



AGENDA

MAY 7, 2024

REGULAR MEETING OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND CITY COUNCIL CITY OF YUBA CITY

6:00 P.M. REGULAR MEETING
COUNCIL CHAMBERS/VIRTUAL

MAYOR	• Shon Harris
VICE MAYOR	• Dave Shaw
COUNCILMEMBER	• Marc Boomgaarden
COUNCILMEMBER	• Wade Kirchner
COUNCILMEMBER	• Michael Pasquale
CITY MANAGER	• Diana Langley
CITY ATTORNEY	• Shannon L. Chaffin

1201 Civic Center Blvd
Yuba City CA 95993

Wheelchair Accessible

*The City has adopted a Reasonable Accommodations Policy that provides a procedure for receiving and resolving requests for accommodation to participate in this meeting. Please visit [yubacity.net ADA & Accessibility Resources page](http://yubacity.net/ADA&AccessibilityResources). If you need assistance in order to attend the City Council meeting, or if you require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the City Council, the City is happy to help. Accommodations should be requested as early as possible as additional time may be required in order to provide the requested accommodation; 72 hours in advance is suggested. Please contact City offices at (530) 822-4817 or **(TTY: 530-822-4732)**, so such aids or services can be arranged. Requests may also be made by email at cityclerk@yubacity.net or citymanager@yubacity.net or mail City Clerk, 1201 Civic Center Blvd, Yuba City, CA 95993.*

AGENDA
REGULAR MEETING OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT
AGENCY AND
CITY COUNCIL - CITY OF YUBA CITY
MAY 7, 2024
6:00 P.M. REGULAR MEETING
COUNCIL CHAMBERS/VIRTUAL

Materials related to an item on this Agenda submitted to the Council and the Successor Agency to the Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 1201 Civic Center Blvd., Yuba City, during normal business hours. Such documents are also available on the City of Yuba City's website at www.yubacity.net, subject to staff's availability to post the documents before the meeting.

The Council Chambers will be open for public attendance and participation. The meeting will also be live-streamed for public viewing, but not participation, at the following link: https://yubacity-net.zoom.us/webinar/register/WN_dCUbb8hRReyJ-AiLjmjbtg. Emailed comments sent to cityclerk@yubacity.net at least 24 hours before the meeting will be distributed to the City Council and the Successor Agency to the Redevelopment Agency prior to the meeting. Please identify the Agenda item(s) addressed in the comments.

Regular Meeting

Call to Order

Roll Call

- ☐ Mayor Harris
- ☐ Vice Mayor Shaw
- ☐ Councilmember Boomgaarden
- ☐ Councilmember Kirchner
- ☐ Councilmember Pasquale

Invocation/Inspiration

Pledge of Allegiance to the Flag

Agenda Modifications/Approval of Agenda

Ceremonial Presentations

1. **Housing Infill Analysis Project**
2. **Regional Waste Management Authority - SB 1383 Compliance Update**
3. **Sutter Animal Services Presentation**
4. **Potential November 2024 Revenue Measure Update**

Public Communication

5. **Appearance of Interested Citizens**

You are welcome and encouraged to participate in this meeting. Public comment is taken on action items appearing on the Consent Calendar or Business Items on the Agenda when they are called. Public comment on any other items within the scope of the City's jurisdiction, including items not listed on the Agenda will be considered at this time. Public comment is limited to three minutes per speaker. Members of the public submitting written requests at least 24 hours prior to the meeting will be allotted five minutes to comment per speaker. Repetitive comments may be limited, and large groups are encouraged to select representatives to express the opinions of the group.

Consent Calendar

All matters listed under Consent Calendar are considered to be routine and can be enacted in one motion. There will be no separate discussion of these items prior to the time that Council votes on the motion unless members of the City Council request specific items to be discussed or removed from the Consent Calendar for individual action.

6. Minutes from the April 16, 2024 Regular Meeting of the Successor Agency to the Redevelopment Agency and the City Council

Recommendation: Approve the Minutes from the April 16, 2024 Regular Meeting of the Successor Agency to the Redevelopment Agency and the City Council

7. Benefit Agreements

Recommendation: Adopt a Resolution to authorize continued use of benefit agreements previously approved under City Manager authority

8. Compliance Report for State Mandated Annual Fire Inspections

Recommendation: Adopt a Resolution acknowledging receipt of the Yuba City Fire Department's annual inspections report and recognizing the Department's level of compliance with California Health and Safety Code Sections 13146.2, 13146.3, and 13146.4

9. Presentation of Investment Report – Quarter Ended March 31, 2024

Recommendation: Note & File Quarterly Investment Report

10. Agreement for Purchase and Sale of Real Property located at 454 Stevens Avenue (APN 052-401-014) to Sukhvinder Bassi and Brett Scheidel

Recommendation: Adopt a Resolution authorizing the City Manager as Executive Director to the Successor Agency to the Redevelopment Agency of the City of Yuba City to execute an Agreement for Purchase and Sale of Real Property located at 454 Stevens Avenue (APN 052-401-014), and all other necessary documents, in the amount of \$40,000 to Sukhvinder Bassi and Brett Scheidel, and authorize the Finance Director to remit the proceeds to the Sutter County Auditor-Controller for distribution to the taxing entities per the Long Range Property Management Plan

11. Agreement for Purchase and Sale of 356 Wilbur Avenue (APN 052-401-009) to Sukhvinder Bassi and Brett Scheidel

Recommendation: Adopt a Resolution authorizing the City Manager to execute an Agreement for Purchase and Sale of Real Property located at 356 Wilbur Avenue (APN 052-401-009), and all other necessary documents, in the amount of \$40,000 to Sukhvinder Bassi and Brett Scheidel, and authorize the Finance Director to place sale proceeds in the General Fund

12. Agreement for Purchase and Sale of Real Property located at the northwest corner of Percy Avenue and Plumas Boulevard (APN 053-194-013) to Gursharan Mann

Recommendation: Adopt a Resolution authorizing the City Manager as Executive Director to the Successor Agency to the Redevelopment Agency of the City of Yuba City to execute an Agreement for Purchase and Sale of Real Property located at the northwest corner of Percy Avenue and Plumas Boulevard (APN 053-194-013), and all other necessary documents, in the amount of \$67,500 to Gursharan Mann, and authorize the Finance Director to remit the proceeds to the Sutter County Auditor-Controller for distribution to the taxing entities per the Long Range Property Management Plan

13. Agreement for Purchase and Sale of 265 Percy Avenue (APN 053-220-030) to Gursharan Mann

Recommendation: Adopt a Resolution authorizing the City Manager to execute an Agreement for Purchase and Sale of Real Property located at 265 Percy Avenue (APN 053-220-030), and all other necessary documents, in the amount of \$62,500 to Gursharan Mann, and authorize the Finance Director to place sale proceeds in the General Fund

14. Agreement for Purchase and Sale of Real Property located at the southwest corner of C Street and Wilbur Avenue (APN 052-380-017) to Sutter Valley Medical Foundation

Recommendation: Adopt a Resolution authorizing the City Manager as Executive Director to the Successor Agency to the Redevelopment Agency of the City of Yuba City to execute an Agreement for Purchase and Sale of Real Property located at the southwest corner of C Street and Wilbur Avenue (APN 052-380-017), and all other necessary documents, in the amount of \$335,000 to Sutter Valley Medical Foundation, dba Sutter Medical Foundation, and authorize the Finance Director to remit the proceeds to the Sutter County Auditor-Controller for distribution to the taxing entities per the Long Range Property Management Plan

15. Sutter County 2023 CDBG - Pathway to Work Program - Extension

Recommendation: Adopt a Resolution amending the Agreement between the City of Yuba City and Sutter County for the Pathway to Work Program, to allow for an extension to expend the 2023 CDBG funding allocation

16. Fleet Maintenance Budget Adjustments

Recommendation: Authorize the Finance Director to make a supplemental appropriation and related transfers of \$200,000 from various City divisions to the Fleet Maintenance Division operating budget (Account No. 6605) for vehicle and equipment services for the remainder of Fiscal Year 23/24

17. First Amended Improvement Agreement Final Map of Harter Marketplace

Recommendation: Adopt a Resolution authorizing the City Manager to approve the execution of the First Amended Improvement Agreement Final

Map of Harter Marketplace with Harter Packing Group, LLC, a California Limited Liability Company and Dharni Lada Yuba City, LLC, a California Limited Liability Company [Development is located on the west side of the Harter Parkway and north of State Route 20]

18. Sutter Bike Path Extension - Grant of Easement Deed

Recommendation: Adopt a Resolution authorizing the Mayor to execute an Easement Deed granting an easement to PG&E for operations and maintenance of their facilities and associated equipment on City-owned property

19. Sutter County Planning Commissioner Appointment

Recommendation: Reappoint Karri Campbell to the Yuba City Planning Commission for a third term

20. Code Enforcement Officer Safety Guidelines

Recommendation: Adopt a Resolution of the City Council of the City of Yuba City establishing Code Enforcement Officer Safety Guidelines pursuant to State Senate Bill 296

Business Items

21. Tierra Buena Community – Traffic Ad Hoc Committee

Recommendation: Establish and designate two (2) Councilmembers to steer the Tierra Buena Community Ad Hoc Committee for a period not to exceed one (1) year, unless additional action is taken by Council

22. Recycling Industries – Amendment to Use Permit (UP 17-05) and Development Plan (DP 17-03)

Recommendation: Adopt a Resolution of the City Council of the City of Yuba City denying an amendment to Use Permit 17-05 and Development Plan 17-03 based on the findings contained in the Resolution; Recycling Industries; located at 140 Epley Drive, Assessor's Parcel 54-083-026

23. Boat, Trailer, RV Parking Ordinance Update

Recommendation: A. Conduct a Public Hearing; then

B. Introduce an Ordinance of the City Council of the City of Yuba City amending regulations for the parking of boats, trailers, and recreational vehicles in one and two family residential districts by title only and waive the first reading, and approve exemptions pursuant to CEQA Guidelines Section 15061(b)(3) and 15301 (Existing Facilities)

24. City-County Cooperative Agreement - FY 2023-24 Sutter County Road Overlay Project

Recommendation: Adopt a Resolution authorizing the execution of a Cooperative Agreement with the County of Sutter for the roadway and roadway component improvements associated with the FY 2023-24 Sutter County Road Overlay Project

25. Police Department Evidence Storage Building (1545 Poole Blvd, Yuba City, CA 95993) - Contract Award

Recommendation: Adopt a Resolution which takes the following actions:

A. Awards a construction contract to Frank Webb Construction of Wheatland, CA in the amount of their total base bid of \$797,110.89, and adopts a CEQA Class 3 Categorical Exemption

B. Authorizes the City Manager to execute the contract on behalf of the City, subject to review and approval as to legal form by the City Attorney

C. Authorize the Finance Director to make a supplemental appropriation in the amount of \$155,000.00 from unallocated General Funds to CIP Account No. 901278 (Police Department Evidence Storage Building)

Future Agenda Items

26. Future Agenda Items

Reports and Communications

The following reports and communication items are provided for the Council's information. No action can be taken on items under this section unless the Council agrees to include it on a subsequent agenda

27. City Manager's Report

28. City Council Reports

Adjournment

Infill Housing in Small Town Settings



Infill Housing Analysis



City Council Meeting | May 7, 2024
Ashley Potočník, Development Liaison

Ashley Potočník, Development Liaison, will present on the Infill Housing Analysis conducted over the last two years in collaboration with SACOG. James Corless will be attending the meeting as well and plans to briefly address the Council following the presentation.

apotočník@yubacity.net | (office) 530-822-5195 | (mobile) 530-845-2532



SB1383 Compliance



Presented by:
Scott Scholz
Executive Director
May 7, 2024





Sutter Animal Services Authority

Presentation by:

Megan Anderson

Animal Services Manager





Potential November 2024 Revenue Measure Update

Presentation by:

Diana Langley

City Manager

CITY OF YUBA CITY

Public Communication

Members of the public may address the City Council on items of interest that are within the City's jurisdiction. Individuals addressing general comments are encouraged to limit their statements.

Procedure

You are welcome and encouraged to participate in this meeting. Complete a Speaker Card located in the lobby and give to the Clerk, public comment is taken on action items appearing on the Consent Calendar or Business Items on the Agenda when they are called. Public comment on any other items within the scope of the City's jurisdiction, including items not listed on the Agenda, will be considered at this time.

When a matter is announced, wait to be recognized by the Mayor to provide your comments to the Council. Comments should begin by providing your name and place of residence. A three minute limit is requested when addressing Council.

Request for additional time to address Council

Members of the public submitting written requests at least 24 hours prior to the meeting will be allotted 5 minutes to comment per speaker. Repetitive comments may be limited, and large groups are encouraged to select representatives to express the opinions of the group.

Procedure

When requesting to comment, please indicate your name and the topic and mail to:

City of Yuba City
Attn: City Clerk
1201 Civic Center Blvd
Yuba City CA 95993

Or email to:
Jackie Sillman, City Clerk
cityclerk@yubacity.net

CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By: Ciara Wakefield, City Clerk Administrator

Summary

Subject: Minutes from the April 16, 2024 Regular Meeting of the Successor Agency to the Redevelopment Agency and the City Council
Recommendation: Approve the Minutes from the April 16, 2024 Regular Meeting of the Successor Agency to the Redevelopment Agency and the City Council
Fiscal Impact: None

Attachments:

1. 04-16-2024 Regular Meeting Minutes (DRAFT)

Prepared By:
Ciara Wakefield
City Clerk Administrator

Submitted By:
Diana Langley
City Manager

ATTACHMENT 1

MINUTES (DRAFT)
REGULAR MEETING OF THE SUCCESSOR AGENCY
TO THE REDEVELOPMENT AGENCY AND
CITY COUNCIL - CITY OF YUBA CITY
APRIL 16, 2024
6:00 P.M. REGULAR MEETING
COUNCIL CHAMBERS/VIRTUAL

Regular Meeting

The Regular Meeting of the City Council and the Successor Agency to The Redevelopment Agency was called to order by Vice-Mayor Shaw at 6:00 PM

Roll Call

Present: Councilmembers Kirchner, Pasquale, and Vice-Mayor Shaw

Absent: Councilmembers Boomgaarden and Mayor Harris

Invocation/Inspiration

Spencer Fennell – Calvary Christian Center Youth Pastor

Pledge of Allegiance to the Flag

Tony Kurlan

Agenda Modifications/Approval of Agenda

No changes were made

Ceremonial Presentations

1. Child Abuse Awareness Month Proclamation

Vice-Mayor Shaw presented a proclamation to Mina York, Community Engagement Coordinator for Casa de Esperanza

2. Sexual Assault Awareness Month Proclamation

Vice-Mayor Shaw presented a proclamation to Mina York, Community Engagement Coordinator for Casa de Esperanza

3. National Public Safety Telecommunicators Week Proclamation

Vice-Mayor Shaw presented a proclamation to Commander Jim Runyen, Lieutenant Kim Slade, Communications Center Supervisor Deidra Geddis, and the Yuba City Dispatch team

Public Communication

4. Appearance of Interested Citizens

No public comment

Consent Calendar

Councilmember Kirchner moved and Councilmember Pasquale seconded the motion to approve Consent Calendar items 5-8

5. Minutes from the April 2, 2024 Regular Meeting of the Successor Agency to the Redevelopment Agency and the City Council

Approve the minutes of the April 2, 2024 Regular Meeting of the Successor Agency to the Redevelopment Agency and the City Council

6. Proposition 1 Integrated Regional Water Management Round 2 Grant

Adopt **Resolution 24-034** authorizing the City Manager to enter into an Agreement with Sutter County, allowing the allocation of Proposition 1 Integrated Regional Water Management Round 2 grant funds for the City's Spiva Avenue Water Main Replacement project

7. Spiva Avenue Waterline Replacement Project

Adopt **Resolution 24-035** adopting CEQA Class 1 and Class 2 Categorical Exemptions, approving the plans and specifications for the Spiva Avenue Waterline Replacement Project and authorizing advertisement for bids on the project

8. Sale of 1480 Williamsburg Drive to Frank and Lynn Hopkins

Adopt **Resolution 24-036** that:

- A. Authorizes the City Manager to execute an Agreement for Purchase and Sale of Real Property located at 1480 Williamsburg Drive (APN 062-250-040), and all other necessary documents, in the amount of \$28,000 to Frank and Lynn Hopkins
- B. Authorizes the Finance Director to place sale proceeds in the Water Fund

9. Community Sponsorship Request

Consider the sponsorship request from Shri Guru Ravidass Temple, and if approved:

Adopt **Resolution 24-037** to approve a monetary sponsorship request from the Shri Guru Ravidass Temple of \$2,500.00 to assist in funding the Cultural Community Parade

The motion was passed with 3 votes [Boomgaarden & Harris absent]

Business Items

There were no business items on the agenda

Future Agenda Items

10. Future Agenda Items

No suggestions were made

Reports and Communications

11. City Manager's Report

12. City Council Reports

- Councilmember Kirchner
- Councilmember Pasquale
- Vice-Mayor Shaw

Adjournment

Vice-Mayor Shaw adjourned the Regular Meeting of the City Council and the Successor Agency to The Redevelopment Agency at 6:24 PM

CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Human Resources Department
Presentation By: Natalie Springer, Human Resources Director

Summary

Subject: Benefit Agreements
Recommendation: Adopt a Resolution to authorize continued use of benefit agreements previously approved under City Manager authority
Fiscal Impact: Benefit premiums are approved through the annual approval of the budget. Additionally, the annual cost for each benefit vendor varies on the monthly enrollment count. It is estimated that the 2024 administrative fee for PRISM Health is \$5,000, CBA is \$17,100, and CalPERS Health \$6,000.

Purpose:

To approve a Resolution to proactively obtain Council approval to continue to use benefit agreements that were approved under the City Manager's authority.

Council's Strategic Goal:

This staff report addresses the City Council's Strategic Goal of public safety and business friendly. Having a competitive benefits package allows the City to remain as an employer of choice and retain employees who provide service to the public.

Background:

The City is obligated to provide benefits due to the Memorandum of Understandings (MOUs) with the eight (8) bargaining units and resolution or agreements with unrepresented employee groups (Confidentials and Department Heads). Additionally, the City's Personnel Rules and Regulations, 2.07, Benefit Program, states that City Council is responsible for the implementation and modification of the compensation and benefit program.

Providing benefits is generally acceptable for large employers as it ensures the employer can compete for employees. If the City were not to provide benefits in line with other local public agencies, it would be determinantal to the recruitment and retention of employees.

While benefits are required under the MOUs, resolution or agreements, and the City Rules and Regulations, offering common benefits such as health care, dental and vision, retirement, long term and short term disability, etc. supports employees and their families. By offering essential benefits such as these, the City ensures a strong organizational foundation for recruiting and retaining staff.

The City Manager previously approved certain benefit agreements under the authority granted by the Council and consistent with the budget and MOUs approved by the City Council. However, it is anticipated that in the near future that the ongoing cost of the various benefit agreements will exceed the City Manager's authority as to each agreement. This item is before the Council for approval to continue to utilize the benefit agreements.

Retirement Contributions

As numerous public employers, the City offers retirement benefits through the California Public Employees' Retirement System (CalPERS). CalPERS plays a vital role in securing retirement for public employees across California. CalPERS does not have a direct administrative fee for retirement. The City also offers a 457 deferred compensation plan and retirement health savings (RHS) account through Mission Square. Depending on the bargaining unit/unrepresented employee group, the City may provide a contribution to the deferred compensation plan or retirement health savings account.

In late 2023, as part of the Yuba City's Police Officers Association (POA), Police First Level Managers (PFLM), and Police Mid-Managers (PMM) MOUs, City Council approved three (3) new RHS accounts with the specific contributions identified in the MOU. With the approved MOUs, staff will establish the RHS accounts with Mission Square, resulting in three (3) new accounts under the current RHS plan.

Medical Plans

Offering medical coverage as part of permanent employment is a common benefit for a large public employer such as the City. As such, the City offers two (2) different plans based on the bargaining unit or unrepresented employee group.

The City joined the PRISM (Public Risk Innovation, Solutions, and Management) program in 2008. PRISM is a Joint Powers Authority (JPA) comprised of California counties, cities, and public agencies organized to jointly develop and fund insurance and related programs with the most favorable terms and costs. Each public entity participating in the PRISMHealth Program receives service support from a dedicated program management team. The City provides PRISMHealth to Public Employees' Union, Local #1 (Local 1), First Level Managers (FLM), Mid-Managers (MM), unrepresented Confidentials, civilian Department Heads including the Fire Chief and City Manager.

Additionally, the City is transitioning to a new third party administrator/benefit administration vendor under the PRISMHealth Program effective January 1, 2025. The PRISMHealth Program provides a limited selection of third party administrators/benefit administration vendors. For PRISMHealth, the City incurs a monthly administrative fee of \$2.00 for active employees and the same rate of \$2.00 for retirees. Monthly premium invoices are sent by the program for the third party administrator vendor costs.

POA, PFLM, PMM, and Police Chief are eligible for CalPERS Health. For CalPERS Health, the City incurs a monthly administrative fee of 0.32% on the total active premiums and the same rate of 0.32% on the total retiree premiums. Also, please note that Police employees are eligible for PEHMCA (Public Employees' Medical & Hospital Care Act) minimum payments towards retiree medical.

Dental/Vision

Another piece of a general benefits package is dental and vision insurance for employees. The City is self-insured for dental and vision, meaning the City doesn't contract with a third-party insurance company. The City utilizes a third party administrator, CBA (Custom Benefit Administrators), for administration of dental and vision claims. For CBA, the City incurs a monthly administrative fee of \$4.90 for active employees and the same rate of \$4.90 for retirees.

Disability Programs

On February 20, 2024, the City Council authorized staff to transition to new external short-term disability

programs. State Disability Insurance (SDI) was selected by the bargaining units for Local 1, FLM, and civilian employees in PFLM and UNUM was selected for MM and unrepresented employees. Currently, the City maintains life insurance, accidental death & dismemberment (AD&D) and long-term disability insurance for City employees (benefits provided vary by bargaining unit) with UNUM. According to the City's benefits broker, EPIC, UNUM does not charge any administrative fees and the rates are based on the premium cost.

Benefit Broker

The City retains a benefits broker, EPIC, that offers specialized services and cost-saving bundled services that otherwise would not be available to staff. PRISM pays EPIC commission for medical, life and disability enrollments. Part of EPIC's role is to competitively shop benefit plans for the City and serve as a resource for staff and employees on benefit questions. They also help develop strategies for an everchanging benefit horizon.

Other Benefits

The City provides other benefits to employees such as flexible spending accounts as well as other optional benefits paid for by employees, like AFLAC. A full listing of the benefits provided can be found in the City's Benefit Summaries by bargaining unit that is available on the City's website.

Analysis:

During the transition to a new external short-term disability programs and a new third party administrator, staff reviewed multi-year professional services with benefit vendors to determine if the combined total possibly exceeded any authorization levels identified in the purchasing policy.

In conjunction with City Attorney consultation, Staff prepared this Resolution to ensure multi-year benefit vendor agreements are contained in one Resolution for Council approval for the identified benefit providers:

- PRISM - PRISMHealth Program Third Party Administrator
- UNUM - Life insurance, AD&D short-term and long-term disability insurance
- Combined Benefit Administrator - dental/vision
- CalPERS retirement and medical
- MissionSquare Retirement

Fiscal Impact:

Benefit premiums are approved through the annual approval of the budget. Additionally, the annual cost for each benefit vendor varies on the monthly enrollment count. It is estimated that the 2024 administrative fee for PRISM Health is \$5,000, CBA is \$17,100, and CalPERS Health \$6,000.

Alternatives:

If this Resolution is not approved, this will have an immediate impact on employees' benefits. City Council will need to provide direction to Staff to ensure this decision doesn't impact the stability of the organization.

Recommendation:

Adopt a Resolution to authorize continued use of benefit agreements previously approved under City Manager authority.

Attachments:

1. Benefit Vendors Resolution Final

Prepared By:

Sheleen Loza
Administrative Analyst

Submitted By:

Diana Langley
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING THE CONTINUED USE OF PROFESSIONAL SERVICES
AGREEMENTS PREVIOUSLY AUTHORIZED UNDER CITY MANAGER
AUTHORITY**

WHEREAS, City Council adopted Purchasing Policy that provides direction to staff on all professional service and sole source agreements and;

WHEREAS, such process promote the efficient use of public resources, and is in the best interest of the City and;

WHEREAS, the City Manager previously approved certain agreements under the authority granted by the Council and consistent with the budget and Memorandums of Understanding approved by the City Council; and

WHEREAS, it is anticipated that in the near future that the ongoing cost of the benefit agreements will exceed the City Manager's authority; and

WHEREAS, the City Council now desires to approve the continued use of the professional services agreements for benefits as set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City as follows:

- 1) The City Council approves the ongoing use of the following benefit agreements that were previously approved by the City Manager under the City Manager's authority:
 - a. PRISMHealth Program Third Party Administrator
 - b. Combined Benefit Administrator
 - c. UNUM
 - d. CalPERS
 - e. MissionSquare
- 2) The City Council finds that the pre-authorization as provided for herein promotes the efficient use of public resources, and is in the best interest of the City.

The foregoing Resolution of the City Council of the City of Yuba City was duly introduced, passed and adopted at a regular meeting thereof held on the 7nd day of May 2024.

AYES:

NOES:

ABSENT:

Shon Harris, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNCIL FOR YUBA CITY:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Fire Department
Presentation By: Jesse Alexander, Fire Chief

Summary

Subject: Compliance Report for State Mandated Annual Fire Inspections
Recommendation: Adopt a Resolution acknowledging receipt of the Yuba City Fire Department's annual inspections report and recognizing the Department's level of compliance with California Health and Safety Code Sections 13146.2, 13146.3, and 13146.4
Fiscal Impact: None

Purpose:

Provide a review of the Fire Department's efforts to meet its mandated annual Educational and Residential inspection obligations.

Council's Strategic Goal:

This report addresses the City Council's Public Safety Strategic Goal, by performing life safety inspections by the Fire Department.

Background:

California Senate Bill 1205 (SB 1205) was signed into law on September 27, 2018, after the tragic Ghost Ship Fire in December 2016 brought national attention to California and put a spotlight on fire safety laws as well as the performance of fire inspections. This law amends preceding law such that an annual report on state mandated inspections is now required to be submitted to the governing body of each jurisdiction having authority for inspections. The law also requires the report to be delivered when the City Council discusses its annual budget or at another time determined by the City Council. City Council shall acknowledge receipt of the report made in a Resolution or a similar formal document.

State mandated inspections were enacted by California Health & Safety Code Sections 13146.2 and 13146.3 and requires all fire departments that provide fire protection services to perform annual inspections in every building used as a public or private school, hotel, motel, lodging house, apartment house, and certain residential care facilities for compliance with building standards. California Health & Safety Code Section 13146.4 requires all fire departments that provide fire protection services to report annually to its administering authority on its compliance with sections 13146.2 & 13146.3

Although there are no penalties identified in the law, adoption of this Resolution will establish Yuba

City's intent to fulfill the requirements of SB 1205 by acknowledging the Fire Department's compliance with California Health and Safety Code Sections 13146.2 and 13146.3, which identifies the state mandated inspections.

Analysis:

Annually, the Fire Department is required to conduct inspections of all public and private schools, hotels, motels, lodging houses, and apartment/condominium buildings, in accordance with California Health and Safety Code Section 13146.2 and 13146.3. The purpose of annual fire inspections is to mitigate known hazards, reduce risk to the community, and ensure reasonable compliance with the California Fire Code. The Fire Department has completed its initial annual inspection of all mandated buildings that are included within the mandate for fiscal year 2023-2024.

California Health and Safety Code Section 13146.2 mandates that the local fire department inspect all hotels, motels, and lodging houses once annually. The Fire Department has inspected (11) hotels/motels, which includes an additional (5) buildings associated with these facilities.

California Health and Safety Code Section 13146.2 also mandates that the local fire department inspect all apartment buildings. The California Building Code also specifies that condominiums should be considered apartments for building code application. An apartment shall consist of three or more attached units, and excludes all duplex-style buildings. The Fire Department has inspected (305) apartment complexes, which includes an additional (75) buildings associated with these facilities.

California Health and Safety Code Section 13146.3 mandates that the local Fire Department inspect all public, private and commercial day care schools once annually. The Fire Department has inspected (45) school facilities that total (244) buildings within these facilities.

In total, the Fire Department has conducted (361) mandated annual inspections during the 2023-2024 fiscal year, and has completed initial inspections of all known buildings and structures required to be inspected within the California Health and Safety Code mandate. Furthermore, the acceptance of this compliance report and the recommended resolution fulfill the statutory requirements contained in California Health and Safety Code Section 13146.2, 13146.3, and 13146.4, as amended by SB 1205.

Fiscal Impact:

None

Alternatives:

1. Do not adopt the Resolution
2. Provide further direction to staff

Recommendation:

Adopt a Resolution acknowledging receipt of the Yuba City Fire Department's annual inspections report and recognizing the Department's level of compliance with California Health and Safety Code Sections 13146.2, 13146.3 and 13146.4.

Attachments:

1. SB 1205 Resolution 2024
2. Senate Bill 1205
3. Health & Safety Code Sec 13146.4

Prepared By:
Jesse Frias
Fire Marshal

Submitted By:
Diana Langley
City Manager

ATTACHMENT 1

RESOLUTION NO. ____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ACKNOWLEDGING THE YUBA CITY FIRE DEPARTMENT'S COMPLIANCE
WITH SECTIONS 13146.2, 13146.3, and 13146.4 OF THE CALIFORNIA
HEALTH AND SAFETY CODE**

WHEREAS, California Health and Safety Code Section 13146.4 requires all fire departments that provide fire protection services to report annually to its administering authority on its compliance with Sections 13146.2 and 13146.3; and

WHEREAS, California Health and Safety Code Sections 13146.2 and 13146.3 require all fire departments that provide fire protection services to perform annual inspections in every building used as a public or private school, hotel, motel, lodging house, and apartment house for compliance with building standards; and

WHEREAS, the City Council of Yuba City intends this Resolution to fulfill the requirements of the California Health and Safety Code regarding acknowledgment of the Yuba City Fire Department's compliance with California Health and Safety Code Sections 13146.2, 13146.3, and 13146.4.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Yuba City expressly acknowledges the measure of compliance of the Yuba City Fire Department with the California Health and Safety Code Sections 13146.2, 13146.3, and 13146.4, and accepts the annual report from the Fire Department.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 7th day of May, 2024

AYES:

NOES:

ABSENT:

ATTEST:

Shon Harris, Mayor

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

SHANNON CHAFFIN, CITY ATTORNEY
ALESHERE & WYNDER, LLP

ATTACHMENT 2

Senate Bill No. 1205

CHAPTER 854

An act to add Section 13146.4 to the Health and Safety Code, relating to fire protection.

[Approved by Governor September 27, 2018. Filed with
Secretary of State September 27, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1205, Hill. Fire protection services: inspections: compliance reporting.

Existing law requires the chief of any city or county fire department or district providing fire protection services and his or her authorized representatives to inspect every building used as a public or private school within his or her jurisdiction, for the purpose of enforcing specified building standards, not less than once each year, as provided. Existing law requires every city or county fire department or district providing fire protection services that is required to enforce specified building standards to annually inspect certain structures, including hotels, motels, lodging houses, and apartment houses, for compliance with building standards, as provided.

This bill would require every city or county fire department, city and county fire department, or district required to perform the above-described inspections to report annually to its administering authority, as defined, on the department's or district's compliance with the above-described inspection requirements, as provided. The bill would require the administering authority to acknowledge receipt of the report in a resolution or a similar formal document. To the extent this bill would expand the responsibility of a local agency, the bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

The people of the State of California do enact as follows:

SECTION 1. Section 13146.4 is added to the Health and Safety Code, to read:

13146.4. (a) Every city or county fire department, city and county fire department, or district required to perform an annual inspection pursuant

to Sections 13146.2 and 13146.3 shall report annually to its administering authority on its compliance with Sections 13146.2 and 13146.3.

(b) The report made pursuant to subdivision (a) shall occur when the administering authority discusses its annual budget, or at another time determined by the administering authority.

(c) The administering authority shall acknowledge receipt of the report made pursuant to subdivision (a) in a resolution or a similar formal document.

(d) For purposes of this section, “administering authority” means a city council, county board of supervisors, or district board, as the case may be.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

O

ATTACHMENT 3

State of California

HEALTH AND SAFETY CODE

Section 13146.4

13146.4. (a) Every city or county fire department, city and county fire department, or district required to perform an annual inspection pursuant to Sections 13146.2 and 13146.3 shall report annually to its administering authority on its compliance with Sections 13146.2 and 13146.3.

(b) The report made pursuant to subdivision (a) shall occur when the administering authority discusses its annual budget, or at another time determined by the administering authority.

(c) The administering authority shall acknowledge receipt of the report made pursuant to subdivision (a) in a resolution or a similar formal document.

(d) For purposes of this section, “administering authority” means a city council, county board of supervisors, or district board, as the case may be.

(Added by Stats. 2018, Ch. 854, Sec. 1. (SB 1205) Effective January 1, 2019.)

CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Finance/IT Department
Presentation By: Spencer Morrison, Finance Director

Summary

Subject: Presentation of Investment Report – Quarter Ended March 31, 2024
Recommendation: Note & File Quarterly Investment Report
Fiscal Impact: Informational item only

Purpose:

To provide information regarding the investment of City funds.

Council's Strategic Goal:

This staff report addresses the City Council's Strategic Goal of fiscal responsibility.

Background:

In accordance with the City's adopted Investment Policies, staff prepared the attached investment report for City Council review for the previous quarter (January, February, March 2024).

Analysis:

Portfolio Highlights:

- As of March 31, 2024, the City's overall investment portfolio (estimated market value) totaled \$155,224,074, an increase of \$10,123,765 from the previous quarter.
- Notable transactions during the quarter that affected cash flow included:
 1. Property tax remittance, assessments, and CSA-G revenue, \$11.7 million
 2. SBFCA expenses \$3.4 million; revenue and assessments, \$4.8 million;
 3. Gas tax, SB1, TDA/LTF and other streets & roads receipts, \$2.7 million;
 4. Sales tax receipts, \$4.6 million;
- The portfolio shows a "paper loss" of \$1,072,825 as of March 31st. This represents the amount of value that the City would lose if it were to liquidate its entire portfolio at the end of the reporting period. However, such losses will not be realized if the investments are held until

maturity (which is the City's general investment strategy).

- The City's portfolio is still replacing lower yield instruments with higher yields with each maturing bond in this fixed income market, and the overall portfolio yield increased compared to past quarters. The portfolio remains positioned for a higher yield environment by keeping the maturity dates of our purchases in a longer position, currently 1.24 weighted average years to maturity, while remaining watchful for signs of an economic shift. For the quarter ended 3/31/24, 52 investments matured or sold, partially or in whole, with an average yield of 0.97%. Exclude asset-backed securities and six investments matured or sold with an average yield of 1.48%. These funds, along with LAIF holdings, were invested in 11 instruments with an average yield of 4.48%. The Weighted Average Yield to Maturity of the City's total investment portfolio increased from 3.62% to 3.83% for the quarter.
- The City's cash flow needs will be met by roughly \$65.3 million in liquid assets as of March 31st (approximately 42.9% of the City Held Investments portfolio value) that is currently invested in LAIF, CAMP, First American money management funds, and in the City's Wells Fargo checking account.

Outlook: Cautiously optimistic that more than one or two rate cuts will be warranted, the City's portfolio remains positioned for longer maturities to hang onto the higher interest revenue for as long as we can. Positive outlooks in economic growth, consumer spending, and labor markets seem to be outweighing inflation, monetary policy and financial conditions issues and fixed income yields remain strong making US Treasury Bonds attractive for the foreseeable future.

Summary Overview: The City's investment portfolio continues to remain safe and stable. Each investment complies with state law and the City's formal Investment Policies. Our three primary objectives for the City's portfolio are safety, liquidity, and then yield. Staff continues to conservatively look for opportunities in today's marketplace while remaining focused on our primary objectives.

Fiscal Impact:

Informational item only

Recommendation:

Note and file the Quarterly Investment Report for the period ending March 31, 2024.

Attachments:

1. Investment Report

Prepared By:
Spencer Morrison
City Treasurer

Submitted By:
Spencer Morrison
City Treasurer

Attachment 1



City of Yuba City

Treasurer's Quarterly Investment Report

AS PRESCRIBED BY CALIFORNIA GOVERNMENT CODE SECTION 53646

March 31, 2024

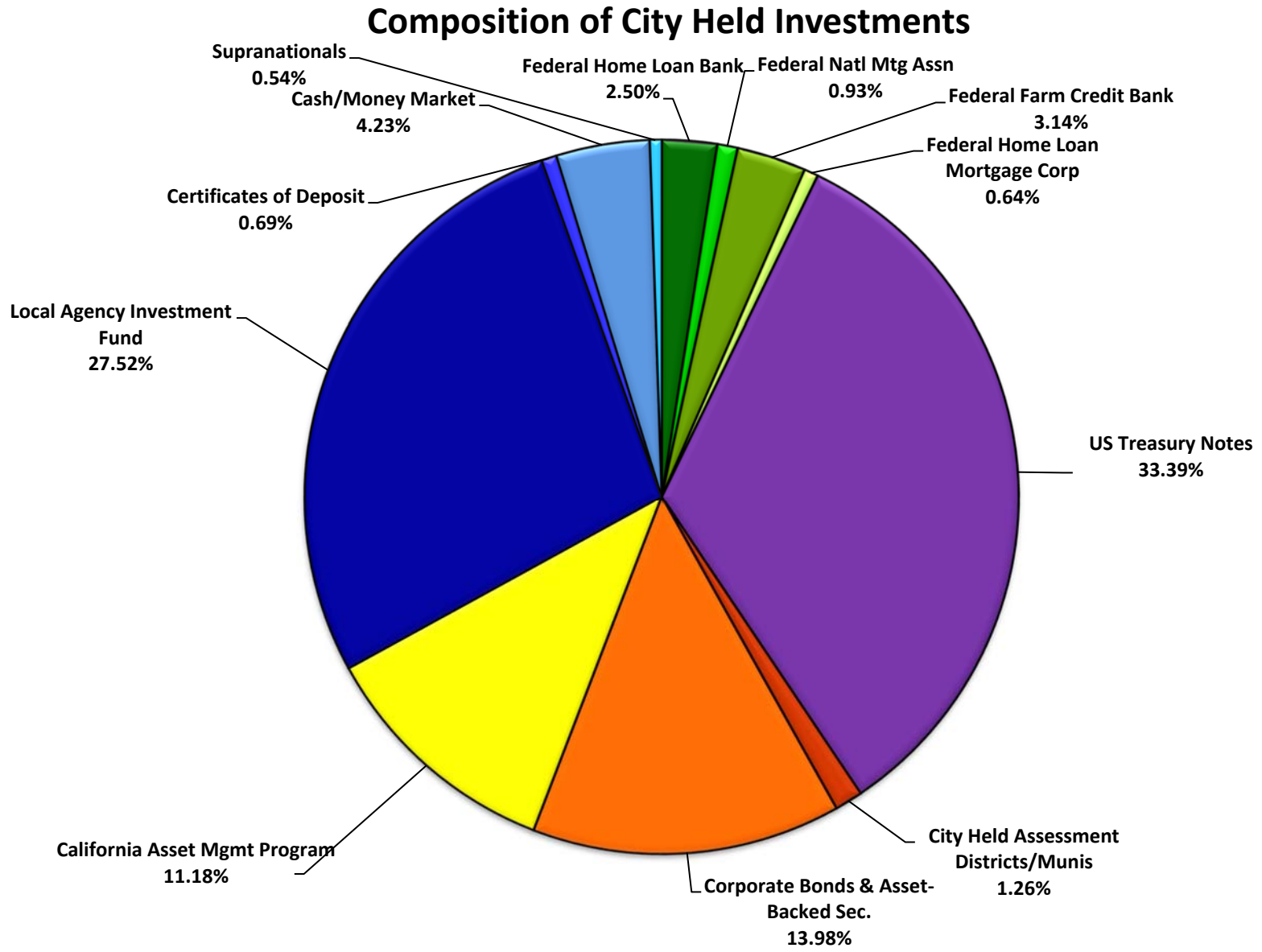
**City of Yuba City – Month-By-Month Comparison Report
March 31, 2024**

The following table provides a comparison of the portfolio for the quarter ending December, and the previous quarters ended June, September, and December 2023.

Portfolio Comparison				
	6/30/23	9/30/23	12/31/23	3/31/24
Cost Basis	\$168,112,812	\$151,626,311	\$146,021,344	\$156,296,899
Estimated Market Value	164,713,193	148,653,751	145,100,309	155,224,074
Unrealized Gains/(Losses) ⁽¹⁾	(3,399,620)	(2,972,560)	(921,034)	(1,072,825)
Liquidity	50.93%	45.14%	42.52%	42.93%
Weighted Average Years: Maturity of City Held Funds	1.11 years	1.19 years	1.20 years	1.24 years
LAIF Interest Rate	3.167%	3.534%	4.000%	4.300%
CAMP Interest Rate	5.24%	5.24%	5.550%	5.480%
Portfolio: Weighted Average Yield to Maturity at Market	3.11%	3.31%	3.62%	3.83%
CPI (Annualized)	3.0%	3.7%	3.4%	3.5%

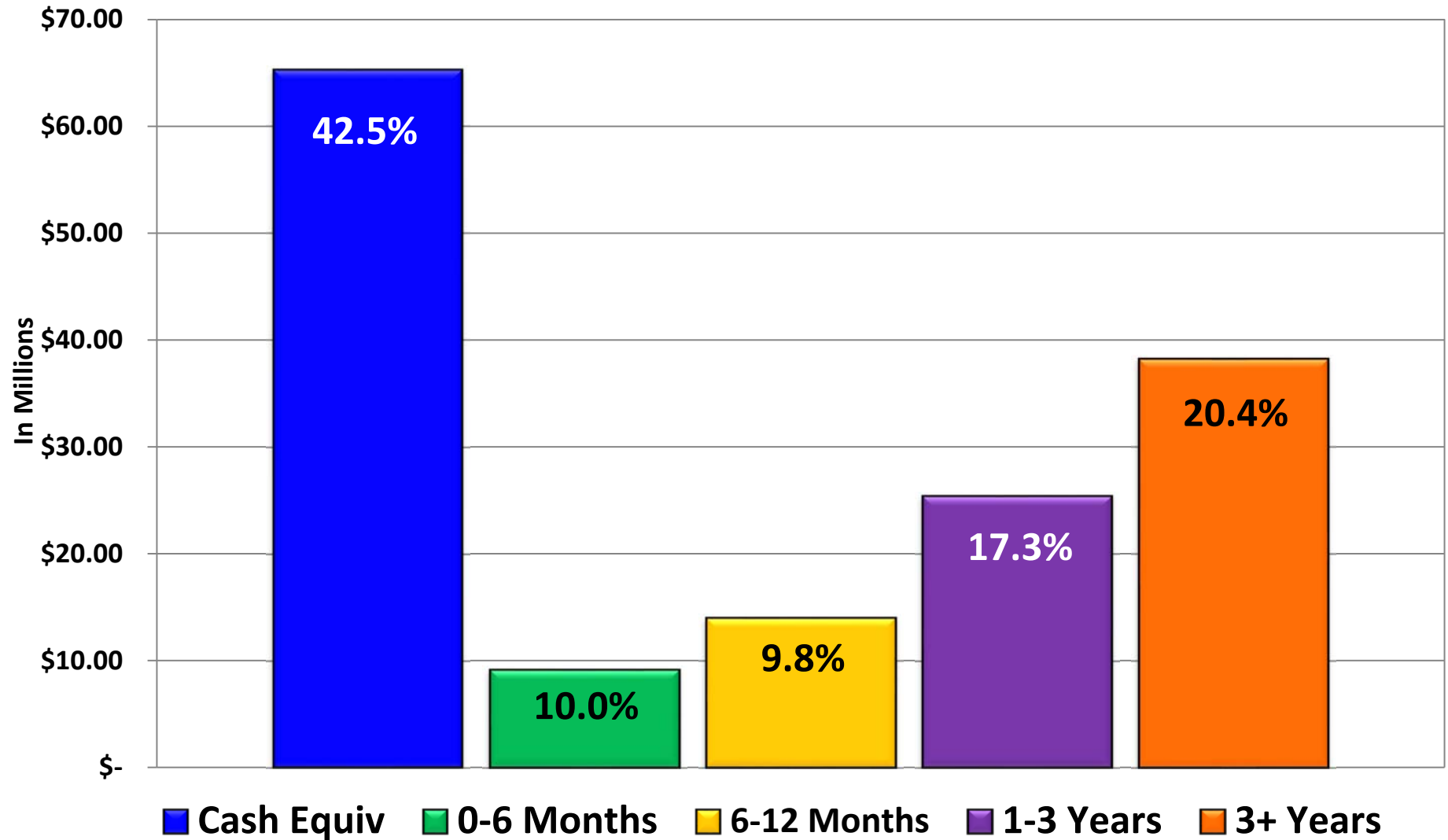
Note: (1) This represents the amount of money that the City would gain (or lose) if it were to liquidate its entire portfolio at the end of the reporting period. However, such gains (or losses) will not be realized if the investments are held until maturity (which is the City's historical investment strategy).

City of Yuba City – Quarterly Investment Report
March 31, 2024



City of Yuba City – Quarterly Investment Report
March 31, 2024

City Held Investment Portfolio Maturity Distribution



**City of Yuba City
Monthly Investment Statement
City Held Investments**

March 2024

No.	Description of Security	CUSIP NO.	Maturity Date	Coupon Rate	Yield to Maturity	Cost Basis	Estimated Market Value	Unrealized Gain/(Loss)
	U.S. Consumer Price Index (Inflation)		03/01/24		3.500%			
1	Local Agency Investment Fund (LAIF)	N/A	Daily	4.300%	4.300%	\$ 42,101,818	\$ 41,829,972	\$ (271,846)
2	Calif. Asset Management Program (CAMP)	N/A	Daily	5.480%	5.480%	\$ 17,000,326	\$ 17,000,326	-
3	Wells Fargo Money Market & Checking Accts.	N/A	Daily (Sweep)	5.180%	5.180%	\$ 5,916,965	\$ 5,916,965	-
4	First American Institutional Prime	26200630S	Daily	4.840%	4.840%	\$ 519,149	\$ 519,149	-
5	US Treasury Notes	912828W71	03/31/24	2.125%	1.673%	\$ 662,443.58	\$ 650,000	(12,444)
6	Federal Home Loan Bank	3130AMQQ8	04/23/24	0.350%	0.350%	\$ 1,500,000.00	\$ 1,495,530	(4,470)
7	US Treasury Notes	912828X70	04/30/24	2.000%	1.591%	\$ 509,003.91	\$ 498,650	(10,354)
8	IBM Corporate Notes	459200JY8	05/15/24	3.000%	0.538%	\$ 540,180.00	\$ 500,489	(39,691)
9	IBM Corporate Notes	459200JY8	05/15/24	3.000%	0.715%	\$ 535,390.00	\$ 496,051	(39,339)
10	Caterpillar Mtn	14913R2L0	05/17/24	0.450%	0.497%	\$ 998,750.00	\$ 993,490	(5,260)
11	American Honda Finance Corp Med Term Notes	02665WCZ2	06/27/24	2.400%	2.430%	\$ 249,602.50	\$ 248,140	(1,463)
12	US Treasury Notes	912828XX3	06/30/24	2.000%	1.653%	\$ 456,714.85	\$ 440,124	(16,590)
13	US Treasury Notes	912828XX3	06/30/24	2.000%	1.419%	\$ 1,127,113.28	\$ 1,086,170	(40,943)
14	US Treasury Notes	912828XX3	06/30/24	2.000%	1.566%	\$ 422,578.13	\$ 407,228	(15,350)
15	US Treasury Notes	91282CEX5	06/30/24	3.000%	3.490%	\$ 49,574.22	\$ 50,338	764
16	US Treasury Notes	91282CEX5	06/30/24	3.000%	4.260%	\$ 2,251,214.84	\$ 2,285,914	34,699
17	US Treasury Notes	91282CCL3	07/15/24	0.375%	0.409%	\$ 649,367.41	\$ 640,803	(8,565)
18	US Treasury Notes	91282CCT6	08/15/24	0.375%	0.410%	\$ 1,198,921.88	\$ 1,178,136	(20,786)
19	Walt Disney Co Corporate Bonds	254687FK7	08/30/24	1.750%	1.836%	\$ 273,878.00	\$ 270,845	(3,033)
20	US Treasury Notes	912828YE4	08/31/24	1.250%	5.230%	\$ 3,436,031.25	\$ 3,540,420	104,389
21	Darrrough Drive AD		09/02/24	6.000%	6.000%	\$ 12,246	\$ 12,246	-
22	Deere John Mtn	24422EVU0	09/10/24	0.625%	0.650%	\$ 89,941.50	\$ 88,160	(1,781)
23	Caterpillar Finl Mtn	14913R2P1	09/13/24	0.600%	0.650%	\$ 224,694.00	\$ 220,100	(4,595)
24	Toyota Motor Credit Corp	89236TJN6	09/13/24	0.625%	2.770%	\$ 522,549.50	\$ 538,302	15,752
25	Plumas Bank CD	269101799	09/17/24	0.000%	0.000%	\$ 1,049,560.48	\$ 1,049,560	-
26	Inter Amer Bk Mtn	4581X0DZ8	09/23/24	0.500%	0.520%	\$ 584,567.10	\$ 571,586	(12,981)
27	US Treasury Notes	912828YH7	09/30/24	1.500%	0.474%	\$ 154,763.67	\$ 147,237	(7,527)
28	Federal Farm Credit Bank	3133EMCN0	10/15/24	0.400%	0.432%	\$ 948,812.50	\$ 925,158	(23,655)
29	California St Dept Wtr Res Cent	13067WPG1	12/01/24	2.751%	1.486%	\$ 179,348.30	\$ 167,348	(12,000)
30	US Treasury Notes	912828YY0	12/31/24	1.750%	0.326%	\$ 1,224,794.92	\$ 1,129,940	(94,855)
31	US Treasury Notes	912828YY0	12/31/24	1.750%	0.180%	\$ 961,945.31	\$ 887,447	(74,499)
32	US Treasury Notes	912828YY0	12/31/24	1.750%	0.270%	\$ 1,092,425.78	\$ 1,007,822	(84,604)
33	US Treasury Notes	912828YY0	12/31/24	1.750%	0.280%	\$ 955,792.97	\$ 881,771	(74,022)
34	US Treasury Notes	912828YY0	12/31/24	1.750%	0.290%	\$ 424,031.25	\$ 391,192	(32,839)
35	US Treasury Notes	912828YY0	12/31/24	1.750%	2.940%	\$ 387,875.00	\$ 357,836	(30,039)
36	Federal Home Loan Mortgage Corp (Freddie Mac)	3137EAEP0	02/12/25	1.500%	5.280%	\$ 951,970.00	\$ 969,110	17,140
37	US Treasury Notes	91282CDZ1	02/15/25	1.500%	2.840%	\$ 337,927.73	\$ 339,196	1,268
38	American Express Co Corp Note	025816CQ0	03/04/25	2.250%	2.290%	\$ 79,919.20	\$ 77,752	(2,167)

**City of Yuba City
Monthly Investment Statement
City Held Investments**

March 2024

No.	Description of Security	CUSIP NO.	Maturity Date	Coupon Rate	Yield to Maturity	Cost Basis	Estimated Market Value	Unrealized Gain/(Loss)
39	John Deere Med Term Notes	24422EWB1	03/07/25	2.125%	3.030%	\$ 975,850.00	\$ 972,060	(3,790)
40	Roche Holdings Inc. (Callable) Corporate	771196BT8	03/10/25	2.130%	2.130%	\$ 365,000.00	\$ 354,707	(10,293)
41	Home Depot Inc Corporate Notes	437076CM2	04/15/25	2.700%	2.760%	\$ 24,956.25	\$ 24,376	(581)
42	US Treasury Notes	91282CEH0	04/15/25	2.625%	4.650%	\$ 1,318,201.17	\$ 1,317,519	(682)
43	Bank of New York Mellon	06406RAN7	04/24/25	1.600%	0.841%	\$ 437,401.50	\$ 408,765	(28,637)
44	US Treasury Notes	912828ZL7	04/30/25	0.375%	2.710%	\$ 838,409.26	\$ 856,620	18,211
45	Cintas Corporation	17252MAP5	05/01/25	3.450%	3.460%	\$ 59,986.80	\$ 58,808	(1,179)
46	USAA Capital Corp	90327QD89	05/01/25	3.375%	3.490%	\$ 214,296.95	\$ 210,898	(3,399)
47	Chevron Corp New Notes	166764BW9	05/11/25	1.554%	3.200%	\$ 572,040.00	\$ 576,996	4,956
48	Apple Inc.	037833BG4	05/13/25	3.200%	0.814%	\$ 436,332.00	\$ 391,856	(44,476)
49	The Goldman Sachs Group	38148LAE6	05/22/25	3.750%	1.026%	\$ 222,856.00	\$ 196,276	(26,580)
50	National Australia	63254ABD9	06/09/25	3.500%	3.500%	\$ 250,000.00	\$ 245,305	(4,695)
51	National Rural Med Term Notes	63743HFE7	06/15/25	3.450%	3.460%	\$ 44,987.85	\$ 44,042	(945)
52	US Treasury Notes	912828ZW3	06/30/25	0.250%	0.360%	\$ 760,883.79	\$ 731,647	(29,237)
53	US Treasury Notes	912828ZW3	06/30/25	0.250%	3.030%	\$ 551,627.01	\$ 566,436	14,809
54	JP Morgan Chase & Co	46625HMN7	07/15/25	3.900%	1.024%	\$ 450,500.00	\$ 393,400	(57,100)
55	IBM Corporate Notes	459200KS9	07/27/25	4.000%	4.000%	\$ 200,000.00	\$ 196,862	(3,138)
56	Federal National Mortgage (Fannie Mae)	3135G05X7	08/25/25	0.375%	0.410%	\$ 499,070.00	\$ 469,665	(29,405)
57	Federal National Mortgage (Fannie Mae)	3135G05X7	08/25/25	0.375%	3.050%	\$ 918,880.00	\$ 939,330	20,450
58	Buttes Vista 2000-1 AD, 2013 Refunding		09/02/25	2.730%	2.730%	\$ 89,774	\$ 89,774	-
59	Walmart Inc. Corporate Notes	931142EW9	09/09/25	3.900%	3.920%	\$ 164,884.50	\$ 163,081	(1,803)
60	Walmart Inc. Corporate Notes	931142EW9	09/09/25	3.900%	4.070%	\$ 398,160.00	\$ 393,805	(4,355)
61	Federal Farm Credit Bank	3133ENP95	09/30/25	4.250%	4.191%	\$ 1,101,808.40	\$ 1,090,320	(11,488)
62	United Health Group	91324PEN8	10/15/25	5.150%	5.150%	\$ 69,993.70	\$ 70,085	91
63	National Rural Med Term Notes	63743HFF4	10/30/25	5.450%	5.500%	\$ 64,912.90	\$ 65,218	306
64	Citigroup Inc. Corporate Notes (Callable)	172967ND9	11/03/25	1.281%	1.281%	\$ 135,000.00	\$ 131,325	(3,675)
65	HAROT 2021-3 A3	43815EAC8	11/18/25	0.410%	0.410%	\$ 48,954.35	\$ 47,956	(998)
66	Amazon	023135CN4	12/01/25	4.600%	4.600%	\$ 624,962.50	\$ 622,506	(2,456)
67	Bank of America Corp Notes (Callable)	06051GKE8	12/06/25	1.530%	1.530%	\$ 225,000.00	\$ 218,675	(6,325)
68	US Treasury Notes	91282CBC4	12/31/25	0.380%	0.728%	\$ 368,964.85	\$ 347,813	(21,152)
69	US Treasury Notes	9128285T3	12/31/25	2.625%	4.834%	\$ 526,175.67	\$ 530,772	4,596
70	HART 2021-B A3	44934KAC8	01/15/26	0.380%	0.390%	\$ 58,726.24	\$ 57,839	(887)
71	HAROT 2021-4 A3	43815GAC3	01/21/26	0.880%	0.885%	\$ 70,620.41	\$ 68,914	(1,707)
72	Bank of America Corp F/R	06051GGZ6	01/23/26	3.366%	1.326%	\$ 219,558.00	\$ 196,332	(23,226)
73	Morgan Stanley	61746BDZ6	01/27/26	3.875%	1.270%	\$ 224,686.00	\$ 195,350	(29,336)
74	State Street Corp	857477BR3	02/06/26	1.746%	1.750%	\$ 65,000.00	\$ 62,828	(2,172)
75	Federal Farm Credit Bank	3133EPCF0	03/02/26	4.500%	5.060%	\$ 1,086,581.10	\$ 1,096,128	9,547
76	HART 2021-C A3	44935FAD6	05/15/26	0.740%	0.745%	\$ 53,207.96	\$ 52,033	(1,175)
77	Carmx 2021-3 A3	14317DAC4	06/15/26	0.550%	0.550%	\$ 85,748.12	\$ 83,403	(2,345)

**City of Yuba City
Monthly Investment Statement
City Held Investments**

March 2024

No.	Description of Security	CUSIP NO.	Maturity Date	Coupon Rate	Yield to Maturity	Cost Basis	Estimated Market Value	Unrealized Gain/(Loss)
78	MBART 2021-1 A3	58772WAC7	06/15/26	0.460%	0.463%	\$ 92,267.94	\$ 89,962	(2,306)
79	TAOT 2022A A3	89239KAC5	06/15/26	0.000%	1.230%	\$ 115,823.98	\$ 112,960	(2,864)
80	GM Fin Cons Auto Rec TR 2021 A-3	380140AC7	06/16/26	0.480%	0.480%	\$ 48,661.51	\$ 47,508	(1,153)
81	Toyota Motor Credit Corp	89236TJK2	06/18/26	1.125%	1.204%	\$ 224,145.00	\$ 207,097	(17,048)
82	VALET 2021-1 A3	92868KAC7	06/22/26	1.020%	1.021%	\$ 87,588.61	\$ 85,549	(2,040)
83	COMET 2021-A1	14041NFW6	07/15/26	0.550%	0.550%	\$ 279,988.66	\$ 275,884	(4,105)
84	US Treasury Notes	91282CCP4	07/31/26	0.625%	3.030%	\$ 910,781.25	\$ 925,247	14,466
85	US Treasury Notes	91282CCP4	07/31/26	0.625%	3.040%	\$ 1,274,984.38	\$ 1,295,235	20,250
86	US Treasury Notes	91282CCP4	07/31/26	0.625%	3.330%	\$ 405,544.92	\$ 411,986	6,441
87	US Treasury Notes	91282CCP4	07/31/26	0.625%	3.460%	\$ 807,785.16	\$ 820,615	12,830
88	US Treasury Notes	91282CCP4	07/31/26	0.625%	3.930%	\$ 1,998,632.81	\$ 2,030,377	31,744
89	Federal Home Loan Bank	3130AWTQ3	09/11/26	4.625%	4.750%	\$ 647,679.50	\$ 651,066	3,387
90	COPAR 2021-1 A3	14044CAC6	09/15/26	0.770%	0.770%	\$ 76,287.11	\$ 74,136	(2,151)
91	DCENT 2021-A1 A1	254683CP8	09/15/26	5.500%	4.751%	\$ 249,946.48	\$ 244,368	(5,579)
92	TAOT 2022-B A3	89238FAD5	09/15/26	2.931%	2.931%	\$ 78,033.07	\$ 76,736	(1,297)
93	GM Fin Cons Auto Rec TR 2021-4 A-3	362554AC1	09/16/26	0.680%	0.681%	\$ 64,261.82	\$ 62,402	(1,859)
94	Citigroup Inc. Corporate Notes	172967NX5	09/29/26	5.610%	5.610%	\$ 150,000.00	\$ 150,239	239
95	WOART 2021-D A3	98163KAC6	10/15/26	0.810%	0.813%	\$ 86,309.23	\$ 84,040	(2,270)
96	US Treasury Notes	912828U24	11/15/26	2.000%	4.060%	\$ 857,648.44	\$ 868,344	10,695
97	COMET 2021-A3 A3	14041NFY2	11/16/26	1.040%	1.043%	\$ 324,955.22	\$ 316,037	(8,919)
98	Federal Home Loan Bank	3130AQF65	12/21/26	1.250%	4.122%	\$ 625,591.40	\$ 642,593	17,002
99	Target Corporation	87612EBM7	01/15/27	1.950%	1.990%	\$ 39,932.00	\$ 37,181	(2,751)
100	Microsoft Corp	594918BY9	02/06/27	3.300%	4.360%	\$ 673,813.00	\$ 678,503	4,690
101	Berkshire Hathaway Financial Notes	084664CZ2	03/15/27	2.300%	2.690%	\$ 417,260.75	\$ 400,201	(17,060)
102	US Treasury Notes	91282CEF4	03/31/27	2.500%	4.404%	\$ 795,715.74	\$ 804,780	9,064
103	CARMAX 2022-3 A3	14318MAD1	04/15/27	0.000%	3.970%	\$ 209,995.04	\$ 207,144	(2,851)
104	US Treasury Notes	91282CEN7	04/15/27	2.750%	3.730%	\$ 841,572.27	\$ 833,236	(8,336)
105	UnitedHealth Group	91324PEG3	05/15/27	3.700%	3.710%	\$ 39,978.40	\$ 38,784	(1,194)
106	NAROT 2022-B A3	65480JAC4	05/17/27	4.580%	4.460%	\$ 174,963.79	\$ 173,308	(1,656)
107	US Treasury Notes	91282CEW7	06/30/27	3.250%	4.544%	\$ 478,810.27	\$ 482,850	4,040
108	US Treasury Notes	91282CFB2	07/31/27	2.750%	3.510%	\$ 2,523,015.63	\$ 2,519,503	(3,513)
109	US Treasury Notes	91282CFB2	07/31/27	2.750%	4.060%	\$ 1,663,798.83	\$ 1,661,482	(2,317)
110	US Treasury Notes	91282CFB2	07/31/27	2.750%	4.150%	\$ 2,463,804.69	\$ 2,460,374	(3,431)
111	US Treasury Notes	91282CFB2	07/31/27	2.750%	4.420%	\$ 1,385,750.98	\$ 1,383,821	(1,929)
112	US Treasury Notes	91282CFB2	07/31/27	2.750%	4.550%	\$ 1,568,873.05	\$ 1,566,689	(2,184)
113	MBART 2022-1 A3	58768PAC8	08/16/27	5.210%	5.210%	\$ 349,930.77	\$ 349,629	(302)
114	Buttes Vista 2002-1 AD, 2013 Refunding		09/02/27	2.730%	2.730%	\$ 177,822	\$ 177,822	-
115	Apple Inc	037833DB3	09/12/27	2.900%	3.940%	\$ 286,863.00	\$ 284,040	(2,823)
116	Apple Inc	037833DB3	09/12/27	2.900%	4.135%	\$ 473,730.00	\$ 473,400	(330)
117	DCENT 2022-A4 A	254683CX1	10/15/27	0.001%	5.030%	\$ 239,969.11	\$ 239,539	(430)

