



City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Meeting Agenda Special Meetings

Monday, July 19, 2021

11:30 AM

Via Video Conference

Caspar Transfer Station Coordinating Committee

MEETING CALLED TO ORDER

ROLL CALL

ZOOM WEBINAR INVITATION

Join Zoom Meeting:

<https://mendocinocounty.zoom.us/j/84884772398?pwd=eWR0by9UVXZyaFpyT3VGGM3IzNk9PQT09>

Meeting ID: 848 8477 2398

Passcode: 863937

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TO SPEAK DURING PUBLIC COMMENT PORTIONS OF THE AGENDA VIA ZOOM, PLEASE JOIN THE MEETING AND USE THE RAISE HAND FEATURE WHEN THE CHAIR CALLS FOR PUBLIC COMMENT.

1. CONDUCT OF BUSINESS

- 1A. [21-361](#) Report from Coastal Transfer Station Project Manager Tom Varga and Discussion on Further Assignments and Tasks

Attachments: [Caspar Transfer Station Coordinating Committee Agenda 07192021](#)

[Central Coast Transfer Station Staff Report](#)

[Public Comments 1A](#)

ADJOURNMENT

STATE OF CALIFORNIA)
)ss.
 COUNTY OF MENDOCINO)

I declare, under penalty of perjury, that I am employed by the City of Fort Bragg and that I caused this agenda to be posted in the City Hall notice case on July 12, 2021.

 JUNE LEMOS, CMC
 City Clerk

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Text File

File Number: 21-361

Agenda Date: 7/19/2021

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File Type: Staff Report

Agenda Number: 1A.

Report from Coastal Transfer Station Project Manager Tom Varga and Discussion on Further Assignments and Tasks



County of Mendocino

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1. CONDUCT OF BUSINESS

- 1A. Report from Coastal Transfer Station Project Manager, Tom Varga, and Discussion on Further Assignments and Tasks

Attachments: [Central Coast Transfer Station Staff Report](#)

ADJOURNMENT

Central Coast Transfer Station – CTSCC meeting, staff report

BACKGROUND AND OVERVIEW

The Caspar Transfer Station Coordinating Committee (Coordinating Committee) met on March 25, 2021 to review the status of the Central Coast Transfer Station, take public comment, and provide direction to staff. Briefly, issues regarding the ultimate location of the transfer station, its operations, and how to minimize its impacts were discussed. Three locations are presently under consideration: Pudding Creek (Waste Management) site, the existing Caspar site, and the proposed site along Highway 20. If the Highway 20 site is to be pursued, then the previous land swap is desired to be recreated. Operational issues include investigating alternatives to a traditional transfer station that trucks solid waste to a distant disposal location. Impacts of the various sites initially discussed were those involving traffic as well as effects on nearby neighbors.

The central coast of Mendocino County is served by two primary solid waste handling facilities. One is the transfer station and buy-back location located on Pudding Creek Road in north Fort Bragg which is owned and operated by Waste Management. The other is the transfer station and recycling location owned jointly by the City and County operated by Solid Waste of Willits (SWOW). Smaller collection sites can be found elsewhere along the coast. From these two transfer stations, solid waste is consolidated and transported to the SWOW transfer station in Willits for further processing. After additional diversion and recycling of the solid waste there, the remaining waste is transported to the Potrero landfill near Suisun City/Fairfield in Solano County.

Solid Waste collection, diversion, and disposal are regulated in the State of California by the Integrated Waste Management Act of 1989 (IWMA) starting at Section 40000 of the Public Resources Code (PRC). It is also referred to as AB 939. A short review of some of the definitions used in the Act will help contextualize solid waste terminology as implemented by the IWMA. The full text of relevant definitions are attached as Exhibit A.

ANALYSIS

Issues:

Three sites are being treated as the primary options for providing consolidated solid waste services to the central coast. A fourth alternative would be the “Status Quo” choice with the handling of curbside pick-up at the Waste Management site. Self-haul trash with some solid waste management at the Caspar transfer station before hauling everything to the SWOW facility in Willits for intermediate processing with ultimate disposal at a landfill.

Location

- Pudding Creek Site (Waste Management - WM - transfer station)

This is the existing WM transfer station and collection point for all curbside garbage, recycling, and green-waste pick-up along central coast. It does not accept self-haul waste at this time; however it does take some self-haul recyclables. It would need significant upgrades to bring it up-to-date. There are approximately 63 residences nearby. There appears to have been only minimal complaints. This site and the transfer station at Caspar have substantial overlap in services provided. It would make sense to eliminate this duplication.

Increasing the amount of activity at the Waste Management transfer station on Pudding Creek Road could also potentially trigger the need for upgraded traffic control at its intersection with Highway 1 (N. Main Street), (e.g.. the installation of traffic signals). This intersection is approximately 400 feet north of the Highway 1 bridge over Pudding Creek. There are not any expected conflicts between the bridge and a signalized intersection at Pudding Creek Road. There are concerns over the amount of truck traffic through downtown Fort Bragg. With the previous discontinuance of “pods” in favor of transfer trucks, truck traffic has since decreased significantly. It is estimated that should this be the long-term transfer station location, transfer truck traffic would increase by one or two trips a day. Waste Management has been contacted and is willing to work with the County/City to further develop their Pudding Creek site, *“contingent on WM being the solid waste provider for the City of Fort Bragg or Mendocino County”*.

The Hwy 20 EIR concluded that this site was inferior due to truck traffic through downtown Fort Bragg, proximity to residences, and was not immediately available for public ownership.

- Caspar Site

The Hwy 20 EIR concluded that the Caspar site is inferior due to aesthetics, energy use, greenhouse gas emissions, and transportation safety. There have been no major regulatory or permit compliance issues.

Litter control needs to be improved. Caltrans is concerned about the left turn pocket on southbound Highway 1 on to CR 409 and waiting traffic backing up on to Caspar Creek bridge.

The Caspar transfer station site is presently zoned Public & Semi-Public Facility with a Use Permit for “major impact services and utilities” (solid waste handling facility). Expansion or modification of operations would involve revising a number of permits. The southwest area of the transfer station site is within the coastal zone. Substantial environmental review can be expected. There is sufficient open or disturbed area to preclude any loss of sensitive habitat.

The Caspar neighbors have been informally promised that the transfer station would be moved from the current site to the Hwy 20 site assuming its successful development. This assumption is questionable without a successful land swap.

- Highway 20 site

As originally proposed, this site was intended to be a Design-Build-Operate project to be incorporated into the next solid waste management franchise agreement. Access and traffic circulation were considered to be relatively easy to handle. There are approximately 13 residences within 1,000 feet of the site.

