling greater than an inch in diameter shall be replaced from control joint to control joint.
45. The property shall petition for formation of a Zone of Benefit of the Yuba City Lighting Maintenance District for the purpose of maintaining the street lights. The Engineering Division shall be reimbursed actual costs associated with the formation of the district.
46. All public street lighting shall be dedicated to the City of Yuba City.
47. Cross easements over all property not occupied by buildings shall be reserved in deeds for all underground utilities, ingress and egress, parking, drainage, landscaping, and the maintenance thereof to the benefit of all parcels involved in the division.
48. Prior to the issuance of a building permit, the property owner shall merge the parcels in to one parcel, or shall relocate the property lines between the parcels so they do not bisect any buildings.
49. The project, including phased improvements, shall comply with the City's Storm water Management and Discharge Control Ordinance (Title 4, Chapter 21 of the Yuba City Municipal Code).
50. The applicant shall provide evidence that a Notice of Intent has been submitted and received by the local Water Quality Control Board for a General Construction Activity Storm Water Permit. Two copies of the project Storm Water Pollution Protection Plan shall be provided to the City.
51. The applicant shall provide, to the Public Works Director, the name and contact information of the individual(s) who will be responsible for cleaning any debris in the City right-of-way resulting from the transfer station's operations. The individual(s) shall be available.
52. Applicant to contact the State Water Resources Control Board to determine industrial general permit compliance.

Fire Department:

53. Obtain necessary permits from the Yuba City Fire Department.

CalRecycle:

54. Comply with letter November 5, 2018 and subsequent correspondence between CalRecycle and Larry Miner.

Feather River Air Quality Management District:

55. Comply with letter dated November 6, 2018 and subsequent correspondence between the FRAQMD and Larry Miner.

Sutter-Yuba Local Enforcement Agency:

56. Comply with letter dated November 5, 2018 and subsequent correspondence between the LEA and Larry Miner.

Central Valley Regional Water Quality Control Board:

57. Comply with letter dated October 30, 2018

Planning Commission Meeting Condition:

58. The mitigation measures identified in the initial study and mitigated negative declaration, which also include Appendix A of the Transfer Processing Report Assessment, shall be included as mitigation measures.