**City of Yuba City
Monthly Investment Statement
City Held Investments**

March 2024

No.	Description of Security	CUSIP NO.	Maturity Date	Coupon Rate	Yield to Maturity	Cost Basis	Estimated Market Value	Unrealized Gain/(Loss)
118	Pepsico	713448DY1	10/15/27	3.000%	4.238%	\$ 711,060.00	\$ 710,438	(623)
119	US Treasury Notes	91282CFZ9	11/30/27	3.875%	4.770%	\$ 1,063,132.81	\$ 1,059,240	(3,893)
120	US Treasury Notes	91282CFZ9	11/30/27	3.875%	4.200%	\$ 3,755,617.19	\$ 3,741,864	(13,753)
121	US Treasury Notes	91282CFZ9	11/30/27	3.875%	4.060%	\$ 1,440,371.09	\$ 1,435,096	(5,275)
122	US Treasury Notes	91282CFZ9	11/30/27	3.875%	3.983%	\$ 1,887,308.59	\$ 1,880,397	(6,911)
123	US Treasury Notes	91282CGC9	12/31/27	3.875%	3.983%	\$ 747,043.53	\$ 737,903	(9,141)
124	Federal Farm Credit Bank	3133EN5N6	01/06/28	4.000%	3.891%	\$ 433,098.97	\$ 425,388	(7,711)
125	American Honda Finance	02665WED9	01/12/28	4.700%	4.341%	\$ 608,940.00	\$ 597,468	(11,472)
126	Bristol Myers Squibb	110122DE5	02/20/28	3.900%	4.930%	\$ 334,379.50	\$ 339,896	5,516
127	US Treasury Notes	91282CGP0	02/29/28	4.000%	4.200%	\$ 1,613,383.79	\$ 1,606,020	(7,364)
128	Astrazeneca Finance	04636NAF0	03/03/28	4.875%	4.920%	\$ 324,343.50	\$ 325,783	1,440
129	Mastercard	57636QAW4	03/09/28	4.875%	4.900%	\$ 324,684.75	\$ 329,258	4,573
130	Federal Home Loan Bank	3130ATS57	03/10/28	4.500%	4.114%	\$ 1,017,260.00	\$ 1,004,280	(12,980)
131	Nestle Holdings, Inc	641062BF0	03/14/28	5.000%	5.010%	\$ 674,824.50	\$ 683,114	8,289
132	Home Depot Inc Corporate Notes	437076CE0	03/15/28	0.900%	4.193%	\$ 511,974.00	\$ 521,340	9,366
133	JP Morgan Chase & Co	46647PDA1	04/26/28	4.323%	4.800%	\$ 466,288.50	\$ 464,037	(2,252)
134	Merck & Co Inc Corp Notes	58933YBH7	05/17/28	4.050%	4.070%	\$ 139,886.60	\$ 137,621	(2,265)
135	US Treasury Notes	91282CCE9	05/31/28	1.250%	3.991%	\$ 1,228,395.32	\$ 1,238,622	10,227
136	DCENT 2023-A2 A	254683CZ6	06/15/28	0.000%	4.930%	\$ 349,952.72	\$ 349,321	(632)
137	Bank of America Medium Term Notes	06051GKW8	07/22/28	4.985%	4.970%	\$ 449,568.00	\$ 446,567	(3,002)
138	US Bancorp MTNS Bank Notes	91159HJF8	07/22/28	4.548%	4.903%	\$ 988,920.00	\$ 980,090	(8,830)
139	US Treasury Notes	912810FE3	08/15/28	5.500%	4.751%	\$ 722,503.91	\$ 734,615	12,111
140	Citibank NA Senior Notes	17325FBB3	09/29/28	5.803%	4.850%	\$ 571,521.50	\$ 569,344	(2,178)
141	John Deere Med Term Notes	24422EXH7	01/16/29	4.500%	4.550%	\$ 399,036.00	\$ 396,040	(2,996)
142	Federal Farm Credit Bank	3133EP5U5	03/20/29	4.125%	4.284%	\$ 1,241,137.50	\$ 1,241,875	738
143	Staple/Ashley/Cornwell AD		09/02/30	6.000%	6.000%	\$ 69,309	\$ 69,309	-
144	WWTP Solar System (DS, June 30)		06/30/33	4.000%	4.000%	\$ 1,405,736	\$ 1,405,736	-
								-
								-
Total City Held Investments						\$ 153,098,376	\$ 152,025,552	\$ (1,072,825)

**City of Yuba City Investment Report
Investments Held By Trustees
March 2024**

No.	Description of Debt Issuance	Account Type	Description of Security	Maturity Date	Coupon Rate	Yield to Maturity	Cost Basis	Estimated Market Value	Unrealized Gain/(Loss)
144	2013 Water Rev COP	Debt Service	Blackrock T-Fund	Daily	5.190%	5.190%	\$ 315	315	-
145		Interest	Blackrock T-Fund	Daily	5.000%	5.000%	0	0	-
146	TABs Refunding - 2015	Debt Service	Blackrock T-Fund	Daily	5.200%	5.200%	766	766	-
147		Interest	Blackrock T-Fund	Daily	5.190%	5.190%	252	252	-
148		Interest	Blackrock T-Fund	Daily	0.000%	0.000%	-	-	-
149		Principal	Blackrock T-Fund	Daily	5.260%	5.260%	1,103	1,103	-
150		Reserve	Blackrock T-Fund	Daily	0.330%	0.330%	128,876	128,876	-
151		Reserve	Assured Guaranty	Daily	0.000%	0.000%	1,870,568	1,870,568	-
152		Reserve	Blackrock T-Fund	Daily	5.200%	5.200%	480,433	480,433	-
153	Gauche Park Refunding - 2015	Debt Service	Blackrock T-Fund	Daily	5.200%	5.200%	137	137	-
154		Debt Service	Blackrock T-Fund	Daily	0.000%	0.000%	-	-	-
155		Reserve	Assured Guaranty	Daily	0.000%	0.000%	650,031	650,031	-
156	CFD Refund 2015	Debt Service	Blackrock T-Fund	Daily	5.200%	5.200%	1,387	1,387	-
157		Reserve	Blackrock T-Fund	Daily	5.200%	5.200%	42,777	42,777	-
158		I-Bank Paymnt	Blackrock T-Fund	Daily	5.190%	5.190%	108	108	-
159	Wastewater Revenue Bonds (CREBS) - 2017	Bond	Blackrock T-Fund	Daily	5.200%	5.200%	156	156	-
160	Authority 2018 Wastewater Revenue Bonds	Bond	Blackrock T-Fund	Daily	0.000%	0.000%	-	-	-
161		Bond	Blackrock T-Fund	Daily	0.000%	0.000%	544	544	-
162		Project	First Am Treas Obl	Daily	4.920%	4.920%	21,070	21,070	-
Total Trustee-Held Investments							\$ 3,198,522	\$ 3,198,522	\$ -
TOTAL CITY & TRUSTEE-HELD INVESTMENTS							\$ 156,296,899	\$ 155,224,074	\$ (1,072,825)

I certify to the best of my knowledge: (i) That this statement reflecting all City investments is accurate and complete; (ii) That each investment conforms with the City's investment policies, as well as California's Government Code; and (iii) That sufficient cash flow liquidity is available to meet the next six months of estimated disbursements.

Signed: /s/ Spencer Morrison
Spencer Morrison, City Treasurer

Date: 4/17/2024

City of Yuba City - Quarterly Investment Transaction Report
March 2024 - Market Value Summary

Account Types	Balance 12/31/2023	Balance 3/31/2024	Period Activity
City Held Investments			
Local Agency Investment Fund	\$ 35,764,322	\$ 41,829,972	\$ 6,065,650
California Asset Management Program	12,782,354	17,000,326	4,217,972
Cash/Money Market	11,829,166	6,436,114	(5,393,052)
Federal Agency Securities	11,203,939	10,950,443	(253,496)
US Treasuries	45,990,209	50,769,325	4,779,116
Certificates of Deposit	1,049,560	1,049,560	0
Corporate Bonds and Asset Backed Sec.	20,657,610	21,250,686	593,076
City-held Assessment Districts & Municipals	1,921,519	1,922,235	716
Supranationals	811,919	816,891	4,972
Total City Held Investments	\$ 142,010,598	\$ 152,025,552	\$ 10,014,954
Trustee Held Investments			
Water Refunding 2013	\$ 311	\$ 315	\$ 4
TABs Refunding - 2015	2,372,910	2,481,997	109,087
Gauche Park Refunding	650,167	650,168	2
Sunsweet CFD Refund	44,819	44,272	(547)
Wastewater Revenue Bonds - 2017	154	156	2
Wastewater Revenue Bonds - 2018	21,350	21,614	264
Total Trustee Held Investments	3,089,711	3,198,522	\$ 108,811
Total			
	\$ 145,100,309	\$ 155,224,075	\$ 10,123,765

Investment Activity
January, February, March 2024

Description of Security	Broker	Settlement Date	Maturity Date	Trade Date	Activity Type	Coupon Rate	Yield to Maturity	Cost Basis
SALES/REDEMPTIONS								
US Treasury Notes		01/16/24	01/15/24	01/15/24	Matured	0.125%	0.443%	700,000
BMW Vehicle Lease Trust		01/02/24	01/27/25	12/26/23	Sale	0.430%	0.431%	94,699
US Treasury Notes		01/08/24	06/30/24	01/04/24	Matured	2.000%	1.566%	1,083,457
GM Financial Consolidated Auto Receivables		01/16/24	09/16/26	01/16/24	Sale	0.680%	0.681%	4,989
GM Financial Consolidated Auto Receivables		01/16/24	06/16/26	01/16/24	Sale	0.480%	0.480%	4,929
Mercedes Benz Auto Receivables Trust		01/16/24	11/15/24	01/16/24	Sale	0.400%	0.400%	11,719
Toyota Auto Receivables Owner Trust		01/16/24	09/15/26	01/15/24	Sale	2.930%	2.930%	1,708
Capital One Prime Auto Receivables Trust		01/16/24	09/15/26	01/15/24	Sale	0.770%	0.770%	6,184
Carmax Auto Receivables Owner Trust		01/16/24	06/15/26	01/15/24	Sale	0.550%	0.550%	7,274
Hyundai Auto Receivables Trust		01/16/24	01/15/26	01/15/24	Sale	0.380%	0.380%	9,207
Hyundai Auto Receivables Trust		01/16/24	05/15/26	01/15/24	Sale	0.740%	0.740%	5,319
Toyota Auto Receivables Owner Trust		01/16/24	06/15/26	01/15/24	Sale	1.230%	1.230%	9,260
World Omni Auto Receivables Trust		01/16/24	10/15/26	01/15/24	Sale	0.810%	0.810%	7,204
Honda Auto Receivables Owner Trust		01/18/24	11/18/25	01/18/24	Sale	0.410%	0.410%	6,048
GM Financial Consolidated Auto Receivables		01/22/24	07/21/25	01/20/24	Sale	0.500%	0.500%	31,817
Honda Auto Receivables Owner Trust		01/22/24	01/21/26	01/21/24	Sale	0.880%	0.880%	6,755
Volkswagen Auto Loan Enhanced Trust		01/22/24	06/22/26	01/20/24	Sale	1.020%	1.020%	8,176
BMW Vehicle Lease Trust		01/25/24	01/27/25	01/25/24	Sale	0.430%	0.430%	275,301
US Bancorp Medium Term Notes		02/05/24	02/05/24	02/05/24	Sale	3.375%	2.075%	1,000,000
Fannie Mae		02/05/24	02/05/24	02/05/24	Matured	2.500%	2.600%	400,000
US Bancorp Medium Term Notes		02/05/24	02/05/24	02/05/24	Matured	3.375%	3.190%	450,000
Toyota Auto Receivables Owner Trust		02/15/24	09/15/26	02/15/24	Sale	2.930%	2.930%	5,305
Capital One Prime Auto Receivables Trust		02/15/24	09/15/26	02/15/24	Sale	0.770%	0.770%	6,215
Carmax Auto Receivables Owner Trust		02/15/24	06/15/26	02/15/24	Sale	0.550%	0.550%	7,494
Hyundai Auto Receivables Trust		02/15/24	01/15/26	02/15/24	Sale	0.380%	0.380%	8,945
Hyundai Auto Receivables Trust		02/15/24	05/15/26	02/15/24	Sale	0.740%	0.740%	5,382
Mercedes Benz Auto Receivables Trust		02/15/24	06/15/26	02/15/24	Sale	0.460%	0.460%	9,752
Toyota Auto Receivables Owner Trust		02/15/24	06/15/26	02/15/24	Sale	1.230%	1.230%	9,781
World Omni Auto Receivables Trust		02/15/24	10/15/26	02/15/24	Sale	0.810%	0.810%	7,391
US Treasury Notes		02/15/24	02/15/24	02/15/24	Sale	2.750%	2.750%	275,000
GM Financial Consolidated Auto Receivables		02/16/24	09/16/26	02/16/24	Sale	0.680%	0.680%	4,986
GM Financial Consolidated Auto Receivables		02/16/24	06/16/26	02/16/24	Sale	0.480%	0.480%	4,821
GM Financial Consolidated Auto Receivables		02/20/24	07/21/25	02/20/24	Sale	0.500%	0.500%	34,911
Honda Auto Receivables Owner Trust		02/20/24	11/18/25	02/18/24	Sale	0.410%	0.410%	6,089
Volkswagen Auto Loan Enhanced Trust		02/20/24	06/22/26	02/20/24	Sale	1.020%	1.020%	9,037
Honda Auto Receivables Owner Trust		02/21/24	01/21/26	02/21/24	Sale	0.880%	0.880%	6,724
Federal Farm Credit Banks Funding Corp		03/28/24	03/28/24	03/28/24	Matured	0.300%	0.322%	1,100,000
Toyota Auto Receivables Owner Trust		03/15/24	09/15/26	03/15/24	Sale	3.178%	3.178%	4,951
Capital One Prime Auto Receivables Trust		03/15/24	09/15/26	03/15/24	Sale	0.770%	0.770%	5,919
Carmax Auto Receivables Owner Trust		03/15/24	06/15/26	03/15/24	Sale	0.550%	0.550%	7,177

Description of Security	Broker	Settlement Date	Maturity Date	Trade Date	Activity Type	Coupon Rate	Yield to Maturity	Cost Basis
Hyundai Auto Receivables Trust		03/15/24	01/15/26	03/15/24	Sale	0.380%	0.380%	8,630
Hyundai Auto Receivables Trust		03/15/24	05/15/26	03/15/24	Sale	0.740%	0.740%	5,131
Mercedes Benz Auto Receivables Trust		03/15/24	06/15/26	03/15/24	Sale	0.460%	0.460%	9,033
Toyota Auto Receivables Owner Trust		03/15/24	06/15/26	03/15/24	Sale	1.230%	1.230%	9,203
World Omni Auto Receivables Trust		03/15/24	10/15/26	03/15/24	Sale	0.810%	0.810%	6,999
GM Financial Consolidated Auto Receivables		03/18/24	09/16/26	03/16/24	Sale	0.680%	0.680%	5,009
Honda Auto Receivables Owner Trust		03/18/24	11/18/25	03/18/24	Sale	0.410%	0.410%	5,889
GM Financial Consolidated Auto Receivables		03/18/24	06/16/26	03/16/24	Sale	0.480%	0.480%	4,793
Charles Schwab		03/18/24	03/18/24	03/18/24	Matured	0.750%	0.770%	85,000
GM Financial Consolidated Auto Receivables		03/20/24	07/21/25	03/20/24	Sale	0.500%	0.500%	3,040
Volkswagen Auto Loan Enhanced Trust		03/20/24	06/22/26	03/20/24	Sale	1.020%	1.020%	8,101
Honda Auto Receivables Owner Trust		03/21/24	01/21/26	03/21/24	Sale	0.880%	0.880%	6,437

Total Sales/Redemptions

5,801,193

PURCHASES

US Treasury Notes	BMO Capital Markets	01/17/24	12/31/27	01/16/24	Buy	3.875%	3.983%	747,044
US Treasury Notes	HSBC Securities, Inc.	01/08/24	11/30/27	01/04/24	Buy	3.875%	4.060%	1,440,370
John Deere Medium Term Note	Marketaxess Corp	01/31/24	01/16/29	01/29/24	Buy	4.500%	4.550%	399,036
Citibank NA Senior Notes	Marketaxess Corp	01/31/24	09/29/28	01/29/24	Buy	5.803%	4.850%	571,522
Bank of America Medium Term Note	Goldman Sachs & Co LLC	01/31/24	07/22/28	01/29/24	Buy	4.985%	4.970%	449,568
JP Morgan Chase Co	Marketaxess Corp	01/31/24	04/26/28	01/29/24	Buy	4.323%	4.800%	466,289
US Treasury Notes	BMO Capital Markets	01/31/24	11/30/27	01/29/24	Buy	3.875%	3.983%	1,887,309
US Treasury Notes	JP Morgan Securities LLC	01/31/24	04/15/25	01/29/24	Buy	2.625%	4.650%	1,318,201
US Bankcorp Medium Term Notes	US Bancorp Investments	02/05/24	07/22/28	02/01/24	Buy	4.548%	4.903%	988,920
Federal Farm Credit Banks Funding Corp	Wells Fargo Securities	03/28/24	03/20/29	03/25/24	Buy	4.125%	4.284%	1,241,138
US Treasury Notes	Citigroup Global Markets Inc	03/11/24	02/29/28	03/07/24	Buy	4.000%	4.200%	1,613,384

Total Purchases

\$ 11,122,779

CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council; Honorable Chairperson and Directors of the Successor Agency to the Redevelopment Agency of the City of Yuba City
From: Administration Department
Presentation By: Diana Langley, City Manager

Summary

Subject: Agreement for Purchase and Sale of Real Property located at 454 Stevens Avenue (APN 052-401-014) to Sukhvinder Bassi and Brett Scheidel

Recommendation: Adopt a Resolution authorizing the City Manager as Executive Director to the Successor Agency to the Redevelopment Agency of the City of Yuba City to execute an Agreement for Purchase and Sale of Real Property located at 454 Stevens Avenue (APN 052-401-014), and all other necessary documents, in the amount of \$40,000 to Sukhvinder Bassi and Brett Scheidel, and authorize the Finance Director to remit the proceeds to the Sutter County Auditor-Controller for distribution to the taxing entities per the Long Range Property Management Plan

Fiscal Impact: Sale Price - \$40,000

Purpose:

To facilitate and encourage the development of infill property located in the Town Center area.

Council's Strategic Goal:

This project addresses multiple City Council Strategic Goals, primarily maintaining the financial stability and sustainability of the City and enhancing the business-friendly environment for the City.

Background:

454 Stevens Avenue is a 0.2-acre vacant parcel located at the southwest corner of Wilbur Avenue and Stevens Avenue (Site), and currently owned by the Successor Agency to the Redevelopment Agency of the City of Yuba City (Successor Agency). Based on a 2011 California Supreme Court decision, all redevelopment agencies in California were dissolved as of February 1, 2012. As a result, all redevelopment agencies were required to dissolve and transfer any assets and liabilities to "Successor Agencies" that would bring to a close the redevelopment agencies' business matters. On January 10, 2012, the City Council elected to become the Successor Agency, and in November 2014, the Site was transferred to the Successor Agency.

In 2015, a Long Range Property Management Plan was prepared by Fraser & Associates. The plan recommended the Site be sold for private development. On August 16, 2022, the City Council, acting

as the Successor Agency, declared the Site to be surplus land and directed the City Manager to follow procedures set forth in the Surplus Land Act (SLA) for the sale of the property. Through the SLA process, no housing sponsors or developers submitted a letter of interest to purchase the property and the California Department of Housing and Community Development (HCD) cleared the property for sale.

Analysis:

In August 2023, an appraisal was prepared by Owen & Associates Valuation, Inc., in which the appraised amount was \$40,000. The City contracted with Coldwell Banker Commercial Valley Brokers (Coldwell Banker) to represent the City and place the property for sale for \$40,000. Coldwell Banker received an offer from Sukhvinder Bassi and Brett Scheidel to purchase the Site "as is" for \$40,000. The attached Agreement for Purchase and Sale details the terms of the transaction.

Fiscal Impact:

The proposed purchase price is \$40,000 with net proceeds being less due to sales commission, title, and escrow fees. Per the Long Range Property Management Plan, the City will remit the net proceeds to the Sutter County Auditor-Controller for distribution to the taxing agencies, of which the City will receive approximately 16% back.

Alternatives:

Do not authorize the City Manager to sign the Agreement and provide direction for the disposition of the property.

Recommendation:

Adopt a Resolution authorizing the City Manager as Executive Director to the Successor Agency to the Redevelopment Agency of the City of Yuba City to execute an Agreement for Purchase and Sale of Real Property located at 454 Stevens Avenue (APN 052-401-014), and all other necessary documents, in the amount of \$40,000 to Sukhvinder Bassi and Brett Scheidel, and authorize the Finance Director to remit the proceeds to the Sutter County Auditor-Controller for distribution to the taxing entities per the Long Range Property Management Plan.

Attachments:

1. Resolution - 454 Stevens Avenue
2. Exhibit A - 454 Stevens Avenue - APN 52-401-014
3. Location Map

Prepared By:
Diana Langley
City Manager

Submitted By:
Diana Langley
City Manager

ATTACHMENT 1

RESOLUTION NO.

**RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF
THE CITY OF YUBA CITY
AUTHORIZING THE CITY MANAGER AS THE EXECUTIVE DIRECTOR TO THE
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF YUBA CITY
TO EXECUTE AN AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY
LOCATED AT 454 STEVENS AVENUE (APN 52-401-014), AND ALL OTHER NECESSARY
DOCUMENTS, IN THE AMOUNT OF \$40,000 TO SUKHVINDER BASSI AND BRETT
SCHEIDEL, AND AUTHORIZE THE FINANCE DIRECTOR TO REMIT THE PROCEEDS TO
THE SUTTER COUNTY AUDITOR-CONTROLLER FOR DISTRIBUTION TO THE TAXING
ENTITIES PER THE LONG RANGE PROPERTY MANAGEMENT PLAN**

WHEREAS, in January 2012, the City Council elected to become the Successor Agency to the Redevelopment Agency of the City of Yuba City (Successor Agency); and

WHEREAS, in November 2014, ownership of the Site was transferred by grant deed to the Successor Agency; and

WHEREAS, in 2015, a Long Range Property Management Plan was prepared by Fraser & Associates and recommended the Site be sold for private development; and

WHEREAS, in August 2022, the Successor Agency declared the Site to be surplus and directed the City Manager/Executive Director to follow procedures set forth in the Surplus Land Act for the sale of the property; and

WHEREAS, in accordance with the Surplus Land Act, staff issued a notice of availability and did not receive any interest from any housing sponsors; and

WHEREAS, the Department of Housing and Community Development has determined that staff met all the requirements under the Surplus Land Act and the Successor Housing Agency is permitted to proceed with the sale or lease of the property; and

WHEREAS, an appraisal was prepared by Owen & Associates Valuation, Inc., and the appraised value is \$40,000; and

WHEREAS, the City received an offer from Sukhvinder Bassi and Brett Scheidel to purchase the property for \$40,000 in "as is" condition; and

WHEREAS, staff recommends that the Successor Agency accept the offer and authorize the City Manager to execute an Agreement for Purchase and Sale; and

WHEREAS, per the Long Range Property Management Plan, the net proceeds from the sale of the property are to be remitted to the Sutter County Auditor-Controller for distribution to the taxing agencies.

NOW, THEREFORE, the Successor Agency of the Yuba City Redevelopment Agency, California, does hereby resolve as follows:

1. The City Manager as the Executive Director to the Successor Agency to the Redevelopment Agency of the City of Yuba City is authorized to execute an Agreement

for Purchase and Sale of Real Property located at 454 Stevens Avenue (APN 052-401-014), and all other necessary documents, in the amount of \$40,000 to Sukhvinder Bassi and Brett Scheidel.

2. The Finance Director is authorized to remit the net proceeds to the Sutter County Auditor-Controller.

The foregoing Resolution was duly and regularly introduced, passed and adopted by the Successor Agency to the Yuba City Redevelopment Agency, at a regular meeting thereof held on the 7th day of May, 2024.

AYES:

NOES:

ABSENT:

Shon Harris, Chair of Successor Agency

ATTEST:

Ciara Wakefield, Deputy Agency Secretary

APPROVED AS TO FORM
COUNSEL FOR SUCCESSOR AGENCY

Shannon Chaffin
Agency Counsel

Exhibit A: Purchase and Sale Agreement

EXHIBIT A

**AGREEMENT FOR PURCHASE AND SALE
OF REAL PROPERTY AND JOINT ESCROW INSTRUCTIONS**

THIS AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY AND JOINT ESCROW INSTRUCTIONS ("**Agreement**") is made this 7th day of May, 2024 ("**Agreement Date**") by and among Sukhvinder Bassi and Brett Scheidel (the "**Buyer**"), City of Yuba City as Successor Agency to the former Redevelopment Agency of the City of Yuba City, a public agency ("**Seller**") and PLACER TITLE COMPANY, a corporation ("**Escrow Holder**" and "**Title Company**").

RECITALS:

A. Seller owns those certain real property located at 454 Stevens Avenue, Yuba City, State of California (APN 052-401-014) legally described as set forth on **Exhibit A** ("**Property**").

B. Buyer is willing to purchase the Property in AS-IS condition pursuant to the terms of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and incorporating the recitals above, the parties hereto agree as follows:

TERMS AND CONDITIONS:

1. PURCHASE AND SALE OF PROPERTY. Buyer hereby agrees to purchase from Seller, and Seller agrees to sell to Buyer, the Property in AS-IS condition.

2. OPENING OF ESCROW. Within five (5) days after the execution of this Agreement by both Buyer and Seller, the parties shall open an escrow ("**Escrow**") with Placer Title Company (Escrow Holder) by causing an executed copy of this Agreement to be deposited with Ana Campos, escrow officer ("**Escrow Officer**") at Placer Title Company, 1425 Butte House Road, Yuba City, acampos@placertitle.com, (530) 671-5040 ("**Escrow**") together with the Deposit (as defined in Section 3.2(a)) ("**Opening of Escrow**").

3. PURCHASE PRICE.

3.1 Purchase Price. The Purchase Price for the Property is Forty Thousand Dollars (\$40,000) ("**Purchase Price**").

3.2 Payment of Purchase Price. The Purchase Price shall be paid as follows:

(a) **Deposit.** At Opening of Escrow, Buyer shall deposit the sum of Four Thousand Dollars (\$2,000) with Escrow Holder ("**Deposit**").

(b) **Balance of Funds.** At least one (1) business day prior to the Closing, Buyer shall deposit balance of the Purchase Price with Escrow Holder in Good Funds (as defined below).

3.3 Disbursement of Seller's Net Proceeds. At the Closing, the net proceeds (as determined by the Seller settlement statement) shall be disbursed to Seller.

3.4 Good Funds. All funds deposited in Escrow shall be in “**Good Funds**” which means a wire transfer of funds, cashier's or certified check drawn on or issued by the offices of a financial institution located in the State of California.

4. ADDITIONAL FUNDS AND DOCUMENTS REQUIRED FROM BUYER AND SELLER.

4.1 Seller. Seller agrees that on or before 12:00 noon on the day preceding the Closing Date, Seller will deposit with Escrow Holder such funds and other items and instruments (executed and acknowledged, if appropriate) as may be necessary in order for the Escrow Holder to comply with this Agreement, including without limitation:

- a. Executed and acknowledged grant deed in the form of Exhibit B (“**Grant Deed**”).
- b. A Non-Foreign Affidavit as required by federal law.
- c. Such funds and other items and instruments as may be necessary in order for Escrow Holder and the Title Company to comply with this Agreement.
- d. Executed and acknowledged Deed Restriction in the form of Exhibit C (“**Deed Restriction**”).

4.2 Buyer. Buyer agrees that on or before 12:00 noon on the date preceding the Closing Date, Buyer will deposit with Escrow Holder all additional funds and/or documents (executed and acknowledged, if appropriate) which are necessary to comply with the terms of this Agreement, including without limitation:

- a. A Preliminary Change of Ownership Statement completed in the manner required in Sutter County.
- b. Such funds and other items and instruments as may be necessary in order for Escrow Holder and the Title Company to comply with this Agreement.

4.3 Recordation, Completion and Distribution of Documents. Escrow Holder will cause Grant Deed to be recorded when it can issue the Owner's Title Policy in accordance with Section 6, and holds for the account of Buyer and Seller, respectively, the funds and items described above to be delivered to Buyer and Seller, respectively, through Escrow, less costs, expenses and disbursements chargeable to Seller pursuant to the terms hereof.

5. CLOSING DATE; TIME IS OF ESSENCE.

5.1 Closing Date. Escrow shall close within seventy-five (75) days after Buyer has provided the Buyer's Due Diligence Approval Notice by the Outside Due Diligence Date (pursuant to Section 7), but no later than ninety (90) days after the Opening of Escrow (“**Closing Date**”) unless extended as evidenced by a writing signed by both parties. The terms “**Close of Escrow**” and/or “**Closing**” are used herein to mean the time Grant Deed is filed for recording by the Escrow Holder in the Office of the County Recorder of Sutter County, California.

5.2 Possession. Upon the Close of Escrow, exclusive possession and occupancy of the Property shall be delivered to Buyer free and clear of all claims of possession and all debris.

5.3 Time is of Essence. Buyer and Seller specifically agree that time is of the essence.

5.4 Executive Director's Authority. Seller by its execution of this Agreement hereby agrees that its Executive Director or designee (who has been designated by Executive Director's written notice delivered to Buyer and Escrow Holder) shall, in Executive Director's sole and exclusive discretion, have authority:

(i) to execute documents on behalf of Seller including, but not limited to, issuing approvals, disapprovals and extensions. Any such approval, disapproval or extension executed by the Executive Director or their designee shall be binding on Seller.

(ii) make minor modifications to this Agreement in order to fulfill the direction of the Successor Agency Board, provided that such minor modifications are approved by the Agency's legal counsel.

6. TITLE POLICY.

6.1 Approval of Title.

(a) Promptly following execution of this Agreement but in no event later than five (5) days following Opening of Escrow, a preliminary title report shall be issued by Placer Title Company ("**Title Company**"), describing the state of title of the Property, together with copies of all exceptions specified therein and a map plotting all easements specified therein ("**Preliminary Title Report**"). Within five (5) days after Buyer's receipt of the Preliminary Title Report, Buyer shall notify Seller in writing ("**Buyer's Title Notice**") of Buyer's disapproval of any matters contained in the Preliminary Title Report ("**Disapproved Exceptions**").

(b) In the event Buyer delivers Buyer's Title Notice within said period, Seller shall have a period of five (5) days after receipt of Buyer's Title Notice in which to notify Buyer of Seller's election to either (i) agree to attempt to remove the Disapproved Exceptions prior to the Close of Escrow; or (ii) decline to remove any such Disapproved Exceptions ("**Seller's Notice**"). If Seller notifies Buyer of its election to decline to remove the Disapproved Exceptions, or if Seller is unable to remove the Disapproved Exceptions, Buyer may elect either to terminate this Agreement and the Escrow or to accept title to the Property subject to the Disapproved Exception(s). Buyer shall exercise such election by delivery of written notice to Seller and Escrow Holder within five (5) days following the earlier of (i) the date of written advice from Seller that such Disapproved Exception(s) cannot be removed; or (ii) the date Seller declines to remove such Disapproved Exception(s).

(c) Upon the issuance of any amendment or supplement to the Preliminary Title Report which adds additional exceptions, the foregoing right of review and approval shall also apply to said amendment or supplement, provided, however, that Buyer's initial period of review and approval or disapproval of any such additional exceptions shall be limited to ten (10) days following receipt of notice of such additional exceptions.

(d) Nothing to the contrary herein withstanding, Buyer shall be deemed to have automatically objected to all leases, deeds of trust, mortgages, judgment liens, federal and state income tax liens, delinquent general and special real property taxes and assessments and similar monetary encumbrances affecting the Property, and Seller shall discharge any such non-permitted title matter of record prior to or concurrently with the Close of Escrow.

6.2 Title Policy. At the Close of Escrow, Escrow Holder shall furnish Buyer with an ALTA/CLTA Homeowner's Owner's Policy of title insurance ("**Owner's Title Policy**") insuring title to the Property vested in Buyer in the amount of the Purchase Price, containing only exceptions approved or waived by Buyer in accordance with this Section. The cost of the Owner's Title Policy to Seller shall be paid by Buyer.

7. TRANSFER DISCLOSURE STATEMENT, STATUTORY DISCLOSURES & DUE DILIGENCE.

7.1 Natural Hazard Disclosure Report with Tax Disclosures. Within two (2) days after the Opening of Escrow, Escrow Holder shall order and deliver to Buyer a comprehensive natural hazard disclosure and tax report from Disclosure Source ("**NHD Report**") for Buyer's review and approval. If Buyer disapproves the NHD Report, Buyer shall notify Seller with a copy to Escrow Holder within the Due Diligence Period. If Buyer does not disapprove the NHD Report within the Due Diligence Period, Buyer shall be deemed to have approved it. Buyer shall execute the acknowledgement statement that accompanies the NHD Report and deliver a copy to Seller.

7.2 Material Facts & Insurance Claims. Within two (2) days of the Opening of Escrow, Seller shall disclose to Buyer in writing all known material facts and defects including known insurance claims within the last five (5) years preceding the Agreement Date

7.3 Other Statutory Disclosures. Within two (2) days of Opening of Escrow, Seller shall deliver to Buyer all other applicable statutory disclosures (including, but not limited to, notice or actual knowledge of release of illegal controlled substance, etc.) as required by law for Buyer's review and approval. If Buyer disapproves any such disclosures, Buyer shall notify Seller with a copy to Escrow Holder within the Due Diligence Period. If Buyer does not disapprove a statutory disclosure within the Due Diligence Period, Buyer shall be deemed to have approved it and Buyer shall execute any documents reasonably required by Seller to evidence same and deliver same to Seller.

7.4 Due Diligence. For a period of up to sixty (60) days following the Opening of Escrow ("**Due Diligence Period**"), Buyer shall have the right to review and inspect the Property and conduct such tests as reasonably determined by Buyer. Buyer shall make reasonable efforts to expediate any and all investigations provided same does not involve additional cost to Seller. Seller grants to Buyer, its agents and employees, upon reasonable notice to Seller, a limited license to enter the Property for the purpose of conducting such due diligence as reasonably required by Buyer at Buyer's sole cost and expense. As a condition to Buyer's entry and inspection, Buyer shall keep the Property free and clear of all materialmen's liens, lis pendens or any other liens arising out of the entry and any work performed under this Agreement. Buyer shall notify Seller in writing ("**Buyer's Due Diligence Notice**") on or before the expiration of the Due Diligence Period of Buyer's approval of the condition of the Property as well as the TDS, NHD Report, Lead Paint Disclosure and all other disclosures and notices delivered to Buyer under this Agreement, which approval may be withheld in Buyer's sole discretion. Failure of Seller to provide access to the Property to make inspect the Property at a day and time requested by Buyer shall be a material breach of this Agreement and Buyer shall have the right to immediately terminate this Agreement and the escrow.

7.5 Indemnity: Buyer agrees to defend and indemnify Seller for any claims that arise out of Buyer's inspection or testing of the Property.

7.6 Statutory Disclosures. As required by law, Seller makes the following disclosures to Buyer:

- a. **No HOA.** The Property is subject to certain covenants, conditions and restrictions. However, there is no homeowner association and there are no HOA assessments to which the Property is subject.
- b. **Megan's Law.** "Notice: Pursuant to Section 290.46 of the Penal Code information about specified registered sex offenders is made available to the public via an internet website maintained by the Department of Justice at www.meganslaw.ca.gov. Depending on a sex offender's criminal history, this information will include either an address at which the offender resides or the community of residence and ZIP code in which he or she resides. (Neither Seller or Broker are required to check this website)."
- c. **Gas and Hazardous Liquid Transmission Pipelines.** "This notice is being provided simply to inform you that information about the general location of gas and hazardous liquid transmission pipelines is available to the public at the National Pipeline Mapping System (NPMS) Internet Web site maintained by the United States Department of Transportation at <http://www.npms.phmsa.dot.gov/>. To seek further information about possible transmission lines near the Property, you may contact your local gas utility or other pipeline operators in the area. Contact information for pipeline operators is searchable by ZIP code and county on the NPMS Internet Web site."

8. CONDITIONS PRECEDENT TO CLOSE OF ESCROW.

8.1 Conditions to Buyer's Obligations. The obligations of Buyer under this Agreement are subject to the satisfaction or written waiver, in whole or in part, by Buyer of each of the following conditions precedent ("**Buyer's Conditions Precedent**"):

- (a) Title Company will issue the Owner's Title Policy as specified in Section 6.2.
- (b) Escrow Holder holds and will deliver to Buyer the instruments accruing to Buyer pursuant to this Agreement.
- (c) Seller is not in default of its obligations under this Agreement.

8.2 Conditions to Seller's Obligations. The obligations of Seller under this Agreement are subject to the satisfaction or written waiver, in whole or in part, by Seller of the following conditions precedent:

- (a) Escrow Holder holds and will deliver to Seller the instruments and funds accruing to Seller pursuant to this Agreement.
- (b) Buyer shall have executed all documents required under this Agreement and delivered same to Seller.
- (c) Buyer is not in default of its obligations under this Agreement.

9. LIMITED REPRESENTATIONS AND WARRANTIES.

9.1 *Limited Representations and Warranties.* Seller hereby makes the following representations and warranties to Buyer to the best of its knowledge and without the duty to investigate, each of which is true in all respects as of the Agreement Date and the Opening of Escrow and shall be true in all respects on the date of Close of Escrow on the Property:

a. Seller has received no notice and/or has no knowledge that any governmental authority or any employee or agent thereof considers the present or proposed operation, use or ownership of the Property to violate or have violated any ordinance, rule, law, regulation or order of any government or agency, body or subdivision thereof, or that any investigation has been commenced or is contemplated respecting such possible violations.

b. There are no pending or threatened lawsuits or claims which would affect the Property.

c. The Property is not subject to a homeowner's association nor any such association assessments.

d. The Property is not in violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to the environmental conditions on, under or about the Property including, but not limited to, soil and ground water conditions.

e. Seller has received no written notice from any third parties, prior owners of the Property, or any federal, state or local governmental agency indicating that any hazardous waste remedial or clean-up work will be required on the Property. There are no environmental, health or safety hazards on, under or about the Property, including but not limited to soil and groundwater conditions.

f. There are no contracts, leases, claims or rights affecting the Property and no agreements entered into by or under Seller that shall survive the Close of Escrow.

g. Until the Closing, Seller shall not do anything which would impair Seller's title to any of the Property.

h. Seller is not, and as of the Close of Escrow will not be, a foreign person within the meaning of Internal Revenue Code Section 1445 or an out-of-state seller under California Revenue and Tax Code Section 18805 and that it will deliver to Buyer through Escrow a non-foreign affidavit on Escrow Holder's standard form pursuant to Internal Revenue Code Section 1445(b)(2) and the Regulations promulgated thereunder and a California Form 590-RE ("Non-foreign Affidavit").

i. Until the Closing, if Seller learns of any fact or condition which would cause any of the warranties and representations in this Section not to be true as of the Closing, Seller shall immediately give written notice of such fact or condition to Buyer.

j. No construction or repair work has been done on the Property within the six (6) months prior to the Opening of Escrow.

9.2 *Breach; Indemnification.* If a breach of a representation, warranty or covenants occurs before Closing and Buyer is aware that such a breach has occurred, the breach shall be

grounds to terminate this Agreement in Buyer's sole discretion. If Buyer does not elect to terminate this Agreement, Buyer shall be deemed to have waived any such breach.

10. ESCROW PROVISIONS.

10.1 Escrow Instructions. Sections 1; 2 through 6 inclusive, 8, 10, 12 and 13 constitute the escrow instructions to Escrow Holder. If required by Escrow Holder, Buyer and Seller agree to execute Escrow Holder's standard escrow instructions, provided that the same are consistent with and do not conflict with the provisions of this Agreement. In the event of any such conflict, the provisions of this Agreement shall prevail. The terms and conditions in sections of this Agreement not specifically referenced above are additional matters for information of Escrow Holder, but about which Escrow Holder need not be concerned. Buyer and Seller will receive Escrow Holder's general provisions directly from Escrow Holder and will execute such provision upon Escrow Holder's request. To the extent that the general provisions are inconsistent or conflict with this Agreement, the general provisions will control as to the duties and obligations of Escrow Holder only. Buyer and Seller agree to execute additional instructions, documents and forms provide by Escrow Holder that are reasonably necessary to close Escrow.

10.2 General Escrow Provisions. Escrow Holder shall deliver the Owner's Title Policy to Buyer and instruct the Sutter County Recorder to mail the Grant Deed to Buyer at the address set forth in Section 12 after recordation. All funds received in this Escrow shall be deposited in one or more general escrow accounts of the Escrow Holder with any bank doing business in Sutter County, California, and may be disbursed to any other general escrow account or accounts. All disbursements shall be according to that party's instructions.

10.3 Utilities. Buyer and Seller shall cause all utilities which are in the name of Seller to be transferred to the name of Buyer as of the Close of Escrow or as soon thereafter as practicable. Utilities shall be prorated to the Close of Escrow. In the event final amounts with respect to said prorations are not available as of Close of Escrow, the proration shall be done on an estimated basis and the parties shall prepare a final proration within sixty (60) days following Close of Escrow. Any party who is obligated to pay net amounts based on said final proration shall reimburse the other party said amount within thirty (30) days after completion of the final proration.

10.4 Real Property Taxes. Seller is a public agency and exempt from real property taxes so no prorations will be required at Closing.

10.5 Payment of Costs.

- a. **Cost Allocation.** Seller shall pay the costs for the Owner's Title Policy, one-half of escrow costs and recording fees ("**Buyer's Charges**"). Seller shall pay the cost of the NHD Report, documentary transfer taxes, one-half of the escrow costs and any fees and costs charged by any lender to obtain releases or consents or otherwise put title in the condition described in Section 6 ("**Seller's Charges**"). All other costs of Escrow not otherwise specifically allocated by this Agreement shall be apportioned between the parties in a manner consistent with the custom and usage of Escrow Holder.
- b. **Closing Statement.** At least three (3) business days prior to the **Closing Statement**. At least three (3) business days prior to the Closing Date, Escrow

Holder shall furnish Buyer and Seller with a preliminary Escrow closing statement which shall include each party's respective shares of costs. The preliminary closing statement shall be approved in writing by the parties. As soon as reasonably possible following the Close of Escrow, Escrow Holder shall deliver a copy of the final Escrow closing statement to the Parties.

10.6 Termination and Cancellation of Escrow. If Escrow fails to close as provided above, either party may elect to cancel this Escrow upon written notice to the other party and Escrow Holder. Upon cancellation, Escrow Holder is instructed to return all funds and documents then in Escrow to the respective depositor of the same with Escrow Holder. Cancellation of Escrow, as provided herein, shall be without prejudice to whatever legal rights Buyer or Seller may have against each other arising from the Escrow or this Agreement.

10.7 Information Report. Escrow Holder shall file and Buyer and Seller agree to cooperate with Escrow Holder and with each other in completing any report ("**Information Report**") and/or other information required to be delivered to the Internal Revenue Service pursuant to Internal Revenue Code § 6045(e) regarding the real estate sales transaction contemplated by this Agreement, including without limitation, Internal Revenue Service Form 1099-B as such may be hereinafter modified or amended by the Internal Revenue Service, or as may be required pursuant to any regulation now or hereinafter promulgated by the Treasury Department with respect thereto. Buyer and Seller also agree that Buyer and Seller, their respective employees and attorneys, and escrow Holder and its employees, may disclose to the Internal Revenue Service, whether pursuant to such Information Report or otherwise, any information regarding this Agreement or the transactions contemplated herein as such party reasonably deems to be required to be disclosed to the Internal Revenue Service by such party pursuant to Internal Revenue Code Section 6045(e), and further agree that neither Buyer nor Seller shall seek to hold any such party liable for the disclosure to the Internal Revenue Service of any such information.

10.8 No Withholding as Foreign Seller. Seller represents and warrants to Buyer that Seller is not, and as of the Close of Escrow will not be, a foreign person within the meaning of Internal Revenue Code § 1445 or an out-of-state seller under California Revenue and Tax Code § 18805 and that it will deliver to Buyer on or before the Close of Escrow a non-foreign affidavit on Escrow Holder's standard form pursuant to Internal Revenue Code §1445(b)(2) and the Regulations promulgated thereunder and a California Form 590-RE.

10.9 Brokerage Commissions. Both parties are represented by a broker. Buyer and Seller each agree to indemnify and hold the other parties harmless from and against all liabilities, costs, damages and expenses, including, without limitation, attorneys' fees, resulting from any claims or fees or commissions, based upon agreements by it, if any, to pay a broker's commission and/or finder's fee except as specified above.

11. LIQUIDATED DAMAGES.

IF BUYER SHOULD MATERIALLY DEFAULT UNDER THIS AGREEMENT, BUYER AND SELLER AGREE THAT SELLER WILL INCUR DAMAGES BY REASON OF SUCH DEFAULT WHICH DAMAGES SHALL BE IMPRACTICAL AND EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO ASCERTAIN. THEREFORE, BUYER AND SELLER, IN A REASONABLE EFFORT TO ASCERTAIN WHAT SELLER'S DAMAGES WOULD BE IN THE EVENT OF SUCH DEFAULT BY BUYER HAVE AGREED BY PLACING THEIR INITIALS BELOW THAT THE DEPOSIT SHALL CONSTITUTE A

REASONABLE ESTIMATE OF SELLER'S DAMAGES UNDER THE PROVISIONS OF SECTIONS 1671 AND 1677 OF THE CALIFORNIA CODE OF CIVIL PROCEDURE FOR A BREACH PRIOR TO THE CLOSING. IF BUYER FAILS TO PROMPTLY DELIVER THE SUM SPECIFIED ABOVE TO SELLER, SUCH FAILURE SHALL CONSTITUTE A MATERIAL BREACH OF THIS PROVISION AND SELLER MAY ELECT TO SUE BUYER UNDER THIS PROVISION OR TO WAIVE THIS PROVISION AND PROCEED AGAINST BUYER FOR ALL APPLICABLE DAMAGES RESULTING FROM BUYER'S DEFAULT.

Seller's Initials

Buyer's Initials

12. NOTICES. Any notices, demands or communications under this Agreement between the parties shall be in writing, and may be given by (i) personal service, (ii) overnight delivery, or (iii) mailing via United States mail, certified mail, postage prepaid, return receipt requested ("**US Mail**"), addressed to each party as set forth below or such other address as may be furnished in writing by a party, and such notice or communication shall, if properly addressed, be deemed to have been given (a) as of the date so delivered under delivery methods (i) or (ii) above, or (b) three (3) business days after deposit into the U.S. Mail.

To Seller: City of Yuba City as Successor Agency
1201 Civic Center Boulevard
Yuba City, CA 95993
Attn: Diana Langlely, Executive Director

With a Copy to: Aleshire & Wynder, LLP
2440 Tulare Street Suite 410
Fresno, CA 93721
Attn: Shannon Chaffin, Agency Counsel

To Buyer: Sukhvinder Bassi
1635 Hastings Court
Yuba City, CA 95991

Brett Scheidel
1510 W. Catlett Road
Pleasant Grove, CA 95668

To Escrow Holder: Placer Title Company
1425 Butte House Road
Yuba City, CA 95993
Ana Campos, Senior Escrow Officer

13. GENERAL PROVISIONS.

13.1 Assignment. Neither party shall have the right to assign this Agreement or any interest or right hereunder or under the Escrow without the prior written consent of the other party. Subject to the foregoing, this Agreement shall be binding upon and shall inure to the benefit of Buyer and Seller and their respective heirs, personal representatives, successors and assigns.

13.2 Attorney's Fees. In any action between the parties hereto, seeking enforcement of any of the terms and provisions of this Agreement or the Escrow, or in connection with the Property, the prevailing party in such action shall be entitled, to have and to recover from the other party its reasonable attorneys' fees and other reasonable expenses in connection with such action or proceeding, in addition to its recoverable court costs.

13.3 Interpretation; Governing Law. This Agreement shall be construed according to its fair meaning and as if prepared by both parties hereto. This Agreement shall be construed in accordance with the laws of the State of California in effect at the time of the execution of this Agreement. Titles and captions are for convenience only and shall not constitute a portion of this Agreement. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others wherever and whenever the context so dictates.

13.4 No Waiver. No delay or omission by either party in exercising any right or power accruing upon the compliance or failure of performance by the other party under the provisions of this Agreement shall impair any such right or power or be construed to be a waiver thereof. A waiver by either party of a breach of any of the covenants, conditions or agreements hereof to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions hereof.

13.5 Modifications. Any alteration, change or modification of or to this Agreement, in order to become effective, shall be made by written instrument or endorsement thereon and in each such instance executed on behalf of each party hereto.

13.6 Severability. If any term, provision, condition or covenant of this Agreement or the application thereof to any party or circumstances shall, to any extent, be held invalid or unenforceable, the remainder of this instrument, or the application of such term, provisions, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

13.7 Merger. This Agreement and other documents incorporated herein by reference contain the entire understanding between the parties relating to the transaction contemplated hereby and all prior to contemporaneous agreements, understandings, representations and statements, oral or written, are merged herein and shall be of no further force or effect.

13.8 Execution in Counterparts. This Agreement may be executed in several counterparts, and all so executed shall constitute one agreement binding on all parties hereto, notwithstanding that all parties are not signatories to the original or the same counterpart.

13.9 Exhibits. Exhibits A, B, and C attached hereto are incorporated herein by reference.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement for Purchase and Sale of Real Property and Escrow Instructions as of the date set forth above.

Note: Section 11 needs to be separately initialed by the parties.

BUYER:

Sukhvinder Bassi

Brett Scheidel

Accepted and agreed to:

ESCROW HOLDER:

PLACER TITLE

By: _____
Ana Campos, Escrow Officer

Dated: _____, 2024

SELLER:

CITY OF YUBA CITY AS SUCCESSOR
AGENCY

By: _____
Diana Langley, Executive Director
_____, 2024

ATTEST:

Ciara Wakefield, Deputy Agency Secretary

APPROVED AS TO FORM:

ALESHIRE & WYNDER, LLP

By: _____
Shannon Chaffin, Agency Counsel

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

That certain real property in the City of Yuba City, County of Sutter, State of California legally described as follows:

Being a portion of the lot or parcel of land conveyed by Julia A. Tankersley to Franklin R. Merrill and Margaret Merrill, his wife, dated August 13, 1936 and recorded August 31, 1936, in Book 92 of Official Records, page 141, Sutter County records, more particularly described as follows:

Beginning at a point on the West line of Wilbur Avenue, South 12° East (mag. Var. $15^{\circ} 20'$ East) 5.90 chains distant from the Southeast corner of the lot formerly owned by Sutter packing and canning company; and run thence South 88° West, 120 feet; thence Southerly in a direct line to a point in the Southerly line of the parcel of land so conveyed to Franklin R. Merrill and Margaret Merrill, his wife, as aforesaid, said less mentioned point being distant North 88° East along said Southerly line 10 feet from the Southwest corner of said parcel of land; thence North 88° East along said Southerly line 140 feet to the West line of Wilbur Avenue; thence North 12° West along said last mentioned line 84.76 feet to the point of beginning.

Excepting therefrom all that certain real property as contained in deed executed by John W. Ramsaur, et al, to the City of Yuba City, a municipal corporation, dated May 15, 1985 and recorded July 9, 1985, in Book 1141 of Official Records, page 619, Sutter County records, more particularly described as follows:

Beginning at the intersection of the Westerly line of Wilbur Avenue with the Southerly line of Stevens Avenue as described in the Deed to the City of Yuba City, recorded in Book 52 of deeds, page 46, Sutter County records; thence South $11^{\circ} 26' 40''$ East along said Westerly line of Wilbur Avenue, a distance of 64.38 feet to the Southeast corner of the land described in the Deed to John W. Ramsaur, Jane Ramsaur, and William B. Ramsaur, recorded in Book 961 of Official Records, page 575, Sutter County records; thence South $89^{\circ} 32' 20''$ West along the South line of said Ramsaur Parcel, a distance of 2.22 feet to a line parallel with, Westerly of, and 30 feet measured at right angles to the monumented center line of Wilbur Avenue; thence North $11^{\circ} 24' 04''$ West along said line, a distance of 44.03 feet to the beginning of a tangent curve concave to the Southwest having a radius of 20 feet; thence along said curve through a central angle of $49^{\circ} 44' 47''$, a distance of 17.36 feet; thence North $61^{\circ} 08' 51''$ West, a distance of 13.39 feet to the said South line of Stevens Avenue; thence North $89^{\circ} 32' 20''$ East along said South line of Stevens Avenue, a distance of 19.79 feet to the point of beginning.

APN: 052-401-014-000

EXHIBIT B
GRANT DEED

FREE RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Sukhvinder Bassi
1635 Hastings Court
Yuba City, CA 95991

APN 052-401-014

THE UNDERSIGNED GRANTOR DECLARES:
Documentary Transfer Tax is: \$____

(Space Above This Line for Recorder's Office Use Only)
(Exempt from Recording Fee per Gov. Code §6103)

GRANT DEED

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, CITY OF YUBA CITY AS SUCCESSOR AGENCY to the former Redevelopment Agency of City of Yuba City, a public agency ("**Grantor**"), hereby grants to Sukhvinder Bassi and Brett Scheidel as _____ ("**Grantee**"), that certain real property in the City of Yuba City, County of Sutter, State of California, legally described on Exhibit A attached hereto and incorporated herein by reference ("**Property**").

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on its behalf by its respective officers or agents hereunto as of the date below.

GRANTOR:

CITY OF YUBA CITY AS SUCCESSOR
AGENCY to the former Redevelopment
Agency of the City of Yuba City, a public
agency

Not to be executed until closing

By: _____
Diana Langley,
Executive Director

ATTEST:

Ciara Wakefield, Deputy Agency Secretary

EXHIBIT A TO GRANT DEED

LEGAL DESCRIPTION OF PROPERTY

That certain real property in the City of Yuba City, County of Sutter, State of California legally described as follows:

Being a portion of the lot or parcel of land conveyed by Julia A. Tankersley to Franklin R. Merrill and Margaret Merrill, his wife, dated August 13, 1936 and recorded August 31, 1936, in Book 92 of Official Records, page 141, Sutter County records, more particularly described as follows:

Beginning at a point on the West line of Wilbur Avenue, South 12° East (mag. Var. 15° 20' East) 5.90 chains distant from the Southeast corner of the lot formerly owned by Sutter packing and canning company; and run thence South 88° West, 120 feet; thence Southerly in a direct line to a point in the Southerly line of the parcel of land so conveyed to Franklin R. Merrill and Margaret Merrill, his wife, as aforesaid, said less mentioned point being distant North 88° East along said Southerly line 10 feet from the Southwest corner of said parcel of land; thence North 88° East along said Southerly line 140 feet to the West line of Wilbur Avenue; thence North 12° West along said last mentioned line 84.76 feet to the point of beginning.

Excepting therefrom all that certain real property as contained in deed executed by John W. Ramsaur, et al, to the City of Yuba City, a municipal corporation, dated May 15, 1985 and recorded July 9, 1985, in Book 1141 of Official Records, page 619, Sutter County records, more particularly described as follows:

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APN: 052-401-014-000

[illegible]

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Notary Public

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EXHIBIT C
DEED RESTRICTION

FREE RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Yuba City
1201 Civic Center Boulevard
Yuba City, CA 95993
Attn: City Manager

APN 052-401-014-000

THE UNDERSIGNED GRANTOR DECLARES:
Documentary Transfer Tax is: \$____

(Space Above This Line for Recorder's Office Use Only)
(Exempt from Recording Fee per Gov. Code §6103)

DEED RESTRICTION

If ten (10) or more residential units are developed on the Property, not less than 15 percent of the total number of residential units developed on the property shall be sold or rented at affordable housing cost, as defined in Section 50052.5 of the California Health and Safety Code, or affordable rent, as defined in Section 50053 of the California Health and Safety Code, to lower income households, as defined in Section 50079.5 of the California Health and Safety Code. Rental units shall remain affordable to and occupied by lower income households for a period of 55 years for rental housing and 45 years for ownership housing. The initial occupants of all ownership units shall be lower income households, and the units shall be subject to an equity sharing agreement consistent with the provisions of paragraph (2) of subdivision © of 65915 of the California Government Code. These requirements shall be covenants or restrictions running with the land and shall be enforceable against any owner who violates a covenant or restriction and each successor-in-interest who continues the violation by any of the entities described in subdivisions (a) to (f), inclusive, of Section 54222.5 of the California Government Code.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on its behalf by its respective officers or agents hereunto as of the date below.

DATED: _____, 2024

GRANTOR:

CITY OF YUBA CITY AS SUCCESSOR
AGENCY to the former Redevelopment
Agency of the City of Yuba City, a public
agency

Not to be executed until closing

By: _____
Diana Langley
City Manager

ATTEST:

Ciara Wakefield, Deputy Agency Secretary

EXHIBIT A TO DEED RESTRICTION

LEGAL DESCRIPTION OF PROPERTY

That certain real property in the City of Yuba City, County of Sutter, State of California legally described as follows:

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APN: 052-401-014-000

[illegible]

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Notary Public

SEAL:

ATTACHMENT 2

VICINITY MAP



CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By: Diana Langley, City Manager

Summary

Subject: Agreement for Purchase and Sale of 356 Wilbur Avenue (APN 052-401-009) to Sukhvinder Bassi and Brett Scheidel

Recommendation: Adopt a Resolution authorizing the City Manager to execute an Agreement for Purchase and Sale of Real Property located at 356 Wilbur Avenue (APN 052-401-009), and all other necessary documents, in the amount of \$40,000 to Sukhvinder Bassi and Brett Scheidel, and authorize the Finance Director to place sale proceeds in the General Fund

Fiscal Impact: Sale Price - \$40,000 plus savings associated with no longer maintaining the property

Purpose:

To facilitate and encourage the development of infill property located in the Town Center area.

Council's Strategic Goal:

This item addresses multiple City Council Strategic Goals, primarily maintaining the financial stability and sustainability of the City and enhancing the business-friendly environment for the City.

Background:

356 Wilbur Avenue is a 0.19-acre vacant parcel located at the northwest corner of Wilbur Avenue and Stevens Avenue. On November 1, 2022, City Council formally declared the property to be surplus and staff initiated the Surplus Land Act (SLA) process. Through the SLA process, no housing sponsors or developers submitted a letter of interest to purchase the property and the California Department of Housing and Community Development (HCD) cleared the property for sale.

Analysis:

In August 2023, an appraisal was prepared by Owen & Associates Valuation, Inc., in which the appraised amount was \$40,000. The City contracted with Coldwell Banker Commercial Valley Brokers (Coldwell Banker) to represent the City and place the property for sale for \$40,000. Coldwell Banker received an offer from Sukhvinder Bassi and Brett Scheidel to purchase the Site "as is" for \$40,000. The attached Agreement for Purchase and Sale details the terms of the transaction.