Can the land swap be revived or possibly recreated elsewhere? JDSF’s participation was authorized by an act of the State Legislature as found in PRC Section 4659 (Exhibit B). The essence of the State Department of Parks and Recreation (DPR) concerns are that they are not receiving land of equal value to that they are offering. They also did not want to be party to a land swap that could harm pygmy forest/Bishop Pine habitat.

At the time of the collapse of the original three-way land swap, DPR management concluded that these obstacles could not be overcome and withdrew from the land swap. Since that time, management has changed and may reconsider the land swap if all their concerns can be addressed and mitigated.

Staff is contacting neighboring timber companies for any interest in providing land for a two-way exchange or acquisition. However, it does not appear that there is much timberland available to the City or County that could be exchanged. In addition, public agencies are strictly limited in what they can offer of value in purchasing land.

The following timber companies have responded. At one time, Redwood Empire Sawmills of Cloverdale expressed an interest in providing some land toward the transfer station project in exchange for the County rezoning approximately five acres elsewhere suitable for some sort of development. They have recently stated that they are no longer interested in this transaction.

The Mendocino Redwood Company of Windsor is still willing to work with us regarding a more complex land exchange. They currently have limited easements along numerous logging roads within the JDSF. They desire permanent rights of way along Forest Roads 50, 800, 1000, and 250. In exchange, they will extinguish their rights to all other roads in JDSF. More importantly, they are willing to offer JDSF a parcel of land that in turn would equal the value of a parcel of land which JDSF could give to the County/City.

JDSF has stated that the land exchange authorized by PRC 4659 cannot be modified. Otherwise, they are willing to review once again any proposal consistent with the original land swap. PRC 4659 very specifically spells out the three pieces of land being authorized for the three-way land swap to those that were originally contemplated. A land swap involving Mendocino Redwood Company would appear to be excluded and a change to the language in PRC 4659 would likely be required.

Primary concerns regarding the proposed Hwy 20 site included, proximity to residences, habitat loss (pygmy forest and Bishop Pine forest), and potential contamination of City's water supply. Ultimately, the land-swap collapsed before it could be completed. It was concluded to not pursue this site as direct acquisition would be too costly. The Hwy 20 EIR was certified in 2016 and would need to be updated, sections requiring attention include, biological/botanical, and potentially others. Modifications to the proposed design may also trigger other updates; potential sources of design changes could be SB 1383 compliance or new storm-water regulations. Choosing a new site along Hwy 20 would require a new EIR.

The proposed site on Hwy 20 is presently zoned Timber Production Zone (TPZ), it would need to be re-zoned, probably to Public & Semi-Public Facility (PF) as well as a Use Permit for "major impact services and facilities".

- **Operations,**

Alternatives to trucking coastal solid waste long distances inland were examined. Section 40051 of the IWMA encapsulates the policy goals for solid waste management in California. The intent is to maximize source reduction, recycling and composting while minimizing transformation and land disposal.

Source reduction is intended to reduce the creation of waste avoiding anything even entering the waste stream. In this context, transformation is specifically and statutorily excluded. Recycling is a form of waste diversion that returns materials back into the economic mainstream for other beneficial uses. Again, transformation is specifically excluded. Finally, composting is the biological decomposition of organic materials as long as a hazardous waste is not created. Closely related is biomass conversion. It allows for the production of heat, fuels or

electricity through thermal conversion that may include combustion or non-combustion. However, use of these technologies is limited.

Transformation of solid waste is considered to be: incineration (thermal combustion), pyrolysis (a thermal process without combustion), distillation, or biological conversion other than composting. Gasification, EMSW conversion, and biomass conversion are specifically excluded. Gasification is a technology that produces a fuel without relying on a combustion process. This technology cannot produce air contaminants (including greenhouse gasses) or hazardous waste(s). EMSW conversion refers to “Engineered Municipal Solid Waste” conversion. It must meet similar safety requirements as a Gasification process in addition to other prescriptive standards for moisture content, energy content, and a limit on conversion capacity.

The definition of solid waste disposal brings together landfill disposal, transformation, and EMSW conversion as the end-of-life management of solid waste. They are essentially all treated equally. Under Section 41781 of the IWMA, waste diversion excludes landfill disposal, transformation, and EMSW conversion from diversion calculations. Any technology or technique that is considered a transformation or EMSW conversion is not a practical alternative to landfill disposal.

There is still the possibility of utilizing some sort of biomass conversion technology. Aerobic/anaerobic digestion (biological decomposition) of biosolids (organic waste) is a composting technology per PRC Section 40116. The upgrade or development costs are likely similar for all three sites. There are significant hurdles to be overcome that would require substantial, additional investigation.

Solid Waste operations are also required to follow the requirements of “SB 1383 – Organic Waste Regulations”. The next round of regulations become effective January 1, 2022. They are primarily:

- Reduce landfilled organic waste
- Recover disposed edible food

The best understanding at this time is that SB 1383 will involve diverting organics out the waste stream before they reach a transfer station and increasing the use of recycled materials.

Mr. Jerry Ward of SWOW has proposed various improvements to the Caspar site to increase the efficiency of operations there. He most recently summarized this proposal in a memo the Joint Committee dated March 31, 2021 (Exhibit C).

Initial, temporary improvements are underway and include a transition from the use of debris box collection system to “possum belly” trailers that collect waste and recyclable materials in larger loads. These trailers allow for fewer trips to SWOW’s Material Recovery Facility (MRF) in Willits and are easier to process. This of course reduces greenhouse emissions and fuel usage.

Other, longer term improvements are envisioned:

- a) Increase the height of the ramp area by raising the ramp and/or lowering the base of the loading area for transfer trailers. The top of the ramp becomes a tipping floor for self-haul household and bulky waste. This will allow for larger trailers/containers to further reduce trips.
- b) The ramp area dedicated to self-haulers will be increased in size to allow faster unloading and shorter waits.
- c) On-site equipment will push this material into the adjoining trailer. Additionally, the equipment operator will be able to inspect the waste before it is moved into the trailer and not rely solely on a self-hauler honor system. This will decrease the contamination of solid waste with recyclables or hazardous waste. Furthermore, with on-site inspection in Caspar, this waste no longer needs any more inspection or processing. It can then bypass the Willits MRF and go directly to the landfill saving time, and greenhouse gas emissions.
- d) The self-haul portion of the ramp will be paved in concrete, the rest in asphalt. The trailer loading area on the other side of the ramp will also be paved.
- e) This loading area will be enclosed on three sides and roofed over. The various paving improvements plus the enclosure will reduce litter and improve the control of potential spills.
- f) Adjacent to the office and pay station is a small covered area with small bins for household garbage. It will be replaced with a larger, covered structure sized to hold standard trailers. Several of the recycling stations currently in the open will be relocated here. Again, this upsizing will reduce trips and reduce litter/spill risks.
- g) Similar to self-haul household trash, the new tipping floor at the top of the ramp will be used to inspect self-haul recyclables and then transfer actual recyclables into a walking trailer for transport to the Willits MRF.

A **Financial Analysis** of the three options plus “Status Quo” would be a useful tool in completing a full review of the merits and shortcomings of the four possible choices under consideration. The County’s contract solid waste manager has estimated a cost of \$20,000 to \$25,000 to perform this analysis. Biomass conversion technology can also be an added choice for this analysis at additional cost.

Exhibit A – Integrated Waste Management Act Definitions

Most definitions used by the State of California in the Integrated Waste Management Act of 1989 (AB 939) are found in the State Public Resources Code, starting at Section 40100. A few others were subsequently added in other code sections. Definitions useful in the discussion of the Central Coast Transfer Station have been noted below.

40106. (a) "**Biomass conversion**" means the production of heat, fuels, or electricity by the controlled combustion of, or the use of other noncombustion thermal conversion technologies on, the following materials, when separated from other solid waste:

- (1) Agricultural crop residues.
- (2) Bark, lawn, yard, and garden clippings.
- (3) Leaves, silvicultural residue, and tree and brush pruning.
- (4) Wood, wood chips, and wood waste.
- (5) Nonrecyclable pulp or nonrecyclable paper materials.

(b) "Biomass conversion" does not include the controlled combustion of recyclable pulp or recyclable paper materials, or materials that contain sewage sludge, industrial sludge, medical waste, hazardous waste, or either high-level or low-level radioactive waste.

(c) For purposes of this section, "nonrecyclable pulp or nonrecyclable paper materials" means either of the following, as determined by the department:

- (1) Paper products or fibrous materials that cannot be technically, feasibly, or legally recycled because of the manner in which the product or material has been manufactured, treated, coated, or constructed.
- (2) Paper products or fibrous materials that have become soiled or contaminated and as a result cannot be technically, feasibly, or legally recycled.

40116. "**Compost**" means the product resulting from the controlled biological decomposition of organic wastes that are source separated from the municipal solid waste stream, or which are separated at a centralized facility. "Compost" includes vegetable, yard, and wood wastes which are not hazardous waste.

40117. "**Gasification**" means a technology that uses a noncombustion thermal process to convert solid waste to a clean burning fuel for the purpose of generating electricity, and that, at minimum, meets all of the following criteria:

- (a) The technology does not use air or oxygen in the conversion process, except ambient air to maintain temperature control.
- (b) The technology produces no discharges of air contaminants or emissions, including greenhouse gases, as defined in subdivision (g) of Section 38505 of the Health and Safety Code.
- (c) The technology produces no discharges to surface or groundwaters of the state.
- (d) The technology produces no hazardous waste.

(e) To the maximum extent feasible, the technology removes all recyclable materials and marketable green waste compostable materials from the solid waste stream prior to the conversion process and the owner or operator of the facility certifies that those materials will be recycled or composted.

(f) The facility where the technology is used is in compliance with all applicable laws, regulations, and ordinances.

(g) The facility certifies to the board that any local agency sending solid waste to the facility is in compliance with this division and has reduced, recycled, or composted solid waste to the maximum extent feasible, and the board makes a finding that the local agency has diverted at least 30 percent of all solid waste through source reduction, recycling, and composting.

40124. "Diversification" means activities which reduce or eliminate the amount of solid waste from solid waste disposal for purposes of this division, including Article 1 (commencing with Section 41780) of Chapter 6.

40131.2. (a) "Engineered municipal solid waste conversion" or "EMSW conversion" means the conversion of solid waste through a process that meets all of the following requirements:

(1) The waste to be converted is beneficial and effective in that it replaces or supplements the use of fossil fuels.

(2) The waste to be converted, the resulting ash, and any other products of conversion do not meet the criteria or guidelines for the identification of a hazardous waste adopted by the Department of Toxic Substances Control pursuant to Section 25141 of the Health and Safety Code.

(3) The conversion is efficient and maximizes the net calorific value and burn rate of the waste.

(4) The waste to be converted contains less than 25 percent moisture and less than 25 percent noncombustible waste.

(5) The waste received at the facility for conversion is handled in compliance with the requirements for the handling of solid waste imposed pursuant to this division, and no more than a seven-day supply of that waste, based on the throughput capacity of the operation or facility, is stored at the facility at any one time.

(6) No more than 500 tons per day of waste is converted at the facility where the operation takes place.

(7) The waste has an energy content equal to, or greater than, 5,000 BTU per pound.

(8) The waste to be converted is mechanically processed at a transfer or processing station to reduce the fraction of chlorinated plastics and materials.

(b) "Engineered municipal solid waste conversion facility" or "EMSW facility" means a facility where municipal solid waste conversion that meets the requirements of subdivision (a) takes place.

(c) Notwithstanding Section 40201, a transformation facility where solid waste conversion takes place that meets all of the requirements of subdivision (a) may elect to be considered an EMSW facility for purposes of this division and Division 31 (commencing with Section 50000), except that if a portion of a transformation facility's operations does not meet the requirements of subdivision (a), the facility shall be considered to be a transformation facility.

40141. (a) "**Hazardous waste**" means a waste, defined as a "hazardous waste" in accordance with Section 25117 of the Health and Safety Code, or a combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may do either of the following:

(1) Cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness.

(2) Pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

(b) Unless expressly provided otherwise, "hazardous waste" includes extremely hazardous waste and acutely hazardous waste.

40180. "**Recycle**" or "**recycling**" means the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace. "Recycling" does not include transformation, as defined in Section 40201 or EMSW conversion.

40192. (a) Except as provided in subdivisions (b) and (c), "**solid waste disposal**," "**disposal**," or "**dispose**" means the final deposition of solid wastes onto land, into the atmosphere, or into the waters of the state.

(b) For purposes of Part 2 (commencing with Section 40900), "solid waste disposal," "dispose," or "disposal" means the management of solid waste through landfill disposal, transformation, or EMSW conversion, at a permitted solid waste facility, unless the term is expressly defined otherwise.

(c) For purposes of Chapter 16 (commencing with Section 42800) and Chapter 19 (commencing with Section 42950) of Part 3, Part 4 (commencing with Section 43000), Part 5 (commencing with Section 45000), Part 6 (commencing with Section 45030), and Chapter 2 (commencing with Section 47901) of Part 7, "solid waste disposal," "dispose," or "disposal" means the final deposition of solid wastes onto land.

40196. "Source reduction" means any action which causes a net reduction in the generation of solid waste. "Source reduction" includes, but is not limited to, reducing the use of nonrecyclable materials, replacing disposable materials and products with reusable materials and products, reducing packaging, reducing the amount of yard wastes generated, establishing garbage rate structures with incentives to reduce the amount of wastes that generators produce, and increasing the efficiency of the use of paper, cardboard, glass, metal, plastic, and other materials. "Source reduction" does not include steps taken after the material becomes solid waste or actions which would impact air or water resources in lieu of land, including, but not limited to, transformation.