Fiscal Impact:

The proposed purchase price is \$40,000 with net proceeds being less due to sales commission, title, and escrow fees. Upon transfer of the property, the net proceeds will be placed in the General Fund.

Alternatives:

Do not authorize the City Manager to sign the Agreement and provide direction for the disposition of the property.

Recommendation:

Adopt a Resolution authorizing the City Manager to execute an Agreement for Purchase and Sale of Real Property located at 356 Wilbur Avenue (APN 052-401-009), and all other necessary documents, in the amount of \$40,000 to Sukhvinder Bassi and Brett Scheidel, and authorize the Finance Director to place sale proceeds in the General Fund.

Attachments:

1. Resolution -356 Wilbur Avenue
2. Exhibit A - Purchase and Sale Agreement - 356 Wilbur Avenue - APN 052-401-009
3. Location Map

Prepared By:

Diana Langley
City Manager

Submitted By:

Diana Langley
City Manager

ATTACHMENT 1

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR PURCHASE
AND SALE OF REAL PROPERTY LOCATED AT 356 WILBUR AVENUE (APN 52-401-009),
AND ALL OTHER NECESSARY DOCUMENTS, IN THE AMOUNT OF \$40,000 TO
SUKHVINDER BASSI AND BRETT SCHEIDEL, AND AUTHORIZE THE FINANCE
DIRECTOR TO PLACE SALE PROCEEDS IN THE GENERAL FUND**

WHEREAS, on November 1, 2022, the City Council declared 356 Wilbur Avenue to be surplus property; and

WHEREAS, in accordance with the Surplus Land Act, staff issued a notice of availability and did not receive any interest from any housing sponsors; and

WHEREAS, the Department of Housing and Community Development has determined that staff met all the requirements under the Surplus Land Act and the Successor Housing Agency is permitted to proceed with the sale or lease of the property; and

WHEREAS, an appraisal was prepared by Owen & Associates Valuation, Inc., and the appraised value is \$40,000; and

WHEREAS, the City received an offer from Sukhvinder Bassi and Brett Scheidel to purchase the property for \$40,000 in "as is" condition; and

WHEREAS, staff recommends that the City Council accept the offer and authorize the City Manager to execute an Agreement for Purchase and Sale; and

NOW, THEREFORE, the City Council of the City of Yuba City does hereby resolve as follows:

1. The City Manager is authorized to execute an Agreement for Purchase and Sale of Real Property located at 356 Wilbur Avenue (APN 52-401-009), and all other necessary documents, in the amount of \$40,000 to Sukhvinder Bassi and Brett Scheidel.
2. The Finance Director is authorized to place sale proceeds in the General Fund.

The forgoing Resolution of the City Council of the City of Yuba City was duly introduced, passed and adopted at a regular meeting thereof held on the 7th day of May, 2024.

AYES:

NOES:

ABSENT:

Shon Harris, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

Shannon Chaffin
City Attorney

Exhibit A: Purchase and Sale Agreement

Exhibit A

**AGREEMENT FOR PURCHASE AND SALE
OF REAL PROPERTY AND JOINT ESCROW INSTRUCTIONS**

THIS AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY AND JOINT ESCROW INSTRUCTIONS ("**Agreement**") is made this 7th day of May, 2024 ("**Agreement Date**") by and among Sukhvinder Bassi and Brett Scheidel (the "**Buyer**"), City of Yuba City, a public agency ("**Seller**") and PLACER TITLE COMPANY, a corporation ("**Escrow Holder**" and "**Title Company**").

RECITALS:

A. Seller owns that certain residential real property located at 356 Wilbur Avenue in Yuba City, State of California (APN 52-401-009) legally described as set forth on **Exhibit A** ("**Property**").

B. Buyer is willing to purchase the Property in AS-IS condition pursuant to the terms of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and incorporating the recitals above, the parties hereto agree as follows:

TERMS AND CONDITIONS:

1. PURCHASE AND SALE OF PROPERTY. Buyer hereby agrees to purchase from Seller, and Seller agrees to sell to Buyer, the Property in AS-IS condition.

2. OPENING OF ESCROW. Within five (5) days after the execution of this Agreement by both Buyer and Seller, the parties shall open an escrow ("**Escrow**") with Placer Title Company (Escrow Holder) by causing an executed copy of this Agreement to be deposited with Ana Campos, escrow officer ("**Escrow Officer**") at Placer Title Company, 1425 Butte House Road, Yuba City, acampos@placertitle.com, (530) 671-5040 ("**Escrow**") together with the Deposit (as defined in Section 3.2(a)) ("**Opening of Escrow**").

3. PURCHASE PRICE.

3.1 Purchase Price. The Purchase Price for the Property is Forty Thousand Dollars (\$40,000) ("**Purchase Price**").

3.2 Payment of Purchase Price. The Purchase Price shall be paid as follows:

(a) **Deposit.** At Opening of Escrow, Buyer shall deposit the sum of Two Thousand Dollars (\$2,000) with Escrow Holder ("**Deposit**").

(b) **Balance of Funds.** At least one (1) business day prior to the Closing, Buyer shall deposit balance of the Purchase Price with Escrow Holder in Good Funds (as defined below).

3.3 Disbursement of Seller's Net Proceeds. At the Closing, the net proceeds (as

determined by the Seller settlement statement) shall be disbursed to Seller.

3.4 Good Funds. All funds deposited in Escrow shall be in “**Good Funds**” which means a wire transfer of funds, cashier's or certified check drawn on or issued by the offices of a financial institution located in the State of California.

4. ADDITIONAL FUNDS AND DOCUMENTS REQUIRED FROM BUYER AND SELLER.

4.1 Seller. Seller agrees that on or before 12:00 noon on the day preceding the Closing Date, Seller will deposit with Escrow Holder such funds and other items and instruments (executed and acknowledged, if appropriate) as may be necessary in order for the Escrow Holder to comply with this Agreement, including without limitation:

- a. Executed and acknowledged grant deed in the form of Exhibit B (“**Grant Deed**”).
- b. A Non-Foreign Affidavit as required by federal law.
- c. Such funds and other items and instruments as may be necessary in order for Escrow Holder and the Title Company to comply with this Agreement.
- d. Executed and acknowledged Deed Restriction in the form of Exhibit C (“**Deed Restriction**”).

4.2 Buyer. Buyer agrees that on or before 12:00 noon on the date preceding the Closing Date, Buyer will deposit with Escrow Holder all additional funds and/or documents (executed and acknowledged, if appropriate) which are necessary to comply with the terms of this Agreement, including without limitation:

- a. A Preliminary Change of Ownership Statement completed in the manner required in Sutter County.
- b. Such funds and other items and instruments as may be necessary in order for Escrow Holder and the Title Company to comply with this Agreement.

4.3 Recordation, Completion and Distribution of Documents. Escrow Holder will cause Grant Deed and Deed Restriction to be recorded when it can issue the Owner's Title Policy in accordance with Section 6, and holds for the account of Buyer and Seller, respectively, the funds and items described above to be delivered to Buyer and Seller, respectively, through Escrow, less costs, expenses and disbursements chargeable to Seller pursuant to the terms hereof.

5. CLOSING DATE; TIME IS OF ESSENCE.

5.1 Closing Date. Escrow shall close within seventy-five (75) days after Buyer has provided the Buyer's Due Diligence Approval Notice by the Outside Due Diligence Date (pursuant to Section 7), but no later than ninety (90) days after the Opening of Escrow (“**Closing Date**”) unless extended as evidenced by a writing signed by both parties. The terms “**Close of Escrow**” and/or “**Closing**” are used herein to mean the time Grant Deed is filed for recording by the Escrow Holder in the Office of the County Recorder of Sutter County, California.

5.2 Possession. Upon the Close of Escrow, exclusive possession and occupancy of the Property shall be delivered to Buyer free and clear of all claims of possession and all debris.

5.3 Time is of Essence. Buyer and Seller specifically agree that time is of the essence.

5.4 City Manager's Authority. Seller by its execution of this Agreement hereby agrees that its City Manager or designee (who has been designated by City Manager's written notice delivered to Buyer and Escrow Holder) shall, in City Manager's sole and exclusive discretion, have authority:

(i) to execute documents on behalf of Seller including, but not limited to, issuing approvals, disapprovals and extensions. Any such approval, disapproval or extension executed by the City Manager or their designee shall be binding on Seller.

(ii) make minor modifications to this Agreement in order to fulfill the direction of the City Council, provided that such minor modifications are approved by the City Attorney.

6. TITLE POLICY.

6.1 Approval of Title.

(a) Promptly following execution of this Agreement but in no event later than five (5) days following Opening of Escrow, a preliminary title report shall be issued by Placer Title Company ("**Title Company**"), describing the state of title of the Property, together with copies of all exceptions specified therein and a map plotting all easements specified therein ("**Preliminary Title Report**"). Within five (5) days after Buyer's receipt of the Preliminary Title Report, Buyer shall notify Seller in writing ("**Buyer's Title Notice**") of Buyer's disapproval of any matters contained in the Preliminary Title Report ("**Disapproved Exceptions**").

(b) In the event Buyer delivers Buyer's Title Notice within said period, Seller shall have a period of five (5) days after receipt of Buyer's Title Notice in which to notify Buyer of Seller's election to either (i) agree to attempt to remove the Disapproved Exceptions prior to the Close of Escrow; or (ii) decline to remove any such Disapproved Exceptions ("**Seller's Notice**"). If Seller notifies Buyer of its election to decline to remove the Disapproved Exceptions, or if Seller is unable to remove the Disapproved Exceptions, Buyer may elect either to terminate this Agreement and the Escrow or to accept title to the Property subject to the Disapproved Exception(s). Buyer shall exercise such election by delivery of written notice to Seller and Escrow Holder within five (5) days following the earlier of (i) the date of written advice from Seller that such Disapproved Exception(s) cannot be removed; or (ii) the date Seller declines to remove such Disapproved Exception(s).

(c) Upon the issuance of any amendment or supplement to the Preliminary Title Report which adds additional exceptions, the foregoing right of review and approval shall also apply to said amendment or supplement, provided, however, that Buyer's initial period of review and approval or disapproval of any such additional exceptions shall be limited to ten (10) days following receipt of notice of such additional exceptions.

(d) Nothing to the contrary herein withstanding, Buyer shall be deemed to have automatically objected to all leases, deeds of trust, mortgages, judgment liens, federal and state

income tax liens, delinquent general and special real property taxes and assessments and similar monetary encumbrances affecting the Property, and Seller shall discharge any such non-permitted title matter of record prior to or concurrently with the Close of Escrow.

6.2 Title Policy. At the Close of Escrow, Escrow Holder shall furnish Buyer with an ALTA/CLTA Homeowner's Owner's Policy of title insurance ("**Owner's Title Policy**") insuring title to the Property vested in Buyer in the amount of the Purchase Price, containing only exceptions approved or waived by Buyer in accordance with this Section. The cost of the Owner's Title Policy to Seller shall be paid by Buyer.

7. TRANSFER DISCLOSURE STATEMENT, STATUTORY DISCLOSURES & DUE DILIGENCE.

7.1 Natural Hazard Disclosure Report with Tax Disclosures. Within two (2) days after the Opening of Escrow, Escrow Holder shall order and deliver to Buyer a comprehensive natural hazard disclosure and tax report from Disclosure Source ("**NHD Report**") for Buyer's review and approval. If Buyer disapproves the NHD Report, Buyer shall notify Seller with a copy to Escrow Holder within the Due Diligence Period. If Buyer does not disapprove the NHD Report within the Due Diligence Period, Buyer shall be deemed to have approved it. Buyer shall execute the acknowledgement statement that accompanies the NHD Report and deliver a copy to Seller.

7.2 Material Facts & Insurance Claims. Within two (2) days of the Opening of Escrow, Seller shall disclose to Buyer in writing all known material facts and defects including known insurance claims within the last five (5) years preceding the Agreement Date

7.3 Other Statutory Disclosures. Within two (2) days of Opening of Escrow, Seller shall deliver to Buyer all other applicable statutory disclosures (including, but not limited to, notice or actual knowledge of release of illegal controlled substance, etc.) as required by law for Buyer's review and approval. If Buyer disapproves any such disclosures, Buyer shall notify Seller with a copy to Escrow Holder within the Due Diligence Period. If Buyer does not disapprove a statutory disclosure within the Due Diligence Period, Buyer shall be deemed to have approved it and Buyer shall execute any documents reasonably required by Seller to evidence same and deliver same to Seller.

7.4 Due Diligence. For a period of up to sixty (60) days following the Opening of Escrow ("**Due Diligence Period**"), Buyer shall have the right to review and inspect the Property and conduct such tests as reasonably determined by Buyer. Buyer shall use reasonable efforts to expediate any and all investigations provide same does not involve additional cost to Seller. Seller grants to Buyer, its agents and employees, upon reasonable notice to Seller, a limited license to enter the Property for the purpose of conducting such due diligence as reasonably required by Buyer at Buyer's sole cost and expense. As a condition to Buyer's entry and inspection, Buyer shall keep the Property free and clear of all materialmen's liens, lis pendens or any other liens arising out of the entry and any work performed under this Agreement. Buyer shall notify Seller in writing ("**Buyer's Due Diligence Notice**") on or before the expiration of the Due Diligence Period of Buyer's approval of the condition of the Property as well as the TDS, NHD Report, Lead Paint Disclosure and all other disclosures and notices delivered to Buyer under this Agreement, which approval may be withheld in Buyer's sole discretion. Failure of Seller to provide access to the Property to inspect the Property at a day and time requested by Buyer shall be a material breach of this Agreement and Buyer shall have the right to immediately terminate this Agreement and the escrow.

7.5 Indemnity: Buyer agrees to defend and indemnify Seller for any claims that arise out of Buyer's inspection or testing of the Property.

7.6 Statutory Disclosures. As required by law, Seller makes the following disclosures to Buyer:

- a. **No HOA.** The Property is subject to certain covenants, conditions and restrictions. However, there is no homeowner association and there are no HOA assessments to which the Property is subject.
- b. **Megan's Law.** "Notice: Pursuant to Section 290.46 of the Penal Code information about specified registered sex offenders is made available to the public via an internet website maintained by the Department of Justice at www.meganslaw.ca.gov. Depending on a sex offender's criminal history, this information will include either an address at which the offender resides or the community of residence and ZIP code in which he or she resides. (Neither Seller or Broker are required to check this website)."
- c. **Gas and Hazardous Liquid Transmission Pipelines.** "This notice is being provided simply to inform you that information about the general location of gas and hazardous liquid transmission pipelines is available to the public at the National Pipeline Mapping System (NPMS) Internet Web site maintained by the United States Department of Transportation at www.npms.phmsa.dot.gov. To seek further information about possible transmission lines near the Property, you may contact your local gas utility or other pipeline operators in the area. Contact information for pipeline operators is searchable by ZIP code and county on the NPMS Internet Web site."

8. CONDITIONS PRECEDENT TO CLOSE OF ESCROW.

8.1 Conditions to Buyer's Obligations. The obligations of Buyer under this Agreement are subject to the satisfaction or written waiver, in whole or in part, by Buyer of each of the following conditions precedent ("**Buyer's Conditions Precedent**"):

- (a) Title Company will issue the Owner's Title Policy as specified in Section 6.2.
- (b) Escrow Holder holds and will deliver to Buyer the instruments accruing to Buyer pursuant to this Agreement.
- (c) Seller is not in default of its obligations under this Agreement.

8.2 Conditions to Seller's Obligations. The obligations of Seller under this Agreement are subject to the satisfaction or written waiver, in whole or in part, by Seller of the following conditions precedent:

- (a) Escrow Holder holds and will deliver to Seller the instruments and funds accruing to Seller pursuant to this Agreement.
- (b) Buyer shall have executed all documents required under this Agreement and delivered same to Seller.

- (c) Buyer is not in default of its obligations under this Agreement.

9. LIMITED REPRESENTATIONS AND WARRANTIES.

9.1 *Limited Representations and Warranties.* Seller hereby makes the following representations and warranties to Buyer to the best of its knowledge and without the duty to investigate, each of which is true in all respects as of the Agreement Date and the Opening of Escrow and shall be true in all respects on the date of Close of Escrow on the Property:

a. Seller has received no notice and/or has no knowledge that any governmental authority or any employee or agent thereof considers the present or proposed operation, use or ownership of the Property to violate or have violated any ordinance, rule, law, regulation or order of any government or agency, body or subdivision thereof, or that any investigation has been commenced or is contemplated respecting such possible violations.

b. There are no pending or threatened lawsuits or claims which would affect the Property.

c. The Property is not subject to a homeowner's association nor any such association assessments.

d. The Property is not in violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to the environmental conditions on, under or about the Property including, but not limited to, soil and ground water conditions.

e. Seller has received no written notice from any third parties, prior owners of the Property, or any federal, state or local governmental agency indicating that any hazardous waste remedial or clean-up work will be required on the Property. There are no environmental, health or safety hazards on, under or about the Property, including but not limited to soil and groundwater conditions.

f. There are no contracts, leases, claims or rights affecting the Property and no agreements entered into by or under Seller that shall survive the Close of Escrow.

g. Until the Closing, Seller shall not do anything which would impair Seller's title to any of the Property.

h. Seller is not, and as of the Close of Escrow will not be, a foreign person within the meaning of Internal Revenue Code Section 1445 or an out-of-state seller under California Revenue and Tax Code Section 18805 and that it will deliver to Buyer through Escrow a non-foreign affidavit on Escrow Holder's standard form pursuant to Internal Revenue Code Section 1445(b)(2) and the Regulations promulgated thereunder and a California Form 590-RE ("Non-foreign Affidavit").

i. Until the Closing, if Seller learns of any fact or condition which would cause any of the warranties and representations in this Section not to be true as of the Closing, Seller shall immediately give written notice of such fact or condition to Buyer.

j. No construction or repair work has been done on the Property within the six (6) months prior to the Opening of Escrow.

9.2 Breach; Indemnification. If a breach of a representation, warranty or covenants occurs before Closing and Buyer is aware that such a breach has occurred, the breach shall be grounds to terminate this Agreement in Buyer's sole discretion. If Buyer does not elect to terminate this Agreement, Buyer shall be deemed to have waived any such breach.

10. ESCROW PROVISIONS.

10.1 Escrow Instructions. Sections 1; 2 through 6 inclusive, 8, 10, 12 and 13 constitute the escrow instructions to Escrow Holder. If required by Escrow Holder, Buyer and Seller agree to execute Escrow Holder's standard escrow instructions, provided that the same are consistent with and do not conflict with the provisions of this Agreement. In the event of any such conflict, the provisions of this Agreement shall prevail. The terms and conditions in sections of this Agreement not specifically referenced above are additional matters for information of Escrow Holder, but about which Escrow Holder need not be concerned. Buyer and Seller will receive Escrow Holder's general provisions directly from Escrow Holder and will execute such provision upon Escrow Holder's request. To the extent that the general provisions are inconsistent or conflict with this Agreement, the general provisions will control as to the duties and obligations of Escrow Holder only. Buyer and Seller agree to execute additional instructions, documents and forms provide by Escrow Holder that are reasonably necessary to close Escrow.

10.2 General Escrow Provisions. Escrow Holder shall deliver the Owner's Title Policy to Buyer and instruct the Sutter County Recorder to mail the Grant Deed to Buyer at the address set forth in Section 12 after recordation. All funds received in this Escrow shall be deposited in one or more general escrow accounts of the Escrow Holder with any bank doing business in Sutter County, California, and may be disbursed to any other general escrow account or accounts. All disbursements shall be according to that party's instructions.

10.3 Utilities. Buyer and Seller shall cause all utilities which are in the name of Seller to be transferred to the name of Buyer as of the Close of Escrow or as soon thereafter as practicable. Utilities shall be prorated to the Close of Escrow. In the event final amounts with respect to said prorations are not available as of Close of Escrow, the proration shall be done on an estimated basis and the parties shall prepare a final proration within sixty (60) days following Close of Escrow. Any party who is obligated to pay net amounts based on said final proration shall reimburse the other party said amount within thirty (30) days after completion of the final proration.

10.4 Real Property Taxes. Seller is a public agency and exempt from real property taxes so no prorations will be required at Closing.

10.5 Payment of Costs.

- a. **Cost Allocation.** Buyer shall pay the costs for the Owner's Title Policy, one-half of escrow costs and recording fees ("**Buyer's Charges**"). Seller shall pay the cost of the NHD Report, documentary transfer taxes, one-half of the escrow costs and any fees and costs charged by any lender to obtain releases or consents or otherwise put title in the condition described in Section 6 ("**Seller's Charges**"). All other costs of Escrow not otherwise specifically allocated by this Agreement shall be apportioned between the parties in a manner consistent with the custom and usage of Escrow Holder.

- b. **Closing Statement.** At least three (3) business days prior to the Closing Date, Escrow Holder shall furnish Buyer and Seller with a preliminary Escrow closing statement which shall include each party's respective shares of costs. The preliminary closing statement shall be approved in writing by the parties. As soon as reasonably possible following the Close of Escrow, Escrow Holder shall deliver a copy of the final Escrow closing statement to the Parties.

10.6 Termination and Cancellation of Escrow. If Escrow fails to close as provided above, either party may elect to cancel this Escrow upon written notice to the other party and Escrow Holder. Upon cancellation, Escrow Holder is instructed to return all funds and documents then in Escrow to the respective depositor of the same with Escrow Holder. Cancellation of Escrow, as provided herein, shall be without prejudice to whatever legal rights Buyer or Seller may have against each other arising from the Escrow or this Agreement.

10.7 Information Report. Escrow Holder shall file and Buyer and Seller agree to cooperate with Escrow Holder and with each other in completing any report ("**Information Report**") and/or other information required to be delivered to the Internal Revenue Service pursuant to Internal Revenue Code § 6045(e) regarding the real estate sales transaction contemplated by this Agreement, including without limitation, Internal Revenue Service Form 1099-B as such may be hereinafter modified or amended by the Internal Revenue Service, or as may be required pursuant to any regulation now or hereinafter promulgated by the Treasury Department with respect thereto. Buyer and Seller also agree that Buyer and Seller, their respective employees and attorneys, and escrow Holder and its employees, may disclose to the Internal Revenue Service, whether pursuant to such Information Report or otherwise, any information regarding this Agreement or the transactions contemplated herein as such party reasonably deems to be required to be disclosed to the Internal Revenue Service by such party pursuant to Internal Revenue Code Section 6045(e), and further agree that neither Buyer nor Seller shall seek to hold any such party liable for the disclosure to the Internal Revenue Service of any such information.

10.8 No Withholding as Foreign Seller. Seller represents and warrants to Buyer that Seller is not, and as of the Close of Escrow will not be, a foreign person within the meaning of Internal Revenue Code § 1445 or an out-of-state seller under California Revenue and Tax Code § 18805 and that it will deliver to Buyer on or before the Close of Escrow a non-foreign affidavit on Escrow Holder's standard form pursuant to Internal Revenue Code §1445(b)(2) and the Regulations promulgated thereunder and a California Form 590-RE.

10.9 Brokerage Commissions. Neither party is represented by a broker. Buyer and Seller each agree to indemnify and hold the other parties harmless from and against all liabilities, costs, damages and expenses, including, without limitation, attorneys' fees, resulting from any claims or fees or commissions, based upon agreements by it, if any, to pay a broker's commission and/or finder's fee except as specified above.

11. LIQUIDATED DAMAGES.

IF BUYER SHOULD MATERIALLY DEFAULT UNDER THIS AGREEMENT, BUYER AND SELLER AGREE THAT SELLER WILL INCUR DAMAGES BY REASON OF SUCH DEFAULT WHICH DAMAGES SHALL BE IMPRACTICAL AND EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO ASCERTAIN. THEREFORE, BUYER AND SELLER, IN A REASONABLE EFFORT TO ASCERTAIN WHAT SELLER'S DAMAGES WOULD BE IN THE EVENT OF SUCH DEFAULT BY BUYER HAVE AGREED BY

PLACING THEIR INITIALS BELOW THAT THE DEPOSIT SHALL CONSTITUTE A REASONABLE ESTIMATE OF SELLER'S DAMAGES UNDER THE PROVISIONS OF SECTIONS 1671 AND 1677 OF THE CALIFORNIA CODE OF CIVIL PROCEDURE FOR A BREACH PRIOR TO THE CLOSING. IF BUYER FAILS TO PROMPTLY DELIVER THE SUM SPECIFIED ABOVE TO SELLER, SUCH FAILURE SHALL CONSTITUTE A MATERIAL BREACH OF THIS PROVISION AND SELLER MAY ELECT TO SUE BUYER UNDER THIS PROVISION OR TO WAIVE THIS PROVISION AND PROCEED AGAINST BUYER FOR ALL APPLICABLE DAMAGES RESULTING FROM BUYER'S DEFAULT.

Seller's Initials

Buyer's Initials

12. NOTICES. Any notices, demands or communications under this Agreement between the parties shall be in writing, and may be given by (i) personal service, (ii) overnight delivery, or (iii) mailing via United States mail, certified mail, postage prepaid, return receipt requested ("**US Mail**"), addressed to each party as set forth below or such other address as may be furnished in writing by a party, and such notice or communication shall, if properly addressed, be deemed to have been given (a) as of the date so delivered under delivery methods (i) or (ii) above, or (b) three (3) business days after deposit into the U.S. Mail.

To Seller: City of Yuba City
1201 Civic Center Boulevard
Yuba City, CA 95993
Attn: Diana Langlely, City Manager

With a Copy to: Aleshire & Wynder, LLP
2440 Tulare Street Suite 410
Fresno, CA 93721
Attn: Shannon Chaffin, City Attorney

To Buyer: Sukhvinder Bassi
1635 Hastings Court
Yuba City, CA 95991

Brett Scheidel
1510 W. Catlett Road,
Pleasant Grove, CA 95668

To Escrow Holder: Placer Title Company
1425 Butte House Road
Yuba City, CA 95993
Ana Campos, Senior Escrow Officer

13. GENERAL PROVISIONS.

13.1 Assignment. Neither party shall have the right to assign this Agreement or any interest or right hereunder or under the Escrow without the prior written consent of the other party. Subject to the foregoing, this Agreement shall be binding upon and shall inure to the benefit of Buyer and Seller and their respective heirs, personal representatives, successors and assigns.

13.2 Attorney's Fees. In any action between the parties hereto, seeking enforcement of any of the terms and provisions of this Agreement or the Escrow, or in connection with the Property, the prevailing party in such action shall be entitled, to have and to recover from the other party its reasonable attorneys' fees and other reasonable expenses in connection with such action or proceeding, in addition to its recoverable court costs.

13.3 Interpretation; Governing Law. This Agreement shall be construed according to its fair meaning and as if prepared by both parties hereto. This Agreement shall be construed in accordance with the laws of the State of California in effect at the time of the execution of this Agreement. Titles and captions are for convenience only and shall not constitute a portion of this Agreement. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others wherever and whenever the context so dictates.

13.4 No Waiver. No delay or omission by either party in exercising any right or power accruing upon the compliance or failure of performance by the other party under the provisions of this Agreement shall impair any such right or power or be construed to be a waiver thereof. A waiver by either party of a breach of any of the covenants, conditions or agreements hereof to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions hereof.

13.5 Modifications. Any alteration, change or modification of or to this Agreement, in order to become effective, shall be made by written instrument or endorsement thereon and in each such instance executed on behalf of each party hereto.

13.6 Severability. If any term, provision, condition or covenant of this Agreement or the application thereof to any party or circumstances shall, to any extent, be held invalid or unenforceable, the remainder of this instrument, or the application of such term, provisions, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

13.7 Merger. This Agreement and other documents incorporated herein by reference contain the entire understanding between the parties relating to the transaction contemplated hereby and all prior to contemporaneous agreements, understandings, representations and statements, oral or written, are merged herein and shall be of no further force or effect.

13.8 Execution in Counterparts. This Agreement may be executed in several counterparts, and all so executed shall constitute one agreement binding on all parties hereto, notwithstanding that all parties are not signatories to the original or the same counterpart.

13.9 Exhibits. Exhibits A, B, and C are attached hereto are incorporated herein by reference.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement for Purchase and Sale of Real Property and Escrow Instructions as of the date set forth above.

Note: Section 11 needs to be separately initialed by the parties.

BUYER:

Sukhvinder Bassi

Brett Scheidel

Accepted and agreed to:

ESCROW HOLDER:

PLACER TITLE

By: _____
Ana Campos, Escrow Officer

Dated: _____, 2024

SELLER:

CITY OF YUBA CITY

By: _____
Diana Langley, City Manager
_____, 2024

ATTEST:

Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM:

ALESHIRE & WYNDER, LLP

By: _____
Shannon Chaffin, City Attorney

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

That certain real property in the City of Yuba City, County of Sutter, State of California legally described as follows:

A portion of Subdivision "D" of Yuba City, California, particularly described as follows:

Beginning at the intersection of the Westerly line of Wilbur Avenue with the Northerly line of Stevens Avenue, said point of intersection being 1,027.91 feet Southerly measured along said Westerly line of Wilbur Avenue from an iron pin marking the intersection of said Westerly line of Wilbur Avenue with the Southerly line of "B" Street; running thence Westerly along said Northerly line of Stevens Avenue, 150.00 feet; thence Northerly at right angles to said Northerly line of Stevens Avenue, 63.81 feet; thence Easterly parallel to said Northerly line of Stevens Avenue 137.64 feet to said Westerly line of Wilbur Avenue and thence Southerly along said Westerly line of Wilbur Avenue, 65.00 feet to the point of beginning.

Excepting therefrom, that portion of the above-described land as conveyed to the City of Yuba City, in the deed recorded July 9, 1985, in Book 1141, page 599, Official Records, described as follows:

Beginning at the intersection of the Westerly line of Wilbur Avenue with the Northerly line of Stevens Avenue as described in the deed to the City of Yuba City, recorded in Book 52 of Deeds, Page 46, Sutter County records; thence North $11^{\circ} 26' 40''$ West along said Westerly Line of Wilbur Avenue a distance of 65.00 feet to the Northeast corner of the land described in the Deed to James E. Granneman recorded in Book 831, page 463 of Official Records of Sutter County, California; thence South $89^{\circ} 32' 20''$ West, along the Northerly line of said Granneman Parcel, a distance of 2.09 feet to a line parallel with, Westerly of, and 30 feet measured at right angles to the monumented center line of Wilbur Avenue; thence South $11^{\circ} 24' 04''$ East along said line a distance of 36.69 feet to the beginning of a tangent curve concave to the Northwest having a radius of 20 feet; thence along said curve through a central angle of $100^{\circ} 56' 24''$ a distance of 35.23 feet, to a line parallel with Northerly of and 4 feet measured at right angles to the Northerly line of said Stevens Avenue; thence South $00^{\circ} 27' 40''$ East, a distance of 4.00 feet to the North line of said Stevens Avenue; thence North $89^{\circ} 32' 20''$ East, along said North line a distance of 27.15 feet to the Point of Beginning, containing .366 square feet more or less

APN: 052-401-009-000

EXHIBIT B
GRANT DEED

FREE RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Sukhvinder Bassi
1635 Hastings Court
Yuba City, CA 95991

APN 052-401-009-000

THE UNDERSIGNED GRANTOR DECLARES:
Documentary Transfer Tax is: \$____

(Space Above This Line for Recorder's Office Use Only)
(Exempt from Recording Fee per Gov. Code §6103)

GRANT DEED

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, CITY OF YUBA CITY, a public agency ("**Grantor**"), hereby grants to Sukhvinder Bassi and Brett Scheidel as _____ ("**Grantee**"), that certain real property in the City of Yuba City, County of Sutter, State of California, legally described on Exhibit A attached hereto and incorporated herein by reference ("**Property**").

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on its behalf by its respective officers or agents hereunto as of the date below.

GRANTOR:

CITY OF YUBA CITY, a public agency

Not to be executed until closing

By: _____
Diana Langley,
City Manager

ATTEST:

Ciara Wakefield, Deputy City Clerk

DATED: _____, 2024

EXHIBIT A TO GRANT DEED

LEGAL DESCRIPTION OF PROPERTY

That certain real property in the City of Yuba City, County of Sutter, State of California legally described as follows:

A portion of Subdivision "D" of Yuba City, California, particularly described as follows:

Beginning at the intersection of the Westerly line of Wilbur Avenue with the Northerly line of Stevens Avenue, said point of intersection being 1,027.91 feet Southerly measured along said Westerly line of Wilbur Avenue from an iron pin marking the intersection of said Westerly line of Wilbur Avenue with the Southerly line of "B" Street; running thence Westerly along said Northerly line of Stevens Avenue, 150.00 feet; thence Northerly at right angles to said Northerly line of Stevens Avenue, 63.81 feet; thence Easterly parallel to said Northerly line of Stevens Avenue 137.64 feet to said Westerly line of Wilbur Avenue and thence Southerly along said Westerly line of Wilbur Avenue, 65.00 feet to the point of beginning.

Excepting therefrom, that portion of the above-described land as conveyed to the City of Yuba City, in the deed recorded July 9, 1985, in Book 1141, page 599, Official Records, described as follows:

Beginning at the intersection of the Westerly line of Wilbur Avenue with the Northerly line of Stevens Avenue as described in the deed to the City of Yuba City, recorded in Book 52 of Deeds, Page 46, Sutter County records; thence North $11^{\circ} 26' 40''$ West along said Westerly Line of Wilbur Avenue a distance of 65.00 feet to the Northeast corner of the land described in the Deed to James E. Granneman recorded in Book 831, page 463 of Official Records of Sutter County, California; thence South $89^{\circ} 32' 20''$ West, along the Northerly line of said Granneman Parcel, a distance of 2.09 feet to a line parallel with, Westerly of, and 30 feet measured at right angles to the monumented center line of Wilbur Avenue; thence South $11^{\circ} 24' 04''$ East along said line a distance of 36.69 feet to the beginning of a tangent curve concave to the Northwest having a radius of 20 feet; thence along said curve through a central angle of $100^{\circ} 56' 24''$ a distance of 35.23 feet, to a line parallel with Northerly of and 4 feet measured at right angles to the Northerly line of said Stevens Avenue; thence South $00^{\circ} 27' 40''$ East, a distance of 4.00 feet to the North line of said Stevens Avenue; thence North $89^{\circ} 32' 20''$ East, along said North line a distance of 27.15 feet to the Point of Beginning, containing .366 square feet more or less

APN: 052-401-009-000

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

[illegible]

On _____, 2024 before me, _____, a notary public,
personally appeared _____ who proved to
me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

SEAL:

EXHIBIT C
DEED RESTRICTION

FREE RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Yuba City
1201 Civic Center Boulevard
Yuba City, CA 95993
Attn: City Manager

APN 052-401-009

THE UNDERSIGNED GRANTOR DECLARES:
Documentary Transfer Tax is: \$____

(Space Above This Line for Recorder's Office Use Only)
(Exempt from Recording Fee per Gov. Code §6103)

DEED RESTRICTION

If ten (10) or more residential units are developed on the Property, not less than 15 percent of the total number of residential units developed on the property shall be sold or rented at affordable housing cost, as defined in Section 50052.5 of the California Health and Safety Code, or affordable rent, as defined in Section 50053 of the California Health and Safety Code, to lower income households, as defined in Section 50079.5 of the California Health and Safety Code. Rental units shall remain affordable to and occupied by lower income households for a period of 55 years for rental housing and 45 years for ownership housing. The initial occupants of all ownership units shall be lower income households, and the units shall be subject to an equity sharing agreement consistent with the provisions of paragraph (2) of subdivision © of 65915 of the California Government Code. These requirements shall be covenants or restrictions running with the land and shall be enforceable against any owner who violates a covenant or restriction and each successor-in-interest who continues the violation by any of the entities described in subdivisions (a) to (f), inclusive, of Section 54222.5 of the California Government Code.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on its behalf by its respective officers or agents hereunto as of the date below.

GRANTOR:

CITY OF YUBA CITY, a public agency

Not to be executed until closing

By: _____
Diana Langley
City Manager

ATTEST:

Ciara Wakefield, Deputy City Clerk

DATED: _____, 2024

EXHIBIT A TO DEED RESTRICTION

LEGAL DESCRIPTION OF PROPERTY

That certain real property in the City of Yuba City, County of Sutter, State of California legally described as follows:

A portion of Subdivision "D" of Yuba City, California, particularly described as follows:

Beginning at the intersection of the Westerly line of Wilbur Avenue with the Northerly line of Stevens Avenue, said point of intersection being 1,027.91 feet Southerly measured along said Westerly line of Wilbur Avenue from an iron pin marking the intersection of said Westerly line of Wilbur Avenue with the Southerly line of "B" Street; running thence Westerly along said Northerly line of Stevens Avenue, 150.00 feet; thence Northerly at right angles to said Northerly line of Stevens Avenue, 63.81 feet; thence Easterly parallel to said Northerly line of Stevens Avenue 137.64 feet to said Westerly line of Wilbur Avenue and thence Southerly along said Westerly line of Wilbur Avenue, 65.00 feet to the point of beginning.

Excepting therefrom, that portion of the above-described land as conveyed to the City of Yuba City, in the deed recorded July 9, 1985, in Book 1141, page 599, Official Records, described as follows:

Beginning at the intersection of the Westerly line of Wilbur Avenue with the Northerly line of Stevens Avenue as described in the deed to the City of Yuba City, recorded in Book 52 of Deeds, Page 46, Sutter County records; thence North $11^{\circ} 26' 40''$ West along said Westerly Line of Wilbur Avenue a distance of 65.00 feet to the Northeast corner of the land described in the Deed to James E. Granneman recorded in Book 831, page 463 of Official Records of Sutter County, California; thence South $89^{\circ} 32' 20''$ West, along the Northerly line of said Granneman Parcel, a distance of 2.09 feet to a line parallel with, Westerly of, and 30 feet measured at right angles to the monumented center line of Wilbur Avenue; thence South $11^{\circ} 24' 04''$ East along said line a distance of 36.69 feet to the beginning of a tangent curve concave to the Northwest having a radius of 20 feet; thence along said curve through a central angle of $100^{\circ} 56' 24''$ a distance of 35.23 feet, to a line parallel with Northerly of and 4 feet measured at right angles to the Northerly line of said Stevens Avenue; thence South $00^{\circ} 27' 40''$ East, a distance of 4.00 feet to the North line of said Stevens Avenue; thence North $89^{\circ} 32' 20''$ East, along said North line a distance of 27.15 feet to the Point of Beginning, containing .366 square feet more or less

APN: 052-401-009-000

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

[illegible]

On _____, 2024 before me, _____, a notary public,
personally appeared _____ who proved to
me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

SEAL:

ATTACHMENT 2

VICINITY MAP



CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council; Honorable Chairperson and Directors of the Successor Agency to the Redevelopment Agency of the City of Yuba City
From: Administration Department
Presentation By: Diana Langley, City Manager

Summary

Subject: Agreement for Purchase and Sale of Real Property located at the northwest corner of Percy Avenue and Plumas Boulevard (APN 053-194-013) to Gursharan Mann

Recommendation: Adopt a Resolution authorizing the City Manager as Executive Director to the Successor Agency to the Redevelopment Agency of the City of Yuba City to execute an Agreement for Purchase and Sale of Real Property located at the northwest corner of Percy Avenue and Plumas Boulevard (APN 053-194-013), and all other necessary documents, in the amount of \$67,500 to Gursharan Mann, and authorize the Finance Director to remit the proceeds to the Sutter County Auditor-Controller for distribution to the taxing entities per the Long Range Property Management Plan

Fiscal Impact: Sale Price - \$67,500

Purpose:

To facilitate and encourage the development of infill property located in the Town Center area.

Council's Strategic Goal:

This project addresses multiple City Council Strategic Goals, primarily maintaining the financial stability and sustainability of the City and enhancing the business-friendly environment for the City.

Background:

The northwest corner of Percy Avenue and Plumas Boulevard (APN 053-194-013) is a 0.41-acre vacant parcel (Site), currently owned by the Successor Agency to the Redevelopment Agency of the City of Yuba City (Successor Agency). Based on a 2011 California Supreme Court decision, all redevelopment agencies in California were dissolved as of February 1, 2012. As a result, all redevelopment agencies were required to dissolve and transfer any assets and liabilities to "Successor Agencies" that would bring to a close the redevelopment agencies' business matters. On January 10, 2012, the City Council elected to become the Successor Agency, and in November 2014, the Site was transferred to the Successor Agency.

In 2015, a Long Range Property Management Plan was prepared by Fraser & Associates. The plan recommended the Site be sold for private development. On August 16, 2022, the City Council, acting as the Successor Agency, declared the Site to be surplus land and directed the City Manager to follow procedures set forth in the Surplus Land Act (SLA) for the sale of the property. Through the SLA process, no housing sponsors or developers submitted a letter of interest to purchase the property and the California Department of Housing and Community Development (HCD) cleared the property for sale.

Analysis:

In August 2023, an appraisal was prepared by Owen & Associates Valuation, Inc., in which the appraised amount was \$65,000. The City contracted with Coldwell Banker Commercial Valley Brokers (Coldwell Banker) to represent the City and place the property for sale for \$65,000. Coldwell Banker received an offer from Gursharan Mann to purchase the Site "as is" for \$67,500. The attached Agreement for Purchase and Sale details the terms of the transaction.

Fiscal Impact:

The proposed purchase price is \$67,500 with net proceeds being less due to sales commission, title, and escrow fees. Per the Long Range Property Management Plan, the City will remit the net proceeds to the Sutter County Auditor-Controller for distribution to the taxing agencies, of which the City will receive approximately 16% back.

Alternatives:

Do not authorize the City Manager to sign the Agreement and provide direction for the disposition of the property.

Recommendation:

Adopt a Resolution authorizing the City Manager as Executive Director to the Successor Agency to the Redevelopment Agency of the City of Yuba City to execute an Agreement for Purchase and Sale of Real Property located at the northwest corner of Percy Avenue and Plumas Boulevard (APN 053-194-013), and all other necessary documents, in the amount of \$67,500 to Gursharan Mann, and authorize the Finance Director to remit the proceeds to the Sutter County Auditor-Controller for distribution to the taxing entities per the Long Range Property Management Plan.

Attachments:

1. Resolution - Northwest Corner of Percy Avenue and Plumas Boulevard
2. Exhibit A - APN 53-194-013
3. Location Map

Prepared By:
Diana Langley
City Manager

Submitted By:
Diana Langley
City Manager

ATTACHMENT 1

RESOLUTION NO.

RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF YUBA CITY AUTHORIZING THE CITY MANAGER AS THE EXECUTIVE DIRECTOR TO THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF YUBA CITY TO EXECUTE AN AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY LOCATED AT THE NORTHWEST CORNER OF PERCY AVENUE AND PLUMAS BOULEVARD (APN 053-194-013), AND ALL OTHER NECESSARY DOCUMENTS, IN THE AMOUNT OF \$67,500 TO GURSHARAN MANN, AND AUTHORIZE THE FINANCE DIRECTOR TO REMIT THE PROCEEDS TO THE SUTTER COUNTY AUDITOR-CONTROLLER FOR DISTRIBUTION TO THE TAXING ENTITIES PER THE LONG RANGE PROPERTY MANAGEMENT PLAN

WHEREAS, in January 2012, the City Council elected to become the Successor Agency to the Redevelopment Agency of the City of Yuba City (Successor Agency); and

WHEREAS, in November 2014, ownership of the Site was transferred by grant deed to the Successor Agency; and

WHEREAS, in 2015, a Long Range Property Management Plan was prepared by Fraser & Associates and recommended the Site be sold for private development; and

WHEREAS, in August 2022, the Successor Agency declared the Site to be surplus and directed the City Manager/Executive Director to follow procedures set forth in the Surplus Land Act for the sale of the property; and

WHEREAS, in accordance with the Surplus Land Act, staff issued a notice of availability and did not receive any interest from any housing sponsors; and

WHEREAS, the Department of Housing and Community Development has determined that staff met all the requirements under the Surplus Land Act and the Successor Housing Agency is permitted to proceed with the sale or lease of the property; and

WHEREAS, an appraisal was prepared by Owen & Associates Valuation, Inc., and the appraised value is \$65,000; and

WHEREAS, the City received an offer from Gursharan Mann to purchase the property for \$67,500 in "as is" condition; and

WHEREAS, staff recommends that the Successor Agency accept the offer and authorize the City Manager to execute an Agreement for Purchase and Sale; and

WHEREAS, per the Long Range Property Management Plan, the net proceeds from the sale of the property are to be remitted to the Sutter County Auditor-Controller for distribution to the taxing agencies.

NOW, THEREFORE, the Successor Agency of the Yuba City Redevelopment Agency, California, does hereby resolve as follows:

1. The City Manager as the Executive Director to the Successor Agency to the Redevelopment Agency of the City of Yuba City is authorized to execute an Agreement

for Purchase and Sale of Real Property located at the northwest corner of Percy Avenue and Plumas Boulevard (APN 053-194-013), and all other necessary documents, in the amount of \$67,500 to Gursharan Mann.

2. The Finance Director is authorized to remit the net proceeds to the Sutter County Auditor-Controller.

The foregoing Resolution was duly and regularly introduced, passed and adopted by the Successor Agency to the Yuba City Redevelopment Agency, at a regular meeting thereof held on the 7th day of May, 2024.

AYES:

NOES:

ABSENT:

Shon Harris, Chair of Successor Agency

ATTEST:

Ciara Wakefield, Deputy Agency Secretary

APPROVED AS TO FORM
COUNSEL FOR SUCCESSOR AGENCY

Shannon Chaffin
Agency Counsel

Exhibit A: Purchase and Sale Agreement

EXHIBIT A

**AGREEMENT FOR PURCHASE AND SALE
OF REAL PROPERTY AND JOINT ESCROW INSTRUCTIONS**

THIS AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY AND JOINT ESCROW INSTRUCTIONS ("**Agreement**") is made this 19th day of March, 2024 ("**Agreement Date**") by and among Gursharan Mann (the "**Buyer**"), City of Yuba City as Successor Agency to the former Redevelopment Agency of the City of Yuba City, a public agency ("**Seller**") and PLACER TITLE COMPANY, a corporation ("**Escrow Holder**" and "**Title Company**").

RECITALS:

A. Seller owns those certain real property located on the north side of the intersection of Main Street/Morton Street/Plumas Boulevard, Yuba City, State of California (APN 053-194-013) legally described as set forth on **Exhibit A** ("**Property**").

B. Buyer is willing to purchase the Property in AS-IS condition pursuant to the terms of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and incorporating the recitals above, the parties hereto agree as follows:

TERMS AND CONDITIONS:

1. PURCHASE AND SALE OF PROPERTY. Buyer hereby agrees to purchase from Seller, and Seller agrees to sell to Buyer, the Property in AS-IS condition.

2. OPENING OF ESCROW. Within five (5) days after the execution of this Agreement by both Buyer and Seller, the parties shall open an escrow ("**Escrow**") with Placer Title Company (Escrow Holder) by causing an executed copy of this Agreement to be deposited with Ana Campos, escrow officer ("**Escrow Officer**") at Placer Title Company, 1425 Butte House Road, Yuba City, Acampos@placertitle.com (530) 671-5040 ("**Escrow**") together with the Deposit (as defined in Section 3.2(a)) ("**Opening of Escrow**").

3. PURCHASE PRICE.

3.1 Purchase Price. The Purchase Price for the Property is Sixty-Seven Thousand Five Hundred Dollars (\$67,500) ("**Purchase Price**").

3.2 Payment of Purchase Price. The Purchase Price shall be paid as follows:

(a) **Deposit.** At Opening of Escrow, Buyer shall deposit the sum of Fifteen Thousand Five Hundred Dollars (\$15,500) with Escrow Holder ("**Deposit**").

(b) **Balance of Funds.** At least one (1) business day prior to the Closing, Buyer shall deposit balance of the Purchase Price with Escrow Holder in Good Funds (as defined below).

3.3 Disbursement of Seller's Net Proceeds. At the Closing, the net proceeds (as determined by the Seller settlement statement) shall be disbursed to Seller.

3.4 Good Funds. All funds deposited in Escrow shall be in “**Good Funds**” which means a wire transfer of funds, cashier's or certified check drawn on or issued by the offices of a financial institution located in the State of California.

4. ADDITIONAL FUNDS AND DOCUMENTS REQUIRED FROM BUYER AND SELLER.

4.1 Seller. Seller agrees that on or before 12:00 noon on the day preceding the Closing Date, Seller will deposit with Escrow Holder such funds and other items and instruments (executed and acknowledged, if appropriate) as may be necessary in order for the Escrow Holder to comply with this Agreement, including without limitation:

- a. Executed and acknowledged grant deed in the form of Exhibit B (“**Grant Deed**”).
- b. A Non-Foreign Affidavit as required by federal law.
- c. Such funds and other items and instruments as may be necessary in order for Escrow Holder and the Title Company to comply with this Agreement.
- d. Executed and acknowledged Deed Restriction in the form of Exhibit C (“**Deed Restriction**”).

4.2 Buyer. Buyer agrees that on or before 12:00 noon on the date preceding the Closing Date, Buyer will deposit with Escrow Holder all additional funds and/or documents (executed and acknowledged, if appropriate) which are necessary to comply with the terms of this Agreement, including without limitation:

- a. A Preliminary Change of Ownership Statement completed in the manner required in Sutter County.
- b. Such funds and other items and instruments as may be necessary in order for Escrow Holder and the Title Company to comply with this Agreement.

4.3 Recordation, Completion and Distribution of Documents. Escrow Holder will cause Grant Deed to be recorded when it can issue the Owner's Title Policy in accordance with Section 6, and holds for the account of Buyer and Seller, respectively, the funds and items described above to be delivered to Buyer and Seller, respectively, through Escrow, less costs, expenses and disbursements chargeable to Seller pursuant to the terms hereof.

5. CLOSING DATE; TIME IS OF ESSENCE.

5.1 Closing Date. Escrow shall close within twenty (20) days after Buyer has provided the Buyer's Due Diligence Approval Notice by the Outside Due Diligence Date (pursuant to Section 7), but no later than thirty (30) days after the Opening of Escrow (“**Closing Date**”) unless extended as evidenced by a writing signed by both parties. The terms “**Close of Escrow**” and/or “**Closing**” are used herein to mean the time Grant Deed is filed for recording by the Escrow Holder in the Office of the County Recorder of Sutter County, California.

5.2 Possession. Upon the Close of Escrow, exclusive possession and occupancy of the Property shall be delivered to Buyer free and clear of all claims of possession and all debris.

5.3 Time is of Essence. Buyer and Seller specifically agree that time is of the

essence.

5.4 Executive Director's Authority. Seller by its execution of this Agreement hereby agrees that its Executive Director or designee (who has been designated by Executive Director's written notice delivered to Buyer and Escrow Holder) shall, in Executive Director's sole and exclusive discretion, have authority:

(i) to execute documents on behalf of Seller including, but not limited to, issuing approvals, disapprovals and extensions. Any such approval, disapproval or extension executed by the Executive Director or their designee shall be binding on Seller.

(ii) make minor modifications to this Agreement in order to fulfill the direction of the Successor Agency Board, provided that such minor modifications are approved by the Agency's legal counsel.

6. TITLE POLICY.

6.1 Approval of Title.

(a) Promptly following execution of this Agreement but in no event later than five (5) days following Opening of Escrow, a preliminary title report shall be issued by Placer Title Company ("**Title Company**"), describing the state of title of the Property, together with copies of all exceptions specified therein and a map plotting all easements specified therein ("**Preliminary Title Report**"). Within five (5) days after Buyer's receipt of the Preliminary Title Report, Buyer shall notify Seller in writing ("**Buyer's Title Notice**") of Buyer's disapproval of any matters contained in the Preliminary Title Report ("**Disapproved Exceptions**").

(b) In the event Buyer delivers Buyer's Title Notice within said period, Seller shall have a period of five (5) days after receipt of Buyer's Title Notice in which to notify Buyer of Seller's election to either (i) agree to attempt to remove the Disapproved Exceptions prior to the Close of Escrow; or (ii) decline to remove any such Disapproved Exceptions ("**Seller's Notice**"). If Seller notifies Buyer of its election to decline to remove the Disapproved Exceptions, or if Seller is unable to remove the Disapproved Exceptions, Buyer may elect either to terminate this Agreement and the Escrow or to accept title to the Property subject to the Disapproved Exception(s). Buyer shall exercise such election by delivery of written notice to Seller and Escrow Holder within five (5) days following the earlier of (i) the date of written advice from Seller that such Disapproved Exception(s) cannot be removed; or (ii) the date Seller declines to remove such Disapproved Exception(s).

(c) Upon the issuance of any amendment or supplement to the Preliminary Title Report which adds additional exceptions, the foregoing right of review and approval shall also apply to said amendment or supplement, provided, however, that Buyer's initial period of review and approval or disapproval of any such additional exceptions shall be limited to ten (10) days following receipt of notice of such additional exceptions.

(d) Nothing to the contrary herein withstanding, Buyer shall be deemed to have automatically objected to all leases, deeds of trust, mortgages, judgment liens, federal and state income tax liens, delinquent general and special real property taxes and assessments and similar monetary encumbrances affecting the Property, and Seller shall discharge any such non-permitted title matter of record prior to or concurrently with the Close of Escrow.

6.2 Title Policy. At the Close of Escrow, Escrow Holder shall furnish Buyer with an ALTA/CLTA Homeowner's Owner's Policy of title insurance ("**Owner's Title Policy**") insuring title to the Property vested in Buyer in the amount of the Purchase Price, containing only exceptions approved or waived by Buyer in accordance with this Section. The cost of the Owner's Title Policy to Seller shall be paid by Buyer.

7. TRANSFER DISCLOSURE STATEMENT, STATUTORY DISCLOSURES & DUE DILIGENCE.

7.1 Natural Hazard Disclosure Report with Tax Disclosures. Within two (2) days after the Opening of Escrow, Escrow Holder shall order and deliver to Buyer a comprehensive natural hazard disclosure and tax report from Disclosure Source ("**NHD Report**") for Buyer's review and approval. If Buyer disapproves the NHD Report, Buyer shall notify Seller with a copy to Escrow Holder within the Due Diligence Period. If Buyer does not disapprove the NHD Report within the Due Diligence Period, Buyer shall be deemed to have approved it. Buyer shall execute the acknowledgement statement that accompanies the NHD Report and deliver a copy to Seller.

7.2 Material Facts & Insurance Claims. Within two (2) days of the Opening of Escrow, Seller shall disclose to Buyer in writing all known material facts and defects including known insurance claims within the last five (5) years preceding the Agreement Date

7.3 Other Statutory Disclosures. Within two (2) days of Opening of Escrow, Seller shall deliver to Buyer all other applicable statutory disclosures (including, but not limited to, notice or actual knowledge of release of illegal controlled substance, etc.) as required by law for Buyer's review and approval. If Buyer disapproves any such disclosures, Buyer shall notify Seller with a copy to Escrow Holder within the Due Diligence Period. If Buyer does not disapprove a statutory disclosure within the Due Diligence Period, Buyer shall be deemed to have approved it and Buyer shall execute any documents reasonably required by Seller to evidence same and deliver same to Seller.

7.4 Due Diligence. For a period of up to thirty (30) days following the Opening of Escrow ("**Due Diligence Period**"), Buyer shall have the right to review and inspect the Property and conduct such tests as reasonably determined by Buyer. Buyer shall make reasonable efforts to expediate any and all investigations provided same does not involve additional cost to Seller. Seller grants to Buyer, its agents and employees, upon reasonable notice to Seller, a limited license to enter the Property for the purpose of conducting such due diligence as reasonably required by Buyer at Buyer's sole cost and expense. As a condition to Buyer's entry and inspection, Buyer shall keep the Property free and clear of all materialmen's liens, lis pendens or any other liens arising out of the entry and any work performed under this Agreement. Buyer shall notify Seller in writing ("**Buyer's Due Diligence Notice**") on or before the expiration of the Due Diligence Period of Buyer's approval of the condition of the Property as well as the TDS, NHD Report, Lead Paint Disclosure and all other disclosures and notices delivered to Buyer under this Agreement, which approval may be withheld in Buyer's sole discretion. Failure of Seller to provide access to the Property to make inspect the Property at a day and time requested by Buyer shall be a material breach of this Agreement and Buyer shall have the right to immediately terminate this Agreement and the escrow.

7.5 Indemnity: Buyer agrees to defend and indemnify Seller for any claims that arise out of Buyer's inspection or testing of the Property.

7.6 Statutory Disclosures. As required by law, Seller makes the following disclosures to Buyer:

- a. **No HOA.** The Property is subject to certain covenants, conditions and restrictions. However, there is no homeowner association and there are no HOA assessments to which the Property is subject.
- b. **Megan's Law.** "Notice: Pursuant to Section 290.46 of the Penal Code information about specified registered sex offenders is made available to the public via an internet website maintained by the Department of Justice at www.meganslaw.ca.gov. Depending on a sex offender's criminal history, this information will include either an address at which the offender resides or the community of residence and ZIP code in which he or she resides. (Neither Seller or Broker are required to check this website)."
- c. **Gas and Hazardous Liquid Transmission Pipelines.** "This notice is being provided simply to inform you that information about the general location of gas and hazardous liquid transmission pipelines is available to the public at the National Pipeline Mapping System (NPMS) Internet Web site maintained by the United States Department of Transportation at <http://www.npms.phmsa.dot.gov/>. To seek further information about possible transmission lines near the Property, you may contact your local gas utility or other pipeline operators in the area. Contact information for pipeline operators is searchable by ZIP code and county on the NPMS Internet Web site."

8. CONDITIONS PRECEDENT TO CLOSE OF ESCROW.

8.1 Conditions to Buyer's Obligations. The obligations of Buyer under this Agreement are subject to the satisfaction or written waiver, in whole or in part, by Buyer of each of the following conditions precedent ("**Buyer's Conditions Precedent**"):

- (a) Title Company will issue the Owner's Title Policy as specified in Section 6.2.
- (b) Escrow Holder holds and will deliver to Buyer the instruments accruing to Buyer pursuant to this Agreement.
- (c) Seller is not in default of its obligations under this Agreement.

8.2 Conditions to Seller's Obligations. The obligations of Seller under this Agreement are subject to the satisfaction or written waiver, in whole or in part, by Seller of the following conditions precedent:

- (a) Escrow Holder holds and will deliver to Seller the instruments and funds accruing to Seller pursuant to this Agreement.
- (b) Buyer shall have executed all documents required under this Agreement and delivered same to Seller.
- (c) Buyer is not in default of its obligations under this Agreement.

9. LIMITED REPRESENTATIONS AND WARRANTIES.

9.1 *Limited Representations and Warranties.* Seller hereby makes the following representations and warranties to Buyer to the best of its knowledge and without the duty to investigate, each of which is true in all respects as of the Agreement Date and the Opening of Escrow and shall be true in all respects on the date of Close of Escrow on the Property:

a. Seller has received no notice and/or has no knowledge that any governmental authority or any employee or agent thereof considers the present or proposed operation, use or ownership of the Property to violate or have violated any ordinance, rule, law, regulation or order of any government or agency, body or subdivision thereof, or that any investigation has been commenced or is contemplated respecting such possible violations.

b. There are no pending or threatened lawsuits or claims which would affect the Property.

c. The Property is not subject to a homeowner's association nor any such association assessments.

d. The Property is not in violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to the environmental conditions on, under or about the Property including, but not limited to, soil and ground water conditions.

e. Seller has received no written notice from any third parties, prior owners of the Property, or any federal, state or local governmental agency indicating that any hazardous waste remedial or clean-up work will be required on the Property. There are no environmental, health or safety hazards on, under or about the Property, including but not limited to soil and groundwater conditions.

f. There are no contracts, leases, claims or rights affecting the Property and no agreements entered into by or under Seller that shall survive the Close of Escrow.

g. Until the Closing, Seller shall not do anything which would impair Seller's title to any of the Property.

h. Seller is not, and as of the Close of Escrow will not be, a foreign person within the meaning of Internal Revenue Code Section 1445 or an out-of-state seller under California Revenue and Tax Code Section 18805 and that it will deliver to Buyer through Escrow a non-foreign affidavit on Escrow Holder's standard form pursuant to Internal Revenue Code Section 1445(b)(2) and the Regulations promulgated thereunder and a California Form 590-RE ("Non-foreign Affidavit").

i. Until the Closing, if Seller learns of any fact or condition which would cause any of the warranties and representations in this Section not to be true as of the Closing, Seller shall immediately give written notice of such fact or condition to Buyer.

j. No construction or repair work has been done on the Property within the six (6) months prior to the Opening of Escrow.

9.2 *Breach; Indemnification.* If a breach of a representation, warranty or covenants occurs before Closing and Buyer is aware that such a breach has occurred, the breach shall be

grounds to terminate this Agreement in Buyer's sole discretion. If Buyer does not elect to terminate this Agreement, Buyer shall be deemed to have waived any such breach.