40201. "Transformation" means incineration, pyrolysis, distillation, or biological conversion other than composting. "Transformation" does not include composting, gasification, EMSW conversion, or biomass conversion.

EXHIBIT B

PUBLIC RESOURCES CODE - PRC

DIVISION 4. FORESTS, FORESTRY AND RANGE AND FORAGE LANDS [4001 - 4958]

(Division 4 repealed and added by Stats. 1965, Ch. 1144.)

PART 2. PROTECTION OF FOREST, RANGE AND FORAGE LANDS [4101 - 4789.7]

(Part 2 added by Stats. 1965, Ch. 1144.)

CHAPTER 9. State Forest [4631 - 4664]

(Chapter 9 added by Stats. 1965, Ch. 1144.)

ARTICLE 3. State Forests [4645 - 4659]

(Article 3 added by Stats. 1965, Ch. 1144.)

4659.

(a) For purpose of this section, the following definitions shall apply:

(1) "City" means the City of Fort Bragg.

(2) "County" means the County of Mendocino.

(3) "Entity acquiring title" means either the city or the county, whichever exercises the option specified in subdivision (c) to take title to the property.

(4) "Property" means the certain real property described as the easterly 17 acres, more or less, of that portion of Mendocino County Assessor's Parcel Number 019-150-05 which is north of State Highway 20, located in a portion of the Jackson Demonstration State Forest.

(5) "Solid waste transfer station" has the same meaning as transfer station, as defined in Section 40200.

(b) Notwithstanding any other law, the Director of General Services, subject to the approval of the Department of Forestry and Fire Protection, may grant an option to the city or to the county, for either entity to acquire title to the property for the purpose of developing a solid waste transfer station.

(c) The option agreement shall have a term of five years, from the date of execution, for the city or county to exercise the option and take title to the site.

(d) Following the transfer of title, the entity acquiring title shall complete the development of, and open, a solid waste transfer station no later than 10 years from the date of recordation of the transfer document or the title to the property shall revert back to the Department of Forestry and Fire Protection and the entity shall reimburse the state for the administrative costs incurred by the state to process the reversionary documents.

(e) If the entity acquiring title to the property is successful in opening a solid waste transfer station on the site, all delivery and acceptance of solid waste shall cease at the existing Caspar Landfill property, also known as Mendocino County Assessor's Parcel Numbers 118-500-10 and 118-500-11.

(f) The Department of Forestry and Fire Protection, on behalf of the state, may be compensated for loss of up to 17 acres of the Jackson Demonstration State Forest by transfer from the Department of Parks and Recreation, on behalf of the state, of 12.6 acres in Russian Gulch State Park, which is separated from the remainder of the state park by a county road.

(g) The Department of Parks and Recreation, on behalf of the state, may be compensated, in turn, for loss of the 12.6 acres in Russian Gulch State Park

specified in subdivision (f) by the grant of a restrictive covenant on 60 acres of city and county property on the northern boundary of the state park, which is currently a closed landfill and small volume transfer station, and by an option to buy 35 acres of the city and county property.

(h) If the city or county exercises the option to take title to the property pursuant to this section, the Department of Parks and Recreation, with the approval of the Director of General Services, may transfer to the Department of Forestry and Fire Protection jurisdiction over that portion of Russian Gulch State Park northeast of Mendocino County Road 409, being 12.6 acres, more or less, and being a portion of Mendocino County Assessor's Parcel Number 118-520-02, to be included as a part of the Jackson Demonstration State Forest under the direction of the Department of Forestry and Fire Protection.

(i) If the option to acquire the property is exercised, the entity acquiring title to the property shall execute and record in favor of the Department of Parks and Recreation both of the following:

(1) A covenant restricting the uses and activities at the Caspar Landfill to prevent any significant nuisance impacts on Russian Gulch State Park. The form of this restrictive covenant shall be approved, prior to recordation, by the Department of Parks and Recreation.

(2) An option with a term of 99 years and a price of one dollar (\$1) to the westernmost 35 acres of the Caspar Landfill property, described in subdivision (e), with road access to that property.

(j) The entity acquiring title to the property shall reimburse the state for the difference in the appraised value of the assets that are to be exchanged, if the state is found to be receiving less value, and for reasonable administrative costs incurred to complete the transfer of title.

(k) The entity acquiring title of the property shall be solely responsible for compliance with the California Environmental Quality Act (Division 13 (commencing with Section 21000)) in connection with the transfer of property ownership and development of the solid waste transfer station.

(l) The exchange of lands carried out pursuant to this section shall be based on current fair market value and subject to the terms and conditions, and with the reservations, restrictions, and exceptions that the Director of General Services determines are in the best interests of the state, including the condition that the exchange shall result in no net cost or loss to the state.

(m) (1) If the state exercises the option to purchase the westernmost 35 acres of the Caspar Landfill property, pursuant to paragraph (2) of subdivision (i), the city or county shall indemnify the state against any liability that arises from any injury caused by, or any remediation required by, any contamination on the Caspar Landfill property that is transferred to the state.

(2) The Department of Parks and Recreation shall authorize access to the property described in paragraph (1) to the county in order for the county to perform monitoring, including monitoring of groundwater to ensure that there is no leakage or contamination from the landfill.

(Added by Stats. 2011, Ch. 173, Sec. 2. (AB 384) Effective January 1, 2012.)

EXHIBIT C

March 31, 2021

Submitted to be attached for public view to the City/County Coastal Transfer Station Ad Hoc Committee Meeting April 7, 2021 Agenda, and please forward to each Member of the Mendocino County Board of Supervisors and to each Member of the City of Fort Bragg City Council.

Caspar Transfer Station Temporary Improvements to the Site

Issue:

The long promised publicly owned central coast transfer station to be developed by the County of Mendocino and the City of Fort Bragg has not been built.

As a result, the Caspar Transfer Station (Caspar) has been pressed into service to provide coastal self-haul customers with essential disposal and diversion services. Having been promised that the central coast transfer station opening was just around the corner, Solid Wastes of Willits (SWOW) struggled on at Caspar with aged out equipment, and then, when that equipment failed, SWOW provided, at its own expense, what was thought to be an even more temporary inefficient drop box solution to be used until the promised central coastal transfer station opened.

Faced with the reality that a publicly owned facility will not be built in the foreseeable future, it should be recognized that the County and the City, not SWOW, are ultimately responsible in the absence of the promised central coast facility for providing self-haul customers with the infrastructure necessary to provide these critical disposal and diversion services.