10. ESCROW PROVISIONS.

10.1 Escrow Instructions. Sections 1; 2 through 6 inclusive, 8, 10, 12 and 13 constitute the escrow instructions to Escrow Holder. If required by Escrow Holder, Buyer and Seller agree to execute Escrow Holder's standard escrow instructions, provided that the same are consistent with and do not conflict with the provisions of this Agreement. In the event of any such conflict, the provisions of this Agreement shall prevail. The terms and conditions in sections of this Agreement not specifically referenced above are additional matters for information of Escrow Holder, but about which Escrow Holder need not be concerned. Buyer and Seller will receive Escrow Holder's general provisions directly from Escrow Holder and will execute such provision upon Escrow Holder's request. To the extent that the general provisions are inconsistent or conflict with this Agreement, the general provisions will control as to the duties and obligations of Escrow Holder only. Buyer and Seller agree to execute additional instructions, documents and forms provide by Escrow Holder that are reasonably necessary to close Escrow.

10.2 General Escrow Provisions. Escrow Holder shall deliver the Owner's Title Policy to Buyer and instruct the Sutter County Recorder to mail the Grant Deed to Buyer at the address set forth in Section 12 after recordation. All funds received in this Escrow shall be deposited in one or more general escrow accounts of the Escrow Holder with any bank doing business in Sutter County, California, and may be disbursed to any other general escrow account or accounts. All disbursements shall be according to that party's instructions.

10.3 Utilities. Buyer and Seller shall cause all utilities which are in the name of Seller to be transferred to the name of Buyer as of the Close of Escrow or as soon thereafter as practicable. Utilities shall be prorated to the Close of Escrow. In the event final amounts with respect to said prorations are not available as of Close of Escrow, the proration shall be done on an estimated basis and the parties shall prepare a final proration within sixty (60) days following Close of Escrow. Any party who is obligated to pay net amounts based on said final proration shall reimburse the other party said amount within thirty (30) days after completion of the final proration.

10.4 Real Property Taxes. Seller is a public agency and exempt from real property taxes so no prorations will be required at Closing.

10.5 Payment of Costs.

- a. **Cost Allocation.** Seller shall pay the costs for the Owner's Title Policy, one-half of escrow costs and recording fees ("**Buyer's Charges**"). Seller shall pay the cost of the NHD Report, documentary transfer taxes, one-half of the escrow costs and any fees and costs charged by any lender to obtain releases or consents or otherwise put title in the condition described in Section 6 ("**Seller's Charges**"). All other costs of Escrow not otherwise specifically allocated by this Agreement shall be apportioned between the parties in a manner consistent with the custom and usage of Escrow Holder.
- b. **Closing Statement.** At least three (3) business days prior to the **Closing Statement**. At least three (3) business days prior to the Closing Date, Escrow

Holder shall furnish Buyer and Seller with a preliminary Escrow closing statement which shall include each party's respective shares of costs. The preliminary closing statement shall be approved in writing by the parties. As soon as reasonably possible following the Close of Escrow, Escrow Holder shall deliver a copy of the final Escrow closing statement to the Parties.

10.6 Termination and Cancellation of Escrow. If Escrow fails to close as provided above, either party may elect to cancel this Escrow upon written notice to the other party and Escrow Holder. Upon cancellation, Escrow Holder is instructed to return all funds and documents then in Escrow to the respective depositor of the same with Escrow Holder. Cancellation of Escrow, as provided herein, shall be without prejudice to whatever legal rights Buyer or Seller may have against each other arising from the Escrow or this Agreement.

10.7 Information Report. Escrow Holder shall file and Buyer and Seller agree to cooperate with Escrow Holder and with each other in completing any report ("**Information Report**") and/or other information required to be delivered to the Internal Revenue Service pursuant to Internal Revenue Code § 6045(e) regarding the real estate sales transaction contemplated by this Agreement, including without limitation, Internal Revenue Service Form 1099-B as such may be hereinafter modified or amended by the Internal Revenue Service, or as may be required pursuant to any regulation now or hereinafter promulgated by the Treasury Department with respect thereto. Buyer and Seller also agree that Buyer and Seller, their respective employees and attorneys, and escrow Holder and its employees, may disclose to the Internal Revenue Service, whether pursuant to such Information Report or otherwise, any information regarding this Agreement or the transactions contemplated herein as such party reasonably deems to be required to be disclosed to the Internal Revenue Service by such party pursuant to Internal Revenue Code Section 6045(e), and further agree that neither Buyer nor Seller shall seek to hold any such party liable for the disclosure to the Internal Revenue Service of any such information.

10.8 No Withholding as Foreign Seller. Seller represents and warrants to Buyer that Seller is not, and as of the Close of Escrow will not be, a foreign person within the meaning of Internal Revenue Code § 1445 or an out-of-state seller under California Revenue and Tax Code § 18805 and that it will deliver to Buyer on or before the Close of Escrow a non-foreign affidavit on Escrow Holder's standard form pursuant to Internal Revenue Code §1445(b)(2) and the Regulations promulgated thereunder and a California Form 590-RE.

10.9 Brokerage Commissions. Both parties are represented by a broker. Buyer and Seller each agree to indemnify and hold the other parties harmless from and against all liabilities, costs, damages and expenses, including, without limitation, attorneys' fees, resulting from any claims or fees or commissions, based upon agreements by it, if any, to pay a broker's commission and/or finder's fee except as specified above.

11. LIQUIDATED DAMAGES.

IF BUYER SHOULD MATERIALLY DEFAULT UNDER THIS AGREEMENT, BUYER AND SELLER AGREE THAT SELLER WILL INCUR DAMAGES BY REASON OF SUCH DEFAULT WHICH DAMAGES SHALL BE IMPRACTICAL AND EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO ASCERTAIN. THEREFORE, BUYER AND SELLER, IN A REASONABLE EFFORT TO ASCERTAIN WHAT SELLER'S DAMAGES WOULD BE IN THE EVENT OF SUCH DEFAULT BY BUYER HAVE AGREED BY PLACING THEIR INITIALS BELOW THAT THE DEPOSIT SHALL CONSTITUTE A

REASONABLE ESTIMATE OF SELLER'S DAMAGES UNDER THE PROVISIONS OF SECTIONS 1671 AND 1677 OF THE CALIFORNIA CODE OF CIVIL PROCEDURE FOR A BREACH PRIOR TO THE CLOSING. IF BUYER FAILS TO PROMPTLY DELIVER THE SUM SPECIFIED ABOVE TO SELLER, SUCH FAILURE SHALL CONSTITUTE A MATERIAL BREACH OF THIS PROVISION AND SELLER MAY ELECT TO SUE BUYER UNDER THIS PROVISION OR TO WAIVE THIS PROVISION AND PROCEED AGAINST BUYER FOR ALL APPLICABLE DAMAGES RESULTING FROM BUYER'S DEFAULT.

Seller's Initials

Buyer's Initials

12. NOTICES. Any notices, demands or communications under this Agreement between the parties shall be in writing, and may be given by (i) personal service, (ii) overnight delivery, or (iii) mailing via United States mail, certified mail, postage prepaid, return receipt requested ("**US Mail**"), addressed to each party as set forth below or such other address as may be furnished in writing by a party, and such notice or communication shall, if properly addressed, be deemed to have been given (a) as of the date so delivered under delivery methods (i) or (ii) above, or (b) three (3) business days after deposit into the U.S. Mail.

To Seller: City of Yuba City as Successor Agency
1201 Civic Center Boulevard
Yuba City, CA 95993
Attn: Diana Langlely, Executive Director

With a Copy to: Aleshire & Wynder, LLP
2440 Tulare Street Suite 410
Fresno, CA 93721
Attn: Shannon Chaffin, Agency Counsel

To Buyer: Gursharan Mann
807 Anna Drive
Yuba City, CA 95993

To Escrow Holder: Placer Title Company
1425 Butte House Road
Yuba City, CA 95993
Ana Campos, Senior Escrow Officer

13. GENERAL PROVISIONS.

13.1 Assignment. Neither party shall have the right to assign this Agreement or any interest or right hereunder or under the Escrow without the prior written consent of the other party. Subject to the foregoing, this Agreement shall be binding upon and shall inure to the benefit of Buyer and Seller and their respective heirs, personal representatives, successors and assigns.

13.2 Attorney's Fees. In any action between the parties hereto, seeking enforcement of any of the terms and provisions of this Agreement or the Escrow, or in connection with the Property, the prevailing party in such action shall be entitled, to have and to recover from the other party its reasonable attorneys' fees and other reasonable expenses in connection with

such action or proceeding, in addition to its recoverable court costs.

13.3 Interpretation; Governing Law. This Agreement shall be construed according to its fair meaning and as if prepared by both parties hereto. This Agreement shall be construed in accordance with the laws of the State of California in effect at the time of the execution of this Agreement. Titles and captions are for convenience only and shall not constitute a portion of this Agreement. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others wherever and whenever the context so dictates.

13.4 No Waiver. No delay or omission by either party in exercising any right or power accruing upon the compliance or failure of performance by the other party under the provisions of this Agreement shall impair any such right or power or be construed to be a waiver thereof. A waiver by either party of a breach of any of the covenants, conditions or agreements hereof to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions hereof.

13.5 Modifications. Any alteration, change or modification of or to this Agreement, in order to become effective, shall be made by written instrument or endorsement thereon and in each such instance executed on behalf of each party hereto.

13.6 Severability. If any term, provision, condition or covenant of this Agreement or the application thereof to any party or circumstances shall, to any extent, be held invalid or unenforceable, the remainder of this instrument, or the application of such term, provisions, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

13.7 Merger. This Agreement and other documents incorporated herein by reference contain the entire understanding between the parties relating to the transaction contemplated hereby and all prior to contemporaneous agreements, understandings, representations and statements, oral or written, are merged herein and shall be of no further force or effect.

13.8 Execution in Counterparts. This Agreement may be executed in several counterparts, and all so executed shall constitute one agreement binding on all parties hereto, notwithstanding that all parties are not signatories to the original or the same counterpart.

13.9 Exhibits. Exhibits A, B, and C attached hereto are incorporated herein by reference.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement for Purchase and Sale of Real Property and Escrow Instructions as of the date set forth above.

Note: Section 11 needs to be separately initialed by the parties.

BUYER:

Gursharan Mann

SELLER:

CITY OF YUBA CITY AS SUCCESSOR
AGENCY

By: _____
Diana Langley, Executive Director
_____, 2024

Accepted and agreed to:

ESCROW HOLDER:

PLACER TITLE COMPANY

By: _____
Ana Campos, Escrow Officer

Dated: _____, 2024

ATTEST:

Ciara Wakefield, Deputy Agency Secretary

APPROVED AS TO FORM:

ALESHIRE & WYNDER, LLP

By: _____
Shannon Chaffin, Agency Counsel

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

That certain real property in the City of Yuba City, County of Sutter, State of California legally described as follows:

All that portion of Lot 430 as shown on that certain map entitled "Ledford's Subdivision No. 5" filed in the Office of the Sutter County Recorder on July 16, 1945 in Book 8 of Surveys, Page 4 and Percy Avenue, more particularly described as follows:

Commencing at the Northeasterly corner of said Lot 430, thence South 72° 40' 00" West, along the Northerly line of said Lot 430 a distance of 49.41 feet to the Point of Beginning; thence from said Point of Beginning, and leaving said Northerly line of said Lot 430, run South 13° 32' 29" West, a distance of 14.77, to the beginning of a curve, concave to the East, with a radius of 251.52 feet; thence along said curve to the left through an included angle of 05° 24' 30", 23.74 feet, to the beginning of a curve, concave to the West, with a radius of 198.88 feet; thence along said curve to the right through an included angle of 14° 12' 11", 49.30 feet, to the beginning of a curve, concave to the West, with a radius of 199.00 feet; thence along said curve to the right through an included angle of 07° 24' 09' 25.71 feet, to the beginning of a curve, concave to the Northwest, with a radius of 47.95 feet; thence along said curve to the right, through an included angle of 46° 59' 44" 39.33 feet, to the beginning of a curve, concave to the Southeast, with a radius of 87.67 feet; thence along said curve to the left through an included angle of 23° 59' 53" 36.72 feet, to the beginning of a curve, concave to the Northwest, with a radius of 106.75 feet; thence along said curve to the right through an included angle of 22° 21' 55", 41.67 feet, to the beginning of a curve, concave to the North, with a radius of 108.00 feet; thence along said curve to the right through an included angle of 06° 41' 23", 12.61 feet, to the beginning of a curve, concave to the Northeast, with a radius of 23.00 feet; thence along said curve to the right through an included angle of 101° 28' 53" 40.73 feet, thence North 03° 16' 36" East, a distance of 71.74 feet; thence North 06° 18' 20 East, a distance of 20.23 feet to the Northerly line of said Lot 430, thence North 72° 40' 00" East, along the Northerly line of said Lot 430 a distance of 173.03 feet to the Point of Beginning.

Except any portion thereof lying within Plumas Avenue and Percy Avenue as they presently exist

APN: 053-194-013

EXHIBIT B
GRANT DEED

FREE RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Gursharan Mann
807 Anna Drive
Yuba City, CA 95993

APN 053-194-013

THE UNDERSIGNED GRANTOR DECLARES:
Documentary Transfer Tax is: \$____

(Space Above This Line for Recorder's Office Use Only)
(Exempt from Recording Fee per Gov. Code §6103)

GRANT DEED

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, CITY OF YUBA CITY AS SUCCESSOR AGENCY to the former Redevelopment Agency of City of Yuba City, a public agency ("**Grantor**"), hereby grants to Gursharan Mann as _____ ("**Grantee**"), that certain real property in the City of Yuba City, County of Sutter, State of California, legally described on Exhibit A attached hereto and incorporated herein by reference ("**Property**").

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on its behalf by its respective officers or agents hereunto as of the date below.

GRANTOR:

DATED: _____, 2024

CITY OF YUBA CITY AS SUCCESSOR
AGENCY to the former Redevelopment
Agency of the City of Yuba City, a public
agency

Not to be executed until closing

By: _____
Diana Langley,
Executive Director

ATTEST:

Ciara Wakefield, Deputy Agency Secretary

EXHIBIT A TO GRANT DEED

LEGAL DESCRIPTION OF PROPERTY

That certain real property in the City of Yuba City, County of Sutter, State of California legally described as follows:

All that portion of Lot 430 as shown on that certain map entitled "Ledford's Subdivision No. 5" filed in the Office of the Sutter County Recorder on July 16, 1945 in Book 8 of Surveys, Page 4 and Percy Avenue, more particularly described as follows:

Commencing at the Northeasterly corner of said Lot 430, thence South 72° 40' 00" West, along the Northerly line of said Lot 430 a distance of 49.41 feet to the Point of Beginning; thence from said Point of Beginning, and leaving said Northerly line of said Lot 430, run South 13° 32' 29" West, a distance of 14.77, to the beginning of a curve, concave to the East, with a radius of 251.52 feet; thence along said curve to the left through an included angle of 05° 24' 30", 23.74 feet, to the beginning of a curve, concave to the West, with a radius of 198.88 feet; thence along said curve to the right through an included angle of 14° 12' 11", 49.30 feet, to the beginning of a curve, concave to the West, with a radius of 199.00 feet; thence along said curve to the right through an included angle of 07° 24' 09" 25.71 feet, to the beginning of a curve, concave to the Northwest, with a radius of 47.95 feet; thence along said curve to the right, through an included angle of 46° 59' 44" 39.33 feet, to the beginning of a curve, concave to the Southeast, with a radius of 87.67 feet; thence along said curve to the left through an included angle of 23° 59' 53" 36.72 feet, to the beginning of a curve, concave to the Northwest, with a radius of 106.75 feet; thence along said curve to the right through an included angle of 22° 21' 55", 41.67 feet, to the beginning of a curve, concave to the North, with a radius of 108.00 feet; thence along said curve to the right through an included angle of 06° 41' 23", 12.61 feet, to the beginning of a curve, concave to the Northeast, with a radius of 23.00 feet; thence along said curve to the right through an included angle of 101° 28' 53" 40.73 feet, thence North 03° 16' 36" East, a distance of 71.74 feet; thence North 06° 18' 20 East, a distance of 20.23 feet to the Northerly line of said Lot 430, thence North 72° 40' 00" East, along the Northerly line of said Lot 430 a distance of 173.03 feet to the Point of Beginning.

Except any portion thereof lying within Plumas Avenue and Percy Avenue as they presently exist

APN: 053-194-013

[illegible]

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Notary Public

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EXHIBIT C
DEED RESTRICTION

FREE RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Yuba City
1201 Civic Center Boulevard
Yuba City, CA 95993
Attn: City Manager

APN 053-194-013-000

THE UNDERSIGNED GRANTOR DECLARES:
Documentary Transfer Tax is: \$____

(Space Above This Line for Recorder's Office Use Only)
(Exempt from Recording Fee per Gov. Code §6103)

DEED RESTRICTION

If ten (10) or more residential units are developed on the Property, not less than 15 percent of the total number of residential units developed on the property shall be sold or rented at affordable housing cost, as defined in Section 50052.5 of the California Health and Safety Code, or affordable rent, as defined in Section 50053 of the California Health and Safety Code, to lower income households, as defined in Section 50079.5 of the California Health and Safety Code. Rental units shall remain affordable to and occupied by lower income households for a period of 55 years for rental housing and 45 years for ownership housing. The initial occupants of all ownership units shall be lower income households, and the units shall be subject to an equity sharing agreement consistent with the provisions of paragraph (2) of subdivision © of 65915 of the California Government Code. These requirements shall be covenants or restrictions running with the land and shall be enforceable against any owner who violates a covenant or restriction and each successor-in-interest who continues the violation by any of the entities described in subdivisions (a) to (f), inclusive, of Section 54222.5 of the California Government Code.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on its behalf by its respective officers or agents hereunto as of the date below.

DATED: _____, 2024

GRANTOR:

CITY OF YUBA CITY AS SUCCESSOR
AGENCY to the former Redevelopment
Agency of the City of Yuba City, a public
agency

Not to be executed until closing

By: _____
Diana Langley
City Manager

ATTEST:

Ciara Wakefield, Deputy Agency Secretary

EXHIBIT A TO DEED RESTRICTION

LEGAL DESCRIPTION OF PROPERTY

That certain real property in the City of Yuba City, County of Sutter, State of California legally described as follows:

All that portion of Lot 430 as shown on that certain map entitled "Ledford's Subdivision No. 5" filed in the Office of the Sutter County Recorder on July 16, 1945 in Book 8 of Surveys, Page 4 and Percy Avenue, more particularly described as follows:

Commencing at the Northeasterly corner of said Lot 430, thence South 72° 40' 00" West, along the Northerly line of said Lot 430 a distance of 49.41 feet to the Point of Beginning; thence from said Point of Beginning, and leaving said Northerly line of said Lot 430, run South 13° 32' 29" West, a distance of 14.77, to the beginning of a curve, concave to the East, with a radius of 251.52 feet; thence along said curve to the left through an included angle of 05° 24' 30", 23.74 feet, to the beginning of a curve, concave to the West, with a radius of 198.88 feet; thence along said curve to the right through an included angle of 14° 12' 11", 49.30 feet, to the beginning of a curve, concave to the West, with a radius of 199.00 feet; thence along said curve to the right through an included angle of 07° 24' 09" 25.71 feet, to the beginning of a curve, concave to the Northwest, with a radius of 47.95 feet; thence along said curve to the right, through an included angle of 46° 59' 44" 39.33 feet, to the beginning of a curve, concave to the Southeast, with a radius of 87.67 feet; thence along said curve to the left through an included angle of 23° 59' 53" 36.72 feet, to the beginning of a curve, concave to the Northwest, with a radius of 106.75 feet; thence along said curve to the right through an included angle of 22° 21' 55", 41.67 feet, to the beginning of a curve, concave to the North, with a radius of 108.00 feet; thence along said curve to the right through an included angle of 06° 41' 23", 12.61 feet, to the beginning of a curve, concave to the Northeast, with a radius of 23.00 feet; thence along said curve to the right through an included angle of 101° 28' 53" 40.73 feet, thence North 03° 16' 36" East, a distance of 71.74 feet; thence North 06° 18' 20 East, a distance of 20.23 feet to the Northerly line of said Lot 430, thence North 72° 40' 00" East, along the Northerly line of said Lot 430 a distance of 173.03 feet to the Point of Beginning.

Except any portion thereof lying within Plumas Avenue and Percy Avenue as they presently exist

APN: 053-194-013

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

[illegible]

On _____, 2024 before me, _____, a notary public, personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

SEAL:

ATTACHMENT 2

VICINITY MAP



CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By: Diana Langley, City Manager

Summary

Subject: Agreement for Purchase and Sale of 265 Percy Avenue (APN 053-220-030) to Gursharan Mann

Recommendation: Adopt a Resolution authorizing the City Manager to execute an Agreement for Purchase and Sale of Real Property located at 265 Percy Avenue (APN 053-220-030), and all other necessary documents, in the amount of \$62,500 to Gursharan Mann, and authorize the Finance Director to place sale proceeds in the General Fund

Fiscal Impact: Sale Price - \$62,500 plus savings associated with no longer maintaining the property

Purpose:

To facilitate and encourage the development of infill property located in the Town Center area.

Council's Strategic Goal:

This item addresses multiple City Council Strategic Goals, primarily maintaining the financial stability and sustainability of the City and enhancing the business-friendly environment for the City.

Background:

365 Percy Avenue is a 0.38-acre vacant parcel located at the northwest corner of Percy Avenue and Plumas Boulevard. On November 1, 2022, City Council formally declared the property to be surplus and staff initiated the Surplus Land Act (SLA) process. Through the SLA process, no housing sponsors or developers submitted a letter of interest to purchase the property and the California Department of Housing and Community Development (HCD) cleared the property for sale.

Analysis:

In August 2023, an appraisal was prepared by Owen & Associates Valuation, Inc., in which the appraised amount was \$60,000. The City contracted with Coldwell Banker Commercial Valley Brokers (Coldwell Banker) to represent the City and place the property for sale for \$60,000. Coldwell Banker received an offer from Gursharan Mann to purchase the Site "as is" for \$62,500. The attached Agreement for Purchase and Sale details the terms of the transaction.

Fiscal Impact:

The proposed purchase price is \$62,500 with net proceeds being less due to sales commission, title, and escrow fees. Upon transfer of the property, the net proceeds will be placed in the General Fund.

Alternatives:

Do not authorize the City Manager to sign the Agreement and provide direction for the disposition of the property.

Recommendation:

Adopt a Resolution authorizing the City Manager to execute an Agreement for Purchase and Sale of Real Property located at 265 Percy Avenue (APN 053-220-030), and all other necessary documents, in the amount of \$62,500 to Gursharan Mann, and authorize the Finance Director to place sale proceeds in the General Fund.

Attachments:

1. Resolution -265 Percy Avenue
2. Exhibit A - Purchase and Sale Agreement - 265 Percy Avenue - APN 53-220-030
3. Location Map

Prepared By:

Diana Langley
City Manager

Submitted By:

Diana Langley
City Manager

ATTACHMENT 1

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR PURCHASE
AND SALE OF REAL PROPERTY LOCATED AT 265 PERCY AVENUE (APN 053-220-030),
AND ALL OTHER NECESSARY DOCUMENTS, IN THE AMOUNT OF \$62,500 TO
GURSHARAN MANN, AND AUTHORIZE THE FINANCE DIRECTOR TO PLACE SALE
PROCEEDS IN THE GENERAL FUND**

WHEREAS, on November 1, 2022, the City Council declared 265 Percy Avenue to be surplus property; and

WHEREAS, in accordance with the Surplus Land Act, staff issued a notice of availability and did not receive any interest from any housing sponsors; and

WHEREAS, the Department of Housing and Community Development has determined that staff met all the requirements under the Surplus Land Act and the Successor Housing Agency is permitted to proceed with the sale or lease of the property; and

WHEREAS, an appraisal was prepared by Owen & Associates Valuation, Inc., and the appraised value is \$60,000; and

WHEREAS, the City received an offer from Gursharan Mann to purchase the property for \$62,500 in "as is" condition; and

WHEREAS, staff recommends that the City Council accept the offer and authorize the City Manager to execute an Agreement for Purchase and Sale; and

NOW, THEREFORE, the City Council of the City of Yuba City does hereby resolve as follows:

1. The City Manager is authorized to execute an Agreement for Purchase and Sale of Real Property located at 265 Percy Avenue (APN 053-220-030), and all other necessary documents, in the amount of \$62,500 to Gursharan Mann.
2. The Finance Director is authorized to place sale proceeds in the General Fund.

The forgoing Resolution of the City Council of the City of Yuba City was duly introduced, passed and adopted at a regular meeting thereof held on the 7th day of May, 2024.

AYES:

NOES:

ABSENT:

Shon Harris, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

Shannon Chaffin
City Attorney

Exhibit A: Purchase and Sale Agreement

Exhibit A

**AGREEMENT FOR PURCHASE AND SALE
OF REAL PROPERTY AND JOINT ESCROW INSTRUCTIONS**

THIS AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY AND JOINT ESCROW INSTRUCTIONS ("**Agreement**") is made this 19th day of March, 2024 ("**Agreement Date**") by and among Gursharan Mann (the "**Buyer**"), City of Yuba City, a public agency ("**Seller**") and PLACER TITLE COMPANY, a corporation ("**Escrow Holder**" and "**Title Company**").

RECITALS:

A. Seller owns that certain residential real property located at 265 Percy Avenue in Yuba City, State of California (APN 53-220-030) legally described as set forth on **Exhibit A** ("**Property**").

B. Buyer is willing to purchase the Property in AS-IS condition pursuant to the terms of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and incorporating the recitals above, the parties hereto agree as follows:

TERMS AND CONDITIONS:

1. PURCHASE AND SALE OF PROPERTY. Buyer hereby agrees to purchase from Seller, and Seller agrees to sell to Buyer, the Property in AS-IS condition.

2. OPENING OF ESCROW. Within five (5) days after the execution of this Agreement by both Buyer and Seller, the parties shall open an escrow ("**Escrow**") with Placer Title Company (Escrow Holder) by causing an executed copy of this Agreement to be deposited with Ana Campos, escrow officer ("**Escrow Officer**") at Placer Title Company, 1425 Butte House Road, Yuba City, acampos@placertitle.com, (530) 671-5040 ("**Escrow**") together with the Deposit (as defined in Section 3.2(a)) ("**Opening of Escrow**").

3. PURCHASE PRICE.

3.1 Purchase Price. The Purchase Price for the Property is Sixty-Two Thousand Five Hundred Dollars (\$62,500) ("**Purchase Price**").

3.2 Payment of Purchase Price. The Purchase Price shall be paid as follows:

(a) **Deposit.** At Opening of Escrow, Buyer shall deposit the sum of Fourteen Thousand Five Hundred Dollars (\$14,500) with Escrow Holder ("**Deposit**").

(b) **Balance of Funds.** At least one (1) business day prior to the Closing, Buyer shall deposit balance of the Purchase Price with Escrow Holder in Good Funds (as defined below).

3.3 Disbursement of Seller's Net Proceeds. At the Closing, the net proceeds (as

determined by the Seller settlement statement) shall be disbursed to Seller.

3.4 Good Funds. All funds deposited in Escrow shall be in “**Good Funds**” which means a wire transfer of funds, cashier's or certified check drawn on or issued by the offices of a financial institution located in the State of California.

4. ADDITIONAL FUNDS AND DOCUMENTS REQUIRED FROM BUYER AND SELLER.

4.1 Seller. Seller agrees that on or before 12:00 noon on the day preceding the Closing Date, Seller will deposit with Escrow Holder such funds and other items and instruments (executed and acknowledged, if appropriate) as may be necessary in order for the Escrow Holder to comply with this Agreement, including without limitation:

- a. Executed and acknowledged grant deed in the form of Exhibit B (“**Grant Deed**”).
- b. A Non-Foreign Affidavit as required by federal law.
- c. Such funds and other items and instruments as may be necessary in order for Escrow Holder and the Title Company to comply with this Agreement.
- d. Executed and acknowledged Deed Restriction in the form of Exhibit C (“**Deed Restriction**”).

4.2 Buyer. Buyer agrees that on or before 12:00 noon on the date preceding the Closing Date, Buyer will deposit with Escrow Holder all additional funds and/or documents (executed and acknowledged, if appropriate) which are necessary to comply with the terms of this Agreement, including without limitation:

- a. A Preliminary Change of Ownership Statement completed in the manner required in Sutter County.
- b. Such funds and other items and instruments as may be necessary in order for Escrow Holder and the Title Company to comply with this Agreement.

4.3 Recordation, Completion and Distribution of Documents. Escrow Holder will cause Grant Deed and Deed Restriction to be recorded when it can issue the Owner's Title Policy in accordance with Section 6, and holds for the account of Buyer and Seller, respectively, the funds and items described above to be delivered to Buyer and Seller, respectively, through Escrow, less costs, expenses and disbursements chargeable to Seller pursuant to the terms hereof.

5. CLOSING DATE; TIME IS OF ESSENCE.

5.1 Closing Date. Escrow shall close within twenty (20) days after Buyer has provided the Buyer's Due Diligence Approval Notice by the Outside Due Diligence Date (pursuant to Section 7), but no later than thirty (30) days after the Opening of Escrow (“**Closing Date**”) unless extended as evidenced by a writing signed by both parties. The terms “**Close of Escrow**” and/or “**Closing**” are used herein to mean the time Grant Deed is filed for recording by the Escrow Holder in the Office of the County Recorder of Sutter County, California.

5.2 Possession. Upon the Close of Escrow, exclusive possession and occupancy of

the Property shall be delivered to Buyer free and clear of all claims of possession and all debris.

5.3 Time is of Essence. Buyer and Seller specifically agree that time is of the essence.

5.4 City Manager's Authority. Seller by its execution of this Agreement hereby agrees that its City Manager or designee (who has been designated by City Manager's written notice delivered to Buyer and Escrow Holder) shall, in City Manager's sole and exclusive discretion, have authority:

(i) to execute documents on behalf of Seller including, but not limited to, issuing approvals, disapprovals and extensions. Any such approval, disapproval or extension executed by the City Manager or their designee shall be binding on Seller.

(ii) make minor modifications to this Agreement in order to fulfill the direction of the City Council, provided that such minor modifications are approved by the City Attorney.

6. TITLE POLICY.

6.1 Approval of Title.

(a) Promptly following execution of this Agreement but in no event later than five (5) days following Opening of Escrow, a preliminary title report shall be issued by Placer Title Company ("**Title Company**"), describing the state of title of the Property, together with copies of all exceptions specified therein and a map plotting all easements specified therein ("**Preliminary Title Report**"). Within five (5) days after Buyer's receipt of the Preliminary Title Report, Buyer shall notify Seller in writing ("**Buyer's Title Notice**") of Buyer's disapproval of any matters contained in the Preliminary Title Report ("**Disapproved Exceptions**").

(b) In the event Buyer delivers Buyer's Title Notice within said period, Seller shall have a period of five (5) days after receipt of Buyer's Title Notice in which to notify Buyer of Seller's election to either (i) agree to attempt to remove the Disapproved Exceptions prior to the Close of Escrow; or (ii) decline to remove any such Disapproved Exceptions ("**Seller's Notice**"). If Seller notifies Buyer of its election to decline to remove the Disapproved Exceptions, or if Seller is unable to remove the Disapproved Exceptions, Buyer may elect either to terminate this Agreement and the Escrow or to accept title to the Property subject to the Disapproved Exception(s). Buyer shall exercise such election by delivery of written notice to Seller and Escrow Holder within five (5) days following the earlier of (i) the date of written advice from Seller that such Disapproved Exception(s) cannot be removed; or (ii) the date Seller declines to remove such Disapproved Exception(s).

(c) Upon the issuance of any amendment or supplement to the Preliminary Title Report which adds additional exceptions, the foregoing right of review and approval shall also apply to said amendment or supplement, provided, however, that Buyer's initial period of review and approval or disapproval of any such additional exceptions shall be limited to ten (10) days following receipt of notice of such additional exceptions.

(d) Nothing to the contrary herein withstanding, Buyer shall be deemed to have automatically objected to all leases, deeds of trust, mortgages, judgment liens, federal and state income tax liens, delinquent general and special real property taxes and assessments and

similar monetary encumbrances affecting the Property, and Seller shall discharge any such non-permitted title matter of record prior to or concurrently with the Close of Escrow.

6.2 Title Policy. At the Close of Escrow, Escrow Holder shall furnish Buyer with an ALTA/CLTA Homeowner's Owner's Policy of title insurance ("**Owner's Title Policy**") insuring title to the Property vested in Buyer in the amount of the Purchase Price, containing only exceptions approved or waived by Buyer in accordance with this Section. The cost of the Owner's Title Policy to Seller shall be paid by Buyer.

7. TRANSFER DISCLOSURE STATEMENT, STATUTORY DISCLOSURES & DUE DILIGENCE.

7.1 Natural Hazard Disclosure Report with Tax Disclosures. Within two (2) days after the Opening of Escrow, Escrow Holder shall order and deliver to Buyer a comprehensive natural hazard disclosure and tax report from Disclosure Source ("**NHD Report**") for Buyer's review and approval. If Buyer disapproves the NHD Report, Buyer shall notify Seller with a copy to Escrow Holder within the Due Diligence Period. If Buyer does not disapprove the NHD Report within the Due Diligence Period, Buyer shall be deemed to have approved it. Buyer shall execute the acknowledgement statement that accompanies the NHD Report and deliver a copy to Seller.

7.2 Material Facts & Insurance Claims. Within two (2) days of the Opening of Escrow, Seller shall disclose to Buyer in writing all known material facts and defects including known insurance claims within the last five (5) years preceding the Agreement Date

7.3 Other Statutory Disclosures. Within two (2) days of Opening of Escrow, Seller shall deliver to Buyer all other applicable statutory disclosures (including, but not limited to, notice or actual knowledge of release of illegal controlled substance, etc.) as required by law for Buyer's review and approval. If Buyer disapproves any such disclosures, Buyer shall notify Seller with a copy to Escrow Holder within the Due Diligence Period. If Buyer does not disapprove a statutory disclosure within the Due Diligence Period, Buyer shall be deemed to have approved it and Buyer shall execute any documents reasonably required by Seller to evidence same and deliver same to Seller.

7.4 Due Diligence. For a period of up to thirty (30) days following the Opening of Escrow ("**Due Diligence Period**"), Buyer shall have the right to review and inspect the Property and conduct such tests as reasonably determined by Buyer. Buyer shall use reasonable efforts to expediate any and all investigations provide same does not involve additional cost to Seller. Seller grants to Buyer, its agents and employees, upon reasonable notice to Seller, a limited license to enter the Property for the purpose of conducting such due diligence as reasonably required by Buyer at Buyer's sole cost and expense. As a condition to Buyer's entry and inspection, Buyer shall keep the Property free and clear of all materialmen's liens, lis pendens or any other liens arising out of the entry and any work performed under this Agreement. Buyer shall notify Seller in writing ("**Buyer's Due Diligence Notice**") on or before the expiration of the Due Diligence Period of Buyer's approval of the condition of the Property as well as the TDS, NHD Report, Lead Paint Disclosure and all other disclosures and notices delivered to Buyer under this Agreement, which approval may be withheld in Buyer's sole discretion. Failure of Seller to provide access to the Property to inspect the Property at a day and time requested by Buyer shall be a material breach of this Agreement and Buyer shall have the right to immediately terminate this Agreement and the escrow.

7.5 Indemnity: Buyer agrees to defend and indemnify Seller for any claims that arise out of Buyer's inspection or testing of the Property.

7.6 Statutory Disclosures. As required by law, Seller makes the following disclosures to Buyer:

- a. **No HOA.** The Property is subject to certain covenants, conditions and restrictions. However, there is no homeowner association and there are no HOA assessments to which the Property is subject.
- b. **Megan's Law.** "Notice: Pursuant to Section 290.46 of the Penal Code information about specified registered sex offenders is made available to the public via an internet website maintained by the Department of Justice at www.meganslaw.ca.gov. Depending on a sex offender's criminal history, this information will include either an address at which the offender resides or the community of residence and ZIP code in which he or she resides. (Neither Seller or Broker are required to check this website)."
- c. **Gas and Hazardous Liquid Transmission Pipelines.** "This notice is being provided simply to inform you that information about the general location of gas and hazardous liquid transmission pipelines is available to the public at the National Pipeline Mapping System (NPMS) Internet Web site maintained by the United States Department of Transportation at www.npms.phmsa.dot.gov. To seek further information about possible transmission lines near the Property, you may contact your local gas utility or other pipeline operators in the area. Contact information for pipeline operators is searchable by ZIP code and county on the NPMS Internet Web site."

8. CONDITIONS PRECEDENT TO CLOSE OF ESCROW.

8.1 Conditions to Buyer's Obligations. The obligations of Buyer under this Agreement are subject to the satisfaction or written waiver, in whole or in part, by Buyer of each of the following conditions precedent ("**Buyer's Conditions Precedent**"):

- (a) Title Company will issue the Owner's Title Policy as specified in Section 6.2.
- (b) Escrow Holder holds and will deliver to Buyer the instruments accruing to Buyer pursuant to this Agreement.
- (c) Seller is not in default of its obligations under this Agreement.

8.2 Conditions to Seller's Obligations. The obligations of Seller under this Agreement are subject to the satisfaction or written waiver, in whole or in part, by Seller of the following conditions precedent:

- (a) Escrow Holder holds and will deliver to Seller the instruments and funds accruing to Seller pursuant to this Agreement.
- (b) Buyer shall have executed all documents required under this Agreement and delivered same to Seller.

- (c) Buyer is not in default of its obligations under this Agreement.

9. LIMITED REPRESENTATIONS AND WARRANTIES.

9.1 *Limited Representations and Warranties.* Seller hereby makes the following representations and warranties to Buyer to the best of its knowledge and without the duty to investigate, each of which is true in all respects as of the Agreement Date and the Opening of Escrow and shall be true in all respects on the date of Close of Escrow on the Property:

a. Seller has received no notice and/or has no knowledge that any governmental authority or any employee or agent thereof considers the present or proposed operation, use or ownership of the Property to violate or have violated any ordinance, rule, law, regulation or order of any government or agency, body or subdivision thereof, or that any investigation has been commenced or is contemplated respecting such possible violations.

b. There are no pending or threatened lawsuits or claims which would affect the Property.

c. The Property is not subject to a homeowner's association nor any such association assessments.

d. The Property is not in violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to the environmental conditions on, under or about the Property including, but not limited to, soil and ground water conditions.

e. Seller has received no written notice from any third parties, prior owners of the Property, or any federal, state or local governmental agency indicating that any hazardous waste remedial or clean-up work will be required on the Property. There are no environmental, health or safety hazards on, under or about the Property, including but not limited to soil and groundwater conditions.

f. There are no contracts, leases, claims or rights affecting the Property and no agreements entered into by or under Seller that shall survive the Close of Escrow.

g. Until the Closing, Seller shall not do anything which would impair Seller's title to any of the Property.

h. Seller is not, and as of the Close of Escrow will not be, a foreign person within the meaning of Internal Revenue Code Section 1445 or an out-of-state seller under California Revenue and Tax Code Section 18805 and that it will deliver to Buyer through Escrow a non-foreign affidavit on Escrow Holder's standard form pursuant to Internal Revenue Code Section 1445(b)(2) and the Regulations promulgated thereunder and a California Form 590-RE ("Non-foreign Affidavit").

i. Until the Closing, if Seller learns of any fact or condition which would cause any of the warranties and representations in this Section not to be true as of the Closing, Seller shall immediately give written notice of such fact or condition to Buyer.

j. No construction or repair work has been done on the Property within the six (6) months prior to the Opening of Escrow.

9.2 Breach; Indemnification. If a breach of a representation, warranty or covenants occurs before Closing and Buyer is aware that such a breach has occurred, the breach shall be grounds to terminate this Agreement in Buyer's sole discretion. If Buyer does not elect to terminate this Agreement, Buyer shall be deemed to have waived any such breach.

10. ESCROW PROVISIONS.

10.1 Escrow Instructions. Sections 1; 2 through 6 inclusive, 8, 10, 12 and 13 constitute the escrow instructions to Escrow Holder. If required by Escrow Holder, Buyer and Seller agree to execute Escrow Holder's standard escrow instructions, provided that the same are consistent with and do not conflict with the provisions of this Agreement. In the event of any such conflict, the provisions of this Agreement shall prevail. The terms and conditions in sections of this Agreement not specifically referenced above are additional matters for information of Escrow Holder, but about which Escrow Holder need not be concerned. Buyer and Seller will receive Escrow Holder's general provisions directly from Escrow Holder and will execute such provision upon Escrow Holder's request. To the extent that the general provisions are inconsistent or conflict with this Agreement, the general provisions will control as to the duties and obligations of Escrow Holder only. Buyer and Seller agree to execute additional instructions, documents and forms provide by Escrow Holder that are reasonably necessary to close Escrow.

10.2 General Escrow Provisions. Escrow Holder shall deliver the Owner's Title Policy to Buyer and instruct the Sutter County Recorder to mail the Grant Deed to Buyer at the address set forth in Section 12 after recordation. All funds received in this Escrow shall be deposited in one or more general escrow accounts of the Escrow Holder with any bank doing business in Sutter County, California, and may be disbursed to any other general escrow account or accounts. All disbursements shall be according to that party's instructions.

10.3 Utilities. Buyer and Seller shall cause all utilities which are in the name of Seller to be transferred to the name of Buyer as of the Close of Escrow or as soon thereafter as practicable. Utilities shall be prorated to the Close of Escrow. In the event final amounts with respect to said prorations are not available as of Close of Escrow, the proration shall be done on an estimated basis and the parties shall prepare a final proration within sixty (60) days following Close of Escrow. Any party who is obligated to pay net amounts based on said final proration shall reimburse the other party said amount within thirty (30) days after completion of the final proration.

10.4 Real Property Taxes. Seller is a public agency and exempt from real property taxes so no prorations will be required at Closing.

10.5 Payment of Costs.

- a. **Cost Allocation.** Buyer shall pay the costs for the Owner's Title Policy, one-half of escrow costs and recording fees ("**Buyer's Charges**"). Seller shall pay the cost of the NHD Report, documentary transfer taxes, one-half of the escrow costs and any fees and costs charged by any lender to obtain releases or consents or otherwise put title in the condition described in Section 6 ("**Seller's Charges**"). All other costs of Escrow not otherwise specifically allocated by this Agreement shall be apportioned between the parties in a manner consistent with the custom and usage of Escrow Holder.

- b. **Closing Statement.** At least three (3) business days prior to the Closing Date, Escrow Holder shall furnish Buyer and Seller with a preliminary Escrow closing statement which shall include each party's respective shares of costs. The preliminary closing statement shall be approved in writing by the parties. As soon as reasonably possible following the Close of Escrow, Escrow Holder shall deliver a copy of the final Escrow closing statement to the Parties.

10.6 Termination and Cancellation of Escrow. If Escrow fails to close as provided above, either party may elect to cancel this Escrow upon written notice to the other party and Escrow Holder. Upon cancellation, Escrow Holder is instructed to return all funds and documents then in Escrow to the respective depositor of the same with Escrow Holder. Cancellation of Escrow, as provided herein, shall be without prejudice to whatever legal rights Buyer or Seller may have against each other arising from the Escrow or this Agreement.

10.7 Information Report. Escrow Holder shall file and Buyer and Seller agree to cooperate with Escrow Holder and with each other in completing any report ("**Information Report**") and/or other information required to be delivered to the Internal Revenue Service pursuant to Internal Revenue Code § 6045(e) regarding the real estate sales transaction contemplated by this Agreement, including without limitation, Internal Revenue Service Form 1099-B as such may be hereinafter modified or amended by the Internal Revenue Service, or as may be required pursuant to any regulation now or hereinafter promulgated by the Treasury Department with respect thereto. Buyer and Seller also agree that Buyer and Seller, their respective employees and attorneys, and escrow Holder and its employees, may disclose to the Internal Revenue Service, whether pursuant to such Information Report or otherwise, any information regarding this Agreement or the transactions contemplated herein as such party reasonably deems to be required to be disclosed to the Internal Revenue Service by such party pursuant to Internal Revenue Code Section 6045(e), and further agree that neither Buyer nor Seller shall seek to hold any such party liable for the disclosure to the Internal Revenue Service of any such information.

10.8 No Withholding as Foreign Seller. Seller represents and warrants to Buyer that Seller is not, and as of the Close of Escrow will not be, a foreign person within the meaning of Internal Revenue Code § 1445 or an out-of-state seller under California Revenue and Tax Code § 18805 and that it will deliver to Buyer on or before the Close of Escrow a non-foreign affidavit on Escrow Holder's standard form pursuant to Internal Revenue Code §1445(b)(2) and the Regulations promulgated thereunder and a California Form 590-RE.

10.9 Brokerage Commissions. Neither party is represented by a broker. Buyer and Seller each agree to indemnify and hold the other parties harmless from and against all liabilities, costs, damages and expenses, including, without limitation, attorneys' fees, resulting from any claims or fees or commissions, based upon agreements by it, if any, to pay a broker's commission and/or finder's fee except as specified above.

11. LIQUIDATED DAMAGES.

IF BUYER SHOULD MATERIALLY DEFAULT UNDER THIS AGREEMENT, BUYER AND SELLER AGREE THAT SELLER WILL INCUR DAMAGES BY REASON OF SUCH DEFAULT WHICH DAMAGES SHALL BE IMPRACTICAL AND EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO ASCERTAIN. THEREFORE, BUYER AND SELLER, IN A REASONABLE EFFORT TO ASCERTAIN WHAT SELLER'S DAMAGES WOULD BE IN THE EVENT OF SUCH DEFAULT BY BUYER HAVE AGREED BY

PLACING THEIR INITIALS BELOW THAT THE DEPOSIT SHALL CONSTITUTE A REASONABLE ESTIMATE OF SELLER'S DAMAGES UNDER THE PROVISIONS OF SECTIONS 1671 AND 1677 OF THE CALIFORNIA CODE OF CIVIL PROCEDURE FOR A BREACH PRIOR TO THE CLOSING. IF BUYER FAILS TO PROMPTLY DELIVER THE SUM SPECIFIED ABOVE TO SELLER, SUCH FAILURE SHALL CONSTITUTE A MATERIAL BREACH OF THIS PROVISION AND SELLER MAY ELECT TO SUE BUYER UNDER THIS PROVISION OR TO WAIVE THIS PROVISION AND PROCEED AGAINST BUYER FOR ALL APPLICABLE DAMAGES RESULTING FROM BUYER'S DEFAULT.

Seller's Initials

Buyer's Initials

12. NOTICES. Any notices, demands or communications under this Agreement between the parties shall be in writing, and may be given by (i) personal service, (ii) overnight delivery, or (iii) mailing via United States mail, certified mail, postage prepaid, return receipt requested ("**US Mail**"), addressed to each party as set forth below or such other address as may be furnished in writing by a party, and such notice or communication shall, if properly addressed, be deemed to have been given (a) as of the date so delivered under delivery methods (i) or (ii) above, or (b) three (3) business days after deposit into the U.S. Mail.

To Seller: City of Yuba City
1201 Civic Center Boulevard
Yuba City, CA 95993
Attn: Diana Langlely, City Manager

With a Copy to: Aleshire & Wynder, LLP
2440 Tulare Street Suite 410
Fresno, CA 93721
Attn: Shannon Chaffin, City Attorney

To Buyer: Gursharan Mann
807 Anna Drive
Yuba City, CA 95993

To Escrow Holder: Placer Title Company
1425 Butte House Road
Yuba City, CA 95993
Ana Campos, Senior Escrow Officer

13. GENERAL PROVISIONS.

13.1 Assignment. Neither party shall have the right to assign this Agreement or any interest or right hereunder or under the Escrow without the prior written consent of the other party. Subject to the foregoing, this Agreement shall be binding upon and shall inure to the benefit of Buyer and Seller and their respective heirs, personal representatives, successors and assigns.

13.2 Attorney's Fees. In any action between the parties hereto, seeking enforcement of any of the terms and provisions of this Agreement or the Escrow, or in connection with the Property, the prevailing party in such action shall be entitled, to have and to recover from the other party its reasonable attorneys' fees and other reasonable expenses in connection with

such action or proceeding, in addition to its recoverable court costs.

13.3 Interpretation; Governing Law. This Agreement shall be construed according to its fair meaning and as if prepared by both parties hereto. This Agreement shall be construed in accordance with the laws of the State of California in effect at the time of the execution of this Agreement. Titles and captions are for convenience only and shall not constitute a portion of this Agreement. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others wherever and whenever the context so dictates.

13.4 No Waiver. No delay or omission by either party in exercising any right or power accruing upon the compliance or failure of performance by the other party under the provisions of this Agreement shall impair any such right or power or be construed to be a waiver thereof. A waiver by either party of a breach of any of the covenants, conditions or agreements hereof to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions hereof.

13.5 Modifications. Any alteration, change or modification of or to this Agreement, in order to become effective, shall be made by written instrument or endorsement thereon and in each such instance executed on behalf of each party hereto.

13.6 Severability. If any term, provision, condition or covenant of this Agreement or the application thereof to any party or circumstances shall, to any extent, be held invalid or unenforceable, the remainder of this instrument, or the application of such term, provisions, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

13.7 Merger. This Agreement and other documents incorporated herein by reference contain the entire understanding between the parties relating to the transaction contemplated hereby and all prior to contemporaneous agreements, understandings, representations and statements, oral or written, are merged herein and shall be of no further force or effect.

13.8 Execution in Counterparts. This Agreement may be executed in several counterparts, and all so executed shall constitute one agreement binding on all parties hereto, notwithstanding that all parties are not signatories to the original or the same counterpart.

13.9 Exhibits. Exhibits A, B, and C are attached hereto are incorporated herein by reference.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement for Purchase and Sale of Real Property and Escrow Instructions as of the date set forth above.

Note: Section 11 need to be separately initialed by the parties.

BUYER:

Gursharan Mann

Accepted and agreed to:

ESCROW HOLDER:

PLACER TITLE COMPANY

By: _____
Ana Campos, Escrow Officer

Dated: _____, 2024

SELLER:

CITY OF YUBA CITY

By: _____
Diana Langley, City Manager
_____, 2024

ATTEST:

Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM:

ALESHIRE & WYNDER, LLP

By: _____
Shannon Chaffin, City Attorney

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

That certain real property in the City of Yuba City, County of Sutter, State of California legally described as follows:

Lots 5 and 6, as shown on that certain Map entitled "Map of Rowe Tract," filed in the office of the County Recorder of Sutter County, California on July 12, 1948, in Book 8 of Surveys, Page 24.

Also, all that portion of Lot 7, as shown on that certain Map entitled "Map of Rowe Tract ", filed in the office of the County Recorder of Sutter County, California on July 12, 1948 in Book 8 of Surveys Page 24, lying Southerly of the following described line:

Beginning at the Northeast corner of Lot 5 of said Rowe Tract; thence North 89° 32' 25" East, a distance of 67.221 feet to the Easterly line of said Lot 7 and the terminus of said line.

APN: 053-220-030

EXHIBIT B
GRANT DEED

FREE RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Gursharan Mann
807 Anna Drive
Yuba City, CA 95993

APN 053-220-030

THE UNDERSIGNED GRANTOR DECLARES:
Documentary Transfer Tax is: \$____

(Space Above This Line for Recorder's Office Use Only)
(Exempt from Recording Fee per Gov. Code §6103)

GRANT DEED

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, CITY OF YUBA CITY, a public agency ("**Grantor**"), hereby grants to Gursharan Mann as _____ ("**Grantee**"), that certain real property in the City of Yuba City, County of Sutter, State of California, legally described on Exhibit A attached hereto and incorporated herein by reference ("**Property**").

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on its behalf by its respective officers or agents hereunto as of the date below.

GRANTOR:

CITY OF YUBA CITY, a public agency

Not to be executed until closing

By: _____
Diana Langley,
City Manager

ATTEST:

Ciara Wakefield, Deputy City Clerk

DATED: _____, 2024

EXHIBIT A TO GRANT DEED

LEGAL DESCRIPTION OF PROPERTY

That certain real property in the City of Yuba City, County of Sutter, State of California legally described as follows:

Lots 5 and 6, as shown on that certain Map entitled "Map of Rowe Tract," filed in the office of the County Recorder of Sutter County, California on July 12, 1948, in Book 8 of Surveys, Page 24.

Also, all that portion of Lot 7, as shown on that certain Map entitled "Map of Rowe Tract ", filed in the office of the County Recorder of Sutter County, California on July 12, 1948 in Book 8 of Surveys Page 24, lying Southerly of the following described line:

Beginning at the Northeast corner of Lot 5 of said Rowe Tract; thence North 89° 32' 25" East, a distance of 67.221 feet to the Easterly line of said Lot 7 and the terminus of said line.

APN: 053-220-030-000

[illegible]

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Notary Public

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EXHIBIT C
DEED RESTRICTION

FREE RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Yuba City
1201 Civic Center Boulevard
Yuba City, CA 95993
Attn: City Manager

APN 053-220-030

THE UNDERSIGNED GRANTOR DECLARES:
Documentary Transfer Tax is: \$____

(Space Above This Line for Recorder's Office Use Only)
(Exempt from Recording Fee per Gov. Code §6103)

DEED RESTRICTION

If ten (10) or more residential units are developed on the Property, not less than 15 percent of the total number of residential units developed on the property shall be sold or rented at affordable housing cost, as defined in Section 50052.5 of the California Health and Safety Code, or affordable rent, as defined in Section 50053 of the California Health and Safety Code, to lower income households, as defined in Section 50079.5 of the California Health and Safety Code. Rental units shall remain affordable to and occupied by lower income households for a period of 55 years for rental housing and 45 years for ownership housing. The initial occupants of all ownership units shall be lower income households, and the units shall be subject to an equity sharing agreement consistent with the provisions of paragraph (2) of subdivision © of 65915 of the California Government Code. These requirements shall be covenants or restrictions running with the land and shall be enforceable against any owner who violates a covenant or restriction and each successor-in-interest who continues the violation by any of the entities described in subdivisions (a) to (f), inclusive, of Section 54222.5 of the California Government Code.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on its behalf by its respective officers or agents hereunto as of the date below.

GRANTOR:

CITY OF YUBA CITY, a public agency

Not to be executed until closing

By: _____
Diana Langley
City Manager

ATTEST:

Ciara Wakefield, Deputy City Clerk

DATED: _____, 2024

EXHIBIT A TO DEED RESTRICTION
LEGAL DESCRIPTION OF PROPERTY

That certain real property in the City of Yuba City, County of Sutter, State of California legally described as follows:

Lots 5 and 6, as shown on that certain Map entitled "Map of Rowe Tract," filed in the office of the County Recorder of Sutter County, California on July 12, 1948, in Book 8 of Surveys, Page 24.

Also, all that portion of Lot 7, as shown on that certain Map entitled "Map of Rowe Tract ", filed in the office of the County Recorder of Sutter County, California on July 12, 1948 in Book 8 of Surveys Page 24, lying Southerly of the following described line:

Beginning at the Northeast corner of Lot 5 of said Rowe Tract; thence North 89° 32' 25" East, a distance of 67.221 feet to the Easterly line of said Lot 7 and the terminus of said line.

APN: 053-220-030-000

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

[illegible]

On _____, 2024 before me, _____, a notary public,
personally appeared _____ who proved to
me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

SEAL:

ATTACHMENT 2

VICINITY MAP



CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council; Honorable Chairperson and Directors of the Successor Agency to the Redevelopment Agency of the City of Yuba City
From: Administration Department
Presentation By: Diana Langley, City Manager

Summary

Subject: Agreement for Purchase and Sale of Real Property located at the southwest corner of C Street and Wilbur Avenue (APN 052-380-017) to Sutter Valley Medical Foundation

Recommendation: Adopt a Resolution authorizing the City Manager as Executive Director to the Successor Agency to the Redevelopment Agency of the City of Yuba City to execute an Agreement for Purchase and Sale of Real Property located at the southwest corner of C Street and Wilbur Avenue (APN 052-380-017), and all other necessary documents, in the amount of \$335,000 to Sutter Valley Medical Foundation, dba Sutter Medical Foundation, and authorize the Finance Director to remit the proceeds to the Sutter County Auditor-Controller for distribution to the taxing entities per the Long Range Property Management Plan

Fiscal Impact: Sale Price - \$335,000

Purpose:

To facilitate and encourage the development of infill property located in the Town Center area.

Council's Strategic Goal:

This project addresses multiple City Council Strategic Goals, primarily maintaining the financial stability and sustainability of the City and enhancing the business-friendly environment for the City.

Background:

The southwest corner of C Street and Wilbur Avenue is a 1.09-acre vacant parcel, currently owned by the Successor Agency to the Redevelopment Agency of the City of Yuba City (Successor Agency). Based on a 2011 California Supreme Court decision, all redevelopment agencies in California were dissolved as of February 1, 2012. As a result, all redevelopment agencies were required to dissolve and transfer any assets and liabilities to "Successor Agencies" that would bring to a close the redevelopment agencies' business matters. On January 10, 2012, the City Council elected to become the Successor Agency, and in November 2014, the Site was transferred to the Successor Agency.

In 2015, a Long Range Property Management Plan was prepared by Fraser & Associates. The plan

recommended the Site be sold for private development. On August 16, 2022, the City Council, acting as the Successor Agency, declared the Site to be surplus land and directed the City Manager to follow procedures set forth in the Surplus Land Act (SLA) for the sale of the property. Through the SLA process, no housing sponsors or developers submitted a letter of interest to purchase the property and the California Department of Housing and Community Development (HCD) cleared the property for sale.

Analysis:

In August 2023, an appraisal was prepared by Owen & Associates Valuation, Inc., in which the appraised amount was \$235,000. The City contracted with Coldwell Banker Commercial Valley Brokers (Coldwell Banker) to represent the City and place the property for sale for \$335,000. Coldwell Banker received an offer from Sutter Valley Medical Foundation, dba Sutter Medical Foundation, to purchase the Site "as is" for \$335,000. The attached Agreement for Purchase and Sale details the terms of the transaction.

Fiscal Impact:

The proposed purchase price is \$335,000 with net proceeds being less due to sales commission, title, and escrow fees. Per the Long Range Property Management Plan, the City will remit the net proceeds to the Sutter County Auditor-Controller for distribution to the taxing agencies, of which the City will receive approximately 16% back.

Alternatives:

Do not authorize the City Manager to sign the Agreement and provide direction for the disposition of the property.

Recommendation:

Adopt a Resolution authorizing the City Manager as Executive Director to the Successor Agency to the Redevelopment Agency of the City of Yuba City to execute an Agreement for Purchase and Sale of Real Property located at the southwest corner of C Street and Wilbur Avenue (APN 052-380-017), and all other necessary documents, in the amount of \$335,000 to Sutter Valley Medical Foundation, dba Sutter Medical Foundation, and authorize the Finance Director to remit the proceeds to the Sutter County Auditor-Controller for distribution to the taxing entities per the Long Range Property Management Plan.

Attachments:

1. Resolution - Southwest Corner of C Street and Wilbur Avenue
2. Exhibit A - SMF - Agreement for Purchase and Sale
3. Location Map

Prepared By:
Diana Langley
City Manager

Submitted By:
Diana Langley
City Manager

ATTACHMENT 1

RESOLUTION NO.

RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF YUBA CITY AUTHORIZING THE CITY MANAGER AS THE EXECUTIVE DIRECTOR TO THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF YUBA CITY TO EXECUTE AN AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY LOCATED AT THE SOUTHWEST CORNER OF C STREET AND WILBUR AVENUE (APN 052-380-017), AND ALL OTHER NECESSARY DOCUMENTS, IN THE AMOUNT OF \$335,000 TO SUTTER VALLEY MEDICAL FOUNDATION, DBA SUTTER MEDICAL FOUNDATION, AND AUTHORIZE THE FINANCE DIRECTOR TO REMIT THE PROCEEDS TO THE SUTTER COUNTY AUDITOR-CONTROLLER FOR DISTRIBUTION TO THE TAXING ENTITIES PER THE LONG RANGE PROPERTY MANAGEMENT PLAN

WHEREAS, in January 2012, the City Council elected to become the Successor Agency to the Redevelopment Agency of the City of Yuba City (Successor Agency); and

WHEREAS, in November 2014, ownership of the Site was transferred by grant deed to the Successor Agency; and

WHEREAS, in 2015, a Long Range Property Management Plan was prepared by Fraser & Associates and recommended the Site be sold for private development; and

WHEREAS, in August 2022, the Successor Agency declared the Site to be surplus and directed the City Manager/Executive Director to follow procedures set forth in the Surplus Land Act for the sale of the property; and

WHEREAS, in accordance with the Surplus Land Act, staff issued a notice of availability and did not receive any interest from any housing sponsors; and

WHEREAS, the Department of Housing and Community Development has determined that staff met all the requirements under the Surplus Land Act and the Successor Housing Agency is permitted to proceed with the sale or lease of the property; and

WHEREAS, an appraisal was prepared by Owen & Associates Valuation, Inc., and the appraised value is \$235,000; and

WHEREAS, the City received an offer from Sutter Valley Medical Foundation, dba Sutter Medical Foundation, to purchase the property for \$335,000 in "as is" condition; and

WHEREAS, staff recommends that the Successor Agency accept the offer and authorize the City Manager to execute an Agreement for Purchase and Sale; and

WHEREAS, per the Long Range Property Management Plan, the net proceeds from the sale of the property are to be remitted to the Sutter County Auditor-Controller for distribution to the taxing agencies.