These services cannot be provided in any reasonably efficient way by the current inefficient and costly Caspar drop box system.

In light of the County and City's failure to provide a publicly owned transfer station solution, SWOW now asks how the City and County plan to provide SWOW with the temporary improvements needed to eliminate the debris box collection system and replace it with a trailer operation to collect waste and recyclable materials in larger loads thereby reducing truck trips in order to direct-haul to the landfill and Material Recovery Facility. These improvements will greatly reduce the carbon footprint of the Caspar operation.

History:

When it became apparent that the County of Mendocino could no longer operate the Caspar facility in an economic way and given that the coastal transfer station would become operational in the near term, SWOW and the County of Mendocino with consent and concurrence of City of Fort Bragg, the Caspar joint owner, entered into an Agreement on January 25, 2011, providing for the operation of the Caspar Transfer Station by SWOW until June 30, 2017.

On March 18, 2016, without notifying SWOW, the Mendocino County Board of Supervisors took action to extend the Agreement to June 30, 2021 pending concurrence from the City of Fort Bragg which was received.

At the commencement date of the new transfer station Agreement, SWOW was required to assume the hauling agreement between the County and USA Waste of California (Fort Bragg Disposal) for servicing the "pod container" system at the site. SWOW was responsible for paying the hauling services per the terms of the Agreement. The hauling contract could not be terminated prior to June 30, 2014.

Relying on the promised central coast transfer station, due to be operational between 2015 and 2017, SWOW continued the hauling agreement with Fort Bragg Disposal on a month-to-month basis after June 30, 2014 expecting the closing of the Caspar site by the end of the term of the Caspar Agreement.

In January 2016, SWOW received a letter from Fort Bragg Disposal requesting to pull the pod compacting/container system as they no longer wish to use or support them. Again, expecting the operation of a new coastal transfer station, SWOW negotiated with Fort Bragg Disposal to continue to service the Caspar site by replacing the pods with open-top 50 cubic yard containers. This eliminated the need for SWOW to purchase trucks and containers for what was expected to be a short period of time.

At the April 28, 2017 Caspar Coordinating Committee meeting, an update on the central coast transfer station was given by Linda Ruffing, City Manager, City of Fort Bragg, that the goal is to have an option for the site of the coastal transfer station from one of the three landowners in a land swap within 4 months. After this, the required process on the local and State levels will be completed. The goal was to circulate a design-build-operate for a new transfer station by May 2018.

At a subsequent meeting in 2017 with the Caspar Coordinating Committee, Linda Roofing gave the committee another update on the new transfer station. Ms. Ruffing stated that things were moving along and that real estate discussions were taking place between CalFire and the City/County, but State Parks is no longer part of the proposed land swap. Ms. Ruffing projects that the new facility will be built in roughly 3-4 years.

In May 2020, SWOW received a letter from Fort Bragg Disposal terminating the Caspar then month-to-month hauling service agreement with SWOW, effective June 30, 2020, for the service of providing and hauling their open-top containers at the Caspar Transfer Station.

Beginning July 1, 2020, SWOW provided 15 open-top 50 cubic yard containers with a roll-off truck for servicing the (1) household waste, (2) bulk wastes, and (3) recyclable materials. On a weekly average SWOW collects and transports to the Willits Transfer Station 15 containers using a truck and trailer combo or approximately 7 trips per week.

For additional background, it should be noted that over the last approximately four years, the Mendocino County, Director of Solid Waste position that should provide contract management for the Caspar Transfer Station has had staffing issues. The position has been either vacant, occupied by individuals who have come and gone, or served by a consultant with limited mission tasks. None of these individuals were responsive to SWOW requests to modify the Caspar agreement language to deal with the reality of what was happening on the ground.

To fully understand SWOW's frustration on the question of a onetime rate adjustment and other modifications to the Caspar Transfer Station Agreement, it is important that the Caspar Transfer Station Coordinating Committee, and all the members of the Board of Supervisors and Fort Bragg City Council be aware of the following.

SWOW, recognizing that the Caspar agreement was no longer functional under the changed operating conditions, on three separate occasions submitted suggested language to the then sitting County Director of Solid Waste asking to modify the original out of date agreement to deal with these issues, receiving no response or action from the Directors of Solid Waste who held the position over this four-year period of time.

Had the submitted language been vetted by County staff after any of these SWOW submittals, and had staff presented the agreement amendment language for approval, this Committee would not now be having this current discussion. Rather, SWOW would have presented to the Committee a rate adjustment request under clearly understood amended terms of the agreement.

We can provide the Committee with the multiple communications submitted to the various County Solid Waste Directors, without response, along with the proposed amendment language submitted, ***but we do not want this rate adjustment to be delayed further, because the former contract managers failed in the past to present the needed agreement amendments for approval.***

As the Committee knows, during this period of time, equipment that was assumed to be operational under the original agreement language wore out and was dismantled, the contract hauler of solid waste from the transfer station withdrew and the solutions on the ground somehow became the responsibility of SWOW with no response or cooperation from County staff to discuss and identify rational solutions.

Faced with the health, welfare and safety issues that are mitigated by the operation of the Caspar self-haul facility currently, the County and City must now address the following infrastructure improvements, which are the responsibility of the County and City, that are needed, no matter what long-term transfer station solution is achieved, or alternatively provide the requested ninety-six cents (\$.96) per cubic yard rate adjustment, both described below.

We thank you for your attention to these critical needs.

Description of Improvements: See Site Map

1. Increase the height of the ramp area, (currently where the bulky waste containers are located) with fill material and/or dig down where the trailer will be placed for loading.
2. Cover the increased ramp area where unloading by self-haulers will occur with a concrete slab 12' x 60'. The remainder of the ramp to be covered with asphalt.
3. Place a concrete slab under the area where the trailer will be placed for ease of cleanup and stability.
4. Construct a three-sided roof structure over the concrete loading area, the trailer placement area with open sides below in order for the truck/trailer to drive thru.

Operation of Existing and New Improvements:

1. Currently the covered area with two containers next to the site office that are used for household garbage will be replaced with two containers for recyclable materials. The recyclable materials that currently sit outside will be relocated under covered area to minimize rainfall.
2. Self-haul customers with both household waste and bulky waste will be directed by the site attendant to unload their waste material under the new, larger, roof structure onto the concrete slab where the waste material will be pushed by a front-load loader directly into the

trailer. Before the material is pushed into the trailer the loader operator will visually inspect for hazardous materials or other materials not accepted at the landfill, since this trailer will be directed hauled to the landfill and bypass the Willits Transfer Station.

3. Once the recyclable materials under the covered area are full and during hours the public is not on site, the containers will be picked up by an onsite yard truck and dumped onto the concrete floor under the new, larger roof structure. Another type of trailer (walking floor) will be placed in the trailer location and the recyclable materials will be pushed into this trailer and when full will be transported directly to the material recovery facility in Willits to be cleaned, sorted, processed, baled, and transported to a market.
4. Scrap metal and green waste will continue to be stored at its current locations on site and moved off site by the front-end loader loading SWOW's trailers. No change in operations. This system has been in place using trailers for the last few years.
5. Currently on site are two smaller trailers provided by third-party vendors for the storage of mattresses and tires. These trailers are service a few times per year when full.
6. Used motor oil and electronics banned from the landfill use a double-walled tank and debris boxes provided by a third-party vendor. This service is also a few times per year.

Cost of New Improvements:

TBD

Options for Financing Improvements:

The available options for the financing of the Caspar improvements include the following:

The use of funds on hand, debt, increased gate fees or some combination thereof.

Debt could be assumed by either the County/City, or by SWOW if specifics were acceptable to all parties.

Any funding mechanism would have to extinguish the debt during the Term of a revised Caspar Lease term.

Possible options for repaying that debt follow:

1. Use part or all the current \$194,000 balance in the Caspar rent fund and supplement the remaining unfunded improvements with the future \$3 gate fee portion of rent, until the improvement debt has been extinguished. After the improvements' debt has been extinguished. Consider the elimination of the \$3 portion of the rent at that time to benefit the self-haul ratepayer.
2. Use part or all the current \$194,000 balance of the Caspar rent fund and supplement the remaining unfunded improvements with part of the future \$3 gate fee portion of rent, until the improvement debt has been extinguished. Consider the elimination of the \$3 portion of the rent at that time to benefit the self-haul ratepayer.
3. Use part or all the current \$194,000 balance of the Caspar rent fund and supplement the remaining unfunded improvements cost payments with part of the future \$3 gate fee portion of rent and a gate fee increase (net of any efficiency savings) to be determined, until the improvement debt has been

extinguished. Consider the elimination of the \$3 portion of the rent at that time to benefit the self-haul ratepayer.

Operating the Site without the efficiency of using "Possum Belly" trailers

Using 50 cubic yard boxes (Currently being Used)

Total number of cubic yards collected at the Caspar site in 2019: **22,342**.

Total number of 50 cubic yard boxes delivered to the Willits Transfer Station for disposal in 2019: **465**.

Total number of truck trips to Willits transfer Station using a truck and trailer combo: **233**.

Round trip from Willits to Caspar and back, 4.5 hours at \$90/hour. **\$405 per trip**.

Total cost \$94,365 (\$405 per trip x 233 trips).

Note: The 0.50-hour difference between round trips, the truck and trailer combo requires additional time to load and unload the truck trailer combo.

Using 115 cubic yard "possum belly" trailers as Proposed

Total number of cubic yards collected at the Caspar site in 2019: **22,342**.

Total number of 115 cubic yard trailers to the Willits Transfer in 2019: **199**

Round trip from Willits to Caspar and back, 4 hours at \$90/hour. **\$360 per trip**

Total cost \$71,640 (\$360 per trip x 199 trips).

Difference: \$22,725 or \$0.98/yard. (22,342 cubic yards divided by \$22,725 Savings).

Notice:

While SWOW plans to continue to act in good faith in regard to the Caspar Transfer Station Agreement, Notice is hereby given to the County of Mendocino and to the City of Fort Bragg that SWOW reserves all rights in any extension of the Caspar Transfer Station Agreement beyond June 30, 2021 through the actions of the Board of Supervisors of the County of Mendocino and the City Council of the City of Fort Bragg without the prior written agreement by SWOW to such extension.