NOW, THEREFORE, the Successor Agency of the Yuba City Redevelopment Agency, California, does hereby resolve as follows:

1. The City Manager as the Executive Director to the Successor Agency to the Redevelopment Agency of the City of Yuba City is authorized to execute an Agreement

for Purchase and Sale of Real Property located at the southwest corner of C Street and Wilbur Avenue (APN 052-380-017), and all other necessary documents, in the amount of \$335,000 to Sutter Valley Medical Foundation, dba Sutter Medical Foundation.

2. The Finance Director is authorized to remit the net proceeds to the Sutter County Auditor-Controller.

The foregoing Resolution was duly and regularly introduced, passed and adopted by the Successor Agency to the Yuba City Redevelopment Agency at a regular meeting thereof held on the 7th day of May, 2024.

AYES:

NOES:

ABSENT:

Shon Harris, Chair of Successor Agency

ATTEST:

Ciara Wakefield, Deputy Agency Secretary

APPROVED AS TO FORM
COUNSEL FOR SUCCESSOR AGENCY:

Shannon Chaffin
Agency Counsel

Exhibit A: Purchase and Sale Agreement

**AGREEMENT FOR PURCHASE AND SALE
OF REAL PROPERTY AND JOINT ESCROW INSTRUCTIONS**

THIS AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY AND JOINT ESCROW INSTRUCTIONS ("**Agreement**") is made this 7th day of May, 2024 ("**Agreement Date**") by and among Sutter Valley Medical Foundation, dba Sutter Medical Foundation (SMF) (the "**Buyer**"), City of Yuba City as Successor Agency to the former Redevelopment Agency of the City of Yuba City, a public agency ("**Seller**") and PLACER TITLE COMPANY, a corporation ("**Escrow Holder**" and "**Title Company**").

RECITALS:

A. Seller owns that certain real property located at the southwest corner of Wilbur Avenue and C Street, Yuba City, State of California (APN 052-380-017) legally described on **Exhibit A** ("**Property**").

B. Except as otherwise expressly set forth herein, Buyer is willing to purchase the Property in AS-IS condition pursuant to the terms of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and incorporating the recitals above, the parties hereto agree as follows:

TERMS AND CONDITIONS:

1. PURCHASE AND SALE OF PROPERTY. Buyer hereby agrees to purchase from Seller, and Seller agrees to sell to Buyer, the Property in AS-IS condition.

2. OPENING OF ESCROW. Within five (5) days after the mutual execution of this Agreement by both Buyer and Seller, Seller shall open an escrow ("**Escrow**") with Placer Title Company (Escrow Holder) by causing a fully executed copy of this Agreement to be deposited with Ana Campos, escrow officer ("**Escrow Officer**") at Placer Title Company, 1425 Butte House Road, Yuba City, Acampos@placertitle.com, (530) 671-5040 ("**Escrow**") ("**Opening of Escrow**").

3. PURCHASE PRICE.

3.1 Purchase Price. The Purchase Price for the Property is Three Hundred Thirty-Five Thousand Dollars (\$335,000) ("**Purchase Price**").

3.2 Payment of Purchase Price. The Purchase Price shall be paid as follows:

(a) **Deposit.** Within two (2) business days following the Opening of Escrow, Buyer shall deposit the sum of Twenty-Five Thousand Dollars (\$25,000) with Escrow Holder ("**Deposit**"). The Deposit shall be applicable to the Purchase Price.

(b) **Balance of Funds.** At least one (1) business day prior to the Closing, Buyer shall deposit balance of the Purchase Price with Escrow Holder in Good Funds (as defined below).

3.3 Disbursement of Seller's Net Proceeds. At the Closing, the net proceeds (as

determined by the Seller settlement statement) shall be disbursed to Seller.

3.4 Good Funds. All funds deposited in Escrow shall be in “**Good Funds**” which means a wire transfer of funds, cashier's or certified check drawn on or issued by the offices of a financial institution located in the State of California.

4. ADDITIONAL FUNDS AND DOCUMENTS REQUIRED FROM BUYER AND SELLER.

4.1 Seller. Seller agrees that on the day preceding the Closing Date, Seller will deposit with Escrow Holder such funds and other items and instruments (executed and acknowledged, if appropriate) as may be necessary in order for the Escrow Holder to comply with this Agreement, including without limitation:

- a. Executed and acknowledged grant deed in the form of Exhibit B (“**Grant Deed**”).
- b. A Non-Foreign Affidavit as required by federal law.
- c. Such funds and other items and instruments as may be necessary in order for Escrow Holder and the Title Company to comply with this Agreement.
- d. Executed and acknowledged Deed Restriction in the form of Exhibit C (“**Deed Restriction**”).

4.2 Buyer. Buyer agrees that on the date preceding the Closing Date, Buyer will deposit with Escrow Holder all additional funds and/or documents (executed and acknowledged, if appropriate) which are necessary to comply with the terms of this Agreement, including without limitation:

- a. A Preliminary Change of Ownership Statement completed in the manner required in Sutter County.
- b. Such funds and other items and instruments as may be necessary in order for Escrow Holder and the Title Company to comply with this Agreement.

4.3 Recordation, Completion and Distribution of Documents. Escrow Holder will cause Grant Deed to be recorded when it can issue the Owner's Title Policy in accordance with Section 6, and holds for the account of Buyer and Seller, respectively, the funds and items described above to be delivered to Buyer and Seller, respectively, through Escrow, less costs, expenses and disbursements chargeable to Seller pursuant to the terms hereof.

5. CLOSING DATE; TIME IS OF ESSENCE.

5.1 Closing Date. Escrow shall close within seven (7) business days after Buyer has provided the Buyer's Due Diligence Approval Notice by the Outside Due Diligence Date (pursuant to Section 7), but no later than ninety (90) days after the Opening of Escrow (“**Closing Date**”) unless extended as evidenced by a writing signed by both parties. The terms “**Close of Escrow**” and/or “**Closing**” are used herein to mean the time Grant Deed is filed for recording by the Escrow Holder in the Office of the County Recorder of Sutter County, California.

5.2 Possession. Upon the Close of Escrow, exclusive possession and occupancy of

the Property shall be delivered to Buyer free and clear of all claims of possession and all debris.

5.3 Time is of Essence. Buyer and Seller specifically agree that time is of the essence.

5.4 Executive Director's Authority. Seller by its execution of this Agreement hereby agrees that its Executive Director or designee (who has been designated by Executive Director's written notice delivered to Buyer and Escrow Holder) shall, in Executive Director's sole and exclusive discretion, have authority:

(i) to execute documents on behalf of Seller including, but not limited to, issuing approvals, disapprovals and extensions. Any such approval, disapproval or extension executed by the Executive Director or their designee shall be binding on Seller.

(ii) make minor modifications to this Agreement in order to fulfill the direction of the Successor Agency Board, provided that such minor modifications are approved by the Agency's legal counsel.

6. TITLE POLICY.

6.1 Approval of Title.

(a) Promptly following execution of this Agreement but in no event later than five (5) days following Opening of Escrow, a preliminary title report shall be issued by Placer Title Company ("**Title Company**"), describing the state of title of the Property, together with copies of all exceptions specified therein and a map plotting all easements specified therein ("**Preliminary Title Report**"). Within fifteen (15) days after Buyer's receipt of the Preliminary Title Report, Buyer shall notify Seller in writing ("**Buyer's Title Notice**") of Buyer's disapproval of any matters contained in the Preliminary Title Report ("**Disapproved Exceptions**"). Notwithstanding the foregoing, Buyer shall automatically be deemed to object to, and Seller shall automatically be deemed to agree to remove, any deeds of trust, mortgages or other monetary liens on title to the Property.

(b) In the event Buyer delivers Buyer's Title Notice within said period, Seller shall have a period of ten (10) days after receipt of Buyer's Title Notice in which to notify Buyer of Seller's election to either (i) agree to attempt to remove the Disapproved Exceptions prior to the Close of Escrow; or (ii) decline to remove any such Disapproved Exceptions ("**Seller's Notice**"). If Seller notifies Buyer of its election to decline to remove the Disapproved Exceptions, fails to timely respond to Buyer's Title Notice, or if Seller is unable to remove the Disapproved Exceptions, Buyer may elect either to terminate this Agreement and the Escrow or to accept title to the Property subject to the Disapproved Exception(s) or deemed Disapproved Exceptions. Buyer shall exercise such election by delivery of written notice to Seller and Escrow Holder within five (5) days following the earlier of (i) the date of written advice from Seller that such Disapproved Exception(s) cannot be removed; or (ii) the date Seller declines or is deemed to decline to remove such Disapproved Exception(s).

(c) Upon the issuance of any amendment or supplement to the Preliminary Title Report which adds additional exceptions, the foregoing right of review and approval shall also apply to said amendment or supplement, provided, however, that Buyer's initial period of review and approval or disapproval of any such additional exceptions shall be limited to ten (10) days following receipt of notice of such additional exceptions.

(d) Nothing to the contrary herein withstanding, Buyer shall be deemed to have automatically objected to all leases, deeds of trust, mortgages, judgment liens, federal and state income tax liens, delinquent general and special real property taxes and assessments and similar monetary encumbrances affecting the Property, and Seller shall discharge any such non-permitted title matter of record prior to or concurrently with the Close of Escrow.

6.2 Title Policy. At the Close of Escrow, Escrow Holder shall furnish Buyer with an ALTA/CLTA Standard Owner's Policy of title insurance ("**Owner's Title Policy**") insuring title to the Property vested in Buyer in the amount of the Purchase Price, containing only exceptions approved or waived by Buyer in accordance with this Section. The cost of the Owner's Title Policy shall be paid by Seller. The cost of any endorsements or extended coverage shall be paid by Buyer.

7. STATUTORY DISCLOSURES & DUE DILIGENCE.

7.1 Natural Hazard Disclosure Report with Tax Disclosures. Within two (2) days after the Opening of Escrow, Escrow Holder shall order and deliver to Buyer a comprehensive natural hazard disclosure and tax report from Disclosure Source ("**NHD Report**") for Buyer's review and approval. If Buyer disapproves the NHD Report, Buyer shall notify Seller with a copy to Escrow Holder within the Due Diligence Period. If Buyer does not disapprove the NHD Report within the Due Diligence Period, Buyer shall be deemed to have approved it. Buyer shall execute the acknowledgement statement that accompanies the NHD Report and deliver a copy to Seller.

7.2 Material Facts & Insurance Claims. Within two (2) days of the Opening of Escrow, Seller shall disclose to Buyer in writing all known material facts and defects including known insurance claims within the last five (5) years preceding the Agreement Date

7.3 Other Statutory Disclosures. Within two (2) days of Opening of Escrow, Seller shall deliver to Buyer all other applicable statutory disclosures (including, but not limited to, notice or actual knowledge of release of illegal controlled substance, etc.) as required by law for Buyer's review and approval. If Buyer disapproves any such disclosures, Buyer shall notify Seller with a copy to Escrow Holder within the Due Diligence Period. If Buyer does not disapprove a statutory disclosure within the Due Diligence Period, Buyer shall be deemed to have approved it and Buyer shall execute any documents reasonably required by Seller to evidence same and deliver same to Seller.

7.4 Documents and Materials. Within five (5) days following the Agreement Date, if not already delivered, Seller shall deliver to Buyer copies of any engineering reports and drawings, soils reports, geotechnical studies, site history investigations, copies of all lease, copies of all contracts, copies of all correspondence with tenants and any governmental or quasi-governmental agency, preliminary title report and all other documents, studies and materials related to project entitlements (not including the general plan, any specific plan, or the Yuba City Municipal Code), CC&R's, toxics reports and Phase 1 environmental studies, development agreements, and any other relevant documents affecting Property (collectively, "**Documents and Materials**"). Seller makes no representation concerning the adequacy or accuracy of any of the Documents and Materials, except as otherwise provided in this Agreement. The Documents and Materials are intended to be a starting point for Buyer to begin its own independent investigation of the Property and not an analysis of or representation as to the physical, economic, land use or other issues or matters involved in the development of the Property. The Documents and Materials may undergo, or may have already undergone,

significant revisions or even total elimination. Seller has not attempted to update the Documents and Materials, and no one is entitled to rely on the information contained therein, except as otherwise provided in this Agreement. Buyer, as a part of its due diligence, shall make an independent determination as to the reliability and completeness of the information contained in the Documents and Materials.

7.5 Due Diligence. For a period of up to sixty (60) days following the Opening of Escrow ("**Due Diligence Period**"), Buyer shall have the right to review and inspect the Documents and Materials and the Property and conduct such tests as reasonably determined by Buyer. Buyer shall make reasonable efforts to expediate any and all investigations provided same does not involve additional cost to Seller. As of the Agreement Date, Seller grants to Buyer, its agents and employees, upon reasonable notice to Seller, a limited license to enter the Property for the purpose of conducting such due diligence as reasonably required by Buyer at Buyer's sole cost and expense. As a condition to Buyer's entry and inspection, Buyer shall keep the Property free and clear of all materialmen's liens, lis pendens or any other liens arising out of the entry and any work performed under this Agreement. Buyer shall notify Seller in writing ("**Buyer's Due Diligence Notice**") on or before the expiration of the Due Diligence Period of Buyer's approval of the condition of the Property as well as the NHD Report, all other disclosures and notices delivered to Buyer under this Agreement, which approval may be withheld in Buyer's sole discretion. Failure of Seller to provide access to the Property to make inspect the Property at a day and time requested by Buyer shall be a material breach of this Agreement and Buyer shall have the right to immediately terminate this Agreement and the escrow and upon such termination, Escrow Officer shall immediately refund the Deposit to Buyer with no further instructions from Buyer or Seller. Should Buyer fail to deliver the Buyer's Due Diligence Notice to Escrow Holder and Seller prior to the end of the Due Diligence Period in accordance with Section 12 below, this Agreement shall automatically terminate, the Deposit shall be returned to Buyer, all other funds deposited by Buyer into Escrow and then held in Escrow shall be returned to Buyer, and the parties shall have no further obligation to each other except for any other obligations under this Agreement which, by their terms, are to survive the termination of this Agreement.

7.6 Indemnity: Buyer agrees to defend and indemnify Seller for any claims that arise out of Buyer's inspection or testing of the Property.

8. CONDITIONS PRECEDENT TO CLOSE OF ESCROW.

8.1 Conditions to Buyer's Obligations. The obligations of Buyer under this Agreement are subject to the satisfaction or written waiver, in whole or in part, by Buyer of each of the following conditions precedent ("**Buyer's Conditions Precedent**"):

- (a) Title Company will issue the Owner's Title Policy as specified in Section 6.2.
- (b) Escrow Holder holds and will deliver to Buyer the instruments accruing to Buyer pursuant to this Agreement.
- (c) Seller is not in default of its obligations under this Agreement.
- (d) Buyer has delivered Buyer's Due Diligence Notice approving the condition of the Property.
- (e) After the end of the Due Diligence period, there shall have occurred no material

adverse change in the condition of the Property, in the permitted use or zoning of the Property, or in any other matter relating to the Property.

- (f) Each and every one of Seller's limited representations and warranties contained in this Agreement shall be true and correct in every material respect as further described and set forth in Section 9.

8.2 Conditions to Seller's Obligations. The obligations of Seller under this Agreement are subject to the satisfaction or written waiver, in whole or in part, by Seller of the following conditions precedent:

- (a) Escrow Holder holds and will deliver to Seller the instruments and funds accruing to Seller pursuant to this Agreement.
- (b) Buyer shall have executed all documents required under this Agreement and delivered same to Seller.
- (c) Buyer is not in default of its obligations under this Agreement.

9. LIMITED REPRESENTATIONS AND WARRANTIES.

9.1 Limited Representations and Warranties. Seller hereby makes the following representations and warranties to Buyer to the best of its knowledge and without the duty to investigate, each of which is true in all respects as of the Agreement Date and the Opening of Escrow and shall be true in all respects on the date of Close of Escrow on the Property:

a. Seller has received no notice and/or has no knowledge that any governmental authority or any employee or agent thereof considers the present or proposed operation, use or ownership of the Property to violate or have violated any ordinance, rule, law, regulation or order of any government or agency, body or subdivision thereof, or that any investigation has been commenced or is contemplated respecting such possible violations.

b. There are no pending or threatened lawsuits or claims which would affect the Property.

c. The Property is not subject to a homeowner's association nor any such association assessments.

d. The Property is not in violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to the environmental conditions on, under or about the Property including, but not limited to, soil and ground water conditions.

e. Seller has received no written notice from any third parties, prior owners of the Property, or any federal, state or local governmental agency indicating that any hazardous waste remedial or clean-up work will be required on the Property. There are no environmental, health or safety hazards on, under or about the Property, including but not limited to soil and groundwater conditions.

f. There are no contracts, leases, claims or rights affecting the Property and no agreements entered into by or under Seller that shall survive the Close of Escrow.

g. Until the Closing, Seller shall not do anything which would impair Seller's title to any of the Property.

h. Seller is not, and as of the Close of Escrow will not be, a foreign person within the meaning of Internal Revenue Code Section 1445 or an out-of-state seller under California Revenue and Tax Code Section 18805 and that it will deliver to Buyer through Escrow a non-foreign affidavit on Escrow Holder's standard form pursuant to Internal Revenue Code Section 1445(b)(2) and the Regulations promulgated thereunder and a California Form 590-RE ("Non-foreign Affidavit").

i. Until the Closing, if Seller learns of any fact or condition which would cause any of the warranties and representations in this Section not to be true as of the Closing, Seller shall immediately give written notice of such fact or condition to Buyer.

j. No construction or repair work has been done on the Property within the six (6) months prior to the Opening of Escrow.

k. . All non-delinquent general and special real property taxes and assessments shall be prorated to the Close of Escrow on the basis of a thirty (30) day month and a three hundred sixty day (360) year. Any supplemental tax bills received after Close of Escrow shall be paid by Seller to the extent they relate to a period prior to Close of Escrow, and by Buyer, to the extent they relate to a period after Close of Escrow. If a supplemental tax bill (which may include possessory interest taxes) covers a period commencing before and continuing after Close of Escrow, the party named in the bill will pay the tax and the other party shall reimburse the first party its pro rata share within thirty (30) days after receipt of a copy of the tax bill and evidence of the second party's payment of same.

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9.2 Breach; Indemnification. If a breach of a representation, warranty or covenants occurs before Closing and Buyer is aware that such a breach has occurred, the breach shall be grounds to terminate this Agreement in Buyer's sole discretion. If Buyer does not elect to terminate this Agreement, Buyer shall be deemed to have waived any such breach.

10. ESCROW PROVISIONS.

10.1 Escrow Instructions. Sections 1; 2 through 6 inclusive, 8, 10, 12 and 13 constitute the escrow instructions to Escrow Holder. If required by Escrow Holder, Buyer and Seller agree to execute Escrow Holder's standard escrow instructions, provided that the same are consistent with and do not conflict with the provisions of this Agreement. In the event of any such conflict, the provisions of this Agreement shall prevail. The terms and conditions in sections of this Agreement not specifically referenced above are additional matters for information of Escrow Holder, but about which Escrow Holder need not be concerned. Buyer and Seller will receive Escrow Holder's general provisions directly from Escrow Holder and will execute such provision upon Escrow Holder's request. To the extent that the general provisions are inconsistent or conflict with this Agreement, the general provisions will control as to the duties and obligations of Escrow Holder only. Buyer and Seller agree to execute additional instructions, documents and forms provide by Escrow Holder that are reasonably necessary to close Escrow.

10.2 General Escrow Provisions. Escrow Holder shall deliver the Owner's Title Policy

to Buyer and instruct the Sutter County Recorder to mail the Grant Deed to Buyer at the address set forth in Section 12 after recordation. All funds received in this Escrow shall be deposited in one or more general escrow accounts of the Escrow Holder with any bank doing business in Sutter County, California, and may be disbursed to any other general escrow account or accounts. All disbursements shall be according to that party's instructions.

10.3 Utilities. Buyer and Seller shall cause all utilities which are in the name of Seller to be transferred to the name of Buyer as of the Close of Escrow or as soon thereafter as practicable. Utilities shall be prorated to the Close of Escrow. In the event final amounts with respect to said prorations are not available as of Close of Escrow, the proration shall be done on an estimated basis and the parties shall prepare a final proration within sixty (60) days following Close of Escrow. Any party who is obligated to pay net amounts based on said final proration shall reimburse the other party said amount within thirty (30) days after completion of the final proration.

10.4 Real Property Taxes. Seller is a public agency and exempt from real property taxes so no prorations will be required at Closing.

10.5 Payment of Costs.

- a. **Cost Allocation.** Seller shall pay the costs for the Owner's Title Policy, one-half of escrow costs and recording fees ("**Buyer's Charges**"). Seller shall pay the cost of the NHD Report, documentary transfer taxes, one-half of the escrow costs and any fees and costs charged by any lender to obtain releases or consents or otherwise put title in the condition described in Section 6 ("**Seller's Charges**"). All other costs of Escrow not otherwise specifically allocated by this Agreement shall be apportioned between the parties in a manner consistent with the custom and usage of Escrow Holder.
- b. **Closing Statement.** At least three (3) business days prior to the **Closing Statement**, At least three (3) business days prior to the Closing Date, Escrow Holder shall furnish Buyer and Seller with a preliminary Escrow closing statement which shall include each party's respective shares of costs. The preliminary closing statement shall be approved in writing by the parties. As soon as reasonably possible following the Close of Escrow, Escrow Holder shall deliver a copy of the final Escrow closing statement to the Parties.

10.6 Termination and Cancellation of Escrow. If Escrow fails to close as provided above, either party may elect to cancel this Escrow upon written notice to the other party and Escrow Holder. Upon cancellation, Escrow Holder is instructed to return all funds and documents then in Escrow to the respective depositor of the same with Escrow Holder. Cancellation of Escrow, as provided herein, shall be without prejudice to whatever legal rights Buyer or Seller may have against each other arising from the Escrow or this Agreement.

10.7 Intentionally Deleted.

10.8 No Withholding as Foreign Seller. Seller represents and warrants to Buyer that Seller is not, and as of the Close of Escrow will not be, a foreign person within the meaning of Internal Revenue Code § 1445 or an out-of-state seller under California Revenue and Tax Code § 18805 and that it will deliver to Buyer on or before the Close of Escrow a non-foreign affidavit on Escrow Holder's standard form pursuant to Internal Revenue Code §1445(b)(2) and the

Regulations promulgated thereunder and a California Form 590-RE.

10.9 Brokerage Commissions. Both parties are represented by a broker. Buyer and Seller each agree to indemnify and hold the other parties harmless from and against all liabilities, costs, damages and expenses, including, without limitation, attorneys' fees, resulting from any claims or fees or commissions, based upon agreements by it, if any, to pay a broker's commission and/or finder's fee except as specified above. Seller to pay six (6%) commission of the total sales price to broker.

11. LIQUIDATED DAMAGES.

IF BUYER SHOULD MATERIALLY DEFAULT UNDER THIS AGREEMENT, BUYER AND SELLER AGREE THAT SELLER WILL INCUR DAMAGES BY REASON OF SUCH DEFAULT WHICH DAMAGES SHALL BE IMPRACTICAL AND EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO ASCERTAIN. THEREFORE, BUYER AND SELLER, IN A REASONABLE EFFORT TO ASCERTAIN WHAT SELLER'S DAMAGES WOULD BE IN THE EVENT OF SUCH DEFAULT BY BUYER HAVE AGREED BY PLACING THEIR INITIALS BELOW THAT THE DEPOSIT SHALL CONSTITUTE A REASONABLE ESTIMATE OF SELLER'S DAMAGES UNDER THE PROVISIONS OF SECTIONS 1671 AND 1677 OF THE CALIFORNIA CODE OF CIVIL PROCEDURE FOR A BREACH PRIOR TO THE CLOSING. IF BUYER FAILS TO PROMPTLY DELIVER THE SUM SPECIFIED ABOVE TO SELLER, SUCH FAILURE SHALL CONSTITUTE A MATERIAL BREACH OF THIS PROVISION AND SELLER MAY ELECT TO SUE BUYER UNDER THIS PROVISION OR TO WAIVE THIS PROVISION AND PROCEED AGAINST BUYER FOR ALL APPLICABLE DAMAGES RESULTING FROM BUYER'S DEFAULT.

Seller's Initials

Buyer's Initials

12. NOTICES. Any notices, demands or communications under this Agreement between the parties shall be in writing, and may be given by (i) personal service, (ii) overnight delivery, or (iii) mailing via United States mail, certified mail, postage prepaid, return receipt requested ("**US Mail**"), addressed to each party as set forth below or such other address as may be furnished in writing by a party, and such notice or communication shall, if properly addressed, be deemed to have been given (a) as of the date so delivered under delivery methods (i) or (ii) above, or (b) three (3) business days after deposit into the U.S. Mail.

To Seller: City of Yuba City as Successor Agency
1201 Civic Center Boulevard
Yuba City, CA 95993
Attn: Diana Langley, Executive Director

With a Copy to: Aleshire & Wynder, LLP
2440 Tulare Street Suite 410
Fresno, CA 93721
Attn: Shannon Chaffin, Agency Counsel

To Buyer: Sutter Valley Medical Foundation
c/o Sutter Health Facility & Property Services
Attn: Director of Real Estate
2200 River Plaza Drive, Floor 2

Sacramento, CA 95833

With a copy to:

Sutter Health Office of General Counsel
Attn: Cindy Condos, Esq.
2200 River Plaza Drive, Floor 3
Sacramento, CA 95833

To Escrow Holder:

Placer Title Company
1425 Butte House Road
Yuba City, CA 95993
Ana Campos, Senior Escrow Officer

13. GENERAL PROVISIONS.

13.1 Assignment. Neither party shall have the right to assign this Agreement or any interest or right hereunder or under the Escrow without the prior written consent of the other party. Subject to the foregoing, this Agreement shall be binding upon and shall inure to the benefit of Buyer and Seller and their respective heirs, personal representatives, successors and assigns. Notwithstanding the foregoing, Buyer shall have the right to assign its interests under this Agreement, with notice but without Seller's consent (1) to any entity controlled by, or under common control with, Buyer or any principal of Buyer, or its permitted assignees or transferees; or (2) in connection with a merger, reorganization, transfer, sale of assets, or change of control or ownership of Buyer, or its permitted successive assignees or transferees.

13.2 Dispute Resolution. The parties will use reasonable efforts to informally meet and confer to try and resolve any dispute arising under this Agreement, including a breach of this Agreement, and provide for appropriate remedies of a party damaged by the breach of this Agreement by the other party (a "**Dispute**"). The parties will meet and confer about any Dispute within thirty (30) days of a written request submitted by any party in accordance with Section 7.2 above, in an effort to settle that dispute. If the parties are not able to resolve the Dispute, then any Dispute arising out of or in connection with this Agreement, including any question regarding its existence, interpretation, validity or termination, will be referred to and definitively resolved by binding arbitration pursuant to the California Code of Civil Procedure Section 1280, et seq., and the arbitration shall be administered by JAMS in accordance with its Streamlined Arbitration Rules & Procedures. The place of arbitration will be Sacramento, California. The judgment of the arbitration tribunal will be accompanied by a written statement of the basis for such judgment and may be enforced by any court having proper jurisdiction. The provisions of this Section will not preclude the parties from seeking equitable remedies in aid of arbitration from a court of appropriate jurisdiction and will survive the termination of this Agreement.

13.3 Attorney's Fees. In any action between the parties hereto, seeking enforcement of any of the terms and provisions of this Agreement or the Escrow, or in connection with the Property, the prevailing party in such action shall be entitled, to have and to recover from the other party its reasonable attorneys' fees and other reasonable expenses in connection with such action or proceeding, in addition to its recoverable court costs.

13.4 Interpretation; Governing Law. This Agreement shall be construed according to its fair meaning and as if prepared by both parties hereto. This Agreement shall be construed in accordance with the laws of the State of California in effect at the time of the execution of this Agreement. Titles and captions are for convenience only and shall not constitute a portion of

this Agreement. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others wherever and whenever the context so dictates.

13.5 No Waiver. No delay or omission by either party in exercising any right or power accruing upon the compliance or failure of performance by the other party under the provisions of this Agreement shall impair any such right or power or be construed to be a waiver thereof. A waiver by either party of a breach of any of the covenants, conditions or agreements hereof to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions hereof.

13.6 Modifications. Any alteration, change or modification of or to this Agreement, in order to become effective, shall be made by written instrument or endorsement thereon and in each such instance executed on behalf of each party hereto.

13.7 Severability. If any term, provision, condition or covenant of this Agreement or the application thereof to any party or circumstances shall, to any extent, be held invalid or unenforceable, the remainder of this instrument, or the application of such term, provisions, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

13.8 Merger. This Agreement and other documents incorporated herein by reference contain the entire understanding between the parties relating to the transaction contemplated hereby and all prior to contemporaneous agreements, understandings, representations and statements, oral or written, are merged herein and shall be of no further force or effect.

13.9 Execution in Counterparts. This Agreement may be executed in several counterparts, and all so executed shall constitute one agreement binding on all parties hereto, notwithstanding that all parties are not signatories to the original or the same counterpart. Signatures transmitted by emailing a ".pdf" signature, including signatures done via DocuSign, shall be binding.

13.10 Calculation of Time Periods; Business Days. If any date for performance under this Agreement falls on a day that is not a Business Day, then the date of performance shall be the next day which is a Business Day, and the next time period shall be calculated from and after the date of such actual date for performance. "Business Day" shall mean any day which is not any one or more of the following: (a) a Saturday, Sunday, national or state holiday, (b) a day on which Escrow Holder is not open for business, or (c) a day on which the Office of the County Recorder of Sutter County is closed or otherwise not accepting documents for recording. Where a time for performance is set forth herein, the applicable time zone shall be the time zone in the County in which the Purchase Property is located.

13.11 Exhibits. Exhibits A, B, and C attached hereto are incorporated herein by reference.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement for Purchase and Sale of Real Property and Escrow Instructions as of the date set forth above.

Note: Section 11 needs to be separately initialed by the parties.

BUYER:

Sutter Valley Medical Foundation, a California
nonprofit public benefit corporation, dba Sutter
Medical Foundation (SMF)

By: _____

Name: _____

Its: _____

Dated: _____, 2024

Accepted and agreed to:

ESCROW HOLDER:

PLACER TITLE

By: _____
Ana Campos, Escrow Officer

Dated: _____, 2024

SELLER:

CITY OF YUBA CITY AS SUCCESSOR
AGENCY

By: _____
Diana Langley, Executive Director

Dated: _____, 2024

ATTEST:

Ciara Wakefield, Deputy Agency Secretary

APPROVED AS TO FORM:

ALESHIRE & WYNDER, LLP

By: _____
Shannon Chaffin, Agency Counsel

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

That certain real property in the City of Yuba City, County of Sutter, State of California legally described as follows:

PARCEL ONE:

Being a portion of Lot 4 of the New Helvetia Rancho and Lot 38 of Township 15 North, Range 3 East, Mount Diablo Base and Meridian, and located in the City of Yuba City, County of Sutter, State of California and being more particularly described as follows:

Beginning at the centerline intersection of Plumas Boulevard and C street as shown on Parcel Map no. 908, filed on April 21, 1994 in Book 5 of Parcel Maps at page 118, in the office of the Sutter County Recorder; thence South 14 degrees 34 minutes 33 seconds West, along the centerline of Plumas Boulevard a distance of 377.08 feet; thence South 75 degrees 25 minutes 27 seconds East, along a line perpendicular to the centerline of Plumas Boulevard a distance of 85.00 feet to the Easterly line thereof; thence North 14 degrees 34 minutes 33 seconds East along said Easterly line of Plumas Boulevard a distance of 385.42 feet to the beginning of a curve concave to the Southeast, having a radius of 25.00 feet; thence Northeasterly along said curve through a central angle of 54 degrees 33 minutes 01 seconds an arc distance of 23.80 feet to the Southerly line of 'C' Street; thence North 69 degrees 07 minutes 34 seconds East along said Southerly line of 'C' Street a distance of 165.43 feet to the beginning of a curve concave to the Southwest having a radius of 25.00 feet; thence Southeasterly along said curve through a central angle of 90 degrees 07 minutes 58 seconds an arc distance of 39.33 feet; thence North 69 degrees 01 minutes 21 seconds East, a distance of 32.00 feet to the True Point of Beginning; thence South 20 degrees 58 minutes 39 seconds East a distance of 263.27 feet to the North property line of Parcel 2 as shown on Parcel Map no. 835 filed on May 10, 1990 in Book 5 of Parcel Maps at page 45, in the office of the Sutter County Recorder; thence North 89 degrees 32 minutes 20 seconds East, along the Northerly property line of Parcel 2 and its Easterly extension a distance of 145.13 feet to the Westerly line of Wilbur Avenue; thence North 11 degrees 24 minutes 03 seconds West, along the Westerly line of Wilbur Avenue a distance of 306.38 feet to the beginning of a curve concave to the Southwest having a radius of 31.50 feet; thence Northwesterly along said curve through a central angle of 99 degrees 28 minutes 23 seconds an arc distance of 54.69 feet to the Southerly line of 'C' Street; thence South 69 degrees 07 minutes 34 seconds West along said Southerly line of 'C' Street a distance of 98.86 feet to the beginning of a curve concave to the Southeast having a radius of 25.00 feet; thence Southwesterly along said curve through a central angle of 89 degrees 52 minutes 02 seconds an arc distance of 39.21 feet; thence South 69 degrees 01 minutes 21 seconds West, a distance of 32.00 feet to the True Point of Beginning.

PARCEL TWO:

Those certain appurtenant easements for parking, vehicular and pedestrian Ingress and egress as described in that certain Reciprocal Easement Agreement recorded November 30, 2000, as Instrument No, 2000-0017126.

APN: 52-380-017

EXHIBIT B
GRANT DEED

FREE RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Sutter Valley Medical Foundation,

c/o Sutter Health Facility &
Property Services
Attn: Director of Real Estate
2200 River Plaza Drive, Second Floor
Sacramento, CA 95833

APN 052-380-017

(Space Above This Line for Recorder's Office Use Only)
(Exempt from Recording Fee per Gov. Code §6103)

THE UNDERSIGNED GRANTOR DECLARES:
Documentary Transfer Tax is: \$____

GRANT DEED

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, CITY OF YUBA CITY AS SUCCESSOR AGENCY to the former Redevelopment Agency of City of Yuba City, a public agency ("**Grantor**"), hereby grants to Sutter Valley Medical Foundation, a California nonprofit public benefit corporation, dba Sutter Medical Foundation (SMF) ("**Grantee**"), that certain real property in the City of Yuba City, County of Sutter, State of California, legally described on Exhibit A attached hereto and incorporated herein by reference ("**Property**").

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on its behalf by its respective officers or agents hereunto as of the date below.

GRANTOR:

DATED: _____, 2024

CITY OF YUBA CITY AS SUCCESSOR
AGENCY to the former Redevelopment
Agency of the City of Yuba City, a public
agency

Not to be executed until closing

By: _____
Diana Langley,
Executive Director

ATTEST:

Ciara Wakefield, Deputy Agency Secretary

EXHIBIT A TO GRANT DEED

LEGAL DESCRIPTION OF PROPERTY

That certain real property in the City of Yuba City, County of Sutter, State of California legally described as follows:

PARCEL ONE:

Being a portion of Lot 4 of the New Helvetia Rancho and Lot 38 of Township 15 North, Range 3 East, Mount Diablo Base and Meridian, and located in the City of Yuba City, County of Sutter, State of California and being more particularly described as follows:

Beginning at the centerline intersection of Plumas Boulevard and C street as shown on Parcel Map no. 908, filed on April 21, 1994 in Book 5 of Parcel Maps at page 118, in the office of the Sutter County Recorder; thence South 14 degrees 34 minutes 33 seconds West, along the centerline of Plumas Boulevard a distance of 377.08 feet; thence South 75 degrees 25 minutes 27 seconds East, along a line perpendicular to the centerline of Plumas Boulevard a distance of 85.00 feet to the Easterly line thereof; thence North 14 degrees 34 minutes 33 seconds East along said Easterly line of Plumas Boulevard a distance of 385.42 feet to the beginning of a curve concave to the Southeast, having a radius of 25.00 feet; thence Northeasterly along said curve through a central angle of 54 degrees 33 minutes 01 seconds an arc distance of 23.80 feet to the Southerly line of 'C' Street; thence North 69 degrees 07 minutes 34 seconds East along said Southerly line of 'C' Street a distance of 165.43 feet to the beginning of a curve concave to the Southwest having a radius of 25.00 feet; thence Southeasterly along said curve through a central angle of 90 degrees 07 minutes 58 seconds an arc distance of 39.33 feet; thence North 69 degrees 01 minutes 21 seconds East, a distance of 32.00 feet to the True Point of Beginning; thence South 20 degrees 58 minutes 39 seconds East a distance of 263.27 feet to the North property line of Parcel 2 as shown on Parcel Map no. 835 filed on May 10, 1990 in Book 5 of Parcel Maps at page 45, in the office of the Sutter County Recorder; thence North 89 degrees 32 minutes 20 seconds East, along the Northerly property line of Parcel 2 and its Easterly extension a distance of 145.13 feet to the Westerly line of Wilbur Avenue; thence North 11 degrees 24 minutes 03 seconds West, along the Westerly line of Wilbur Avenue a distance of 306.38 feet to the beginning of a curve concave to the Southwest having a radius of 31.50 feet; thence Northwesterly along said curve through a central angle of 99 degrees 28 minutes 23 seconds an arc distance of 54.69 feet to the Southerly line of 'C' Street; thence South 69 degrees 07 minutes 34 seconds West along said Southerly line of 'C' Street a distance of 98.86 feet to the beginning of a curve concave to the Southeast having a radius of 25.00 feet; thence Southwesterly along said curve through a central angle of 89 degrees 52 minutes 02 seconds an arc distance of 39.21 feet; thence South 69 degrees 01 minutes 21 seconds West, a distance of 32.00 feet to the True Point of Beginning.

PARCEL TWO:

Those certain appurtenant easements for parking, vehicular and pedestrian Ingress and egress as described in that certain Reciprocal Easement Agreement recorded November 30, 2000, as Instrument No, 2000-0017126.

APN: 52-380-017

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

[illegible]

On _____, 2024 before me, _____, a notary public,
personally appeared _____ who proved to
me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

SEAL:

EXHIBIT C
DEED RESTRICTION

FREE RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Yuba City
1201 Civic Center Boulevard
Yuba City, CA 95993
Attn: City Manager

APN 052-380-017-000

THE UNDERSIGNED GRANTOR DECLARES:
Documentary Transfer Tax is: \$____

(Space Above This Line for Recorder's Office Use Only)
(Exempt from Recording Fee per Gov. Code §6103)

DEED RESTRICTION

If ten (10) or more residential units are developed on the Property, not less than 15 percent of the total number of residential units developed on the property shall be sold or rented at affordable housing cost, as defined in Section 50052.5 of the California Health and Safety Code, or affordable rent, as defined in Section 50053 of the California Health and Safety Code, to lower income households, as defined in Section 50079.5 of the California Health and Safety Code. Rental units shall remain affordable to and occupied by lower income households for a period of 55 years for rental housing and 45 years for ownership housing. The initial occupants of all ownership units shall be lower income households, and the units shall be subject to an equity sharing agreement consistent with the provisions of paragraph (2) of subdivision (c) of 65915 of the California Government Code. These requirements shall be covenants or restrictions running with the land and shall be enforceable against any owner who violates a covenant or restriction and each successor-in-interest who continues the violation by any of the entities described in subdivisions (a) to (f), inclusive, of Section 54222.5 of the California Government Code.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on its behalf by its respective officers or agents hereunto as of the date below.

DATED: _____, 2024

GRANTOR:

CITY OF YUBA CITY AS SUCCESSOR
AGENCY to the former Redevelopment
Agency of the City of Yuba City, a public
agency

Not to be executed until closing

By: _____
Diana Langley
Executive Director

ATTEST:

Ciara Wakefield, Deputy Agency Secretary

EXHIBIT A TO DEED RESTRICTION

LEGAL DESCRIPTION OF PROPERTY

That certain real property in the City of Yuba City, County of Sutter, State of California legally described as follows:

PARCEL ONE:

Being a portion of Lot 4 of the New Helvetia Rancho and Lot 38 of Township 15 North, Range 3 East, Mount Diablo Base and Meridian, and located in the City of Yuba City, County of Sutter, State of California and being more particularly described as follows:

Beginning at the centerline intersection of Plumas Boulevard and C street as shown on Parcel Map no. 908, filed on April 21, 1994 in Book 5 of Parcel Maps at page 118, in the office of the Sutter County Recorder; thence South 14 degrees 34 minutes 33 seconds West, along the centerline of Plumas Boulevard a distance of 377.08 feet; thence South 75 degrees 25 minutes 27 seconds East, along a line perpendicular to the centerline of Plumas Boulevard a distance of 85.00 feet to the Easterly line thereof; thence North 14 degrees 34 minutes 33 seconds East along said Easterly line of Plumas Boulevard a distance of 385.42 feet to the beginning of a curve concave to the Southeast, having a radius of 25.00 feet; thence Northeasterly along said curve through a central angle of 54 degrees 33 minutes 01 seconds an arc distance of 23.80 feet to the Southerly line of 'C' Street; thence North 69 degrees 07 minutes 34 seconds East along said Southerly line of 'C' Street a distance of 165.43 feet to the beginning of a curve concave to the Southwest having a radius of 25.00 feet; thence Southeasterly along said curve through a central angle of 90 degrees 07 minutes 58 seconds an arc distance of 39.33 feet; thence North 69 degrees 01 minutes 21 seconds East, a distance of 32.00 feet to the True Point of Beginning; thence South 20 degrees 58 minutes 39 seconds East a distance of 263.27 feet to the North property line of Parcel 2 as shown on Parcel Map no. 835 filed on May 10, 1990 in Book 5 of Parcel Maps at page 45, in the office of the Sutter County Recorder; thence North 89 degrees 32 minutes 20 seconds East, along the Northerly property line of Parcel 2 and its Easterly extension a distance of 145.13 feet to the Westerly line of Wilbur Avenue; thence North 11 degrees 24 minutes 03 seconds West, along the Westerly line of Wilbur Avenue a distance of 306.38 feet to the beginning of a curve concave to the Southwest having a radius of 31.50 feet; thence Northwesterly along said curve through a central angle of 99 degrees 28 minutes 23 seconds an arc distance of 54.69 feet to the Southerly line of 'C' Street; thence South 69 degrees 07 minutes 34 seconds West along said Southerly line of 'C' Street a distance of 98.86 feet to the beginning of a curve concave to the Southeast having a radius of 25.00 feet; thence Southwesterly along said curve through a central angle of 89 degrees 52 minutes 02 seconds an arc distance of 39.21 feet; thence South 69 degrees 01 minutes 21 seconds West, a distance of 32.00 feet to the True Point of Beginning.

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APN: 52-380-017

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

[illegible]

On _____, 2024 before me, _____, a notary public,
personally appeared _____ who proved to
me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

SEAL:

ATTACHMENT 2

VICINITY MAP



CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Development Services Department
Presentation By: Ben Moody, Public Works & Development Services Director

Summary

Subject: Sutter County 2023 CDBG - Pathway to Work Program - Extension
Recommendation: Adopt a Resolution amending the Agreement between the City of Yuba City and Sutter County for the Pathway to Work Program, to allow for an extension to expend the 2023 CDBG funding allocation
Fiscal Impact: No direct fiscal impacts would result from extending the subrecipient agreement.

Purpose:

To amend the Agreement between the City of Yuba City and Sutter County for Pathway to Work Program to extend the Time of Performance to December 31, 2024, for Sutter County to expend its 2023 CDBG funding allocation.

Council's strategic Goal:

This item addresses Council's goals of fiscal responsibility and public safety.

Background:

The City executes Subrecipient Agreements with organizations receiving CDBG funding for each Program Year. These Agreements include a section on "Time of Performance" that states that the CDBG funds received for that fiscal year must be spent within that fiscal year.

Analysis:

Sutter County was awarded \$26,000 in 2023 CDBG funding to administer the Pathway to Work Program. This program aims to provide job training and stipends to homeless individuals for a 12-week period. Pathway to Work is a pilot program, new to both Sutter County and within the City's CDBG program. Due to this, Sutter County has been working through collaborative and legal logistics to implement this program and has updated City staff throughout the process. Sutter County has requested an extension to the Agreement, so that they may effectively complete the 12-week program.

Under the Department of Housing and Urban Development guidelines, it is within the grantees' (the City) jurisdiction to allow for and execute an extension for subrecipients, and City staff has determined that an extension to December 31, 2024, is sufficient for Sutter County to expend their 2023 CDBG allocation of funding.

Fiscal Impact:

No direct fiscal impacts would result from extending the subrecipient agreement.

Alternatives:

1. Do not authorize Development Services to amend the 2023 Subrecipient Agreement with Sutter County.
2. Direct staff on how to address Sutter County's 2023 CDBG funds.

Recommendation:

Adopt a Resolution amending the Agreement between the City of Yuba City and Sutter County for Pathway to Work Program, to allow for an extension to expend its 2023 CDBG funding allocation.

Attachments:

1. Attachment 1 - Resolution Amending the 2023 CDBG Agreement between City of Yuba City and Sutter County
2. Attachment 2 - Sutter County 2023 CDBG Quarterly Reporting

Prepared By:
Shannon Sardo
Administrative Analyst

Submitted By:
Diana Langley
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AMENDING THE AGREEMENT BETWEEN THE CITY OF YUBA CITY AND
SUTTER COUNTY FOR PATHWAY TO WORK PROGRAM TO ALLOW FOR
AN EXTENSION TO EXPEND ITS 2023 CDBG FUNDING ALLOCATION**

WHEREAS, on June 20, 2023, the City Council of the City of Yuba City entered into the Agreement Between The City of Yuba City and Sutter County for Pathway to Work Program, whereby Sutter County as a subrecipient was awarded \$26,000 in 2023 community development block grant (CDBG) funding to administer the Pathway to Work Program; and,

WHEREAS, the Program provides job training and stipends to homeless individuals; and,

WHEREAS, the Agreement contains deadlines for Sutter County to complete the Program and

WHEREAS, as a result, Sutter County has requested the Agreement be amended to provide an extension of time so that it is able to utilize the funding effectively; and,

WHEREAS, per Department of Housing and Urban Development guidelines, the City has authority to allow for and execute an extension for subrecipients; and,

WHEREAS, an extension to December 31, 2024, is sufficient for Sutter County to expend its 2023 CDBG allocation of funding and complete program requirements; and,

WHEREAS, the City Council now desires to amend the Agreement to provide an extension for performance to December 31, 2024.

NOW, THEREFORE, the City Council of the City of Yuba City resolves as follows:

1. The foregoing recitals are true and correct and are incorporated as if set forth in full.
2. The Development Services Director, or designee, is hereby authorized and directed to execute on behalf of the City of Yuba City an amendment to the Agreement Between the City of Yuba City and Sutter County for Pathway to Work Program, substantially in the form attached hereto, and subject to approval as to legal form by the City Attorney.
3. This Resolution shall take effect immediately upon passage.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 7th day of May 2024.

AYES:

NOES:

ABSENT:

Shon Harris, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

EXHIBIT A

FIRST AMENDMENT TO THE 2023 AGREEMENT BETWEEN THE CITY OF YUBA CITY AND SUTTER COUNTY FOR PATHWAY TO WORK PROGRAM

THIS FIRST AMENDMENT to the Agreement for the Pathway to Work Program (First Amendment) is made this 7th day of May 2024, between the City of Yuba City, California (Grantee) and Sutter County (Subrecipient).

RECITALS

WHEREAS, on October 24, 2023 the Subrecipient entered into the Agreement Between the City of Yuba City and Sutter County for Pathway to Work Program, with the Grantee for \$26,000 in Community Development Block Grant funds (CDBG funds).

WHEREAS, the Grantee and Subrecipient desire to mutually agree to amend the Agreement by executing this First Amendment to ensure the Subrecipient is able to complete the Pathway to Work Program and meet its obligations pursuant to the Agreement as amended.

NOW, THEREFORE, IN CONSIDERATION of the Agreement, obligations, and representations, the Grantee and Subrecipient hereby agree as follows:

1. **SECTION II. TIME OF PERFORMANCE** of the Agreement is hereby amended to read in its entirety as follows:

Services of the Subrecipient shall start on the 1st day of July, 2023, or the effective date of the Standard Agreement between the City of Yuba City and the Department of Housing and Urban Development, whichever is later, and end on the 31st day of December, 2024. All funds received by the Subrecipient under this Agreement shall be spent prior to December 31, 2024. All funds not spent prior to December 31, 2024 shall be returned to the Grantee.

2. **SECTION VII. ADMINISTRATIVE REQUIREMENTS, C.4. PROGRESS REPORTS** of the Agreement is hereby amended to read in its entirety as follows:

The Subrecipient shall submit regular Progress Reports to the Grantee in the required form and content according to the following schedule:

<u>Quarter</u>	<u>Reporting Period</u>	<u>Report Due Date</u>
1 st Quarter	July 1, 2023 - September 30, 2023	Received
2 nd Quarter	October 1, 2023 - December 31, 2023	Received
3 rd Quarter	January 1, 2024 – March 31, 2024	Received
4 th Quarter	April, 1, 2024 – June 30, 2024	July 15, 2024
5 th Quarter	July 1, 2024 – September 30, 2024	October 15, 2024
6 th Quarter	October 1, 2024 – December 31, 2024	January 15, 2025

3. Except for the changes specifically set forth herein, all other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to be executed on the date first above written by their respective officers duly authorized in that behalf.

Subrecipient:

Grantee:

Sutter County

City of Yuba City

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

ATTACHMENT 2

**SUB-GRANTEE QUARTERLY PERFORMANCE REPORT
YUBA CITY CDBG PROGRAM**

Indicate Reporting Period: 1st Qtr. _____ 2nd Qtr. X 3rd Qtr. _____ 4th Qtr. final _____

CDBG Quarterly Report Due Dates:

Quarter 1: July 1 thru September 30, 2023	Due: October 15, 2023
Quarter 2: October 1 thru Dec. 31, 2023	Due January 15, 2024
Quarter 3: January 1 thru March 31, 2024	Due April 15, 2024
Quarter 4: April 1 thru June 30, 2024	Due July 15, 2024

GENERAL INFORMATION

Name of Sub-recipient: Sutter County		
Name of Program: Pathway to Work Program		
Contact Person: TJ Guraya	Phone #: (530) 701-5250	Email: TGuraya@co.sutter.ca.us

PROJECT STATUS (Progress and/or Delays; not financial)

To put this program into action, we've been collaborating with the Salvation Army and the Yuba City Downtown Association. Currently, we are waiting for the Salvation Army's legal staff to analyze the MOU. Once the review is completed, we will be able to get started right away because we already have prospects for the program.

Attached is the program design that we want to implement once all contracts are signed.

FUNDS EXPENDED

<i>Beginning CDBG Balance</i>	\$26,000.00	Salaries:	\$0.00
Total Funds Expended This Quarter	\$0.00	Material/Supplies:	\$0.00
<i>Total Funds Expended to Date</i>	\$0.00	Administrative:	\$0.00
Total Remaining Balance	\$26,000.00	Other:	\$0.00

Tejinder Guraya Digitally signed by Tejinder Guraya
Date: 2024.02.16 16:16:43 -08'00'

Signature

Date

BENEFICIARIES SERVED CATEGORY - Households _____ or Person(s) _____ (Please check one)

	Total Households	Female Head of Household	Total Disabled	Special Needs	Total*
This Quarter					
Year to Date					

INCOME CATEGORY (Persons (p) **OR** Households (h) - Please see reporting instructions)

	Extremely Low (<30% MFI)	Very Low (30% to 50% MFI)	Low/Mod (51% to 80% MFI)	Non-Low Moderate (>80% MFI)	Total*
This Quarter					
Year to Date					

RACE / ETHNICITY CATEGORY (Persons (p) **OR** Households (h) - Please see reporting instructions)

	White	Hispanic/ Latino	Black/African American	Asian	American Indian or Alaska Native	Native Hawaiian or Other Pacific Islander
This Quarter*						
Year to Date*						

	American Indian or Alaskan Native AND White	Black/African American AND White	Asian AND White	American Indian/Alaska Native AND Black/African American	Multi-Racial Other
This Quarter*					
Year to Date*					

*** Total number of persons/households reported in each category (Beneficiaries, Income, and Race) MUST MATCH**

Of the households / persons assisted above, was it the result of:
(Check only one – See definitions below)

“New” Service	
“Improved” Service	
No longer only have access to a “Substandard” Service	

“New” Service: When a service is offered for the first time. This indicator would be used in the instance when a public service has not previously been available to these households.

“Improved” Service: When a service was offered, but the public service activity allowed the grantee to expand the service, in terms of size, capacity, or location.

No longer Only Have Access to a “Substandard” Service: Where the public service activity was used to meet a quality standard or measurably improved quality.

REPORTING INSTRUCTIONS:

Funds Expended - The funds expended this quarter must be broken down by Salaries, Materials/Supplies, Administrative Costs, and Other.

Income Category – Please report either number of persons assisted OR households assisted. Whether you report persons or households depends on the type of program. Example; if you are operating a program that provides home repairs/modifications then you would report the number of households assisted not the number of persons. Please indicate if the number reported reflects persons with a (p) or households with an (h). When reporting number of households, please indicate if they are owners (o) or renters (r).

Race / Ethnicity Category – This reporting should be consistent with what was reported in the income category, reporting either by person (p) or household (h). The total number of persons / households reported in each category **MUST MATCH**. When reporting number of households, please indicate if they are owners (o) or renters (r).

Household Income Reporting Example:

Extremely Low	Very Low	Low/ Mod	Non-Low Mod
16 (h) = (3 (o) / 13 (r))	9 (h) = (4 (o) / 5 (r))	4 (h) = (3 (o) / 1(r))	2 (h) = (2 (o) / 0 (r))

The Salvation Army Yuba Sutter Corps Pathway To Work

The Salvation Army will work collaboratively with Sutter County Health & Human Services to administer the Pathway to Work Program. This is a twelve (12) week pilot program serving Sutter County residents only.

Referrals

The Salvation Army will accept referrals from the following agencies:

- Sutter Yuba Behavioral Health
- Better Way Shelter
- Hands Of Hope
- Depot Family Crisis Center

Intake/Onboarding

The Salvation Army will classify all program participants as paid interns. Per internal policy the following steps are required for each program participant:

- Complete an application
- Provide two (2) references
- Conduct an interview
- Complete a criminal background check
- Complete PTM (Protecting The Mission) Training
- Complete other HR documentation

The following vital documents must be furnished:

- State issued photo identification card
- Social Security Card or Birth Certificate

Suite of Services

Workforce Development

The Salvation Army will work with program participants to develop job skills and transition to sustainable employment.

- Work Projects: Each week program participants will deploy into the Yuba City to conduct sidewalk and external building cleanup, trash removal, window cleaning and minor landscaping projects.
- Job Coaching: Each week program participants will meet with a Job Coach to facilitate:
 - o job skill development and sustainability
 - o provide information and support to participants to assist with overcoming barriers to obtaining and maintaining employment and permanent housing.

Housing Navigation & Transition Services

The Salvation Army will work program participants on housing navigation, barrier removal and housing placement. Services include but are not limited to:

- Referral to and authorization by Partnership Healthplan of California (PHC) for Housing Navigation & Transition Services, Housing Deposits & Day Habilitation
- Housing Assessment & Housing Stabilization Planning
- Weekly Case Management
- Housing related workshops

Schedule

Monday Work Projects

Tuesday	Work Projects
Wednesday	Work Projects
Thursday	Housing Navigation
Friday	Job Coaching

Compensation

Each program participant will receive a \$250 stipend each week for completing their Weekly Workplan.

**SUB-GRANTEE QUARTERLY PERFORMANCE REPORT
YUBA CITY CDBG PROGRAM**

Indicate Reporting Period: 1st Qtr. _____ 2nd Qtr. _____ 3rd Qtr. X 4th Qtr. final _____

CDBG Quarterly Report Due Dates:

Quarter 1: July 1 thru September 30, 2023	Due: October 15, 2023
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Quarter 3: January 1 thru March 31, 2024	Due April 15, 2024
Quarter 4: April 1 thru June 30, 2024	Due July 15, 2024

GENERAL INFORMATION

Name of Sub-recipient: Sutter County		
Name of Program: Pathway to Work Program		
Contact Person: TJ Guraya	Phone #: 1 (530) 701-5250	Email: TGuraya@co.sutter.ca.us

PROJECT STATUS (Progress and/or Delays; not financial)

On April 5th, Julius had a phone conversation with Sarah during which they discussed the prospect of hiring program participants as employees and compensating them at minimum wage. The outcome of the discussion was positive. Following this, Julius convened a virtual meeting with The Salvation Army attorneys to present the employment concept. Their response was also favorable. The lead attorney from The Salvation Army expressed intentions to draft a response incorporating recommended revisions to the MOU. It is anticipated that this draft will closely resemble the CalWORKs HSP contract currently in effect between both parties. The legal review process for this project has been prolonged due to necessary due diligence concerning labor law. As a result of the delay in finalizing the MOU between Sutter County and The Salvation Army, Sutter County has requested an extension for the grant period to accommodate this postponement.

FUNDS EXPENDED

<i>Beginning CDBG Balance</i>	\$26,000.00	Salaries:	\$0.00
Total Funds Expended This Quarter	\$0.00	Material/Supplies:	\$0.00
<i>Total Funds Expended to Date</i>	\$0.00	Administrative:	\$0.00
Total Remaining Balance	\$26,000.00	Other:	\$0.00

Tejinder Guraya Digitally signed by Tejinder Guraya
Date: 2024.04.09 11:42:25 -07'00'

Signature

Date

BENEFICIARIES SERVED CATEGORY - Households _____ or Person(s) _____ (Please check one)

	Total Households	Female Head of Household	Total Disabled	Special Needs	Total*
This Quarter					
Year to Date					

INCOME CATEGORY (Persons (p) **OR** Households (h) - Please see reporting instructions)

	Extremely Low (<30% MFI)	Very Low (30% to 50% MFI)	Low/Mod (51% to 80% MFI)	Non-Low Moderate (>80% MFI)	Total*
This Quarter					
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	White	Hispanic/ Latino	Black/African American	Asian	American Indian or Alaska Native	Native Hawaiian or Other Pacific Islander
This Quarter*						
Year to Date*						

	American Indian or Alaskan Native AND White	Black/African American AND White	Asian AND White	American Indian/Alaska Native AND Black/African American	Multi-Racial Other
This Quarter*					
Year to Date*					

*** Total number of persons/households reported in each category (Beneficiaries, Income, and Race) MUST MATCH**

Of the households / persons assisted above, was it the result of:
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No longer only have access to a “Substandard” Service	

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REPORTING INSTRUCTIONS:

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Income Category – Please report either number of persons assisted OR households assisted. Whether you report persons or households depends on the type of program. Example; if you are operating a program that provides home repairs/modifications then you would report the number of households assisted not the number of persons. Please indicate if the number reported reflects persons with a (p) or households with an (h). When reporting number of households, please indicate if they are owners (o) or renters (r).

Race / Ethnicity Category – This reporting should be consistent with what was reported in the income category, reporting either by person (p) or household (h). The total number of persons / households reported in each category MUST MATCH. When reporting number of households, please indicate if they are owners (o) or renters (r).

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CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Public Works
Presentation By: Phil Marler, Deputy Director Public Works - Utilities

Summary

Subject: Fleet Maintenance Budget Adjustments
Recommendation: Authorize the Finance Director to make a supplemental appropriation and related transfers of \$200,000 from various City divisions to the Fleet Maintenance Division operating budget (Account No. 6605) for vehicle and equipment services for the remainder of Fiscal Year 23/24
Fiscal Impact: \$200,000 – Account No. 63501 (Vehicle Maintenance ISF) from 21 divisions per Attachment 1

Purpose:

To provide the necessary additional funding to ensure the continued internal services provided by the Fleet Maintenance Division.

Council's Strategic Goal:

This item addresses the Council's strategic goals of *Fiscal Responsibility* and *Public Safety* by providing the necessary funding for the Fleet Maintenance Division's support of City operations, including Fire, Police, and Public Works.

Background:

The City's Fleet Maintenance Division in the Public Works Department maintains the majority of the City's vehicles and specialty equipment by providing in-house services and coordinating outside repairs for all departments, including public safety. The Fleet Maintenance operating budget (Account No. 6605) ensures that the City can efficiently coordinate the majority repair of various priority equipment for the City's departments. A shortage of adequate funding for parts and labor compromises both emergency repairs and regular maintenance schedules, which could lead to increased downtime, costly repairs, and potential safety hazards for our employees and the community.

Over the past few months, Fleet has experienced unanticipated maintenance costs that have strained the 23/24 budget allocation. Rising costs for parts, service, and a difficult-to-fill journey-level Mechanic vacancy is projected to have significant funding shortfall for the remainder of the fiscal year.

Staff requests transferring additional funds into the operating budget in order to address the urgent maintenance needs, conduct preventive maintenance on schedule, and uphold the operational

readiness of our fleet.