Improvements to Caspar

Legend

 Caspar Transfer Station



300 ft

Existing Recyclable Material Containers

Scrap Metal Storage Area

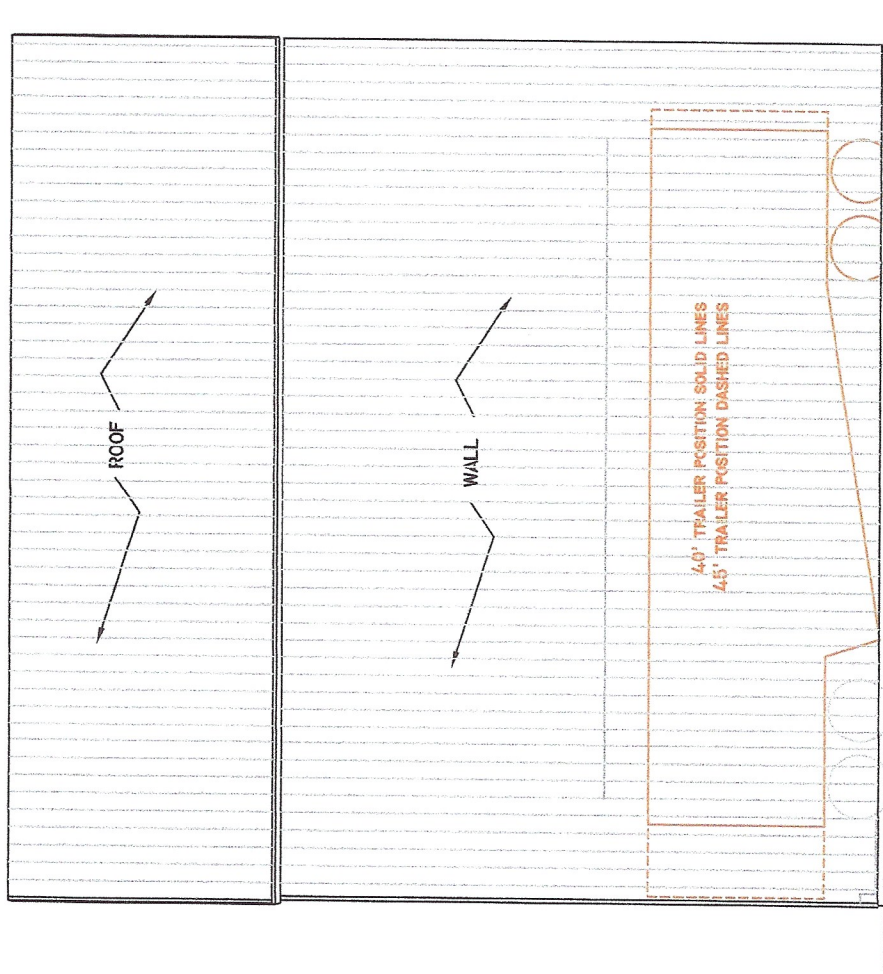
Caspar Transfer Station

Current Roof Structure for Self-haul Waste

Repurposed for Recyclable Material Containers

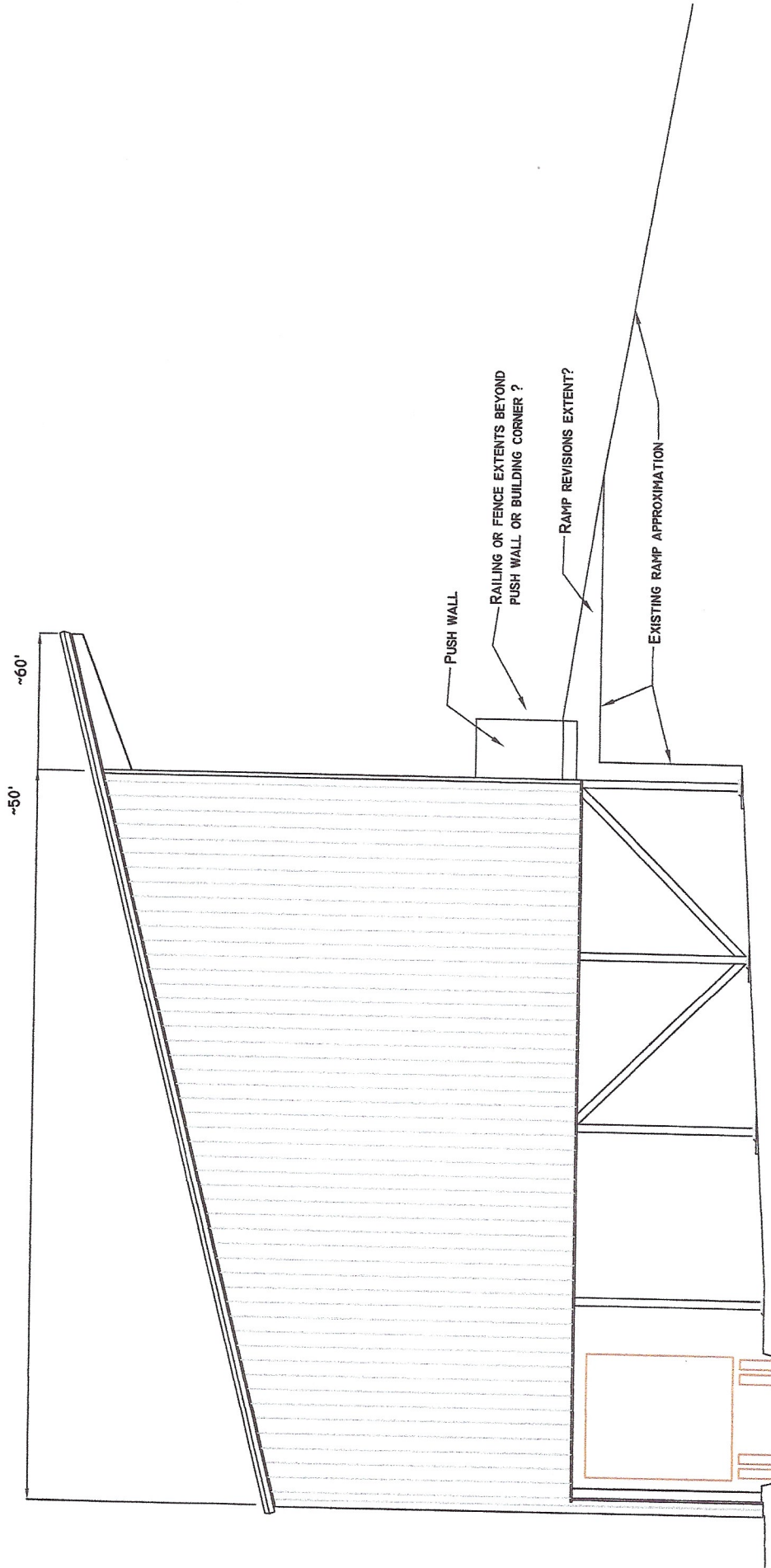
Proposed Ramp and 70x30 Roof Structure

Trailer



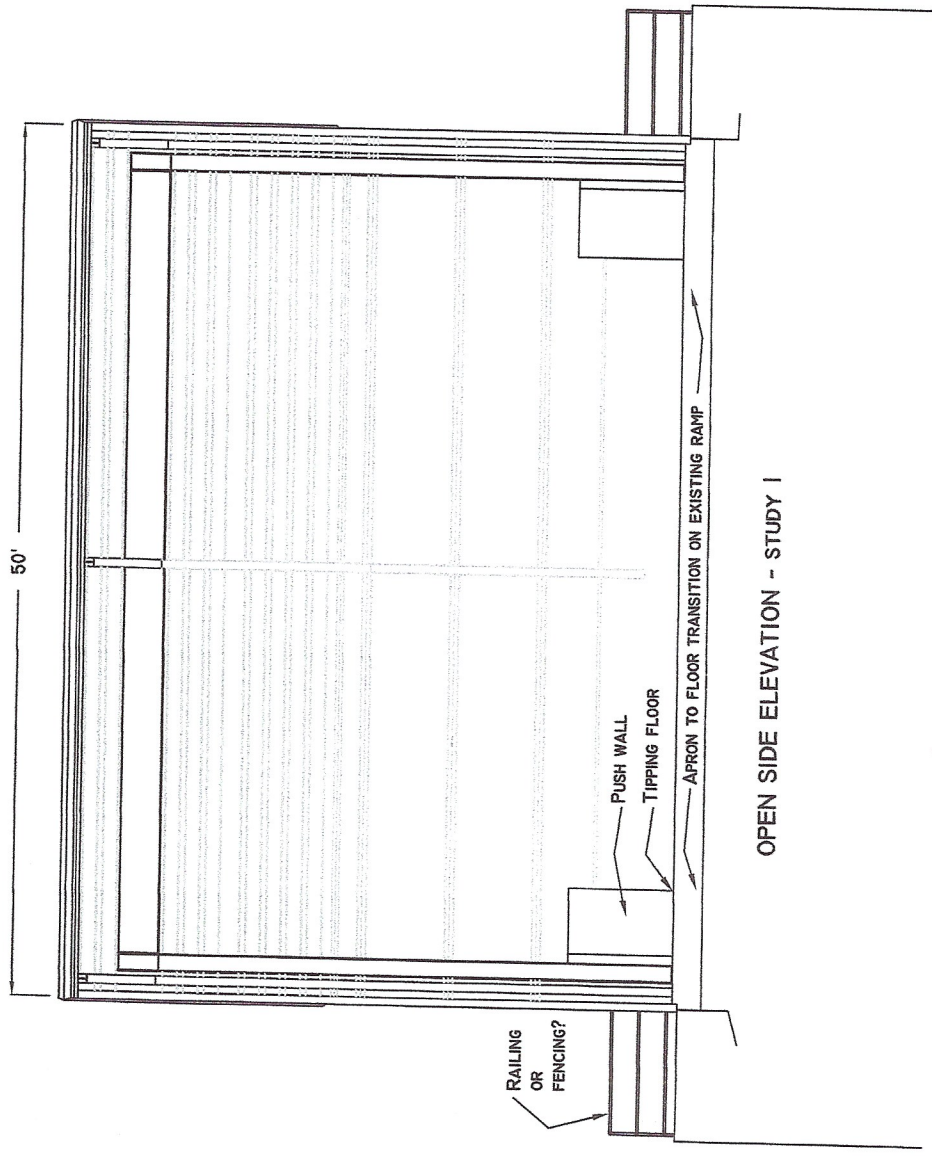
SCALE: $\frac{3}{32}'' = 1'-0''$

LOW EAVE SIDEWALL ELEVATION W/ VIEW OF ROOF - STUDY I

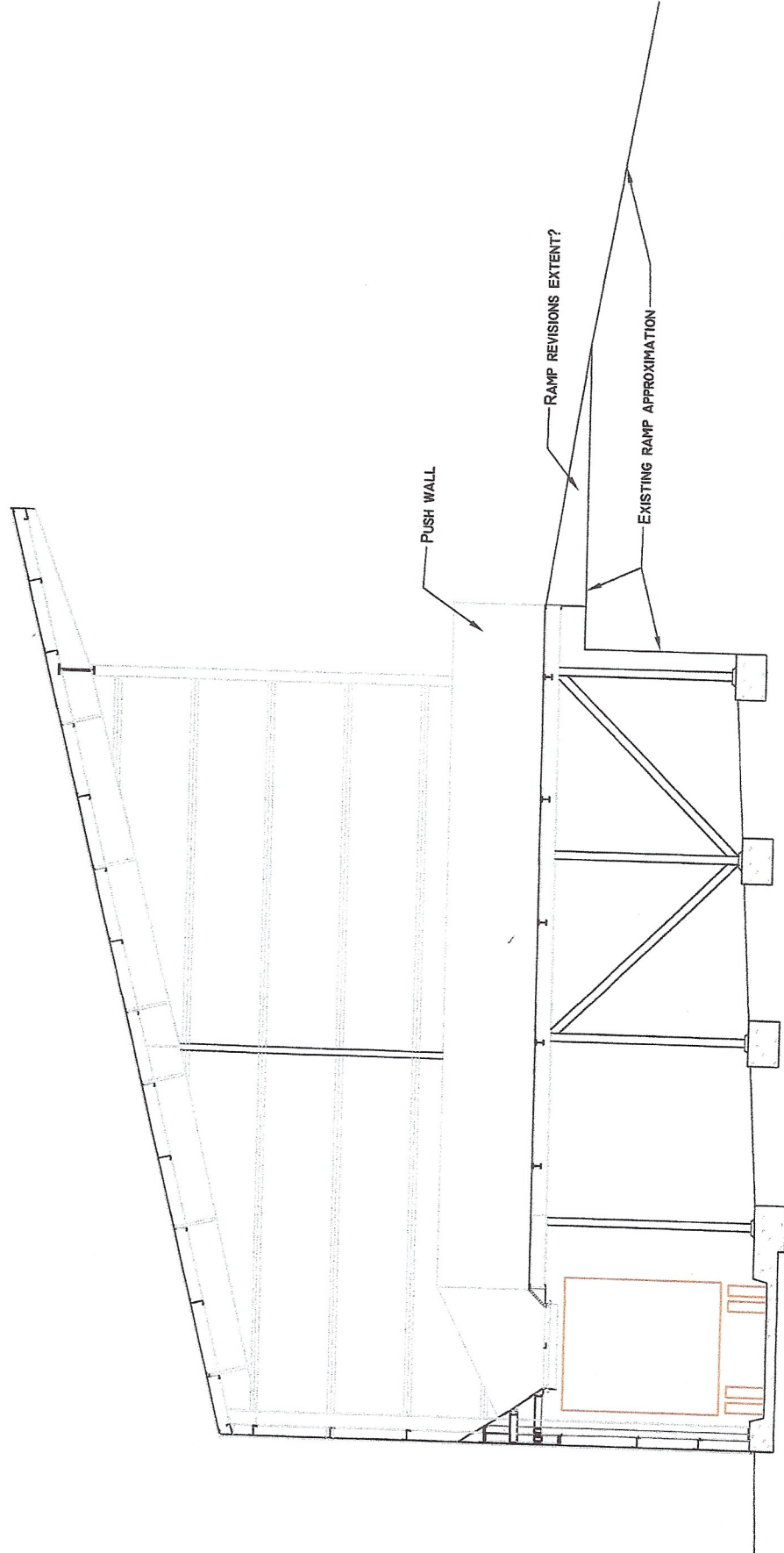


ENDWALL ELEVATION OPPOSITE END MIRROR IMAGE - STUDY I

SCALE: $\frac{3}{8}'' = 1'-0''$



SCALE: $\frac{3}{8}'' = 1' - 0''$



SCALE: 3/8" = 1'-0"

SECTION - STUDY I

Comments for Zoom Meeting RE: County Solid Waste Management Plan and Relocation of Coastal Transfer Station
July 19, 2021

To Be Read into the Record of Proceedings:

In October of 1995, Citizens for Sensible Solid Waste Planning (Citizens) signed a release with the County of Mendocino (County) stipulating that, (1). "Defendants (County) will continue in good faith to progress in landfill closure. Plaintiffs (Citizens) will remain on the public notification mailing list and be entitled to timely and appropriate disclosure consistent with the Public Records Act, particularly Government Code sec. 6254, with respect to monitored test well records; and (2). "The County will provide . . . the status of test well results from the landfill monitoring wells and evaluation of their results, including the then-current extent of contamination."

Please be informed that we, two members of Citizens, have received no test results from these monitoring wells since this promise was made over 25 years ago.

Arguably, the landfill was eventually closed, but the operation simply switched to a transfer site and continues in operation today. The problem of what to do with our waste just moved from one local landfill site to another out of the county. Twenty Five years have passed and a solution remains elusive.

Citizens for Sensible Solid Waste Planning now informs the County that it is beginning discussions of what next steps it might take to compel the County to move forward with a comprehensive alternative to the wasteful, exceedingly expensive, and completely inadequate stalling tactics used over the past 25 years to obfuscate a simple solution to the problem: purchase property on Highway 20 and build a state-of-the-art transfer station there. Think of the time and money that would have been saved if this process had begun 25 years ago when the County promised it would close the landfill property.

The time for action is now. Let's get this project moving forward instead of looking at past practices to guide decision-making.

We ask that the City Council and County Board act now to actualize promises made years ago to solve the coastal waste disposal problem.

Respectfully,

William and Marilyn Lemos