Analysis:

Fleet's operating budget is an internal service fund, which is shared proportionately across all departments based on the percentage of service efforts provided to each department during the prior calendar year. Staff calculated the department cost shares to meet the projected shortfall amount by utilizing the same cost formulas used to determine the Fiscal Year 23/24 Vehicle Maintenance budgets (Attachment 1). This maintains consistency with the City's accounting practices and cost sharing through the entire fiscal year; the actual maintenance and repairs funded by these transfers in calendar year 2024 will then be used to calculate equitable cost appropriation in Fiscal Year 25/26.

Fiscal Impact:

The net projected budgetary shortfall for Fiscal Year 23/24 is \$200,000, after utilizing any available budgeted funds. The Public Works and Finance Departments recommend the costs be apportioned to the 21 operating divisions, per Attachment 1 to fund the Fleet Maintenance budget, Account No. 63501 (Vehicle Maintenance ISF), through June 30.

Alternatives:

Do not authorize the Finance Director to make the supplemental appropriation and transfers. This will likely result in substantial delays in both emergency and preventative maintenance through the remainder of the fiscal year which may impact critical services.

Recommendation:

Authorize the Finance Director to make a supplemental appropriation and related transfers of \$200,000 from various City divisions to the Fleet Maintenance Division operating budget (Account No. 6605) for vehicle and equipment services for the remainder of Fiscal Year 23/24.

Attachments:

1. Attachment 1 - Vehicle Maintenance Fund Supplemental Appropriation Cost Shares

Prepared By:

Phillip Marler
Deputy Public Works Director – Utilities

Submitted By:

Diana Langley
City Manager

ATTACHMENT 1

Fleet Maintenance Division - Vehicle Maintenance Fund

Fund	Calendar Year 2022		FY 23/24 Shortfall
	Expenditures	Percentage	Supplemental Appropriation
1530	18,005.14	1.8071%	3,614.11
1541	4,930.43	0.4948%	989.67
1905	1,403.57	0.1409%	281.73
1920	3,621.08	0.3634%	726.85
1930	5,976.38	0.5998%	1,199.62
2110	13,534.52	1.3584%	2,716.74
2120	2,817.37	0.2828%	565.52
2130	40,307.60	4.0454%	8,090.80
2140	264,989.19	26.5952%	53,190.36
2150	-	0.0000%	-
2155	-	0.0000%	-
2305	6,280.23	0.6303%	1,260.61
2310	266,732.82	26.7702%	53,540.35
3130	77,106.56	7.7387%	15,477.33
3150	13,390.70	1.3439%	2,687.87
5110	5,753.36	0.5774%	1,154.85
5115	64,779.65	6.5015%	13,002.99
6605	52,511.61	5.2702%	10,540.47
7110	42,663.73	4.2819%	8,563.74
7120	11,857.36	1.1900%	2,380.09
7210	-	0.0000%	-
7310	-	0.0000%	-
7410	14,967.85	1.5022%	3,004.44
8110	27,660.63	2.7761%	5,552.22
8120	55,189.06	5.5390%	11,077.91
8140	1,901.76	0.1909%	381.73
	\$ 996,380.60		\$ 200,000.00

CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Public Works
Presentation By: Ben Moody, Public Works & Development Services Director

Summary

Subject: First Amended Improvement Agreement Final Map of Harter Marketplace
Recommendation: Adopt a Resolution authorizing the City Manager to approve the execution of the First Amended Improvement Agreement Final Map of Harter Marketplace with Harter Packing Group, LLC, a California Limited Liability Company and Dharni Lada Yuba City, LLC, a California Limited Liability Company [Development is located on the west side of the Harter Parkway and north of State Route 20]
Fiscal Impact: Minimal staff time.

Purpose:

To update the subject agreement with recorded references, to accurately reflect the recorded Phase 1 and Phase 2 Harter Marketplace Final Maps.

Council's Strategic Goal:

The item supports Council strategic goals related to improving infrastructure in a fiscally responsible manner, and partnering with the community to maintain / enhance a business friendly environment.

Background:

On March 19th, 2024, City Council approved the Improvement Agreement entitled "IMPROVEMENT AGREEMENT FINAL MAP OF HARTER MARKETPLACE Phase 1 and Phase 2" and the subject Final Map. With the approvals, on April 10th, 2024 the Improvement Agreement and Phase 1 Final Map recorded in the office of the Sutter County Recorder. There after on April 16th, 2024 the Phase 2 Final Map was recorded. However, due to sequencing of the recorded documents, the Improvement Agreement did not accurately reflect the Phase 2 Final Map.

Analysis:

Due to recordation sequencing, and limitations associated with modifying recorded documents, minor amendments to the Improvement Agreement are required to accurately reference the associated documents to ensure that the agreement and Final Maps are appropriately referenced

and in full effect.

Fiscal Impact:

Minimal staff time.

Alternatives:

Delay or modify the recommended actions.

Recommendation:

Adopt a Resolution authorizing the City Manager to approve the execution of the First Amended Improvement Agreement Final Map of Harter Marketplace with Harter Packing Group, LLC, a California Limited Liability Company and Dharni Lada Yuba City, LLC, a California Limited Liability Company. [Development is located on the west side of the Harter Parkway and north of State Route 20.]

Attachments:

1. Attachment 1 - Resolution of the First Amended Improvement Agreement Final Map of Harter Marketplace
2. Attachment 2 - First Amended Improvement Agreement Final Map of Harter Marketplace

Prepared By:

Benjamin K. Moody
Public Works Director

Submitted By:

Diana Langley
City Manager

ATTACHMENT “1”

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY AUTHORIZING THE CITY MANAGER TO APPROVE THE EXECUTION OF THE FIRST AMENDED IMPROVEMENT AGREEMENT FINAL MAP OF HARTER MARKETPLACE WITH HARTER PACKING GROUP, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY AND DHARNI LADA YUBA CITY, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY.

WHEREAS, The City Council of the City of Yuba City approved the Improvement Agreement entitled "IMPROVEMENT AGREEMENT FINAL MAP OF HARTER MARKETPLACE Phase 1 and Phase 2" on March 19, 2024; and

WHEREAS, the Final Map and Improvement Agreement for Phase 1 of Harter Marketplace recorded in the office of the Sutter County Recorder on April 10, 2024; and

WHEREAS, the Final Map for Phase 2 of Harter Marketplace recorded in the office of the Sutter County Recorder on April 16, 2024; and

WHEREAS, due to sequencing, etc., Recital "A" of the Agreement did not include the recording information for the final maps, which cannot be added after recording; and

WHEREAS, the Parties now desire to enter into this "FIRST AMENDED IMPROVEMENT AGREEMENT FINAL MAP OF HARTER MARKETPLACE Phase 1 and Phase 2" ("First Amendment") to amend the Agreement to include the necessary recording information regarding the final maps.; and

NOW, THEREFORE, the City Council of the City of Yuba City does resolve as follows:

1. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct.

2. The City Council hereby authorizes the City Manager to approve the execution of the First Amended Improvement Agreement Final Map of Harter Marketplace with Harter Packing Group, LLC, a California Limited Liability Company and Dharni Lada Yuba City, LLC, a California Limited Liability Company, subject to approval by the City Attorney as to legal form.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 7th day of March, 2024.

AYES:

NOES:

ABSENT:

Shon Harris, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

ATTACHMENT “2”

WHEN RECORDED MAIL TO:

City Clerk
City of Yuba City
1201 Civic Center Boulevard
Yuba City, CA 95993

NO FEE-Government Code §6103

Public Works Department
City of Yuba City
1201 Civic Center Boulevard
Yuba City, CA 95993

**FIRST AMENDED IMPROVEMENT AGREEMENT
FINAL MAP OF HARTER MARKETPLACE
Phase 1 and Phase 2
(Regarding Tentative Map No. 19-03, Harter Marketplace)**

THIS FIRST AMENDMENT is made this 7th day of May, 2024, by and between the City of Yuba City, a general law city, ("City"); and Harter Packing Company, LLC, a California Limited Liability Company, ("Harter") and Dharni Lada Yuba City, LLC, a California Limited Liability Company ("Dharni").

RECITALS

A. The Parties previously entered into an agreement entitled "IMPROVEMENT AGREEMENT FINAL MAP OF HARTER MARKETPLACE Phase 1 and Phase 2" recorded on April 10, 2024, in the office of the Sutter County Recorder, as Document No. 2024-0002884 ("Agreement").

B. Due to sequencing, etc., Recital "A" of the Agreement did not include the recording information for the final maps, which cannot be added after recording.

C. The Parties now desire to enter into this "FIRST AMENDED IMPROVEMENT AGREEMENT FINAL MAP OF HARTER MARKETPLACE Phase 1 and Phase 2" ("First Amendment") to amend the Agreement to include the necessary recording information regarding the final maps.

AGREEMENT

The Parties do hereby mutually agree as follows:

1. Amendment. Recital "A" of the Agreement is amended in its entirety to read as follows:

A. Subdividers have filed with City Final Maps proposing the subdivision of land owned by Subdividers, situated in the City of Yuba City, County of Sutter, State of California, hereinafter referred to as the "Subject Property", dividing the real property more particularly described as follows:

Lots 1 through 8, inclusive, of the Final Map of Harter Marketplace Parcel Map (Phase 1) according to the map thereof recorded on April 10, 2024, in Book 9 of Parcel Maps at Page(s) 26, 26A, and 26B, Sutter County Records;
and

Lots 1 through 4, inclusive, of the Final Map of Harter Marketplace Parcel Map (Phase 2) according to the map thereof recorded on April 16, 2024, in Book 9 of Parcel Maps at Page(s) 27, 27A, 27B, and 27C, Sutter County

Records.

2. Reaffirmation of Agreement. Except as amended by this First Amendment, the Agreement shall remain unchanged and is hereby reaffirmed, ratified and confirmed in its entirety. If there is any conflict, inconsistency or ambiguity between the Agreement and this First Amendment, then this First Amendment shall govern and control.

3. Entire Agreement. The Agreement, as amended by this First Amendment, constitutes the entire agreement and supersedes any prior written or oral agreements among the Parties with respect to the specific matters addressed herein.

4. Execution in Counterpart. This First Amendment may be executed in any number of counterparts, each of which shall be deemed an original but all of which shall be deemed but one and the same instrument.

IN WITNESS WHEREOF, the Parties hereto have duly executed this First Amendment.

CITY OF YUBA CITY,
a General Law City

By: _____
Diana Langley, City Manager

APPROVED AS TO FORM:

ATTEST

By: _____
Shannon L. Chaffin,
City Attorney

By: _____
Ciara Wakefield, Deputy City Clerk

Dated: _____, 2024

(Signatures continued on next page.)

SUBDIVIDER

Harter Packing Company, LLC, A California Limited Liability Company

LOMO COLD STORAGE, a California Limited Liability Company, as Member

By:_____

Justin Micheli, II

Its: Manager

Dated:_____, 2024

RICHLAND RANCHES, LTD, OF CALIFORNIA, a California Corporation, as Member

By:_____

Karmdeep S. Bains

Its: President

Dated:_____, 2024

SUTTER LAND PROPERTIES, LLC, a California Limited Liability Company, as Member

By:_____

Surjit S. Tut

Its: Manager

Dated:_____, 2024

Dharni Lada Yuba City, LLC, A California Limited Liability Company

By:_____

Name: Kulwant Dharni

Title: Manager and designee

Dated:_____, 2024

**(Attach Notary Acknowledgments)*

CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Public Works
Presentation By: Ben Moody, Public Works & Development Services Director

Summary

Subject: Sutter Bike Path Extension - Grant of Easement Deed
Recommendation: Adopt a Resolution authorizing the Mayor to execute an Easement Deed granting an easement to PG&E for operations and maintenance of their facilities and associated equipment on City-owned property
Fiscal Impact: Minimal staff time to execute and record documents

Purpose:

To provide PG&E the right to perform operations and maintenance of their facilities and associated equipment on City-owned land in a manner that facilitates construction of the Sutter Bike Path Extension at the ultimate build-out width of Harter Parkway.

Council's Strategic Goal:

This supports multiple Council strategic goals as the dedication of an easement for operations and maintenance purposes addresses public safety in a fiscally responsible and business friendly manner.

Background:

The Sutter Bike Path Extension project includes construction of a 10-foot wide Class I path along the west side of Harter Parkway between State Route 20 and Butte House Road. To facilitate installing this new path at the ultimate build-out width of Harter Parkway, PG&E must relocate its existing power poles north of Poole Boulevard into an existing 10-foot wide public utility easement that is adjacent to the proposed Class 1 path.

Since the existing public utility easement is only 10 feet wide, additional easement rights are required to provide the necessary clearance. Staff has worked with PG&E to assure the pole relocations are such that the width of the additional easement rights is as small as possible (up to 11 feet wide).

Analysis:

PG&E has provided the attached Easement Deed (Attachment 1, Exhibit A) showing the City property that is subject to this request for a grant of easement, along with the terms of the easement. The City will be prohibited from constructing buildings, fences, or other structures in the easement, but can generally otherwise use the easement area as it sees fit.

Granting this easement will allow PG&E to perform its required operations and maintenance of their facilities and associated equipment. In addition, the easement will allow PG&E, the right from time to time to excavate for, construct, reconstruct, replace, remove, maintain, and inspect on, over, and under the easement area and also ingress thereto and egress therefrom, over and across the City-owned Didar S. Bains Park. PG&E requests, and staff recommends, that our City Council grant the easement and authorize the Mayor to execute the necessary easement documents on behalf of the City.

The easement will be transferred to PG&E upon recordation of the Grant Easement in the Sutter County Recorder's Office.

Fiscal Impact:

PG&E will be required to relocate its existing overhead power lines at its own cost per its franchise agreement with the City. There will be very minimal staff time involved with executing and recording the Grant of Easement.

Alternatives:

Direct staff to modify the easement documents, if desired.

Recommendation:

Adopt a Resolution authorizing the Mayor to execute an Easement Deed granting an easement to PG&E for operations and maintenance of their facilities and associated equipment on City-owned property.

Attachments:

1. Attachment 1 - Resolution
2. Exhibit A - Easement Deed

Prepared By:

Joshua Wolffe
Associate Civil Engineer

Submitted By:

Diana Langley
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY APPROVING AN
EASEMENT DEED FOR THE GRANTING OF AN EASEMENT TO PACIFIC GAS AND
ELECTRIC COMPANY (PG&E) AT DIDAR S. BAINS PARK**

WHEREAS, the City of Yuba City (City) owns certain property as identified on Exhibit "A"; said property is also known as Didar S. Bains Park; and

WHEREAS, the City's Sutter Bike Path Extension Project requires Pacific Gas and Electric Company (PG&E) to relocate its existing overhead power facilities into an existing public utility easement along the west side of Harter Parkway north of Poole Boulevard; and

WHEREAS, recent wildfires have resulted in PG&E placing an increased emphasis on requiring adequate land rights for the purposes of maintaining vegetation clearance adjacent to its overhead power lines; and

WHEREAS, for the relocated overhead powerlines along Harter Parkway, PG&E requires an additional 11 feet of clearance adjacent to the existing public utility easement; and

WHEREAS, it is the intent and desire of the City to grant an easement to PG&E, and who will make use of the granted easement; and

WHEREAS, the granting of such an easement on City-owned property is in the public interest, and will provide for the protection of public health, safety, and welfare.

NOW, THEREFORE, the City Council of the City of Yuba City does resolve as follows:

1. The City finds that the mere transfer of an easement to PG&E is not a "project" for the purposes of the California Environmental Quality Act (CEQA).

2. The City Council approves the grant of an easement to PG&E as more particularly described in the "Easement Deed" attached hereto. The City Manager is authorized and directed to execute an Easement Deed consistent with the material terms attached hereto, subject to approval as to legal form by the City Attorney. Further, the City Manager is authorized and directed to take any other action necessary to effectuate the granting of said easement, including the execution of any agreement, deed, acknowledgment, or other document, subject to approval by the City Attorney as to legal form.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 7th day of March, 2024.

AYES:

NOES:

ABSENT:

Shon Harris, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

Exhibit A – Easement Deed

EXHIBIT A

RECORDING REQUESTED BY AND RETURN TO:

***PACIFIC GAS AND ELECTRIC COMPANY
300 Lakeside Drive, Suite 210
Oakland, CA 94612
Attn: Land Rights Library***

Location: City/Uninc _____
Recording Fee \$ _____
Document Transfer Tax \$ _____

- ☐ This is a conveyance where the consideration and
Value is less than \$100.00 (R&T 11911).
☐ Computed on Full Value of Property Conveyed, or
☐ Computed on Full Value Less Liens
& Encumbrances Remaining at Time of Sale
☐ Exempt from the fee per GC 27388.1 (a) (2); This
document is subject to Documentary Transfer Tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

Signature of declarant or agent determining tax

LD# 2115-03-10143

EASEMENT DEED

CITY OF YUBA CITY, a municipal corporation,

hereinafter called Grantor, hereby grants to PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called Grantee, the right from time to time to excavate for, construct, reconstruct, replace (of initial or any other size), remove, maintain, inspect, and use facilities and associated equipment for public utility purposes, including, but not limited to electric, gas, and communication facilities, together with a right of way therefor, on, over, and under the easement area as hereinafter set forth, and also ingress thereto and egress therefrom, over and across the lands of Grantor situated in the City of Yuba City, County of Sutter, State of California, described as follows:

(APN 062-310-021)

The parcel of land described and designated PARCEL C in the deed from City of Yuba City, a municipal corporation to City of Yuba City, a municipal corporation dated January 26, 2022 and recorded as Document No. 2022-0002644, Sutter County Records.

The easement area is described as follows:

The strip of land outlined by heavy dashed lines on the print of Grantee's Drawing labeled EXHIBIT "A" attached hereto and made a part hereof.

Grantor further grants to Grantee the right, from time to time, to trim or to cut down, without Grantee paying compensation, any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of Grantee may interfere with or be a hazard to the facilities installed hereunder, or as Grantee deems necessary to comply with applicable state or federal regulations.

Grantor also grants to Grantee the right to use such portion of said lands contiguous to said easement area as may be reasonably necessary in connection with the excavation, construction, reconstruction, replacement, removal, maintenance and inspection of said facilities.

Grantor hereby covenants and agrees not to place or construct, nor allow a third party to place or construct, any building or other structure, or store flammable substances, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or diminish or substantially add to the ground level within said easement area, or construct any fences that will interfere with the maintenance and operation of said facilities.

Grantor further grants to Grantee the right to apportion to another public utility (as defined in Section 216 of the California Public Utilities Code) the right to excavate for, construct, reconstruct, replace, remove, maintain, inspect, and use the communications facilities within said easement area including ingress thereto and egress therefrom.

The legal description herein, or the map attached hereto, defining the location of this utility distribution easement, was prepared by Grantee pursuant to Section 8730(c) of the Business and Professions Code.

This document may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute one and the same instrument.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Dated: _____, _____.

CITY OF YUBA CITY, a
municipal corporation

By: _____
Diana Langley, City Manager

RECOMMENDED FOR APPROVAL:

By: _____
Benjamin K. Moody, City Engineer

ATTEST:

By: _____
Ciara Wakefield, City Clerk Administrator

APPROVED AS TO FORM:

By: _____
Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

I hereby certify that a resolution was adopted
on the ____ day of _____, 20____, by the

authorizing the foregoing grant of easement.

By _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____)

On _____, before me, _____ Notary Public,
personally appeared _____

Insert name

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

(Seal)

CAPACITY CLAIMED BY SIGNER

- ☐ Individual(s) signing for oneself/themselves
- ☐ Corporate Officer(s) of the above named corporation(s)
- ☐ Trustee(s) of the above named Trust(s)
- ☐ Partner(s) of the above named Partnership(s)
- ☐ Attorney(s)-in-Fact of the above named Principal(s)
- ☐ Other _____

Utility Distribution Easement (02/2020)

Attach to LD: 2115-03-10143

Area, Region or Location: 6

Land Service Office: Chico

Line of Business: Electric Distribution (43)

Business Doc Type: Easements

MTRSQ: 21.15.03.17.21

FERC License Number: N/A

PG&E Drawing Number: A-15-3-17

Plat No.: O2123

LD of Affected Documents: N/A

LD of Cross Referenced Documents: 2115-03-0024

Type of interest: Electric Pole Line Easements (3), Utility Easement (86)

SBE Parcel: N/A

% Being Quitclaimed: N/A

Order or PM: 35332973

JCN: N/A

County: Sutter

Utility Notice Number: N/A

851 Approval Application No: N/A; Decision: N/A

Prepared By: SKBU

Checked By: RVML

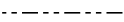
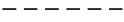
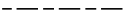
Approved By: N/A

Revised by: N/A

NE 1/4 OF SE 1/4 SEC. 17,
T. 15N, R. 3E, MDM

EXHIBIT "A"

LEGEND

-  SUBJECT PARCEL LINE
-  PARCEL LINE
-  EASEMENT BOUNDARY
-  EXISTING DISTRIBUTION POLE LINE
-  EXISTING TRANSMISSION POLE LINE
-  TRANSMISSION RIGHT OF WAY LINE
-  PUBLIC UTILITY EASEMENT
-  NEW POLE LINE
-  EXISTING POLE
-  NEW POLE



CITY OF YUBA CITY
APN 062-310-021
DOC. NO. 2022-002644
PARCEL C

EASEMENT AREA:
2857 SQ FT/
0.07ACRES±

10' PUE PER
DOC. NO.
2005-0029548

CONTIGUOUS
PG&E CO EASEMENT

11'

EXISTING
PG&E CO EASEMENT
LD# 2115-03-0024
50 Deeds 331

HARTER PACKING COMPANY, LLC,
a California limited liability company
APN 062-310-019
DOC. NO. 2022-0002643
PARCEL D

JEFFERSON AVE.

HARTER PKWY

UNLESS OTHERWISE SHOWN ALL COURSES EXTEND TO OR ALONG
BOUNDARIES OR LINES

Applicant:

CITY OF YUBA CITY

SCALE
1"=80'

DATE
3/6/24

SECTION	TOWNSHIP	RANGE	MERIDIAN	COUNTY OF:	CITY OF:
17	15N	3E	MDM	SUTTER	YUBA CITY
PLAT MAP 02123				F.B.: SKBU	DR.BY: SKBU
REFERENCES				PG&E	N.VALLEY DIVISION
				35332973	A-15-3-17
				AUTHORIZ	DRAWING NO.

CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Development Services Department
Presentation By: Doug Libby, Deputy Director of Development Services

Summary

Subject: Sutter County Planning Commissioner Appointment
Recommendation: Reappoint Karri Campbell to the Yuba City Planning Commission for a third term
Fiscal Impact: None

Purpose:

To confirm the appointment of Sutter County Planning Commissioner Karri Campbell to the Yuba City Planning Commission for a third term.

Council's Strategic Goal:

This item does not directly meet one of the Council's strategic goals but is necessary to comply with Municipal Code Section 8-1.02 and Sutter County Ordinance Code Chapter 72.

Background:

Both the Yuba City and Sutter County Codes require that a Planning Commissioner from each jurisdiction sit on each other's Planning Commission.

It is beneficial for the community when the City and County governmental bodies cooperate on various projects that impact both jurisdictions. Having a member of the Yuba City Planning Commission serving as a representative on the Sutter County Planning Commission and a member of the Sutter County Planning Commission serving on the Yuba City Planning Commission ensures that the interests, perspectives, and priorities of each jurisdiction are voiced and considered, thus resulting in more informed decision-making. These projects may include regional environmental analysis, the expansion of infrastructure, the conversion of agricultural land to urban uses, and the distribution of natural resources.

On March 12, 2024, the Sutter County Board of Supervisors nominated Supervisorial District 4 Planning Commissioner Karri Campbell to the Yuba City Planning Commission for a third year. Commissioner Campbell has demonstrated a depth of planning knowledge and has provided a valuable perspective on the City Planning Commission. Staff recommends confirmation of this reappointment.

Analysis:

Municipal Code Section 8-1.02 annually requires reappointment of the Sutter County member to the Yuba City Planning Commission and this appointment is required to be confirmed by the City Council. Each term for this appointment ends February 28th of each year. However, Municipal Code Section 8-1.01 provides for the County appointment to continue to serve and hold office until their successor is duly appointed and qualified.

Fiscal Impact:

None.

Alternatives:

Do not confirm the appointment and the Council should provide direction of how it desires to proceed.

Recommendation:

Reappoint Karri Campbell to the Yuba City Planning Commission for a third term

Attachments:

1. Sutter County Appointment Letter

Prepared By:

Doug Libby, AICP
Deputy Development Services Director

Submitted By:

Diana Langley
City Manager

Attachment 1



COUNTY OF SUTTER...*established 1850*

Donna M. Johnston

County Clerk-Recorder – Registrar of Voters – Clerk of the Board of Supervisors

April 29, 2024

ATTN: Doug Libby
Yuba City Development Services
1201 Civic Center Blvd.
Yuba City, CA 95993

RE: Appointments to the Sutter County and City of Yuba City Planning Commissions

Dear Mr. Libby,

On March 12, 2024, the Sutter County Board of Supervisors approved the appointments of James Nore to serve as the City of Yuba City Planning Commission Representative to the Sutter County Planning Commission; and of District 4 Planning Commissioner Karri Campbell to serve as the County's representative to the City of Yuba City Planning Commission for calendar year 2024.

Should you have any questions, please don't hesitate to contact the Clerk of the Board's office at (530) 822-7106.

Best regards,

Gina Graham

Gina Graham
Assistant Clerk of the Board

CC: Arwen Wacht, Principal Planner, Sutter County Development Services
James Nore
Karri Campbell

Clerk-Recorder
433 Second Street
Yuba City, CA 95991
Tel: (530) 822-7134
Fax: (530) 822-7214

Clerk of the Board of Supervisors
1160 Civic Center Blvd. Suite A
Yuba City, CA 95993
Tel: (530) 822-7106
Fax: (530) 822-7103

Registrar of Voters
1435 Veteran Memorial Circle
Yuba City, CA 95993
Tel: (530) 822-7122
Fax: (530) 822-7587

CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Development Services Department
Presentation By: Doug Libby, Deputy Director of Development Services

Summary

Subject: Code Enforcement Officer Safety Guidelines
Recommendation: Adopt a Resolution of the City Council of the City of Yuba City establishing Code Enforcement Officer Safety Guidelines pursuant to State Senate Bill 296
Fiscal Impact: There is no additional fiscal impact due to complying with this State requirement

Purpose:

To adopt a Resolution establishing safety guidelines for Code Enforcement Officers to bring the City into compliance with State Senate Bill 296 (SB 296).

Council's Strategic Goal:

This item meets the Council's Public Safety Strategic Goal to establish highly qualified teams to provide services that serve and protect the residents, visitors, and businesses in this community.

Background:

Senate Bill (SB 296) was signed into law by the Governor on October 7, 2021. It requires cities and counties that employ code enforcement officers to establish safety standards specific to their jurisdiction by adding a new section to California Penal Code Section 829.7.

Analysis:

SB 296 and Penal Code Section 829.7 do not prescribe specific safety standards that must be adopted. It only requires an agency having Code Enforcement Officers to establish their own standards consistent with an agencies goals and policies.

The proposed Resolution establishes standards in the following categories:

Officer Safety
Threats, Assaults and Batteries
Use of Force
General Safety

The proposed Resolution formalizes the City's existing practices, stressing officer safety as a first

priority and that leaving a location prior to any confrontation occurring is the best course of action. The Resolution specifies that if force is determined necessary for self defense purposes, an officer shall use the least amount of force necessary to mitigate a threat and to safely leave an area.

The proposed Resolution formalizes Code Enforcement's list of protective equipment, the prohibition of using personal vehicles to carry out duties, reporting requirements, use of cell phone communication, coordinating the service of inspection and abatement warrants issued by a court with the appropriate law enforcement agency, and how to address the situation if an officer becomes missing.

Fiscal Impact:

There is no additional fiscal impact to establish the standards proposed to comply with SB 296.

Alternatives:

The City Council may modify, as necessary, the proposed safety standards; however, SB 296 requires the City adopt local safety standards for code enforcement officers.

Recommendation:

Adopt a Resolution of the City Council of the City of Yuba City establishing Code Enforcement Officer Safety Guidelines pursuant to State Senate Bill 296.

Attachments:

1. Proposed Resolution, Code Enforcement Officer Safety Guidelines

Prepared By:

Doug Libby, AICP
Deputy Development Services Director

Submitted By:

Diana Langley
City Manager

ATTACHMENT 1

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ESTABLISHING CODE ENFORCEMENT OFFICER SAFETY GUIDELINES**

WHEREAS, the City of Yuba City (“the City”) has the authority, under its police power, to enact regulations for the public peace, morals, and welfare of the City, California Constitution Article XI, section 7; and

WHEREAS, pursuant to the City’s express statutory authority and its police power, the City desires to enact reasonable regulations establishing code enforcement officer safety guidelines; and

WHEREAS, on October 7, 2021, California’s Governor signed into law Senate Bill 296 requiring each local jurisdiction that employs code enforcement officers to develop safety standards appropriate for the code enforcement officers employed in their jurisdiction; and

WHEREAS, SB 296 added a new section to California’s Penal Code, section 829.7, the new law reads: Each local jurisdiction that employs code enforcement officers shall develop code enforcement officer safety standards appropriate for the code enforcement officers employed in their jurisdiction; and

WHEREAS, SB 296 does not prescribe the safety standards that must be used, rather it leaves that up to each local jurisdiction; and

WHEREAS, the City has a compelling interest in protecting the public health, safety, and welfare of its citizens, residents, visitors and businesses, and in preserving the peace and quiet of the neighborhoods within the City by providing the services of a code enforcement officer within the city limits; and

WHEREAS, this resolution is intended to establish safety guidelines for code enforcement officers within the city limits to ensure the health, safety and welfare of the officers, businesses and city residents; and

WHEREAS, nothing in this resolution shall be construed to: (1) allow any person to engage in conduct that endangers others or causes a public nuisance; or (2) allow any activity relating to code enforcement officer safety within the city limits which is illegal under state or federal law; and

NOW THEREFORE, the City Council of the City of Yuba City hereby resolves as follows:

SECTION 1. The above recitals are incorporated are hereby by reference.

SECTION 2. The resolution is exempt from the California Environmental Quality Act (“CEQA”) because it can be seen with certainty that there is no possibility that it will have a significant effect on the environment. (CEQA Guidelines § 15061(b)(3).) Further, the

adoption and implementation of this Ordinance is not a project, as defined in CEQA Guidelines section 15378, because it has no potential for resulting in physical change to the environment, either directly or indirectly, and is therefore not subject to environmental review under CEQA pursuant to CEQA Guidelines section 15060(c)(3).

SECTION 3. The City Council approves the following Code Enforcement Officer Safety Guidelines.

1. Officer Safety

The safety and welfare of our personnel is extremely important and a high priority for management and supervision. Code Enforcement Officers are expected to act in a professional manner when dealing with the public; however, if they are dealing with hostile individuals, officers are expected to avoid confrontation and remove themselves from the situation as quickly and safely as possible.

Many potential officer safety issues can be avoided by following proper investigative techniques:

- Reviewing prior cases to determine any potential safety hazards or potential hostile individuals.
- Becoming familiar with the geographical area of the complaint, prior to initial contact.
- Speaking with officers who investigated previous complaints.
- Having additional resources available, such as a second Code Enforcement Officer, a supervisor, law enforcement or animal control when warranted.

Supervisors will be made aware of all potentially harmful situations, prior to any initial contact, in order to develop strategies to best address those hazards.

2. Threats, Assaults and Batteries

All threats, assaults and batteries directed at Code Enforcement Officers, shall be reported to supervision, management, and law enforcement immediately. Officers should obtain information as safely as possible about the subject making the threat, assault, or battery, including their intent, ability, and desire to carry out their actions. This information will be vital for law enforcement and Code Enforcement supervisors.

Code Enforcement and Police Departments are expected to share information regarding known and potential dangerous occupant(s) of properties under investigation by code enforcement, and take necessary steps to mitigate the risk of harm to the code enforcement officers. These steps include, but are not limited to, obtaining assistance from law enforcement in making any and all contacts with such individual(s), officers reporting their location prior to making contact and after completing the inspection or other contact, and adhering to safety standards, training, and protocols.

3. Use of Force

Code Enforcement Officers will exercise good judgment at all times if force is necessary. The ability to leave the location prior to any confrontation taking place is the best course of action. Code Enforcement Officers shall utilize the least amount of force necessary to mitigate the threat and safely leave the area. Any force utilized by the Code Enforcement Officer must be reasonable based on the totality of the circumstances then known to the officer.

Mere verbal threats of violence, verbal abuse, or hesitancy in following commands does not justify the use of physical force without additional facts or circumstances substantiating an imminent potential for physical harm. However, if a Code Enforcement Officer is receiving threats, particularly threats of violence even without additional manifestations of intent to carry it out, the Code Enforcement Officer should immediately retreat to a safe location and notify the law enforcement and a supervisor.

4. General Safety

A. SELF-DEFENSE

Code Enforcement Officers have two defense options:

- i. Leave the scene (walk, run, crawl, drive, etc.) and call for help.
- ii. If a Code Enforcement Officer cannot leave the scene, such as being cornered or held, they may utilize reasonable force until such time as they are able to safely leave the scene or assistance arrives. Code Enforcement Officers may use defensive tactics skills, as well as issued equipment to defend against an attack; however, any such use of force shall be reasonable as described within this resolution.

Unreasonable application of physical force on a person is a violation of law, which may result in criminal prosecution of the Code Enforcement Officer and potential civil liability to the Code Enforcement Officer.

B. PRIORITIES

A Code Enforcement Officer's safety is first priority. An officer cannot help others if hurt or incapacitated, and if the officer is injured, this compounds the original problem. The safety of others is the next priority. Assistance should come from other department employees, or emergency service agencies, including the Police Department.

C. ALERTNESS

A crucial part of officer safety is staying alert and anticipating potential risks. This requires the use of all senses to observe the surroundings, hear a threat, speak persuasively, or feel that an attack is imminent. Being alert applies not only in the field, but also at the office.

- Pay attention to individuals who come to the office. Making eye contact and greeting them tells them that they have been noticed and acknowledged.
- Watch for unusual circumstances and check in with them. If you find someone in a restricted area, inform them that the area is not open to the public, guide them to a public area of the building, and offer assistance. If you find a strange package in an unusual place notify a supervisor and do not touch it until it can be confirmed to be harmless.
- Plan an escape route. This includes emergency escape routes as outlined in your agency's emergency action plan, and potential escape routes when in the field. Every time contact is made, consider what options are available if something goes wrong. This is extremely important when dealing with hostile people.
- Know the location of visits and inspections. If immediate help is necessary, it may not be possible to review a map for directions.
- When talking to individuals, try to maintain at least an arm's-length of distance and a bladed stance, balanced stance on firm ground to be able to dodge a sudden lunge, punch, or kick. A bladed stance is when one foot is in front of the other and the body is at an angle to the individual in front of the officer.
- Avoid standing downhill, facing the sun, or at the edge of something that could lead to a trip and fall.
- Be aware of nearby objects that could be used as weapons by a hostile individual, such as garden tools, screwdrivers, knives, 2x4s, pipes, etc. Guide the individual towards a more neutral area. If it is not possible to move to another area of the property, move objects out of reach.

The decision to use physical force places a tremendous responsibility on Code Enforcement Officers. Code Enforcement Officers should clearly understand that the standard for determining whether the force utilized was reasonable based upon the totality of the circumstance then known to the officer.

5. Reporting

Code Enforcement Officers are required to immediately report all officer safety issues to a supervisor. This includes any force used in self-defense, verbal altercations, or incidents where a police officer had to arrest a party. After notification, the Code Enforcement Officer will also submit a written report of the incident to a supervisor.

6. Use of Cell Phone Communications

Code Enforcement Officers are required to advise office staff and/or supervisor of where they generally will be during the course of a shift. Officers shall keep their electronic calendar up to date.

7. Missing Officer

Code Enforcement Officers shall communicate with each other or office staff while out in the field. If a Code Enforcement Officer fails to promptly respond to phone calls, staff shall begin to contact other Code Enforcement Officers and the supervisor to ascertain the missing Code Enforcement Officer whereabouts. A search team should immediately be dispatched with at least one, and if feasible, two staff members to check the last known and future locations. Electronic means for GPS locating of the vehicle or cellular device should be implemented, if available.

If met with negative results, conduct a systematic search of the area to help locate the missing Code Enforcement Officer's vehicle and/or person. If the Code Enforcement Officer still is not located, begin to call the Code Enforcement Officer's personal emergency contacts to verify the Code Enforcement Officer did not leave abruptly without notifying staff. If still unable to locate, notify Police and provide the information attained above, to help locate the Code Enforcement Officer.

8. Service of Inspection and/or Abatement Warrants

Code Enforcement Officers may need to obtain inspection and/or abatement warrants from time to time. Prior to serving or executing such warrant(s), the Code Enforcement Officer shall notify all necessary individuals and coordinate with the Yuba City Police Department to ensure a police officer is present at the service or execution of the warrant(s). The officer shall coordinate with law enforcement present on how to make contact with the occupant(s) and the best method for entry. Forcible entry shall not be used unless a judge has authorized it in the warrant(s). Code Enforcement Officers shall not serve or execute an inspection warrant without the presence of law enforcement and the Code Enforcement Officer shall report their position to dispatch when arriving and leaving the location subject to the warrant(s).

9. Protective Equipment

Code Enforcement Officers may encounter environmental conditions which may be hazardous, such as mold, asbestos, insect infestation, feces, and airborne contaminants. As such, each Code Enforcement Officer will be provided with an emergency medical kit and personal protective equipment. Based on the known or reasonably anticipated situation, each officer is required to wear or utilize the most appropriate equipment when entering hazardous areas. The protective equipment should be worn at all times until the Code Enforcement Officer believes hazardous conditions have been abated or when the officer has left the hazardous area or property. Below is a list of some of the equipment provided to each officer. Each officer is responsible for periodic inspection and inventory of stated equipment. If an officer finds equipment to be defective or requires replacement, please notify supervisor immediately. Listed below is Agency-provided personal protective equipment:

- i. Respiratory protective gear-particulate mask, respirator etc.
- ii. Disposable gloves and hand sanitizer
- iii. Potable water
- iv. Basic first aid kit
- v. ANSI approved eye protection
- vi. ANSI approved head protection
- vii. Tyvek suit or other overalls
- viii. Leather or work gloves

10. License Plate Confidentiality

A Code Enforcement Officer shall not utilize their personal vehicle in the performance of job duties if an agency-provided vehicle is available for the Code Enforcement Officer's use. If a Code Enforcement Officer must use a personal vehicle, the Code Enforcement Officer is encouraged to apply for license plate confidentiality under Vehicle Code section 1808.4, subdivision (a)(19), or other applicable law. If a Code Enforcement Officer's personal vehicle is not parked in a location secured against public access, and in other situations deemed necessary, the Code Enforcement Officer is encouraged to apply for license plate confidentiality. If the Code Enforcement Officer is engaged in enforcing the Vehicle Code or municipal ordinances related to parking, the Code Enforcement Officer is encouraged to apply for license plate confidentiality under Vehicle Code Section 1808.4, subdivision (a) (19), or other applicable law. The agency shall assist the Code Enforcement Officer in completing and obtaining approval of such application as is necessary and appropriate.

11. Training

Continual training is essential for Code Enforcement Officers to maintain the skills required for their individual positions. All Code Enforcement Officers must receive the initial training essential to perform their duties. This may be on-the-job training provided by supervisor and/or experienced Code Enforcement Officer.

All Code Enforcement Officers are required to successfully complete the 832 PC course as prescribed by the Commission on Peace Officer Standards and Training (POST) prior to exercising the powers of a peace officer. The initial 40-hour course should, as available, be completed within one year of their date of hire as a code enforcement officer.

The City recommends Code Enforcement Officers attend training opportunities provided by the California Association of Code Enforcement Officers (CACEO) and other training organizations in order to become Certified Code Enforcement Officers. Once certified, officers must attend continuing education courses to maintain their certification.

12. Record Keeping

It is important for the City to document and maintain Code Enforcement Officer training records, including copies of all outside training and certifications the officer receives in their personnel file.

SECTION 4: EFFECTIVE DATE.

This resolution shall take effect immediately upon adoption.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting held on the 7th day of May 2024.

AYES:

NOES:

ABSENT:

Shon Harris, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM:

By:

SHANNON L. CHAFFIN, City Attorney
Aleshire & Wynder, LLP

CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Development Services Department
Presentation By: Ben Moody, Public Works & Development Services Director

Summary

Subject: Tierra Buena Community – Traffic Ad Hoc Committee
Recommendation: Establish and designate two (2) Councilmembers to steer the Tierra Buena Community Ad Hoc Committee for a period not to exceed one (1) year, unless additional action is taken by Council
Fiscal Impact: Minor staff costs associated with time supporting the committee.

Purpose:

To establish an Ad Hoc Committee for the Tierra Buena community to discuss traffic solutions in the neighborhood.

Council's Strategic Goal:

This item supports the City Council's Strategic Goal to work to enhance the quality of life for City residents.

Background:

In the fall of 2023, the Tierra Buena community provided feedback to City Council members, the Planning Commission, staff, and public regarding concerns about the impacts of a proposed multi-family development project along North Colusa Frontage Road – Henson Farms Apartments. Several members of the community expressed concerns with the proposed development and noted detrimental traffic impacts that would occur at the George Washington / State Route 20 intersection, as well as an overall increase of speeding vehicles affecting the community.

On February 8, 2024, staff coordinated a community workshop for a portion of the Tierra Buena area to discuss traffic circulation, congestion, and overall development in the Tierra Buena community. A notice regarding the meeting was mailed to property owners and residents between Harter Parkway and Western Parkway, Jefferson Avenue and Hwy 20. In addition, the workshop was advertised on the City's social media accounts.

The community workshop was held at River Valley High School, where staff presented information about recent, proposed, and future development in the Tierra Buena area, and highlighted conceptual transportation improvement options that would reduce traffic delays at the intersection of George Washington Blvd. and SR-20. It was attended by approximately 120 community members. Comments

were received verbally at the workshop and digitally through an online survey distributed at the workshop and on social media.

Staff outlined five (5) conceptual transportation improvement options to reduce congestion and provided a high-level list of pros and cons associated with each option.

1. Cul-de-sac at Royo Ranchero Drive and Libby Lane
 - a. Cul-de-sac on Royo Ranchero Drive at Monroe Road, *in addition to Option 1*
2. Colusa Frontage Road closure with the extension of George Washington Blvd to Monroe Road – access to Colusa Frontage Road via Monroe Road
3. New signalized intersection at El Margarita and SR-20, including a new access to north El Margarita Road
4. Connection of Jefferson Avenue to Harter Parkway via the old railroad right of way.

On March 19, 2024, staff presented a follow-up report to City Council regarding the community meeting and survey results. Members of the public expressed concerns that they did not support the findings, voiced opinions that other options need to be considered, and that there are interested community members outside the notification boundary that should be included for input. Following the public hearing, the City Council directed staff to bring back an item to establish an Ad Hoc Committee to further discuss traffic concerns in the Tierra Buena area.

Analysis:

As development is proposed by landowners and/or developers in the Tierra Buena area, staff processes development requests in accordance with City Municipal Code and General Plan requirements to ensure new development is occurring orderly and to a level of determined acceptability.

Residential development undeniably results in additional people and vehicle trips. Which then affects long-standing existing rural county lifestyles. Staff recognizes impacts to the adjacent community and works to implement design criteria and project conditions to try and minimize those impacts with a high-quality development standard.

Staff recommends establishing a traffic focused Ad Hoc Committee to further review and consider area traffic and potential improvements for the Tierra Buena area. The two Council members designated to steer the Ad Hoc Committee will look to select community members to join the Committee, who have varying interests in the neighborhood area, so that concerns and input is received comprehensively. The Committee will coordinate with staff to facilitate the meetings, identify necessary staff to participate in each meeting (if needed), and coordinate the preparation of a report with recommendations applicable to the entire City Council.

Fiscal Impact:

Minor staff costs associated with time supporting the committee.

Alternatives:

Do not form the committee and/or provide staff with alternative direction.

Recommendations:

Establish and designate two (2) Councilmembers to steer the Tierra Buena Community Ad Hoc Committee for a period not to exceed one (1) year, unless additional action is taken by Council.

Attachments:

1. Staff Report Packet, March 19, 2024

Prepared By:

Ben Moody
Public Works & Development Services Director

Submitted By:

Diana Langley
City Manager

ATTACHMENT 1

CITY OF YUBA CITY
STAFF REPORT

Date: March 19, 2024
To: Honorable Mayor & Members of the City Council;
From: Development Services Department
Presentation By: Ben Moody, Public Works & Development Services Director

Summary

Subject: Tierra Buena Community Workshop – Council Update
Recommendation: Receive presentation, discuss, and provide staff direction
Fiscal Impact: Cost impacts are dependent on Council direction

Purpose:

To present a summary of the Tierra Buena Community Workshop held on February 8, 2024, to the City Council, and provide staff direction regarding any potential future action items.

Council's Strategic Goal:

This item supports the City Council's Strategic Goal to work to enhance the quality of life for City residents.

Background:

In the fall of 2023, the Tierra Buena community provided feedback to City Council members, the Planning Commission, staff, and public regarding concerns about the impacts of a proposed multi-family development project along North Colusa Frontage Road – Henson Farms Apartments. Several members of the community expressed concerns with the proposed development and noted detrimental traffic impacts that would occur at the George Washington / State Route 20 intersection, as well as overall increased speeding vehicles affecting the community.

On February 8, 2024, staff coordinated a community workshop for a portion of the Tierra Buena area to discuss traffic circulation, congestion, and overall development in the Tierra Buena community. A notice regarding the meeting was mailed to property owners and residents between Harter Parkway and Western Parkway, Jefferson Avenue and Hwy 20. In addition, the workshop was advertised on the City's social media accounts.

The community workshop was held at the River Valley High School Library, where staff presented information about recent, proposed, and future development areas in the Tierra Buena area, and highlighted conceptual transportation improvement options that would reduce traffic delays at the intersection of George Washington Blvd. and SR-20. It was attended by approximately 120 community members. Comments were received verbally at the workshop and digitally through an online survey distributed at the workshop and on social media.

Staff outlined five (5) conceptual transportation improvement options to reduce congestion and provided a high-level list of pros and cons associated with each option.

1. Cul-de-sac at Royo Ranchero Drive and Libby Lane
 - a. Cul-de-sac on Royo Ranchero Drive at Monroe Road, *in addition to Option 1*
2. Colusa Frontage Road closure with the extension of George Washington Blvd to Monroe Road – access to Colusa Frontage Road via Monroe Road
3. New signalized intersection at El Margarita and SR-20, including new access to north El Margarita Road
4. Connection of Jefferson Avenue to Harter Parkway via the old railroad right of way.

Feedback related to the transportation options received at the workshop and through the online survey, predominately preferred Option 4 (56%), with Option 3 (41.5%) following. The limited remaining respondents preferred Option 2 with very limited support for option 1. The survey also provided respondents with an option to send written comments about each option. Surveys are attached for reference.

Key takeaways from the community feedback include:

- Though it was a workshop on traffic and area wide development, the majority of attendees voiced that they do not feel the proposed apartment complex is right for the proposed location.
- Concerns with limiting circulation.
- Safety concerns at the El Margarita intersection.
- Concerns about existing traffic and speeding, and development making it worse.

Analysis:

As development is proposed by landowners and/or developers in the Tierra Buena area, staff processes development requests in accordance with City Municipal Code and General Plan requirements to ensure new development is occurring orderly and to a level of determined acceptability.

Residential development undeniably results in additional people and vehicle trips. Which then affects long-standing existing rural county lifestyles. Staff recognizes impacts to the adjacent community and works to implement design criteria and project conditions to try and minimize those impacts with a high-quality development standard.

Due to continuing housing demand, housing laws, property rights, and limitations on development cost burdens staff recommends Council receive the presentation, workshop results, receive public input then direct staff with any determined action as staff process development requests to meet the needs of the community.

Fiscal Impact:

Cost impacts are dependent on Council direction.

Alternatives:

1. Direct Staff to prioritize and fund a Capital Improvement project with one or multiple traffic improvement options. Costs, priority, and scope will affect project delivery.
2. Take no action – require development to comply with current City requirements for traffic

- improvement and circulation.
3. Implement development requirements that may help address community concerns.
 4. Provide staff with alternative options not yet analyzed.

Recommendations:

Receive presentation, discuss, and provide staff direction.

Attachments:

1. 2/8/24 Notice and Tierra Buena Community Noticing Area
2. Workshop Presentation
3. Survey Feedback
4. Community Preferred Option Exhibits

Prepared By:

Ben Moody
Public Works & Development Services Director

Submitted By:

Diana Langley
City Manager

ATTACHMENT 1



January 17, 2024

CITY OF YUBA CITY NOTICE OF A COMMUNITY WORKSHOP

Notice is hereby given that a community workshop will be held for the Tierra Buena Community to discuss traffic circulation, congestion, and development in the Tierra Buena community. Please see the attached flyer for additional information.

The workshop will be held on the following date and time:

<i>Date:</i>	Thursday, February 8, 2024
<i>Time:</i>	6:00 – 7:30 PM
<i>Location:</i>	River Valley High School Library, 801 El Margarita Rd, Yuba City, CA

All interested parties are invited to attend the workshop and express their opinions. For additional information, please contact Ashley in Development Services at apotocnik@yubacity.net.

The City has adopted a Reasonable Accommodations Policy that provides a procedure for receiving and resolving requests for accommodation to participate in this meeting. If you need assistance in order to attend the workshop, or if you require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation at the workshop, the City is happy to help. Accommodations should be requested as early as possible as additional time may be required in order to provide the requested accommodation; 72 hours in advance is suggested. Please contact City offices at (530) 822-4817 or (TTY: 530-822-4732), so such aids or services can be arranged. Requests may also be made by email at cityclerk@yubacity.net or citymanager@yubacity.net or mail City Clerk, 1201 Civic Center Blvd, Yuba City, CA 95993.

TIERRA BUENA COMMUNITY WORKSHOP

DISCUSSION TOPIC

Community workshop to discuss traffic circulation, congestion, and development in the Tierra Buena community.

We want to hear from you!

THURSDAY, FEBRUARY 8, 2024

River Valley High School Library 6:00 – 7:30 pm

WORKSHOP LOCATION

River Valley High School Library
801 El Margarita Road
Yuba City, CA

TIME

6:00 – 7:30 PM



ATTACHMENT 2

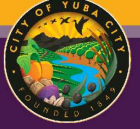


Tierra Buena Community Workshop

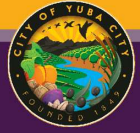


River Valley High School
February 8, 2024

Workshop Agenda



- Purpose
- Current conditions
 - Approved projects & traffic conditions
 - Proposed projects
- Future development areas
- Circulation Options
- Public Comment Period
- Next Steps
- Review Circulation Options



Workshop Purpose

- Discuss traffic conditions and potential solutions
- Public comment at the end of the meeting
- Community input - multiple options to submit
- No formal action tonight



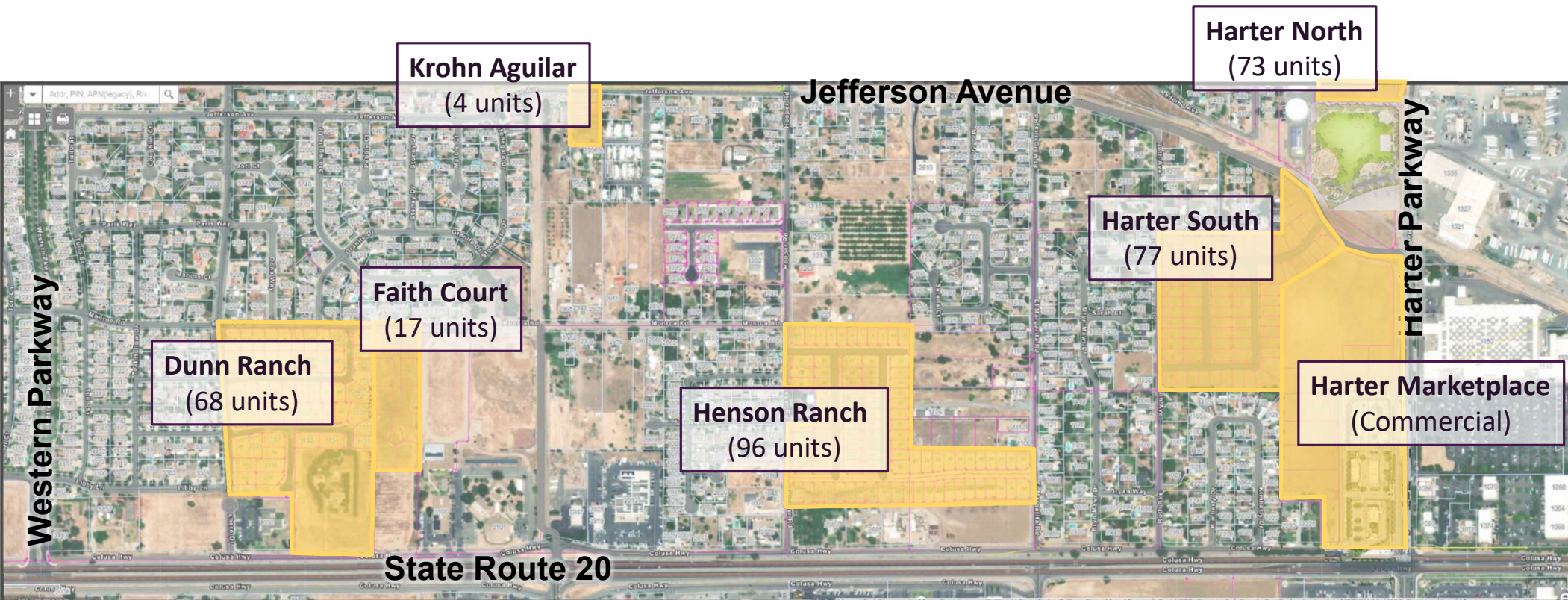
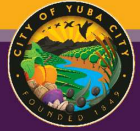
Discussion Topic



Discussion about **traffic circulation, congestion, and development** in the Tierra Buena community.

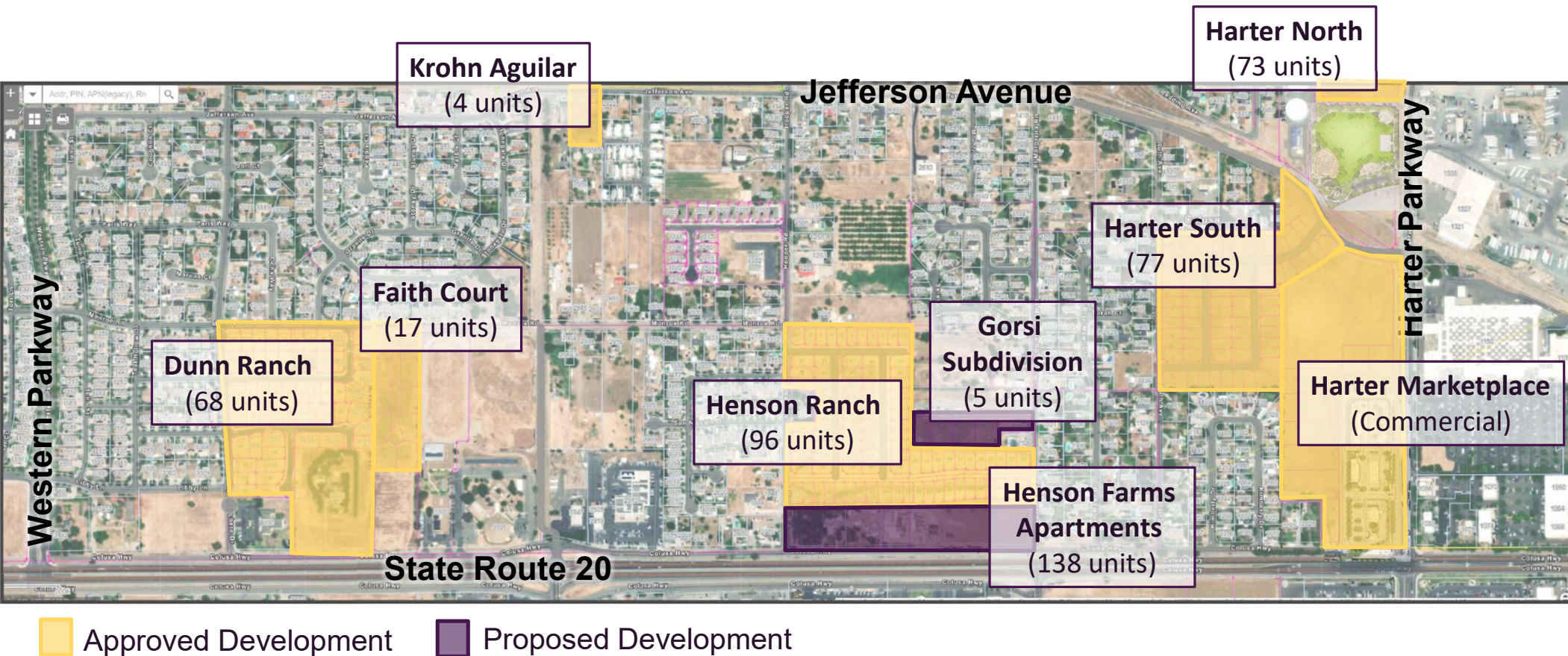
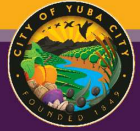


Current Development Conditions

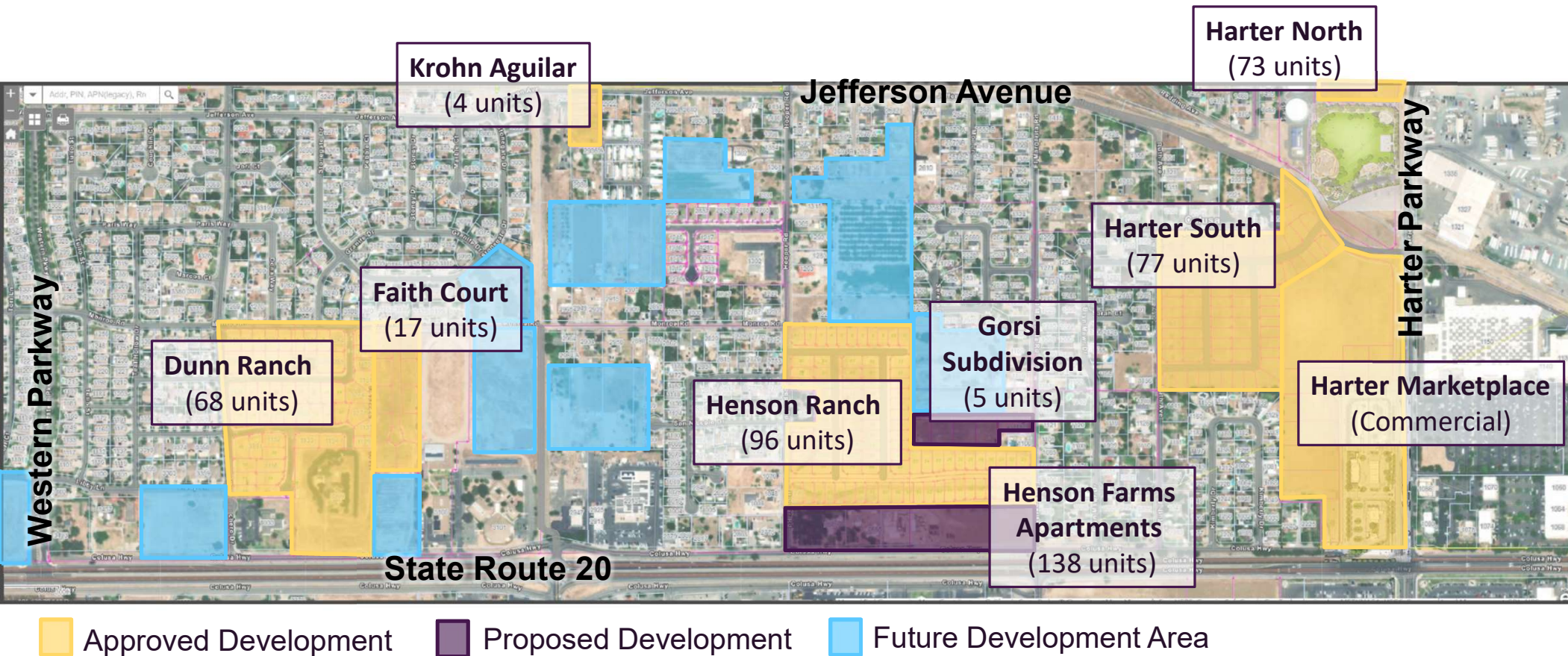


Approved Development

Proposed Development

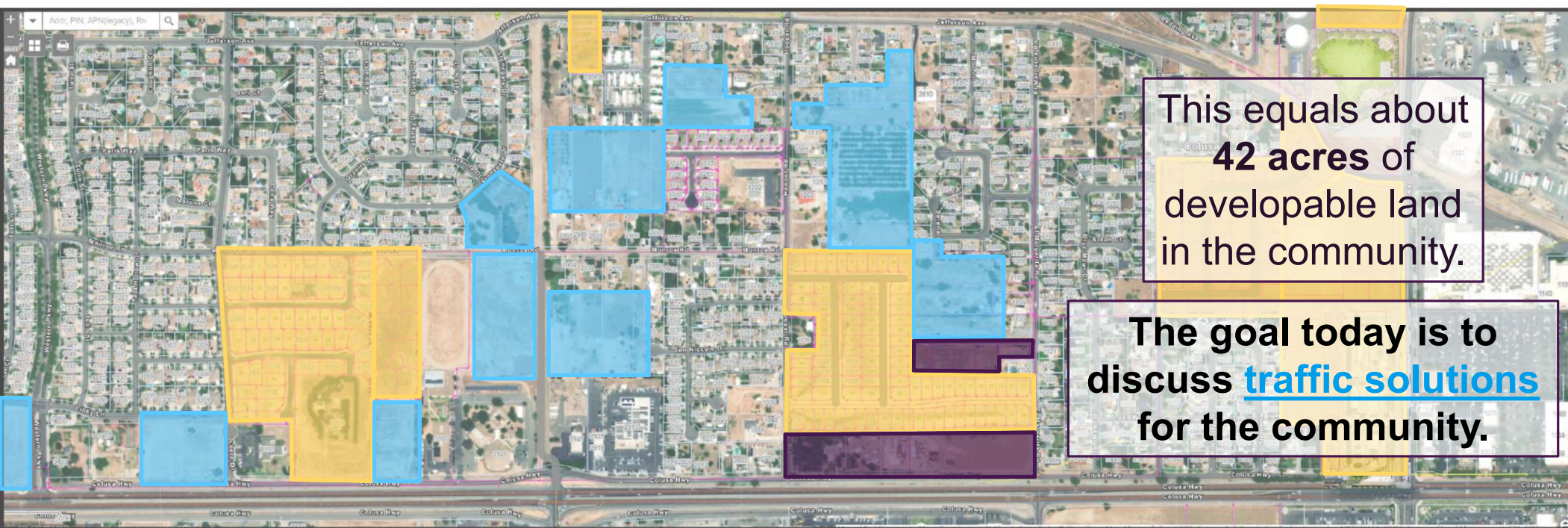


Future Development Areas





Future Development Areas



This equals about **42 acres** of developable land in the community.

The goal today is to discuss traffic solutions for the community.

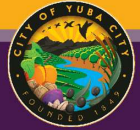
 Approved Development  Proposed Development  Future Development Area

Current Traffic Conditions

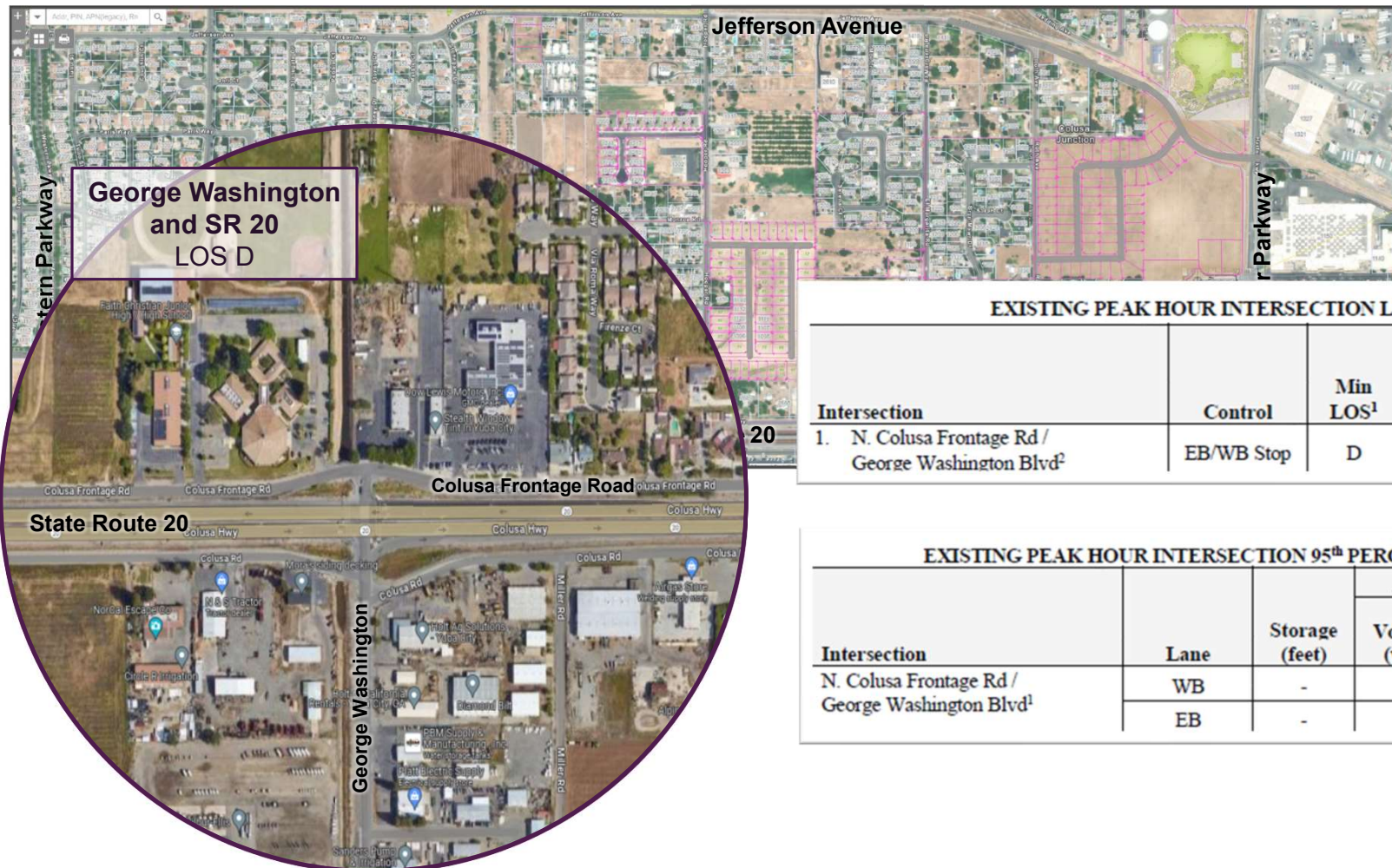


Level of Service	Signalized Intersection	Unsignalized Intersection	Roadway (Daily)
"A"	Uncongested operations, all queues clear in a single-signal cycle. Delay ≤ 10.0 sec	Little or no delay. Delay ≤ 10 sec/veh	Completely free flow.
"B"	Uncongested operations, all queues clear in a single cycle. Delay > 10.0 sec and ≤ 20.0 sec	Short traffic delays. Delay > 10 sec/veh and ≤ 15 sec/veh	Free flow, presence of other vehicles noticeable.
"C"	Light congestion, occasional backups on critical approaches. Delay > 20.0 sec and ≤ 35.0 sec	Average traffic delays. Delay > 15 sec/veh and ≤ 25 sec/veh	Ability to maneuver and select operating speed affected.
"D"	Significant congestions of critical approaches but intersection functional. Cars required to wait through more than one cycle during short peaks. No long queues formed. Delay > 35.0 sec and ≤ 55.0 sec	Long traffic delays. Delay > 25 sec/veh and ≤ 35 sec/veh	Unstable flow, speeds and ability to maneuver restricted.
"E"	Severe congestion with some long-standing queues on critical approaches. Blockage of intersection may occur if traffic signal does not provide for protected turning movements. Traffic queue may block nearby intersection(s) upstream of critical approach(es). Delay > 55.0 sec and ≤ 80.0 sec	Very long traffic delays, failure, extreme congestion. Delay > 35 sec/veh and ≤ 50 sec/veh	At or near capacity, flow quite unstable.
"F"	Total breakdown, stop-and-go operation. Delay > 80.0 sec	Intersection blocked by external causes. Delay > 50 sec/veh	Forced flow, breakdown.

Sources: Highway Capacity Manual, 6th Edition.



Current Traffic Conditions



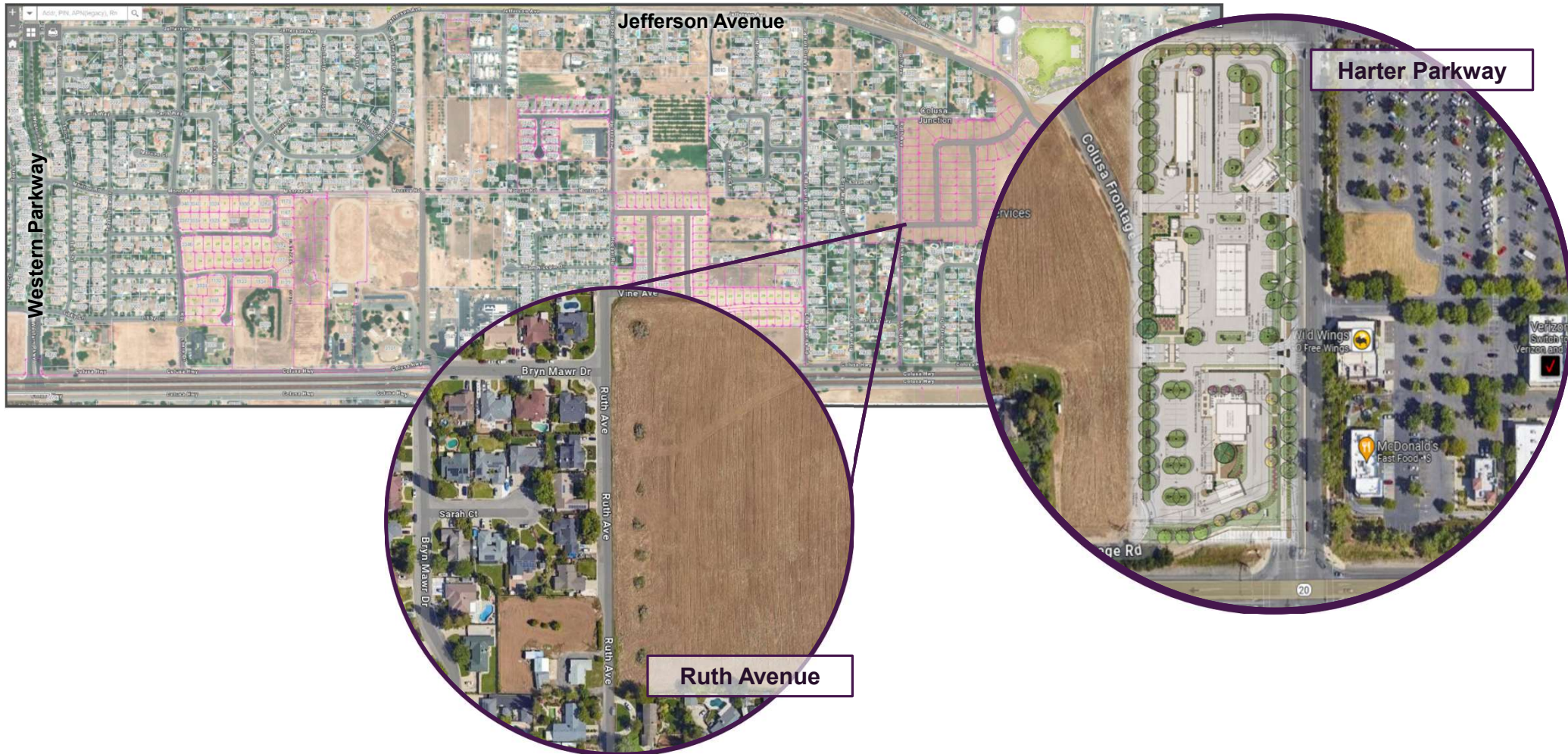
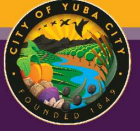
EXISTING PEAK HOUR INTERSECTION LEVELS OF SERVICE

Intersection	Control	Min LOS ¹	AM Peak Hour		PM Peak Hour	
			Average Delay (sec/veh)	LOS	Average Delay (sec/veh)	LOS
1. N. Colusa Frontage Rd / George Washington Blvd ²	EB/WB Stop	D	33.0	D	26.7	D

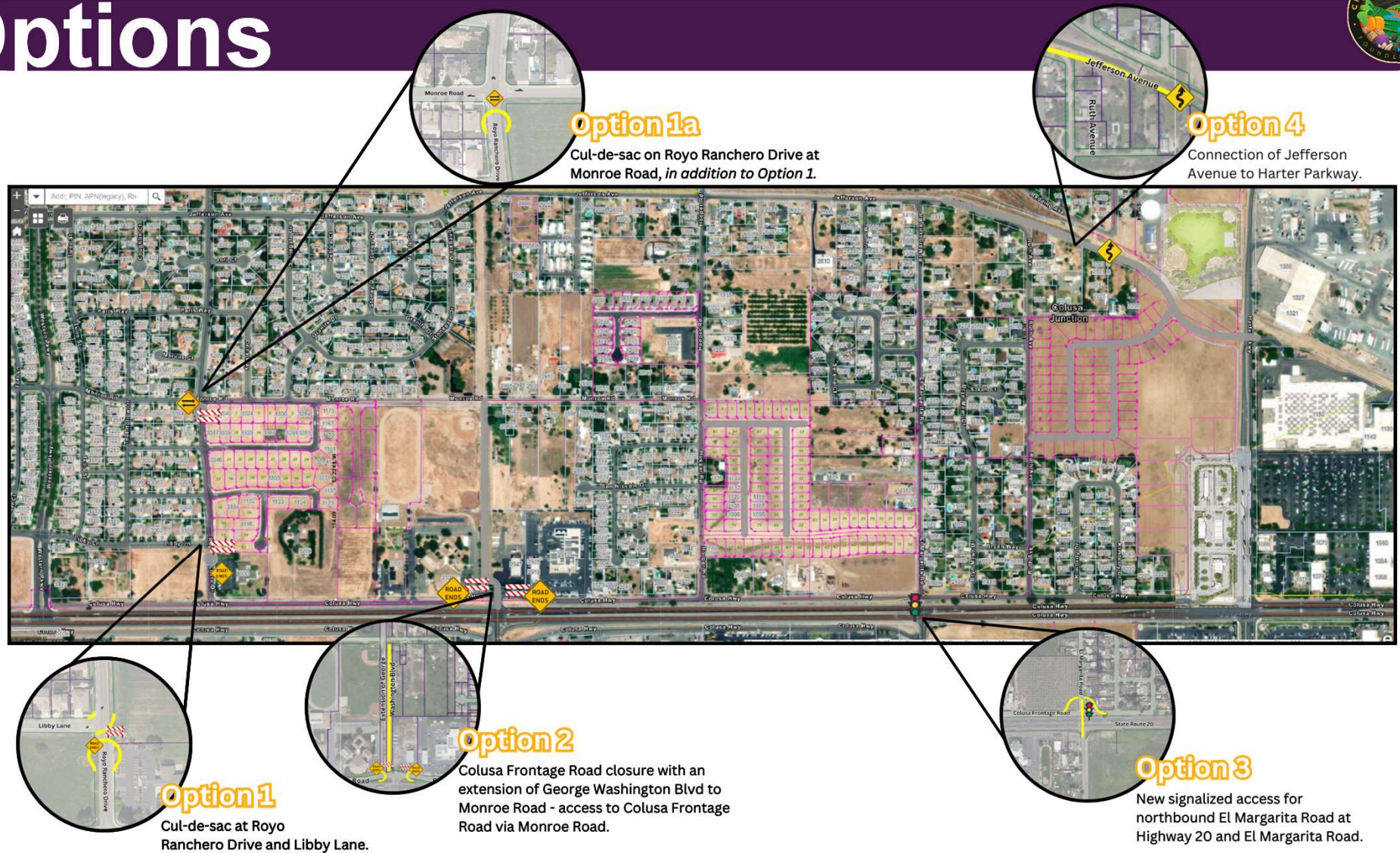
EXISTING PEAK HOUR INTERSECTION 95th PERCENTILE QUEUE LENGTHS

Intersection	Lane	Storage (feet)	AM Peak Hour		PM Peak Hour	
			Volume (vph)	95 th % Queue (feet)	Volume (vph)	95 th % Queue (feet)
N. Colusa Frontage Rd / George Washington Blvd ¹	WB	-	190	183	116	73
	EB	-	164	139	110	69

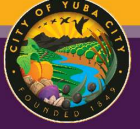
Current Traffic Improvements



Options



Option 1

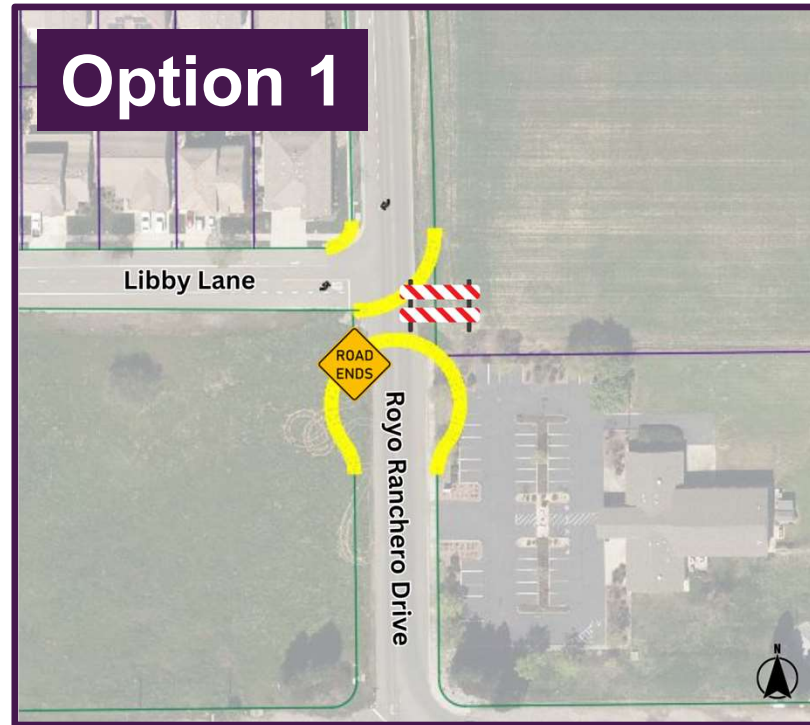


Pros:

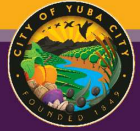
- Reduces traffic on west leg of Geo Wash intersection
- Easy to implement
- Directs traffic to underutilized intersection (Western Pkwy)

Cons:

- Increases travel distance
- Reduces circulation options
- Increases traffic on Libby Lane



1. Cul-de-sac at Royo Ranchero Drive and Libby Lane.



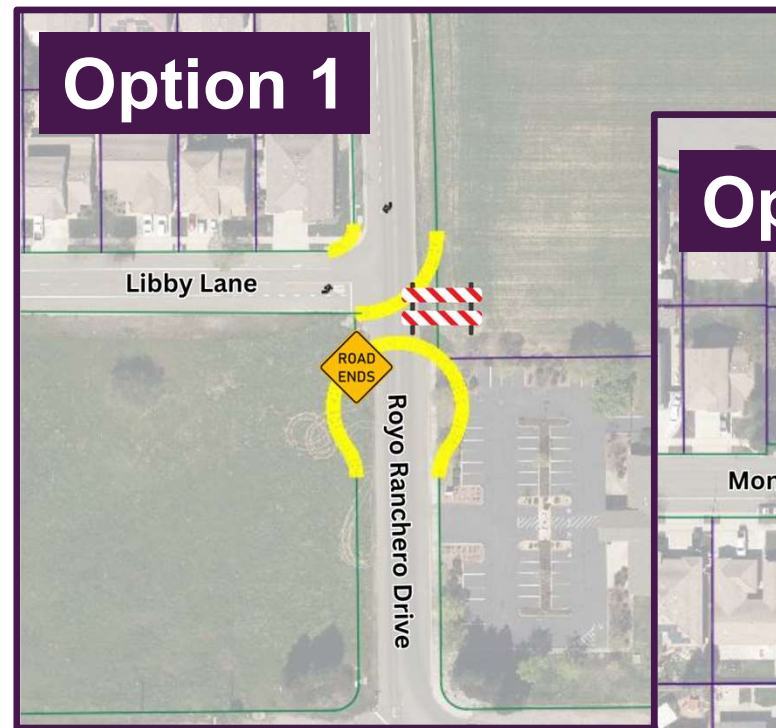
Option 1 and Option 1a

Pros:

- Same as option 1
- Distributes traffic to both Libby Ln and Monroe Rd

Cons:

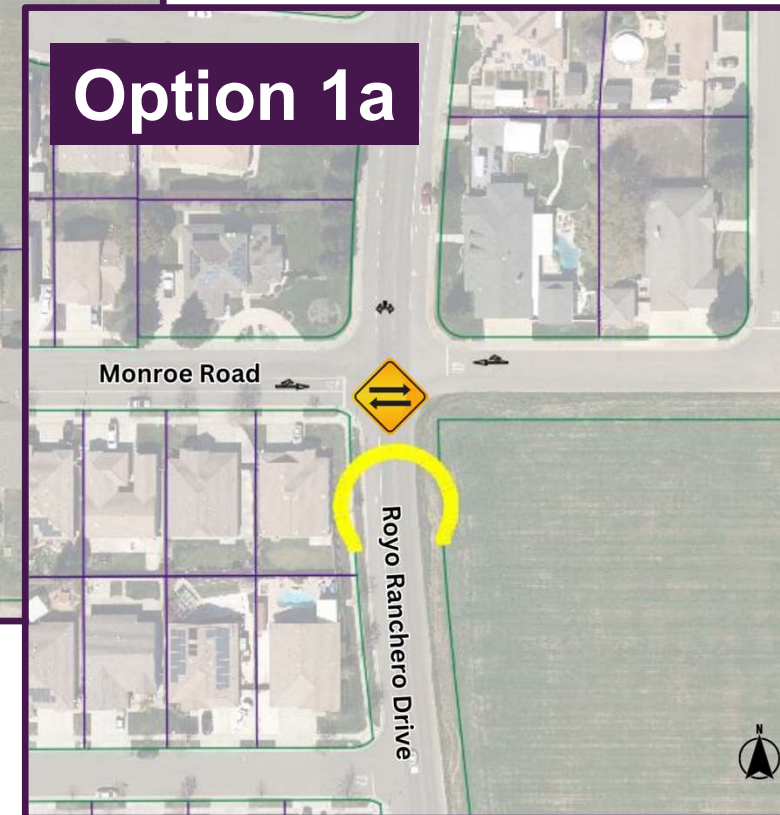
- Reduces circulation options



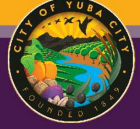
1 ■ Cul-de-sac at Royo Ranchero Drive and Libby Lane.

1a.

Cul-de-sac on Royo Ranchero Drive at Monroe Road, *in addition to Option 1.*



Option 2

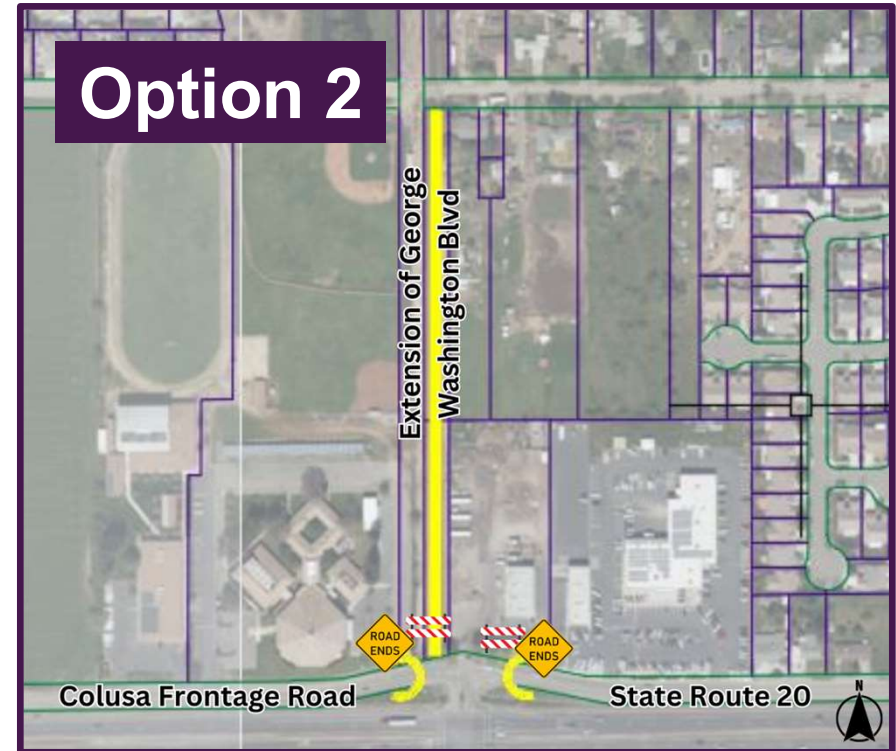


Pros:

- Improves Geo Wash intersection operations

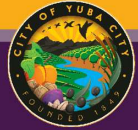
Cons:

- Expensive
- Restrictive
- Increases travel distances
- Increases traffic on Monroe Rd.
- Impacts existing businesses



2.

Colusa Frontage Road closure with an extension of George Washington Blvd to Monroe Road – access to Colusa Frontage Road via Monroe Road.



Option 3

Pros:

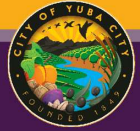
- Additional access point to SR 20

Cons:

- Delays on SR 20
- Expensive
- Disruptive to residences
- Right of way acquisition
- Limited space



3. New signalized access for northbound El Margarita Road at Highway 20 and El Margarita Road.



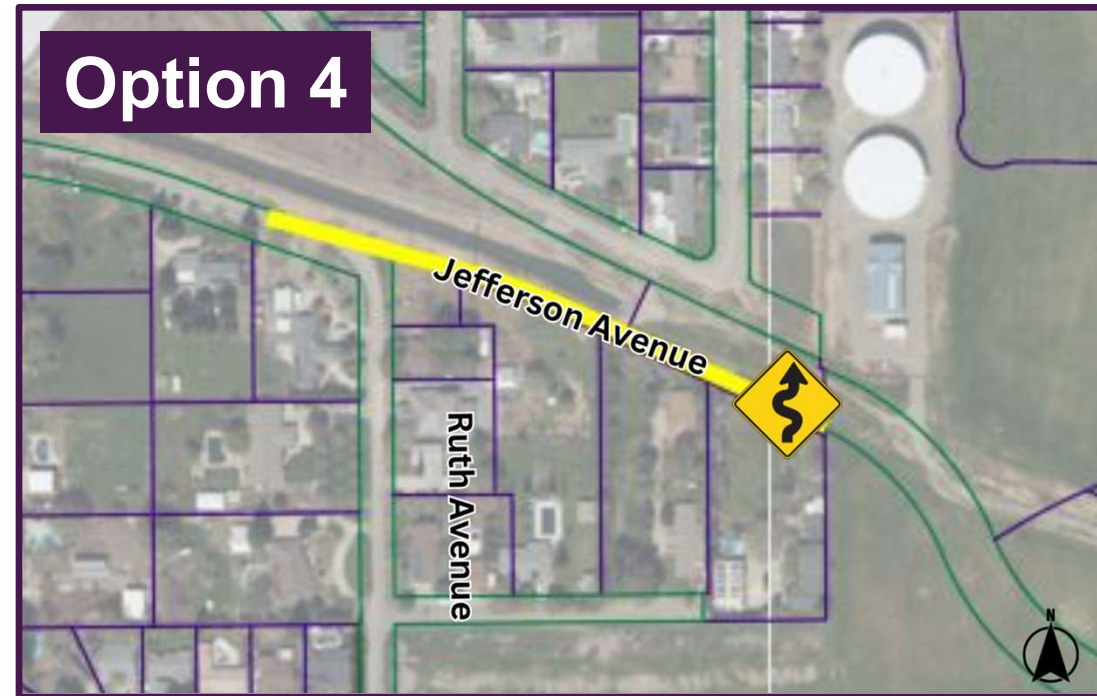
Option 4

Pros:

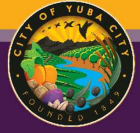
- Additional connectivity
- Limited impact to residents
- Cost effective
- Aligns with General Plan Traffic Model
- Connects to Didar S. Bains Park

Cons:

- Increased traffic on Jefferson Ave



4. Connection of Jefferson Avenue to Harter Parkway



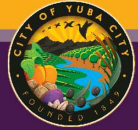
Public Comment Period

Public comment about **traffic circulation, congestion, and development** in the Tierra Buena community.

- Repetitive comments may be limited, and large groups are encouraged to select representatives to express the opinions of the group

After the comment period, we will break into small groups for additional discussion.

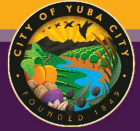
- Collaboration with staff
- Survey



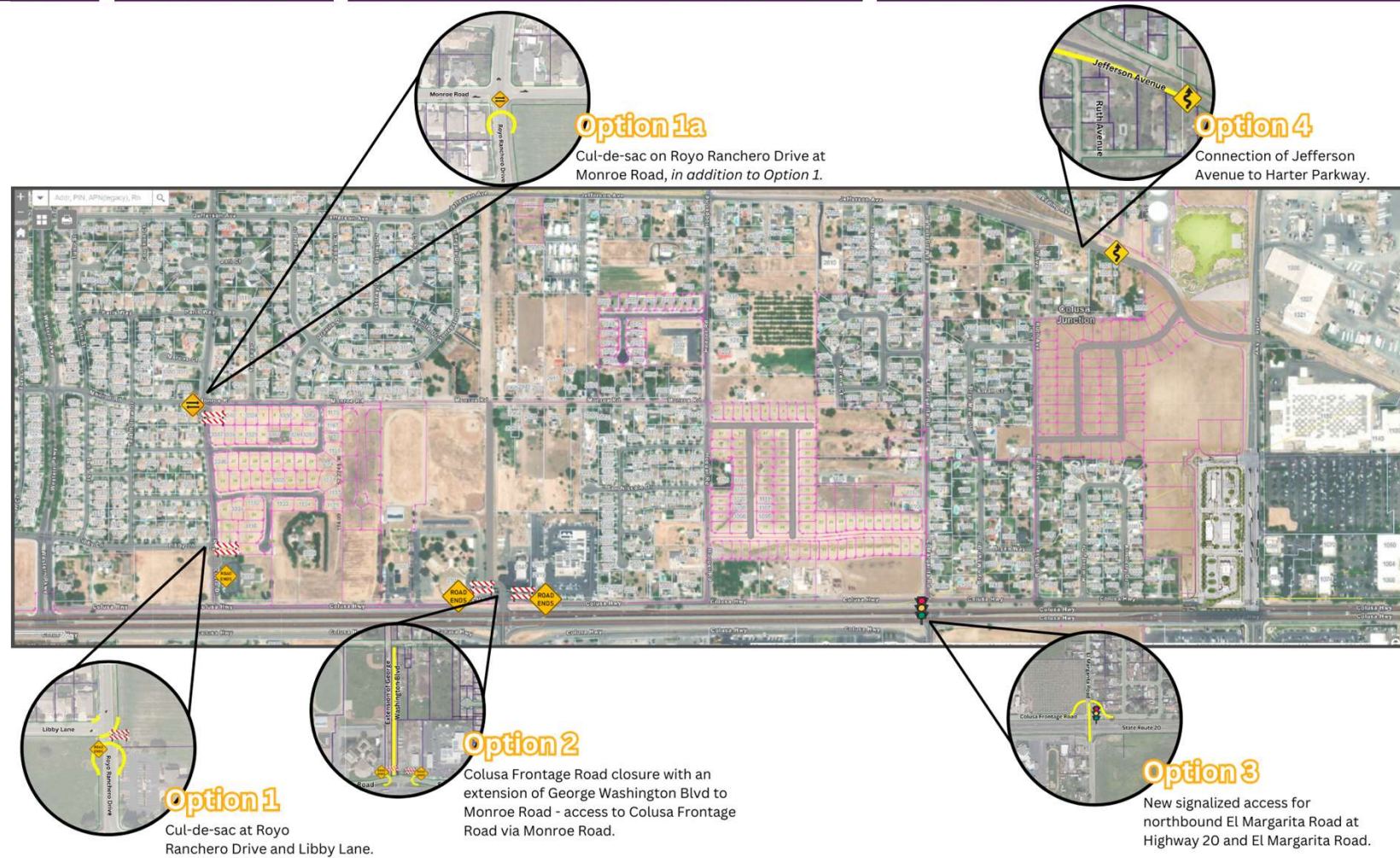
Next Steps

- Small group discussion
 - Place green sticker on preferred option
 - Online survey
 - Printed survey (if needed)
- Staff will provide an update to City Council on March 19th
 - Major take aways from workshop
 - Community preferences





Pick your preferred option



Questions?



ATTACHMENT 3

Please select your preferred option.	Please select your least preferred option.	What are your thoughts on Option 1?	What are your thoughts on Option 1 and 1a?	What are your thoughts on Option 2?	What are your thoughts on Option 3?	What are your thoughts on Option 4?	Any other comments you would like to provide?
Option 3	Option 1	Libby has enough traffic with kids playing and this would produce too much traffic to Western Parkway,				This would help high school students walking to and from high school.	
Option 4	Option 2	Why stop traffic from continuing down Royo Ranchero?	Again, Why stop the traffic on Royo Ranchero?	I like the extension of George Washington Rd, but why cut off access to the Colusa Frontage Road in either direction?	Probably a good idea, but I hate the thought of yet another signal on Hwy 20.	I like option 4, I think it is a needed change.	I fear with all of these new housing developments that traffic will become difficult. What about the option of widening Butte House Road into 2 lanes each direction out to Township Road?
Option 3	Option 1 & 1a	It cuts off access for Royo Ranchero residents to get to the highway directly from Royo Ranchero instead of using Western Parkway. The two streets that would take the brunt of the traffic are residential streets.	This would make Libby Lane and Monroe Drive a major thoroughfare to get to Western Parkway, which aren't ideal for as much traffic that passes through there.	I don't mind the extension of Geo. Wash. Blvd, but I do not like the cutoff of either sides of the frontage road. This is not ideal for Faith Christian High School, the Methodist church or the other businesses on the opposite side of the frontage road. Their direct access will be hindered.	Option 3 is the best option. We desperately need a light at El Margarita due to the high school traffic. It's horrible trying to get out onto the highway certain times of the day.	Also not a bad option. Would give an alternate route to get into the shopping centers, etc.	
Option 4	Option 1 & 1a	Awful idea. This would create more problems rather than relieve them.	Even more awful than just option 1. Did the traffic engineer consult with the Yuba City PD traffic unit? I would assume not based on these plans.	Are you planning to improve the east side of Monroe?	I would not like that option if I live on Jefferson Ave.	This idea seems to be the best option of all. The signal can be a sensor for north/south traffic. My neighbors like this option best.	I understand the desire to relieve traffic congestion at the frontage road and 20 (I'm assuming), but closing down access would create more problems. I think options 1, 1a, and 2 need to be thrown out altogether. We already have problems with people running the only stop sign at Royo Ranchero and Yorktown. I guarantee it will get worse if you close down access on the south end of Royo Ranchero. Open avenues, but don't close off access. That makes no sense.
Option 3	Option 1 & 1a	NO and Hell No. leave the frontage road and Royo AS IS	NO. Leave the frontage road the way it is	NO and Hell No. leave the frontage rd and Royo AS IS	As long as you leave the frontage road open from royo to Geo Wash This would be acceptable to provide safe crossing of hwy 20 and el margarita due to RVHS traffis	As Long as the Frontage road stays open with access from Royo to Geo Wash.... not a fan of this but better than closing frontage road and royo!	All of the above options are NOT OK. AND DANG YOU ALL FOR TRYING TO FUNNEL an answer that does not include leaving tue frontage road open from Royo to Geo Washington!!!
Option 3	Option 1 & 1a	Bad idea from traffic engineering viewpoint.	That would overwhelm Buttehouse Road with more traffic, congestion, and the annual Sikh parade would be a disaster.	Divert all of the traffic to a narrow residential street. Please consider the basics of traffic engineering.	This alleviates more traffic congestion and is a safer option.	Bad for anyone that lives on Jefferson. Can you say disaster waiting to happen?	Thank you for considering all of these options as you have presented.
Option 4	Option 1	This prevents me and all of my neighbors from getting home. This would cause us to have to drive extra long to get to a road (Royo ranchero) that already exists and connects perfectly fine to the churches we attend and to George Washington blvd. I moved to this area due to the ease of access (I work in Yolo). I see no clear reason to build the culdesac or cut off access.	Option 1 is not a good idea and 1a further limits accessibility and causes more traffic into neighborhoods w road ways that are narrower that those of Royo ranchero. This will cause a safety risk for children in their neighborhoods who already have been living there. The new housing being built shouldn't impact the homes and families that were already living in the area.	I don't see how this benefits anyone. This causes more traffic on roads that are not built as connections roads. Royo ranchero should have direct access and not have to drive through. Neighborhoods to access it. This will cause a lot of safety concerns for children in those neighborhoods. I don't believe any of these options are necessary this seems unfair to those not aware.	Seems like a safe idea. But again seems to benefit newer homes only.	Great idea to allow access to the park	I believe cutting off access to Royo ranchero from highway 20 as it is now is a terrible idea. I feel as though these ideas should be publicized more as the community currently living there would not agree with them .
Option 4	Option 1 & 1a	Majorly hinder access to neighborhood	Severely decrease access to neighborhood				
Option 4	Option 1	Royo Ranchero is a vital connector between Butte House and Colusa Hwy. It is especially absurd to close Royo Ranchero off with the new development off Monroe coming in.	If Option 1 alone was bad enough, 1a only makes it worse for folks in the new development to travel towards Butte House.	Redirecting traffic from two roads into one?			
Option 4	Option 1	This is aBad option for the Church building at 1033 Royo Ranchero and its membership.	This disconnect the church building from the nearby neighborhood.	This degrades access to the school.	This seems to be a good improvement but is comparing apples and elephants between 1, 1a,2, and 3.	Option 4 seems like an obvious improvement.	The new roadway opposite Walmart improves and maintains access to the frontage road.. and now you propose degrading the access of the frontage road.
Option 3	Option 4	Inconvenient for all of Royo Ranchero	Monroe is not wide enough, fast thru traffic risk	No	El Margarita to Jefferson; Jefferson road width	Poor quality road	
Option 4	Option 2	Not a bad option but uncertain #1 alone will do.	Not familiar w/ 1a area enough to 'know'	I think those businesses there on that part of frontage road will be pissed off!	Well the only negative is another stop light on a major highway.	Nice idea w/the smallest #of people to be affected by.	No
Option 4	Option 2					Most cost effective	

Please select your preferred option.	Please select your least preferred option.	What are your thoughts on Option 1?	What are your thoughts on Option 1 and 1a?	What are your thoughts on Option 2?	What are your thoughts on Option 3?	What are your thoughts on Option 4?	Any other comments you would like to provide?
Option 4	Option 1 & 1a	Horrible for everyone that lives anywhere around Royal Ranchero trying to get to Highway 20	The same horrible access to Highway 20		I really like this idea. I think it is needed.	I dont care for this it will open up our neighborhood to lot of people and traffic that don't live in our neighborhood.	
Option 4	Option 1 & 1a		It limits access and funnels traffic on to hooper rd	Already too much traffic on hooper rd and this would funnel even more traffic down hooper rd and Monroe rd very narrow.	Good idea gives another entrance on frontage rd	This seems to be the most feasible because it gives an additional outlet to the frontage rd	Cut the big bush at the frontage rd and hooper rd!!!!!! More police patrol on hooper rd for speeding
Option 4	Option 1 & 1a		I don't like this option, I don't see the benefit	This could definitely help, but I prefer options 3 and 4 more	I like this idea but it could cause a back up on the highway.	I like this idea a lot! It would help the issues on Butte House and Harter as well.	I think making the west bound lanes of butte houses Harter road convert into 2 lanes prior to crossing Harter, similar to southbound stabler at Butte House would help a lot
Option 3	Option 2						The other options do not create a flow of traffic.
Option 3	Option 2	Why is this happening to begin with?	Why does there need to be a blockage?	Not having access to Hwy 20 seems an issue	Much needed light. Traffic is horrible there.		
Option 4	Option 1 & 1a	It bottle necks my neighborhood. Makes no sense and puts those of us who live here and commute to work go out of our way.	It bottle necks my neighborhood. Makes no sense and puts those of us who live here and commute to work go out of our way.	Plan 2 is ok but we should be able to exit out to hwy 20 from Royo.	No need for more traffic lights on 20 at that intersection	This plan makes the most sense and makes it easy to get to the park and shopping center. Would be the best for those of us who live here.	
Option 4	Option 3						
Option 4	Option 1 & 1a	Terrible idea. Those of us living in the North side of Tierra Buena, who access George Washington would be inconvenienced.	Effectively cutting off the north and south portions of Tierra Buena serves no purpose other than making traveling through our neighborhood a logistical nightmare.	Neutral	Again neutral	This is the best option for our neighborhood, hand down.	
Option 3	Option 2	Reroute seems inconvenient to everyone! And tons of traffic through the neighborhood	Same as 1, just worse	HELL NO!! This makes zero sense what so ever and is obnoxious!	It's fine. What are you going to do with the houses right there?!	I'm not sure I understand this completely	I'm sure you will figure out the best option for everyone!
Option 3	Option 1 & 1a	Funneling traffic to the stop sign at Libby and western parkway for highway access will cause more traffic congestion. The city has blocked off the colusa frontage roads every year during the Sikh parade and it always creates more traffic congestion on western parkway pushing residents through neighborhoods with narrow streets.	The city should NOT be closing roads to decrease traffic. It is only funneling the traffic somewhere else. The residents should be given more access routes to disperse traffic. This is just outrageous! Why would you block access to the highway and create 2 cul-de-sacs thus blocking in residents? Why was opening access to the highway from Royo Ranchero by placing a stoplight there not an option?	Blocking access to the frontage roads will negatively impact the businesses including the churches and schools. This will impact emergency personnel accessing the new development and the residents that have lived in this area for decades. The new development on royo ranchero has nearly completed and the increase in traffic is minimal. Why would you add an extension to a road only to close two others? This is not creating a solution but pushing traffic elsewhere potentially causing a greater impact on residents. If this option is chosen, will Monroe eastbound towards hopper be improved. The road as it is is narrow and has no sidewalks, it cannot handle additional traffic. Can the extension be built without closing the frontage roads?	Best option. CalTrans should have already been consulted! Most all new development is happening east of hooper. This will also help alleviate some of the residential traffic and the commercial traffic problems Dutch brothers and other businesses will bring to the area.	A great option. Adding access and an additional roadway without taking away other routes. In theory this could help reduce congestion all together	Please consider the impact the new residential development will have on Tierra Buena School. CA approved a plan to provide pre-k classes to all 4 year olds by 2025 and additional education opportunities for 3 year olds. As it stands with current residents they will need additional teachers and classrooms to accommodate the new requirements. Will access to the park from Harter be improved. Many people make a left hand turn crossing two double yellow lines to enter the parking lot almost causing accidents. Can any acreage marked for future development be zoned for another park benefiting the residents living in the Royo ranchero estates. When the development first was built residents were told Tierra Buena School would be used as their park. Tierra Buena School has now been gated and there is very limited public access to the playground.
Option 4	Option 1 & 1a	Doesn't solve the traffic problem	I think it will increase traffic in a residential area and not solve a traffic problem.			I think it is the most logical option to address the traffic.	
Option 4	Option 1 & 1a	Forces me to drive west in order to go east	Forces me to drive west in order to go east	Better than how this intersection is currently setup. Will Monroe go over the canal?	Love it! I teach at RVHS and feel like this intersection is already unsafe from people turning left (west) from northbound El Margarita onto westbound highway 20. Putting a traffic light here would also allow pedestrians from the new development to cross highway 20 from frontage road to RVHS via El Margarita.	I think this is a good option too.	
Option 3	Option 4	Not a good traffic flow	Cuts off school causing a blockage	Terrible	Best solution for highway access. Multiple options for entering and exiting the area	Worst case. Easier access for homeless and causes more congestion on Harter Parkway	

Please select your preferred option.	Please select your least preferred option.	What are your thoughts on Option 1?	What are your thoughts on Option 1 and 1a?	What are your thoughts on Option 2?	What are your thoughts on Option 3?	What are your thoughts on Option 4?	Any other comments you would like to provide?
Option 3	Option 4	Why would you completely cut off access to the entire neighborhood from the Colusa Frontage Road? How is everyone beyond Libby Lane supposed to get out to 20?	Same as option 1 but everyone beyond Monroe.	This makes a little more sense than other options suggested	This option is the best in my opinion. It would be like the Western Parkway/20 intersection.	This is the worst possible scenario. It would create more traffic through a residential area.	
Option 4	Option 1 & 1a	Yuba City has WAY too many cul de sac"s, Barriers (ie North end Bridge)	Royo Rancho, Hooper, Harter, Ruth are needed connectors	Painful but necessary	3 puts too many north south connectors too close together	This was necessary when you put in Walmart et all. This has been promiced put off forever	Yuba City need to connect it's N,S,E,W streets. It would be ideal if street names didnt change every 50 feet you drive. Stabler/GW. Harter/Tule
Option 3	Option 4	Nope	Nope	Nope	Nope	Nope	Please reconsider adding the 138 unit apartment complex @ Hansen Farms - instead much prefer city leaves property zoned commercial or make all Hansen Farms Development single family homes. TB absolutely can NOT accommodate 700 + additional comuters. Please consider our quality of life not developers. We have to trust the city does reasonable Development. There are plenty of undeveloped Parcels in YC for large apartments complexes not Tierra Buena. Especially considering Harter Pkway coming to our neighborhood as well. We are Sandwiched between 2 huge developments. Our life in TB forever changed & not for the good I fear.
Option 4	Option 2				I think this is a non starter. I doubt CT would want to break access control nor would the Transp. Commission	Best and most direct eoutw for thie new residences that are built on the east aide of hooper.	
Option 4	Option 3	I'm not directly affected by this option	I'm not directly affected by these options	Horrible option especially since I along with so many other drive down George Washington to get to 113 for work.	El margarita does not need to have access to the highway. If this happens the street and neighborhood are not made to handle heavy traffic, especially for River Valley High School. The homes at and near the corner of frontage and El margarita will not be safe to occupy for the families that live there.	All of the options are no good in my opinion but this option would be the best for the neighborhood traffic to go in and out without contesting the George Washington hwy 20 lights. But it also allows easy access for people who do not live in the neighborhood which is the down side.	In reality all of the options are no good and the flow of traffic shouldve been looked into prior to the approval of all of these developments. There is also plenty of space on Walton for apartments as well and we do not need apartments that close to Walmart in our neighborhoods. My family owned apartments and we know the type of traffic they attract.
Option 4	Option 3	Horrible. Why is routing increased traffic through neighborhoods a good idea	These options funnel traffic while making a barrier for emergency vehicles.	This just makes zero's sense. You're going to put a cul-de-sac at a main entrance/exit for the surrounding areas? How are people supposed to get on the highway? How are emergency vehicles supposed to get in to the area from that direction?	This will just create another George Washington intersection but the traffic will be backing up into houses and driveways. The traffic from the commercial development would stack up here.	This would funnel large amounts of traffic into a poorly designed and maintained road.	The CEQA significance findings for the Tierra Beuna apartment complex is a joke. The public notification process was clearly not followed. All the listed options have no regard for safety or the surrounding community. The proposed zoning of these apartments make zero sense and the traffic on top the the commercial traffic would be catastrophic. The fact that the city council shows no concern for any of these issues speaks volumes about where their priorities lay. Because it's not with the people.
Option 3	Option 2		Adding a second cul-de-sac seems a bit excessive.	I don't want to go all the way down to Monroe to loop back down george Washington for highway access. Also the old section of Monroe is not wide enough to accommodate that kind of traffic.	This would alleviate a lot of the morning traffic going to the high school.	Connecting Jefferson would lessen the traffic on Ruth where the road narrows	I would also connect Ruth to Adams. It would provide the kids a nice route to school. Additionally undergrounding the ditch would allow the kids to walk across along the fence of the old mill like it used to be.
Option 3	Option 1 & 1a	Bad idea. It could hurt businesses.	See above.	It's ok... not my favorite.	I love the idea of having a road going through Highway 20 at El Marguerite.	Option 4 is a Great Idea! Implement this with El Marguerite!	In addition to figuring out traffic, our roads need some major repairs!
Option 4	Option 2						
Option 3	Option 1 & 1a	will only create more speeding traffic on neighborhood roads	these are the worst options and make no sense and will create more speeding traffic on neighborhood roads.	This will only create more speeding traffic on small neighborhood roads	this is the best option and make the most sense.	I thought this option is already going to happen with the new park and housing that went in.	
Option 4	Option 1					Most obvious option. Offers minimum disruption for current residents. Thoughtful safety measures needed near park.	

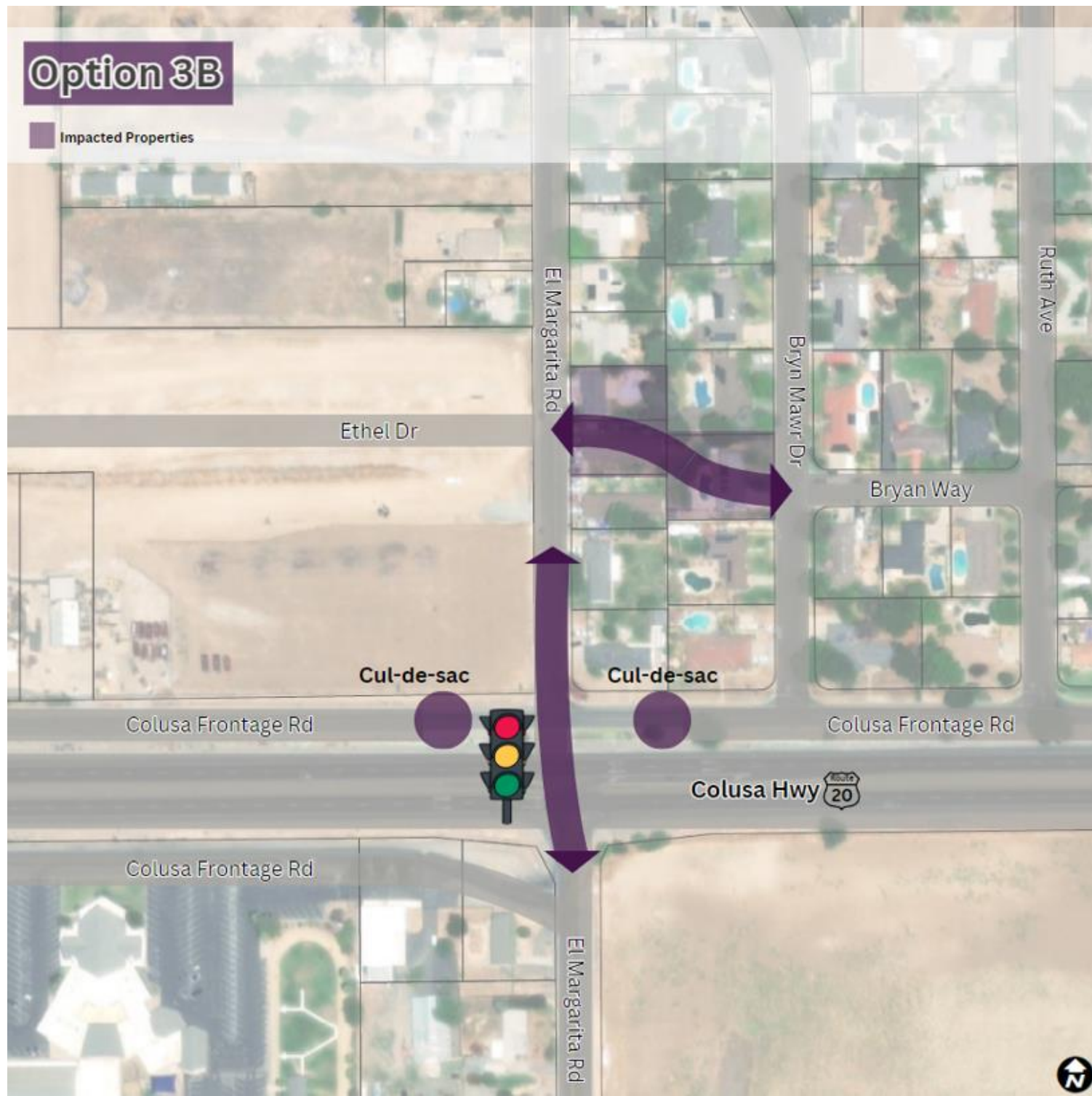
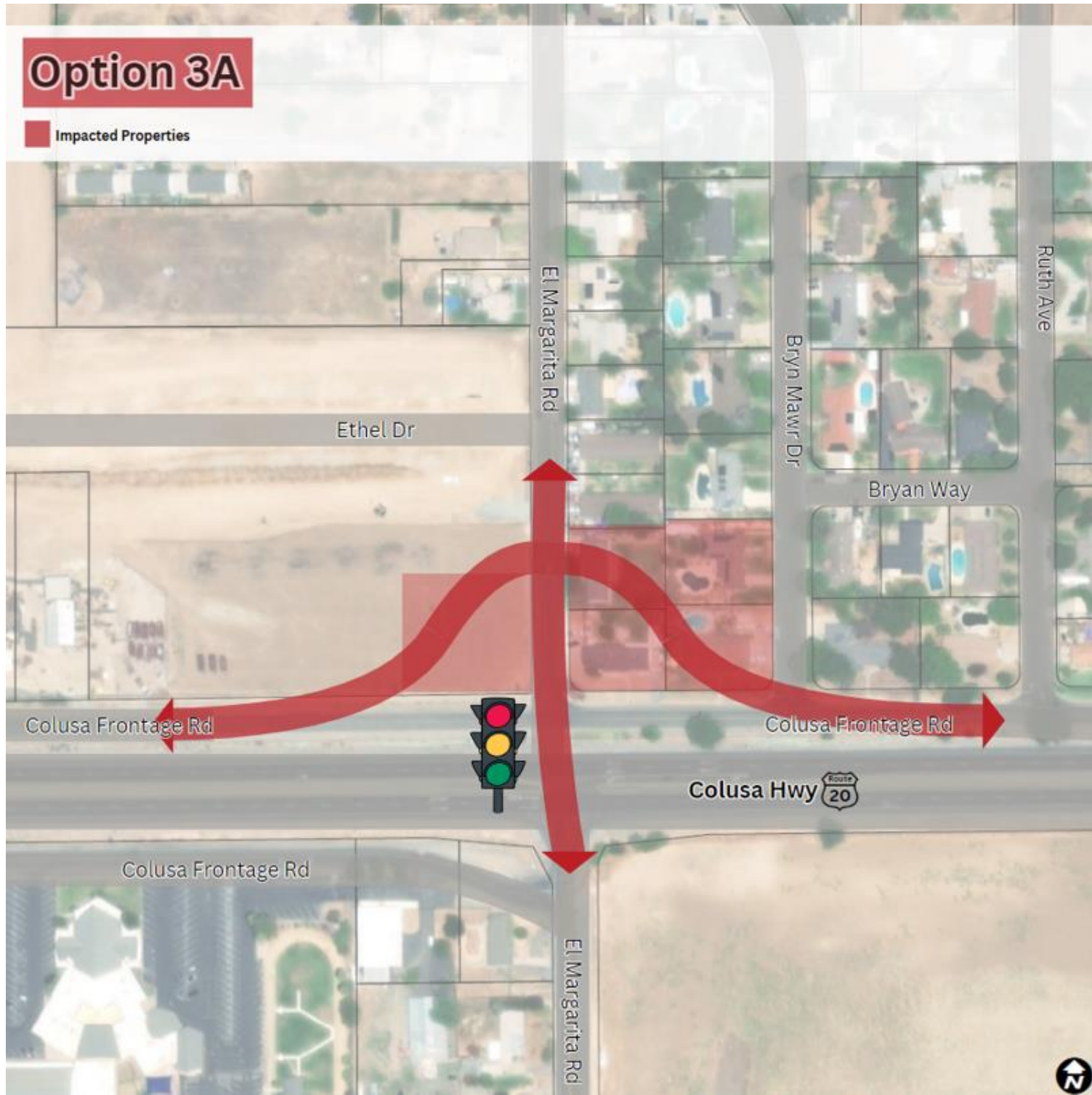
Please select your preferred option.	Please select your least preferred option.	What are your thoughts on Option 1?	What are your thoughts on Option 1 and 1a?	What are your thoughts on Option 2?	What are your thoughts on Option 3?	What are your thoughts on Option 4?	Any other comments you would like to provide?
Option 3	Option 2				The intersection at hwy 20 and el margarita already consists of congestion. I see people take risks often to cross the highway to reach River Valley High School. Congestion also exists at Franklin and El Margarita. MORE risks are taken there. With additional housing, this situation at either intersection will continue to worsen beyond the nightmare it already is.		
Option 3	Option 1 & 1a	Cul de sac will not help traffic flow	Same as Answer 1	Ok but Option 3 is better	Should have been installed when the school was built	n/a	
Option 2	Option 1 & 1a	I am unclear why these two options continue to come up. Over ten years ago, they were removed from consideration by the City due to traffic modeling assumptions with George Washington go through to Butte House Road and development near Butte House Road. Now, with the requirement that all transportation projects consider vehicle miles travelled (VMT) these two options should be permanently removed. There would be an increase in VMT by forcing residents on the east side of Royo Ranchero to travel more miles to go east on Highway 20. The mitigation for VMT is very expensive and time consuming.	See above	This is a great option and would allow partial build out of George Washington as outlined in the General Plan. This option would not contribute to an increase in VMT. I would like to see this option combined with option 3.	This option would take off a lot of the pressure on the George Washington/Hwy 20 intersection. In addition, this would provide a much safer alternative for River Valley students.	I am ambivalent on this option.	
Option 4	Option 1 & 1a						
Option 4	Option 1 & 1a						Western Parkway needs stop signs or lights. The speeding is out of control and not safe. Also the bushes in the median create blind spots for on coming traffic
Option 4	Option 3				This would bring too much traffic to our residential area. More speed cars, more traffic and access.		
Option 4	Option 1 & 1a	There is no need to block off Royo Ranchero. Period !.	There is no need to block off Royo Ranchero. Period !.	I do not see the reasoning behind closing off the Colusa Frontage.	A traffic signal would be appropriate for this location, to prevent traffic collisions.	Open Jefferson to Harter parkway.	I do not see or understand why the City wants to close off Royo Ranchero. By closing off Royo with cul de sacs makes no sense when it comes down to a life or death matter; By closing off Royo it prevents fire/rescue and law enforcement from responding to a call near the cul de sacs, which would be on the other side, thus causing the units to go all the way around to provide assistance. When time is of the essence in the saving of a life, it makes no sense to create any form of road blocks on Royo. By creating these road blocks , I see potential liability to the City of Yuba City.
Option 3	Option 1 & 1a	Doesn't make sense .	Don't like either one.	Don't like	Makes the most sense.	It's ok	
Option 3	Option 1 & 1a	Absolutely no.	Absolutely no.	Absolutely no.	Best out of all options.	Not sure	

Please select your preferred option.	Please select your least preferred option.	What are your thoughts on Option 1?	What are your thoughts on Option 1 and 1a?	What are your thoughts on Option 2?	What are your thoughts on Option 3?	What are your thoughts on Option 4?	Any other comments you would like to provide?
Option 4	Option 1 & 1a	My house is directly around the corner from this I take Royo Ranchero to Highway 20 daily for work and to go into town I never take Butte house.	This closes off the whole end of the South Royo Ranchero area. The traffic is already Big Time bad at the North end of row Ranchero and Butte house my parents have lived down there for 30 years this would make it a hundred times harder to get in and out if going out to Sutter and back up Butte House Road for people turning onto Royal Ranchero. Not to mention the intersection of Monroe and Western Parkway to access Highway 20 is already a big T-Bone area I can't tell you how many times me and my family have almost been T-boned there because of the bushes in the middle of Western Parkway they block traffic.	This once again shuts off the South Royo Ranchero area quicker access to hwy 20 it's also faster for emergency personnel who have been to my house numerous times for my father-in-law.	I think option three is an excellent idea it opens up Highway 20 and you don't have such a long span of the Frontage Road and makes it less congested at the George Washington intersection.	Option 4 is my favorite I wish this would have been done years ago I have to go down Ruth Street and hit the frontage road to get to the Walmart Home Depot area.	Just please do not shut down Royo Ranchero access to the frontage road to Highway 20 this will be a massive inconvenience to the South End Neighborhood and I guarantee there will be more accidents at Western Parkway and Monroe if you guys do this along with more congestion at the Butte house and Royo Ranchero intersection.
Option 3	Option 1 & 1a		It will make Jefferson a thoroughfare		That makes perfect sense.	I've taken that way for 20years as it is.	
Option 4	Option 1 & 1a	THIS IS A TERRIBLE IDEA. I have been using Royo Ranchero since we moved here 34 years ago. We were told that many years ago that someday the Frontage Road would be open now all of a sudden you want to close Royo Ranchero. We were here way before you built all these subdivisions around us and now you want to block our Rd. UNFAIR AND NOT RIGHT. LEAVE OUR EASY ACCESS RD TO COLUSA ALONE. Thank you.	OPTION 1a Is the same as OPTION 1 because you are blocking our easy access to COLUSA and George Washington. Please leave our road ROYO RANCHERO ALONE, it's perfect.	I don't like that option either because you're blocking access to getting out on Colusa and George Washington. I use Frontage roads all the time and they're very convenient. PLEASE DO NOT BLOCK THEM OFF	Yes I think a light there would be good definitely especially if that's where the high school is.	Yes I think that this would be a good idea. All the houses that are around Jefferson and harder would give people the option to go the back way to the park. I am assuming that you can get to the park from there if I'm wrong I still don't have a problem with you connecting the two.	Do we get to vote on this because if so I want to be there. Option 1 and 1a affect me personally the other two 3 and 4 do not affect me as much.
Option 3	Option 1	This is ridiculous I go home every day through royo ranchero. Option 1 is not an option. I will fight that at all costs	Not an option I use that rought every day	Will bring way to much noise and traffic to residents. Not an option	Makes sense gives more access to that area	Absolutely not. That would bring to much traffic and bums from park to our naborhood.	Please do not block off royo ranchero
Option 4	Option 1 & 1a	Too much strain at butte house and Royo ranchero	Too much strain at butte house and Royo ranchero	Too much traffic close to my quiet neighborhood	This is a good idea to prevent accidents	This is a good idea to provide alternate routes	
Option 3	Option 1 & 1a		Not good at all	Not good at all	yes	yes definitely	ALL ingress and egresses should be used as possible. WE ALREADY HAVE A DENCITY ISSUE that has caused traffic PROBLEMS in the area between Harter Parkway and Township Road, Colusa Frontage and Butte House road...! Now with all the new homes in the area it will be multiplied significantly....! The apartments on Colusa frontage Road is a definite multiplier for huge traffic issues and should not happen. I would suggest higher end Townhouses or something similar.
Option 4	Option 1	We feel like this would cause more traffic for inside roads and there are a lot of kids that play outside and people are not considerate drivers. .	Same as above	Same as above	This seems like a good alternative option since it's not causing additional traffic for the neighborhood	Same as above	
Option 3	Option 1 & 1a	You are blocking the road so evacuatio	See same response as above. Whoever cam	Same response for Option 1 and 1a	It is still not a good option but better tha	Not feasible at all and has people driving	This neighborhood has been this way for over 30 y

ATTACHMENT 4

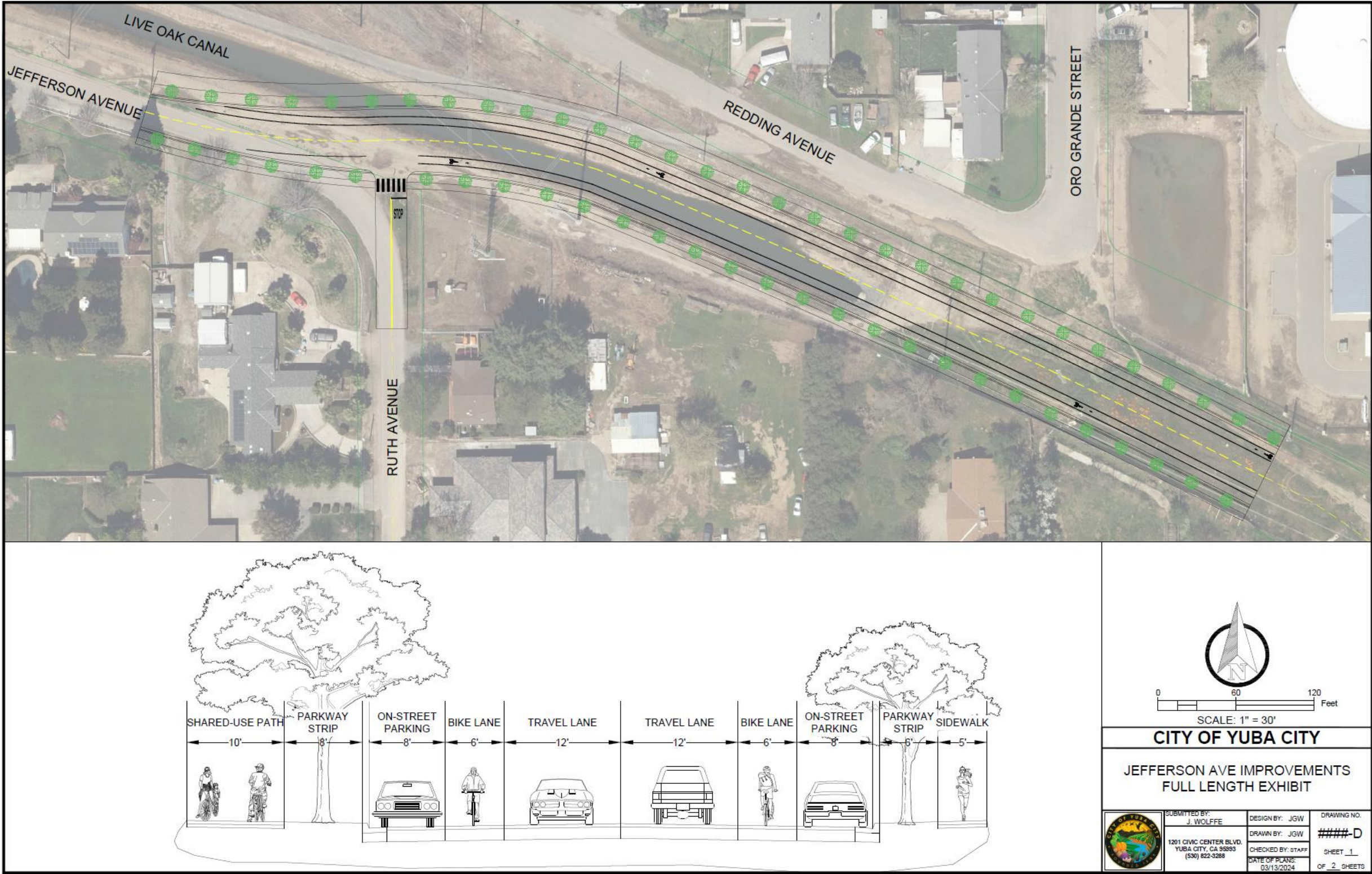
Community Preference – Option 3

New signalized intersection at El Margarita and SR-20, including new access to north El Margarita Road



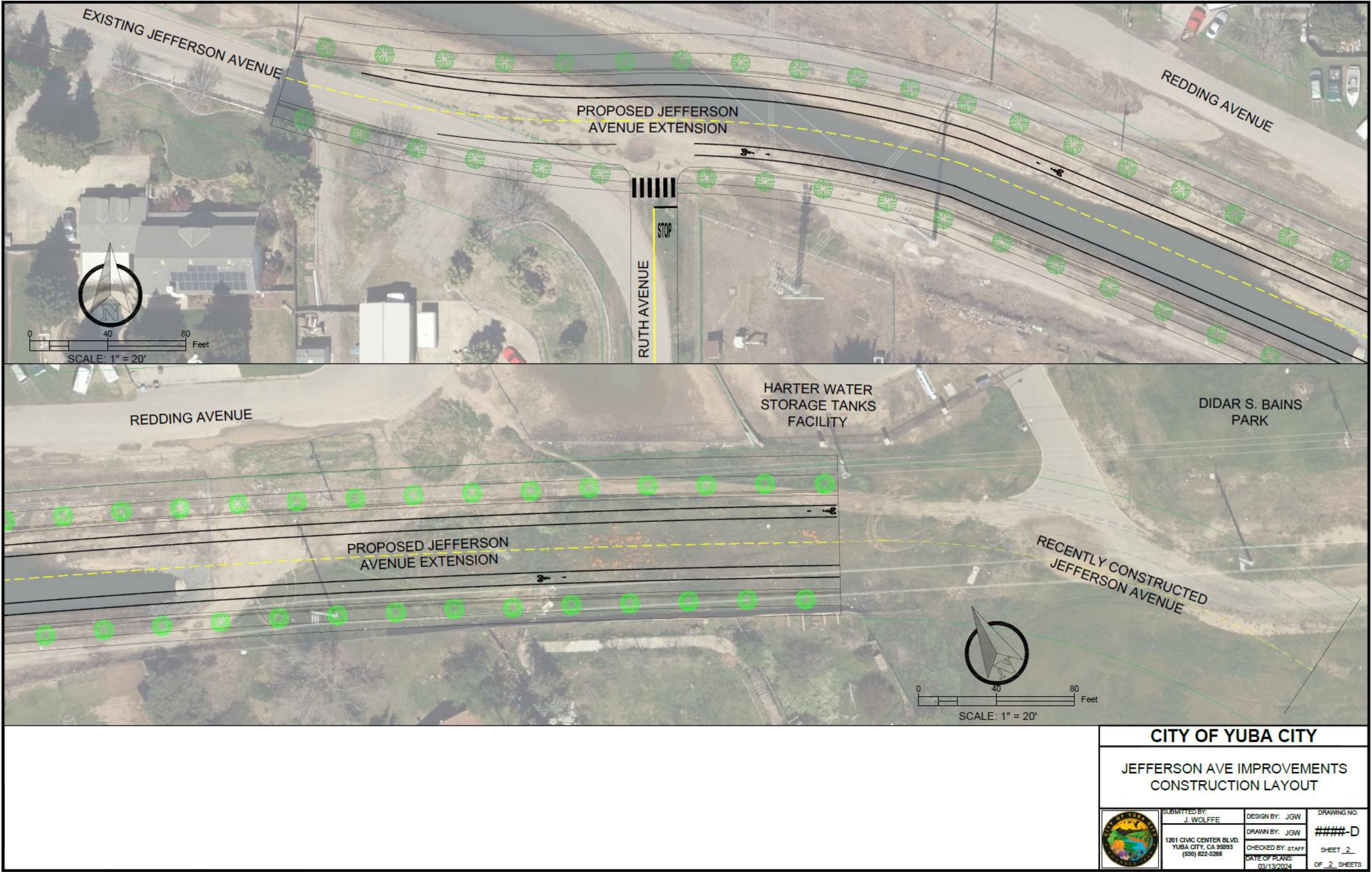
Community Preference – Option 4

Connection of Jefferson Avenue to Harter Parkway via the old railroad right of way



Community Preference – Option 4

Connection of Jefferson Avenue to Harter Parkway via the old railroad right of way



CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Development Services Department
Presentation By: Doug Libby, Deputy Director of Development Services

Summary

Subject: Recycling Industries – Amendment to Use Permit (UP 17-05) and Development Plan (DP 17-03)
Recommendation: Adopt a Resolution of the City Council of the City of Yuba City denying an amendment to Use Permit 17-05 and Development Plan 17-03 based on the findings contained in the Resolution; Recycling Industries; located at 140 Epley Drive, Assessor's Parcel 54-083-026
Fiscal Impact: Application fees pay for staff time associated with processing entitlement applications

Purpose:

To consider Recycling Industries' ("Applicant") amendment to Use Permit 17-05 and Development Plan 17-03.

Council's Strategic Goal:

Staff's recommendation is consistent with the Council's Strategic Goal of Public Safety. Modification to the existing project Conditions of Approval could impact public safety due to additional traffic, noise and vibration impacts. Staff's recommendation is consistent with the Council's Goal of maintaining highly qualified teams to provide services that serve and protect the residents, visitors, and businesses in this community.)

Background:

Below is a summary of the entitlement history of Recycling Industries located at 140 Epley Drive.

2008 Planning Commission approved Use Permit 07-12 that relocated Recycling Industries (RI) operations from 389 Wilbur Avenue to its present-day location at 140 Epley Drive.

2014 Planning Commission approves Use Permit 12-01 which converted the facility at 140 Epley Drive into a Large Volume Transfer Station (LVTS). Environmental Assessment (EA) 12-02 analyzed potential impacts associated with facility construction and operation with a maximum throughput of 100 tons per day (TPD) of mixed waste and recyclables. Project elements included the following:

1. Operations expanded to be conducted on three acres.
2. Two metal buildings replaced with a new 21,600 square foot building.
3. Allow up to 100 TPD of mixed recyclables and solid waste.
4. Allow up to 10 percent putrescible material.
5. Allow self-haul. Prohibited packer garbage trucks.
6. Required annual review for three years following construction.
7. Provide expanded recycling / self-haul solid waste transfer services generated by “residents and businesses in Yuba City and Sutter County.” (7/23/14 PC staff report)

UP 12-01 received two time extensions with a final expiration date of July 23, 2020.

2019 On appeal from the Planning Commission, the City Council approved Use Permit 17-05 and Development Plan 17-03 and adopted a Mitigated Negative Declaration, amending previous entitlements to include the following key limitations:

1. Continue to limit maximum throughput to 100 TPD where the Applicant requested 300 TPD (Condition 3).
2. Restricted to accepting waste generated only from Sutter and Yuba Counties (Condition 4).
3. Continue to limit putrescible waste material to 10 percent where the Applicant requested no threshold (Condition 5).
4. Continue to prohibit packer trucks (garbage trucks) where the Applicant requested that packer trucks with side, front or rear loaders be allowed (Condition 10).
5. Project site expanded from three to four acres.
6. Relocate an existing 1,800 square foot (sf) metal building.
7. Expand transfer and processing building from 18,000 sf to 21,600 sf.
8. Limit tire storage to a 40-yard bin (Condition 7).
9. Prohibit operations on Sunday (Condition 12).
10. Require future project modifications be submitted to the City Council for Review (Condition 60).
11. Notify project opponents (Stop the Dump) of any applications to modify the project (Condition 60).

2023 In July, Applicant submitted a new application to amend Use Permit 17-05. The application requests modifications to Conditions 3, 4, 5, 7, 10, 12 and 60 established as part of the City Council’s 2019 approval. A copy of the applicant’s requested changes is included as Attachment 1.

The applicant did not prepare additional environmental analysis for this proposed amendment instead asserting the previously adopted Mitigated Negative Declaration the City Council adopted in 2019 when Use Permit 17-05 and Development Plan 17-03 were approved, adequately assessed the potentially significant environmental impacts from these proposed amendments.

The City Council previously denied several of these proposed amendments in 2019 including the request to increase the amount of material received from 100 TPD to 300 TPD, the request to remove the 10 percent daily limit on putrescible material and the request to permit packer trucks.

At the December 19, 2023, City Council Meeting, the City Council approved use of the alternative review process for this proposed use permit and development plan amendment as provided for in Municipal Code Section 8-5.7001(d) and 8-5.7003(f).

Analysis:

Adequacy of Environmental Analysis

As stated above, the applicant asserts the MND the City Council adopted in 2019 adequately analyzed the environmental impacts associated with the proposed amendment to UP 17-05 and DP 17-03. Therefore, the applicant asserts that no additional environmental analysis is required. However, several of the modifications to the conditions of approval proposed in this current amendment were not identified in the 2019 MND. Specifically, the MND's project description did not identify modifications to the transfer stations operations to allow for (1) acceptance of material generated in any jurisdiction, not just Sutter and Yuba counties; and (2) the expansion of operational hours and extension of days of operation to include Sunday.

In Section 1.1 of the initial study prepared for UP 17-05 and DP 17-03, "Purpose Of The Subsequent Initial Study" states, "The additional tonnage would be from residential and commercial franchise collection routes within Yuba City (City) if RI is a successful partner in pending procurement for these franchise services. It should be noted that there is currently under 200 TPD of solid waste generated in the City, however, growth forecasts show solid waste generation increasing to 300 TPD by the year 2030."

The Transfer Processing Report submitted by Recycling Industries and included as an attachment to the initial study for UP 17-05 and DP 17-03 further clarifies the service area by stating on page 1-2 of 1-7 that, ".....the jurisdictions within the economically viable collection area for commercial packer trucks are secured by exclusive franchise license (within Yuba City, unincorporated Sutter County, and the City of Live Oak, as well as within adjoining Yuba County and the Cities of Marysville & Wheatland). Commercial waste collection and construction/ demolition & inert (hereinafter also "CDI") debris collection is similarly subject to exclusive franchise license within these jurisdictions." The Transfer Processing Report submitted by Recycling Industries in support of UP 17-05 and DP 17-03 did not consider acceptance of material generated in any jurisdiction other than Sutter and Yuba Counties.

The Traffic Study prepared in support of UP 17-05 and DP 17-03 and included as an attachment to the initial study, states the project would allow up to 300 TPD or a net increase of 200 TPD. The traffic study prepared only reviewed traffic impacts at three specific intersections within the city limits;

Garden Highway / Lincoln Road
Garden Highway / Epley Drive
Garden Highway / Burns Drive / Teesdale Road

The traffic study did not analyze impacts to the State Highway system or in other adjacent communities due to the importation of recyclables from outside the area because the project description contained in the initial study did not contemplate importing recyclables from outside the Yuba City area.

Since the adoption of the MND for UP 17-05 and DP 17-03, due to a proliferation of commercial trucking activity and the development of areas for the parking of commercial trucks and trailers around Yuba City and specifically south of Yuba City, the County of Sutter prepared a report analyzing the cumulative environmental impacts of these yards to the area and this included preparation of a traffic study. This report was received by the Board of Supervisors on June 22, 2021. A copy of this report can be accessed as Agenda Item 33 at:

2021 https://suttercountyca.ig2.com/Citizens/Detail_Meeting.aspx?ID=18906/22

03:00 PM Board of Supervisors Regular Session - Web Outline - Sutter County, California (ig2.com)

Table 4 of the completed traffic study summarizes the existing intersection operations at six study intersections. Applicable intersections for this analysis include the following study intersections:

SR 99 / Reed Road
 SR 99 / Walnut Avenue
 SR 99 / Barry Road
 SR 99 / Oswald Road

Table 4: Intersection Operations – Existing Conditions

Intersection	Traffic Control	Peak Hour	Existing Conditions Delay/LOS
1. SR 99 / Reed Road	SSSC	AM	<1 (41) / A (E)
		PM	<1 (40) / A (E)
2. SR 99 / Walnut Avenue	SSSC	AM	<1 (61) / A (F)
		PM	<1 (49) / A (E)
3. SR 99 / Barry Road	Signal	AM	12 / B
		PM	11 / B
4. SR 99 / Oswald Road	SSSC	AM	2 (29) / A (D)
		PM	3 (105) / A (F)
5. Railroad Avenue / Barry Road	AWSC	AM	8 / A
		PM	9 / A

Notes: LOS = Level of Service. SSSC = Side-Street Stop Controlled. AWSC = All-Way Stop Controlled. Bold indicates exceedance of Sutter County's LOS policy.

1 For signalized and all-way stop controlled intersections, average intersection delay is reported in seconds per vehicle for all approaches. For SSSC intersections, the LOS and control delay for the worst movement is shown in parentheses next to the average intersection LOS and delay. Intersection LOS and delay is calculated based on the procedures and methodology contained in the Highway Capacity Manual 6th Edition (Transportation Research Board 2016). All intersections were analyzed in Synchro.

Source: Fehr & Peers, 2021.

In 2021, the County prepared traffic study concluded three of the study intersections operate below the County's level of service standard. Though level of service, in and of itself is no longer a metric for determining environmental impacts under the California Environmental Quality Act ("CEQA"), deteriorating level of service is an indicator of the creation of traffic safety impacts due to deteriorating traffic operations. Traffic safety hazards continue to be environmental impacts under CEQA. Recycling Industry's traffic study prepared in support of UP 17-05 and DP 17-03 analyzed select intersections within the city limits only and did not analyze potential impacts to the State Highway system around Yuba City or in the region, including potential impacts to these County study intersections due to importing material from outside the Yuba-Sutter area. It should be noted there have been no physical improvements to the County study intersections operating below standard to date; however, Sutter County and Caltrans are working on a project for the future signalization of the intersection of SR 99 and Oswald Road.

In 2023 the Grand Jury determined that "road pavements throughout Yuba City currently require

extensive maintenance and refurbishment to sufficiently provide for critical transportation infrastructure.” The City confirmed the finding and also determined that non-critical transportation infrastructure such as local residential roads required similar levels of maintenance and refurbishment. The Sutter and Yuba County area, including the City, has also experienced unusually significant amounts of precipitation during the last two years, which has hastened the deterioration of roadway conditions. Fragile roadway infrastructure is disproportionately affected by heavy vehicles such as garbage and packer trucks have much higher ESALs (Equivalent Single Axle Loads) than lighter weight cars, having an exponential, not linear, impact on the asphalt. This can mean that a single packer truck can have several thousand times the impact of a typical car or SUV. As a result, increased truck traffic will exacerbate the already compromised streets, and there is potentially a substantial increase in the severity of previously assessed traffic impacts on public infrastructure. This change in circumstances was not assessed in the subsequent Mitigated Negative Declaration.

In addition to traffic impacts, increasing the permitted amount of allowed tonnage of recyclable materials from 100 TPD to 300 TPD may result in new noise and vibration impacts due to the increased number of truck trips traveling to and from the facility. Defined routes have not been established; however, referring to the road intersections analyzed as part of the project's previous traffic study and the intersection of Lincoln Road and Garden Highway, there is a significant amount of existing developed multifamily housing located along Lincoln Road between State Highway 99 and Garden Highway that is not protected from the impacts of noise by sound walls or other mechanisms. Additionally, there are many locations along Garden Highway and Second Street where existing developed single-family homes are not protected from the impacts of noise by sound walls or other mitigation. Increasing the permitted quantity of allowed recyclables from 100 TPD to 300 TPD may significantly exacerbate noise and vibration impacts due to a significant increase in truck trips traveling to and from the Recycling Industries site.

Next, the subsequent Mitigated Negative Declaration assessed hours and days of operation for the project. However, the changes proposed in the project are for earlier times of operation including operations on Sunday as early as 7:00 a.m., with ancillary outdoor operations starting as early as 6:30 a.m. None of these were assessed by the subsequent Mitigated Negative Declaration. As noted above, there are many locations along Garden Highway and Second Street where existing developed single-family homes are not protected from the impacts of noise by sound walls or other mitigation. Increasing the time of early operations, especially during early morning hours and the weekend, may significantly exacerbate noise and vibration impacts. In turn, these impacts may be further exacerbated due to a significant increase in truck trips traveling to and from the Recycling Industries site and the overall volume being processed at the site.

Finally, the subsequent Mitigated Negative Declaration assessed impacts, including odor impacts, based upon green waste being removed within 48 hours of acceptance on the site. The proposed project is proposing to modify the current requirement of green waste being removed within 48 hours to allow for removal at a frequency approved by the local enforcement agency (LEA). This would allow green waste to remain on site longer than 48 hours, which was not a scenario analyzed by the subsequent Mitigated Negative Declaration.

Based upon staff's knowledge and experience, it is reasonably foreseeable the requested modifications may materially change the operations of the transfer station that could result in new significant environmental impacts or an increase in the severity of the potentially significant impacts identified in the MND. However, the applicant has failed to provide any analysis explaining why these operational changes would not require additional environmental review and has consistently maintained the changes proposed were previously analyzed in the environmental document for UP 17-05 and DP 17-03. As such, it appears the environmental analysis for the proposed amendment to UP 17-05 and DP 17-3 is incomplete and inadequate for the purpose of evaluating the reasonably foreseeable significant impacts caused by the proposed changes in the facility's operations.

Evaluation of Findings Necessary to Approve Use Permit

Municipal Code Section 8-5.7003(d) sets forth the six (6) findings that must be made and supported with substantial evidence to approve a use permit. These same findings must be made for any amendment to a previously approved use permit. These findings are:

1. The proposal 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 proposed use.
4. The site design and the size and design of the buildings 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.
6. At least one of the findings in Title 6, Chapter 9, Article 6 of the Municipal Code is satisfied.

Finding 1: The site has a General Plan land use designation of Manufacturing, Processing and Warehousing and is zoned Industrial District (M-2). Use of the site as a transfer station is consistent both with the General Plan land use designation and zoning. Therefore, Finding 1 can be made.

Finding 2: It is unclear whether the site is adequate in size and shape to accommodate the proposed increased operations. The Applicant seeks to increase the tonnage of material that can be received per day from 100 to 300 TPD, extend operations to seven days a week from the current six days per week, and eliminate the current limitation on receipt of putrescible materials to ten (10) percent of total daily tonnage received. Since the City Council did not approve any of these requested changes in 2019, it is unclear as to whether serious consideration was given to the potential impacts and it is unclear whether serious consideration was given as to whether these proposed changes in operations would impact the appropriateness of the size and shape of the site. The Applicant has not provided information specifically addressing this finding in the application package.

Finding 3: Based upon the discussion above, without further analysis regarding the routing and volume of truck traffic associated with the proposed amendments to the use permit, it is unclear whether the streets serving the site are adequate to carry the increased traffic generated by the proposed significant increase in operations as the MND failed to analyze truck traffic traveling more regionally from counties other than the counties of Sutter and Yuba. Therefore, staff believes there is a lack of substantial evidence to support the making of this finding.

Finding 4: The Applicant is not proposing to change the configuration or design of any of the buildings and structures on the site. As such, it would appear this finding is not relevant to the application before the City Council.

Finding 5: Staff is concerned the amendments proposed to Use Permit 17-05 and DP 17-03 in relation to health, safety, peace, comfort, and general welfare of the City. Staff is concerned the combined increase in the permitted daily tonnage, elimination of the restriction on putrescible materials, the allowance of deliveries from packer/collection trucks and the extension of operations to seven days a week may result in increased traffic, increases in conflicts between the packer/collection trucks traveling to the site and other traffic as well as the potential for the site to attract materials from locations outside of Sutter and Yuba counties that have not been analyzed. This could result in increased odors, as well as an increase in the number of trucks traveling to and from the site to

remove the increased amount of materials delivered to the site. In addition, the increased traffic and amount of putrescible materials may significantly increase Greenhouse Gas emissions and other criteria pollutants, including diesel particulate matter and other toxic air contaminants that have not been sufficiently analyzed. The GHG and air quality analysis in the 2019 MND fails to analyze the transfer center operations with all of the proposed changes to its operations. Finally, given that the impacts of the proposed project have not been fully assessed as required by CEQA, there is insufficient evidence in the administrative record that the proposed operation and use will not be detrimental or injurious to the environment, including property and improvements in the neighborhood, as well as to the general welfare of the City and surrounding area.

Finding 6: This finding (sufficient Flood protection) does not appear to apply to this proposed amendment because the Applicant is not proposing to construct a new building or construction that would result in an increase in allowed occupancy for an existing building.

Based upon the information currently available, staff recommends the City Council deny the proposed amendment as staff believes findings 2, 3 and 5 cannot be made at this time.

Evaluation of Findings Necessary to Approve Development Plan Amendment

Municipal Code, Section 8-5.7001(c)(4) sets forth the four (4) findings that must be made and supported with substantial evidence to approve a development plan. These same findings must be made for any amendment to a previously approved development plan. These findings are:

1. 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.
2. The streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.
3. The site design, design of the buildings and the scale of the project will complement neighboring facilities.
4. The application satisfies at least one of the findings found in Title 6, Chapter 9, Article 6 of the Municipal Code.

Staff does not believe Findings 1 and 2 can be made based on the following:

Finding 1: See basis for Use Permit Finding 2, which is incorporated herein as if set forth in full. There is insufficient evidence to support the finding the site for the proposed use, as amended, is adequate in size and shape to accommodate said use, public access, parking and loading, yards, landscaping, and other features required by the Municipal Code.

Finding 2: See basis for Use Permit Finding 3, which is incorporated herein as if set forth in full. There is insufficient evidence to support the finding that the streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.

Fiscal Impact:

Application fees pay for staff time associated with processing entitlement applications.

Alternatives:

The City Council may determine to (1) approve or (2) conditionally approve the application to amend Use Permit 17-05 or (3) direct staff and the Applicant conduct additional environmental review before the City Council considers the amendment application at a future Public Hearing.

Recommendation:

Adopt a Resolution of the City Council of the City of Yuba City denying an amendment to Use Perm 17-05 and Development Plan 17-03 based on the findings contained in the Resolution; Recycling Industries; located at 140 Epley Drive, Assessor's Parcel 54-083-026.

Attachments:

1. Conditions of Approval - Applicant Requested Revisions
2. Approved Site Plan
3. Existing 2019 Environmental Document and MMRP
4. Potential Residential Noise Sensitive Areas
5. Public Comment Received, Brigit Barnes & Associates, Inc.
6. Public Comment Received, Recycling Industries
7. Proposed Resolution

Prepared By:

Doug Libby, AICP
Deputy Development Services Director

Submitted By:

Diana Langley
City Manager

Attachment 1

**PROPOSED MODIFICATION OF USE PERMIT UP 17-05:
EXISTING LARGE VOLUME TRANSFER STATION**

APPLICANT/OWNER: RECYCLING INDUSTRIES, INC.
LOCATION: 140 EPLEY DRIVE
ASSESSOR'S PARCEL NUMBERS: 54-083-026

PROJECT DESCRIPTION:

The applicant is proposing to amend and/or remove certain conditions related to business activities conducted at their existing Large Volume Transfer Station (LVTS) located at 140 Epley Drive. The conditions for UP 17-05 were approved by City Council on February 5, 2019 and are listed below on this document. This proposal to amend or remove certain conditions does not alter any analyzed environmental condition approved under the Subsequent IS/MND for EA 17-10 (2019 MND) and therefore exempts any of these amendments from further environmental review per the California Environmental Quality Act (CEQA).

Below is a list of each condition number to be amended or removed. The strikethrough lettering shows the original condition. Italics lettering shows amended or added language. All amendments and removals are listed in red font

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."
 - a. Insurance – Applicant shall, at a minimum, provide, pay for, and maintain in force at all times during the term of this use under this entitlement adequate insurance for the proposed project as deemed necessary by a third-party waste management field expert as chosen by the Applicant. Any fee incurred by the City to receive the third-party recommendation will be paid by Applicant within 30 days. Such policy or policies shall be without any deductible amount (except as may be expressly authorized by the City), and shall be issued by companies authorized to do business in the state of California shall specifically protect City by naming City as additional insureds on the policies. The Applicant shall forward to the City updated certificates of insurance and endorsement(s) when policies

are renewed or changed. The insurance required shall not be interpreted to relieve the Applicant of any other obligations or conditions of approval. The Applicant shall remain fully liable for all deductibles and amounts in excess of the coverage actually realized.

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~~ 300 tons per day.
4. The facility shall ~~only receive material generated within the Sutter and Yuba Counties~~ *be able to receive material generated within any jurisdiction.*
 - a. Applicant will maintain logs showing location of waste received and shipped and provide copies of such logs once every ninety days to City.
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.~~ *The operator may store tires acceptable to State law and approved by the Cal-Recycle Local Enforcement Agency (LEA).*
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. Green Waste 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. The operator may receive material 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 *receive* refuse/waste from 7am – 5pm, Monday through ~~Saturday~~ *Sunday* with ancillary operations from 6:30am – 9pm, Monday through ~~Saturday~~ *Sunday*. *Other activities within buildings may occur up to 24 hours per day, Monday thru 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 City standards, said noise levels shall be reduced to acceptable levels within 24-hours. Noise levels shall not exceed City standards as measured at the property line.

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 stormwater system. City-approved industrial cleaning facilities shall be specified as approved locations for washing, if such cleaning facilities are incorporated within City limits

QUEUING:

19. All queuing of vehicles must be maintained on the Applicant's property. All employee vehicles must be parked on the Applicant's property.

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. "Public right of way" shall include Epley Drive, Garden Highway, Putman Avenue, Burns Drive, Hasset Avenue, and any alleys over which a public right of way has been retained.

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. During construction, contractor vehicles must be parked on Applicant's property, except to the extent to accommodate concrete, paving and asphalt work occurring on the property. Such work will be completed within 60 days, unless expressly approved by the Public Works director.
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 shall

periodically publish these laws and operation hours in mailings postings, pamphlets or any advertisement, electronic or otherwise.

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. Prior to use of the new building, 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 technical amendments to the project Transfer Processing Report that do not alter any Conditions of Approval, as necessary to accommodate final approval from the State of California.
 - b. Any requests for modifications must be submitted to City Council for approval, if consistent with City Ordinances then in effect. Authorize the Community Development Director (or his designee) to provide all necessary approvals, which do not modify the conditions, 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 ensure 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. Prior to the issuance of a building permit, 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. Prior to obtaining final occupancy approval, 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.
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.

Additional Conditions

59. ~~PROJECT DEADLINES: To prove good faith in completing this project in a timely manner, and to acknowledge that time is of the essence, the applicant must commence construction by March 31, 2020, and be substantially complete within 18 months of commencement. Failure to comply with either deadline will void modification of this Use Permit. Substantially complete is defined by City Code.~~

~~60. FUTURE USE PERMIT MODIFICATIONS AND EXTENSIONS:~~

- a. ~~Given the repeated extensions of Use Permit 12-01, the City advises the Applicant future attempted modifications of this Use Permit will be, if consistent with City Ordinances then in effect, submitted to the City Council for review.~~
- b. ~~Additionally, if the Applicant fails to meet project deadlines outlined in Condition 59, the previous Use Permit 12-01 will not be eligible for extension and will expire if not effectuated.~~
- c. ~~City staff must notify Stop the Dump of the receipt of any applications for modification of this Use Permit when received and afford STD a minimum of 20 days to respond and request the opportunity to reply. Notice is presumed to have been properly provided to STD if mailed, emailed, faxed, or personally delivered to:~~

~~Bridgit Barnes, Esq.
Brigit S. Barnes & Associates, Inc.
3262 Penryn Road, Suite 200
Loomis, CA 95650
Tel: 916-660-9555
Fax: 916-660-9554
Email: bsbarnes@landlawbybarnes.com~~

In total, nine of the sixty conditions are being amended or removed. Below is a description of the reasoning for the request to amend or remove these conditions:

- Condition #3: The operator is seeking to obtain the limits as approved in 2019 MND. This condition as amended has been analyzed and is exempt from further environmental review. See Sections 1.2 of the 2019 MND.
- Condition #4: The operator has business opportunities to receive material originating outside of Yuba and Sutter County. The condition should be removed so as to allow the operator to grow its business. The 2019 MND did not include a limitation on where the material could be sourced. As such, this change is covered by the scope of the 2019 MND. See Section 7 of the 2019 MND.
- Condition #5: The 2019 MND already analyzed the results of removing this condition. The 2019 MND contains mitigations measures for the operator to use, such as shipping out potentially odorous material within 48-hours of receipt at the site. Therefore removing this condition is exempt from further environmental review. See Sections 3e of the 2019 MND.
- Condition #7: The operator is not always able to store tires in a 40-yard container. Instead the operator stacks tires on pallets and stores tires according to state law. State law restricts the number of tires stored on-site to approximately 499 tires. In addition, state law prescribes acceptable methods of storage, record keeping and disposal (See Title 14 CCR Section 17350 – 17359). The operator is a licensed Tire Collection Site. The Tire Enforcement Agency inspects the site according to state law. The 2019 MND did not include any limitation on how to store tires. This condition as amended does not require further environmental review.
- Condition #10: The operator requests to receive all materials as analyzed in the 2019

MND. The 2019 MND analyzed the impacts of allowing packer trucks to transport materials to the Facility. Therefore, the 2019 MND covers this proposed amendment to the CUP and is exempt from further environmental review. See Section 1.2, 3, 7 & 12 of the 2019 MND.

- Condition #12: Amending this condition allows the operator the latitude to modify its hours with approval from the LEA as long as the hours of operation are consistent with what was analyzed in 2019 MND. This condition as amended was analyzed in 2019 MND and does not require any additional environmental review. See Section 12 of the 2019 MND.
- Condition #59: The requirements of this condition have been completed. Therefore, this condition should be removed.
- Condition #60: This condition was requested for reasons noted in #60a and #60b. Specifically, this condition was added in case an “extension” was filed or if the operator had failed to complete the project in a timely manner. Since both conditions were completed, no further notification should be needed to this group. Any further amendments to the conditions of approval will be noticed to the public according to state law.

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 Zoning District. It is noted that in addition to being required to comply with local regulations and requirements, the Recycling Industries Transfer Station (RITS) must also comply with all applicable State statutes & regulations and other agency requirements. As a LVTS, this facility is inspected by the Yuba-Sutter Local Enforcement Agency on a minimum monthly basis, with enforcement-empowered corrections ordered for all conditions that do not meet State standards for human and environmental health. Additional details regarding the applicable State and local agency requirements are provided in the *Environmental* section below.

General Plan Designation:

Manufacturing, Processing, and Warehousing.

Zoning Classification:

Industrial District (M-2).

Property Description:

The project site is located at the southwest corner of Epley Drive and Putman Avenue. There are seven existing metal buildings and existing improved surface upon APN 54-083-26. Street improvements (curb, gutter and sidewalk) exist along the Epley Drive and Putman Avenue frontages of this parcel, together with existing street shade trees and frontage landscaping. The

site is complete with respect to all construction requirements evaluated for DP 17-03. No modifications are being requested to DP 17-03 as part of this application.

Surrounding Land Use:

Undeveloped industrial land which is utilized for the truck storage business is located immediately north of the site across Epley Drive. Escalara Manufacturing is located across Epley Drive to northwest of the site, and Unity Forest is located across Epley Drive to northeast of the site. To the east, across Putman Avenue, are multiple industrial businesses including: Andean Foods, a truck repair site; and, North State Tire/ Bandag Repair. Immediately to the west of the project site is a heavy industrial use by Hilo Erectors, and to the immediate south of the site is a parcel under construction as a truck storage yard, which separates the project from the Kingsbury Bearings industrial business located further to the south.

All parcels within 1,000 feet of the project site are zoned M-2 (Industrial District). The nearest residentially zoned or residentially occupied property is over 1,850 feet to the west of the project site boundary.

Previous Planning Commission & City Council 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 389 Wilbur Avenue to the subject property at 140 Epley Drive.

On July 23, 2014, the Planning Commission adopted a Mitigated Negative Declaration (File # EA 12-02) and approved a Use Permit (File # UP 12-01) to approve the LVTS upon the subject property at 140 Epley Drive, subject to certain conditions of approval.

On August 24, 2016, the Planning Commission granted a 2-year extension for Use Permit UP 12-01 for completion of development of the LVTS upon the subject property at 140 Epley Drive subject to compliance with all conditions and/or mitigation measures as approved by the Planning Commission on July 23, 2014.

On November 18, 2018, the Planning Commission adopted the Subsequent IS/MND for EA 17-10, which states that with the recommended mitigation measures, the proposed modification of UP 12-01 would not create any significant environmental impacts. The Commission also approved DP 17-03 and UP 17-05 with a total of 58 conditions that enabled RI to modify its three-acre Large Volume Transfer/Processing Solid Waste Facility and add an additional 1-acre parcel.

Following an appeal of the Planning Commission's November 18th approval UP 17-05 & IS/MND EA 17-10, the City Council conducted a hearing on January 15, 2019 and February 5, 2019. The City Council adopted a Resolution denying the appeal, and approving and adopting the Subsequent Initial Study/Mitigated Negative Declaration EA 17-10 for the project and Use Permit 17-05. In addition the City Council added modified the conditions of approval to a total of 60 conditions.

Environmental:

A Mitigated Negative Declaration (EA 12-02) was prepared for the UP 12-01 project.

In addition to complying with all applicable local ordinances and requirements, the UP 12-01 project further complied with applicable State standards requirements for solid waste management facilities. The LVTS considered in EA 12-02 is required to meet the State standards for solid waste handling as promulgated within the California Code of Regulations (CCR), Title 14. The Yuba-Sutter Local Enforcement Agency (LEA) is responsible for ensuring that the design and the ongoing operations of this project is in compliance with all applicable State-mandated requirements within the aforementioned regulations. Facility inspection by the LEA is at a minimum monthly frequency, and items which are not conforming to State standards must be corrected under penalty of enforcement. The modified project continues and enhances compliance with these State standards, other state and local agency requirements, and all applicable local ordinances.

As part of the State-mandated requirements of CCR Title 14, the applicant is required to prepare a *Transfer/ Processing Report* (TPR) which details how the proposed RITS will comply with all statutes, regulations and standards/ requirements (State, City, and local agencies) by fully describing the RITS operations, and providing engineered designs for purposes including the protection of human health and safety and the environment. An amended TPR is being prepared for the RITS to this end for the modified project.

In addition to the LVTS being subject to compliance with the provisions Title 14 CCR under the enforcement authority of the Yuba-Sutter LEA, the following regulatory requirements also apply to the 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 solid waste transfer station on the subject property. This is, in part, required to ensure conformance with the Regional Integrated Waste Management Plan. The Integrated Waste Management Plan is required by AB 939 and includes a Source Reduction and Recycling Element (SRRE) and a Non-Disposal Facility Element (NDFE) which identify how the City will comply with AB 939 recycling and diversion mandates and reduce solid waste disposal in landfills. The site operates under UP 17-05
- **Non-Disposal Facility Element** - The Regional Waste Management Authority (RWMA) has amended the NDFE to include the RITS facility. The amendment to the RWMA's NDFE for this LVTS was completed in September 2014, and is based the consistency of recycling/ diversion rates of the RITS facility with the Integrated Waste Management Plan adopted by RWMA, and a facility design capacity of up to 500 TPD. The UP 17-05 project is consistent with the NDFE amendment adopted by RWMA during September 2014.
- **Storm Water Permit** - The facility maintains compliance with the State Water Resources Control Board (SWRCB) General Industrial Storm Water Permit (NPDES) program as administered by the Regional Water Quality Control Board, Central Valley Region (RWQCB). A Storm Water Pollution Prevention Plan (SWPPP) and Monitoring Plan have been developed for the RITS facility by a qualified professional. Best Management Practices (BMPs) set forth within the SWPPP for control of stormwater discharge quality, together with sampling and analysis of stormwater, is performed as required for the General Industrial NPDES program,

and evaluated for effectiveness and modified as warranted on a minimal annual basis. The RITS is subject to periodic unannounced inspections by RWQCB enforcement staff to ensure that all elements of these stormwater programs are current, and that BMPs are being implemented and periodically evaluated for efficacy.

- **California Division of Recycling 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.
- **Hazardous Waste Generator ID Number** - The RITS does not generate over 250 gallons of hazardous waste per year. Operating under this threshold, the facility is not required to obtain a Hazardous Waste Generator ID Number from the California Department of Toxic Substances Control.
- **Solid Waste Facilities Permit** – A Solid Waste Facilities Permit (SWFP) for the UP 12-01 project was recommended for issuance by the Yuba County Community Services Department, Environmental Health Division (also the Sutter County LEA) on 13 March 2015, with concurrence by CalRecycle granted on 27 March 2015 (SWFP No. 51-AA-0008). Changes to any solid waste facility permitted acreage, layout, nature and quantity of waste materials received by the facility, changes to facility capacity, changes to facility traffic, and similar operational attributes for a LVTS must first be set forth in detail within an updated TPR submitted to the LEA, thence to CalRecycle for amended permit concurrence.

In compliance with the requirements of CEQA, a Mitigated Negative Declaration was prepared for the UP 12-01 project (EA 12-02), which was routed to the State *Office of Planning and Research, State Clearinghouse and Planning Unit* (SCH# 2014052082). The public review period for this Mitigated Negative Declaration began on May 23, 2014 and closed on June 25, 2014. A Subsequent IS/MND was prepared for UP 17-05 (EA 17-10). This Subsequent IS/MND was routed again to the State *Office of Planning and Research, State Clearinghouse and Planning Unit* (SCH# 2014052082). The public review period closed on November 6, 2018. City staff received several responses from agencies, and a concerned citizens group represented as “Stop the Dump.” All comments and concerns were addressed and mitigated in EA 17-10.

MODIFIED PROJECT SUMMARY:

Provided below is the applicant’s evaluation of the criteria which may be required by Yuba City in order to approve the use permit modification.

This proposal is intended to be consistent with the General Plan.

The property is zoned M-2, Industrial District, which is consistent with the existing General Plan designation of Manufacturing, Processing, and Warehousing. With UP 17-05, the City determined that the M-2 District allows recycling and collection facilities, including a LVTS, subject to the issuance of a Use Permit by the Planning Commission.

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 City Ordinance.

The applicant is not requesting any change to the size and shape of the site.

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

The applicant is proposing to amend conditions that will not affect any approved traffic generated at the site.

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

The applicant is not making requesting any site changes with respect to design or size of buildings.

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.

The applicant's request to modify conditions does not alter any existing environmental review under IS/MND 17-10. No further environmental review is required as part of this application.

City staff determined (with UP 17-05 evaluation) that the project site is highly suited for a LVTS. Staff noted that surrounding uses are industrial in nature and the operation of the LVTS facility in this location is not detrimental or injurious to property or improvements in the neighborhood. Per State regulations, the TPR required for the LVTS must incorporate numerous components to ensure the facility has been designed, and the facility will be operated, in compatibility with the surrounding properties. Some of these components which are mandated by the State's solid waste facilities permitting process include the following items:

Station Controls Plan which addresses through engineered controls: fugitive nuisance dust control measures; vector control measures to prevent insects and mammals from potentially posing a threat to human health or environmental health or from becoming nuisances; Litter prevention & litter control measures; Noise control measures for station operations; Odor control measures; and Traffic control measures.

Records and Reporting which details maintenance of written records (daily operating records inspected by the LEA) as well as mandatory reporting for the operation of the LVTS. These include: employee training and health & safety program records; Facility self-inspection records; Hazardous waste discovery incident response & materials disposition records; and Detailed public complaint records including agency notification for complaints received directly by the facility together with resolution for all complaints. Daily operating records must include customer vehicle count, customer origin, material weight/ volume records (received and shipped) and time of opening and closing of the facility to customers.

As discussed in the *Environmental* section above, and since the proposed project is a LVTS, the Yuba-Sutter Local Enforcement Agency is, and will continue to be, responsible for inspecting the modified project for compliance with all applicable State and local agency regulations and requirements. The LEA is also responsible for enforcement of all local restrictions and mandates placed on the proposed use which includes all key elements to ensure the compatibility of the LVTS use with the surrounding properties. Through this LVTS inspection process, which is conducted by the LEA on a minimum monthly frequency, the City may require that records of operations pursuant to the modified proposal be inspected by the LEA for compliance with a variety of conditions, such as:

- The LVTS is operating within the days and hours permissible;
- The LVTS is not accepting any hazardous wastes (except for electronic waste);
- The LVTS is accepting only material approved by the local jurisdiction;
- The facility is limiting materials receipt to 300 tons or less per day; and
- The facility average daily traffic count is 238 vehicles per day or less.

All of the above restrictions for the modified project shall be included in the amended Transfer/Processing Report (TPR), which binds these conditions to enforcement by the LEA, in addition to the Ordinance enforcement authority of the City.

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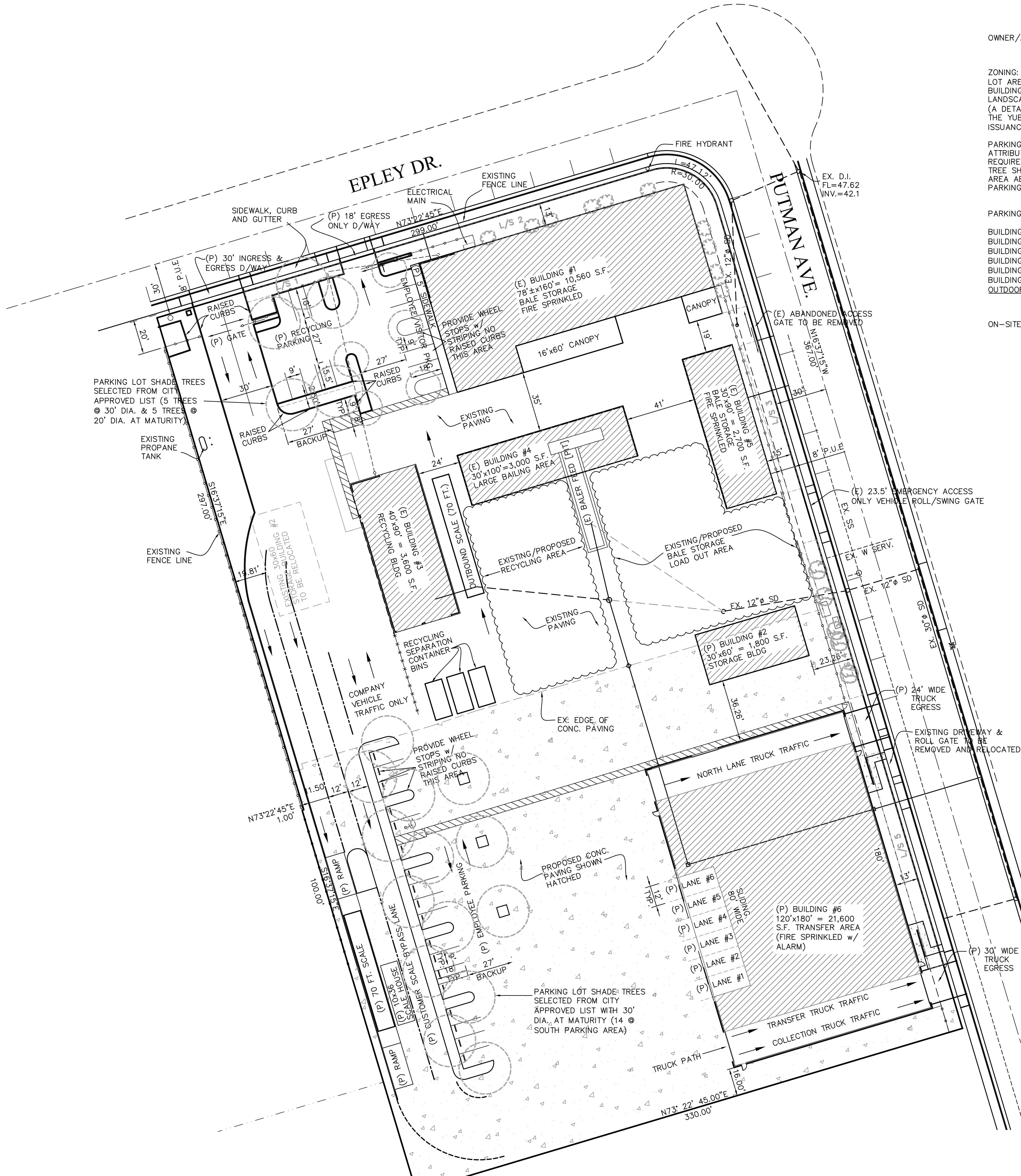
1 OF 2

SCALE: 1" = 5'

1 OF 2



Attachment 2



SITE INFORMATION

OWNER/APPLICANT: KUHNEN FAMILY LIMITED PARTNERSHIP
3300 POWER INN ROAD
SACRAMENTO, CA 95826

ZONING: M-2
LOT AREA: 173,464 SQ. FT. (3.98 ACRES)
BUILDING AREA: 43,260 SQ. FT.
LANDSCAPED AREA: 6,100 SQ. FT.
(A DETAILED LANDSCAPE PLAN SHALL BE SUBMITTED, REVIEWED, AND APPROVED BY THE YUBA CITY COMMUNITY DEVELOPMENT SERVICES DEPARTMENT PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.)

PARKING AND BACKUP AREA ATTRIBUTED TO SHADING REQUIREMENTS: 13,881 SQ.FT.
TREE SHADING PROJECTED INTO AREA ABOVE: 7,124 SQ.FT.
PARKING LOT TO BE SHADED: 51%

PARKING REQUIRED:

BUILDING 1: (10,560 S.F. STORAGE) 1/2000 S.F. GFA = 5.28 SPACES
BUILDING 2: (1,800 S.F. STORAGE) 1/2000 S.F. GFA = 1.0 SPACES
BUILDING 3: (3,600 S.F. RECYCLING) 1/500 S.F. GFA = 7.2 SPACES
BUILDING 4: (3,000 S.F. WAREHOUSE) 1/2000 S.F. GFA = 1.5 SPACES
BUILDING 5: (2,700 S.F. STORAGE) 1/2000 S.F. GFA = 1.35 SPACES
BUILDING 6: (21,600 S.F. INDOOR TRANSFER AREA) 1/2000 S.F. GFA = 10.8 SPACES
OUTDOOR USE AREA = 2 ACRES @ 0.5 SPACES/ACRE = 4 SPACES

TOTAL PARKING REQUIRED = 32 SPACES
ON-SITE PARKING PROVIDED: 36 SPACES

ABBREVIATIONS

- (E) EXISTING
- (P) PROPOSED
- (F) FUTURE
- A/C AIR CONDITIONING
- BLDG. BUILDING
- DW DRIVEWAY
- ESMT. EASEMENT
- ELEV. ELEVATION
- FF FINISHED FLOOR
- L.S. LANDSCAPING
- PVMT. PAVEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY

GENERAL NOTES

1.) EMERGENCY ACCESSES SHALL BE PROVIDED WITH KNOX BOXES.

REVISIONS		
A		
B		
C		
D		
E		

VERIFY SCALE BAR IS ONE INCH ON ORIGINAL DRAWING
0 1" IF NOT ONE INCH ON THIS SHEET, ADJUST SCALE(S) ACCORDINGLY

PROPOSED FACILITY EXPANSION FOR:
RECYCLING INDUSTRIES
140 EPLEY DR. YUBA CITY, CA 95991
APN: 054-083-023 & 014

LAUGHLIN and SPENCE
CIVIL ENGINEERS & SURVEYORS
1008 Live Oak Boulevard
Yuba City, California 95991
(530) 671 1008
fax (530) 671 0822



Date 10-19-18
Scale 1" = 30'
Drawn SMJ
Job 183413
Sheet

C1
Page 1 OF 3

SITE PLAN

Attachment 3

RECYCLING INDUSTRIES TRANSFER STATION USE PERMIT REVISIONS

DRAFT SUBSEQUENT INITIAL STUDY/MITIGATED NEGATIVE
DECLARATION

STATE CLEARINGHOUSE (SCH) # 2014052082

Prepared For:

City of Yuba City
1201 Civic Center Blvd.
Yuba City, CA 95993

Prepared By:

Clements Environmental
15230 Burbank Boulevard, Ste. 103
Sherman Oaks, California, 90401

October 2018

SECTION 1.0 INTRODUCTION

1.1 PURPOSE OF THE SUBSEQUENT INITIAL STUDY

The California Environmental Quality Act (CEQA) (California Public Resources Code §21000 et seq.) and the CEQA Guidelines (Title 14, California Code of Regulations §15000 et seq.) require that a government agency analyze the potential changes to the environment that would accompany implementation (including construction and use) of a project and that these environmental impacts be disclosed to decision makers and the public prior to project approval. In addition, measures to reduce or avoid any significant impacts should be incorporated into the project. Comments received during an open house held by Recycling Industries on June 26, 2018, are also incorporated into this initial study.

The City of Yuba City Development Services Planning Division prepared Environmental Assessment (EA) 12-2 to analyze the impacts associated with construction and operation of a Large Volume Transfer Station with a maximum throughput of 100 tons per day (TPD) of mixed waste and recyclables. On July 23, 2014, the City Planning Commission approved UP 12-01 with conditions and adopted a Mitigated Negative Declaration (MND). Conditions of approval included:

- A 10 percent cap on the amount of putrescible material of all material collected,
- A prohibition on packer trucks bringing garbage to the facility; and,
- Operations to be conducted on a 3-acre site.

On July 24, 2014, a Notice of Determination (NOD) was filed with the State Clearinghouse (reference SCH #2014052082). A Solid Waste Facility Permit (SWFP) 51-AA-0008 has been issued by the Yuba-Sutter County Local Enforcement Agency (LEA) and the California Department of Resources Recycling and Recovery (CalRecycle) for a maximum throughput of 100 TPD. On June 13, 2018, the City of Yuba City Planning Commission granted a two-year extension for Up 12-01 which will now expire on July 23, 2020.

The facility operator, Recycling Industries (RI), is permitted to operate as a Large Volume Transfer Station that can accept 100 TPD of mixed recyclables and solid waste with a cap of 10 percent putrescible material of all material collected. Solid waste can include garbage from self haul vehicles, commercial box vans and roll-off trucks. As conditioned, the facility is not permitted to receive packer trucks with garbage. Only self-haul loads which can include are allowed at the facility.

RI is proposing to modify UP 12-01 and obtain a revised Large Volume Transfer/Processing SWFP to:

- Accept up to 300 tons per day (TPD) of solid waste and recyclable materials from 100 TPD;
- Allow material to be delivered to the facility in commercial packer/collection trucks;
- Remove 10 percent limitation on putrescible material;
- Expand the site from 3 acres to 4 acres; and,
- Increase the transfer and processing building from 18,000 square feet to 21,600 square feet.

The additional tonnage would be from residential and commercial franchise collection routes within Yuba City (City) if RI is a successful partner in pending procurement for these franchise services. It should be noted that there is currently under 200 TPD of solid waste generated in the City, however, growth forecasts show solid waste generation increasing to 300 TPD by the year 2030.¹

In addition to the Mitigation Measures (MMs) included as part of the MND, the City also relied on the Regulatory Requirements (RRs) set forth under Title 14 of the California Code of Regulations (CCR) which establish “Minimum Standards” for solid waste handling facilities and delegates CalRecycle and LEA with permitting, compliance and inspection responsibilities. The RR set forth in Title 14 and contained in the RI Facility Processing Report (FPR), dated December 2011, were made part of the UP and MND. During the public review process, staff received comments from affected agencies that were classified as advisory in nature.

While the impacts of operating a 100 ton per day (TPD) large volume solid waste facility were previously analyzed by the City, the impacts associated with proposed project revisions could result in new environmental impacts that were not analyzed in the previous IS/MND. Thus, this Subsequent IS uses the information and analysis in the previous RI IS/MND that remain relevant to the project, and where necessary, discusses the impacts of the proposed project that are different than the impacts discussed in the previous IS/MND. The focus of a subsequent IS/MND is limited to identifying revisions to the approved project, new information and changed circumstances that creates a new or more significant impact than was evaluated in the original IS/MND. In addition, this Subsequent IS identifies RR and MMs in the previous IS/MND that remain applicable to the proposed project.

The City, as the lead agency, is responsible for completing the environmental review process, as required under CEQA and the CEQA Guidelines, and that has authorized the preparation of this Initial Study by Clements Environmental with the understanding that the Initial Study would be peer reviewed by a third party consultant chosen by the City. Written and verbal comments received during an open house held by RI on June 26, 2018, have also been incorporated into this Initial Study.

Section 15063(c) of the CEQA Guidelines identifies the purposes of an IS as follows:

1. To provide the Lead Agency with information to use as the basis for deciding whether to prepare an environmental impact report (EIR) or a Negative Declaration;
2. To enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration;
3. To assist in the preparation of an EIR, if one is required, by focusing the EIR on the effects determined to be significant, identifying the effects determined not to be significant, explaining the reasons for determining that potentially significant effects would not be significant, and identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project’s environmental effects;
4. To facilitate environmental assessment early in the design of a project;

¹ “Final: Transfer Station, Material Recovery Facility and Fleet Storage and Maintenance Facility Feasibility Study” prepared by TetraTech/BAS (12/2013).

5. To provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;
6. To eliminate unnecessary EIRs; and
7. To determine whether a previously prepared EIR could be used with the project.

1.2 SUMMARY OF PROJECT IMPACTS

This Initial Study (IS) has been prepared by Clements Environmental on behalf of the lead agency, the City of Yuba City, for proposed modifications to the Recycling Industries Transfer Station (RITS) Use Permit (UP) 12-01 and Environmental Assessment (EA) 12-2 for a Large Volume Transfer Station with a maximum throughput of 100 tons per day (TPD) of mixed waste and recyclables.

The City Planning Commission approved UP 12-01 with conditions and adopted a Mitigated Negative Declaration (MND) on July 23, 2014, and a Notice of Determination (NOD) was filed with the State Clearinghouse (reference SCH #2014052082) on July 24, 2014.

The proposed project would modify UP 12-01 to:

- Increase the maximum throughput from 100 TPD to 300 TPD of mixed waste and recyclables;
- Remove the 10% putrescible waste limit condition in UP 12-01. This removal will allow RI to receive waste that might contain more than 10% putrescible waste;
- Allow packer trucks to bring garbage to the Recycling Industries' Large Volume Transfer Station. Packer trucks are waste collection vehicles such as rear loaders, side loaders and front loaders. They are used primarily for the collection of waste that will be delivered to a disposal site for transfer, reprocessing, treatment or a landfill. These trucks are equipped with mechanized compaction abilities that allow the waste to be compressed or densified, thus allowing for greater route efficiencies. In the Yuba Sutter Area, the current waste hauler uses front-loaders and side loaders as commercial compaction vehicles;
- Disallow packer trucks to deliver source separated residential and commercial green waste to the RITS;
- Expand the project site area from three (3) to four (4) acres through the addition of Assessor's Parcel 54-083-15;
- Add an inbound truck scale and modular scale-house/weighmaster office (approximately 700 square feet);
- Add, modify and abandon driveways;
- Relocate onsite an existing 1,800 square foot metal building that had been slated for demolition;
- Expand the proposed transfer and processing building from 18,000 square feet to 21,600 square feet and,
- Merge APN 54-083-015 with APN 54-083-014.

1.3 PROJECT TITLE

Recycling Industries Transfer Station Revised UP 12-01 for a Large Volume Transfer/Processing Facility.

1.4 LEAD AGENCY

City of Yuba City Planning Division

1.5 PRIMARY CONTACT PERSON

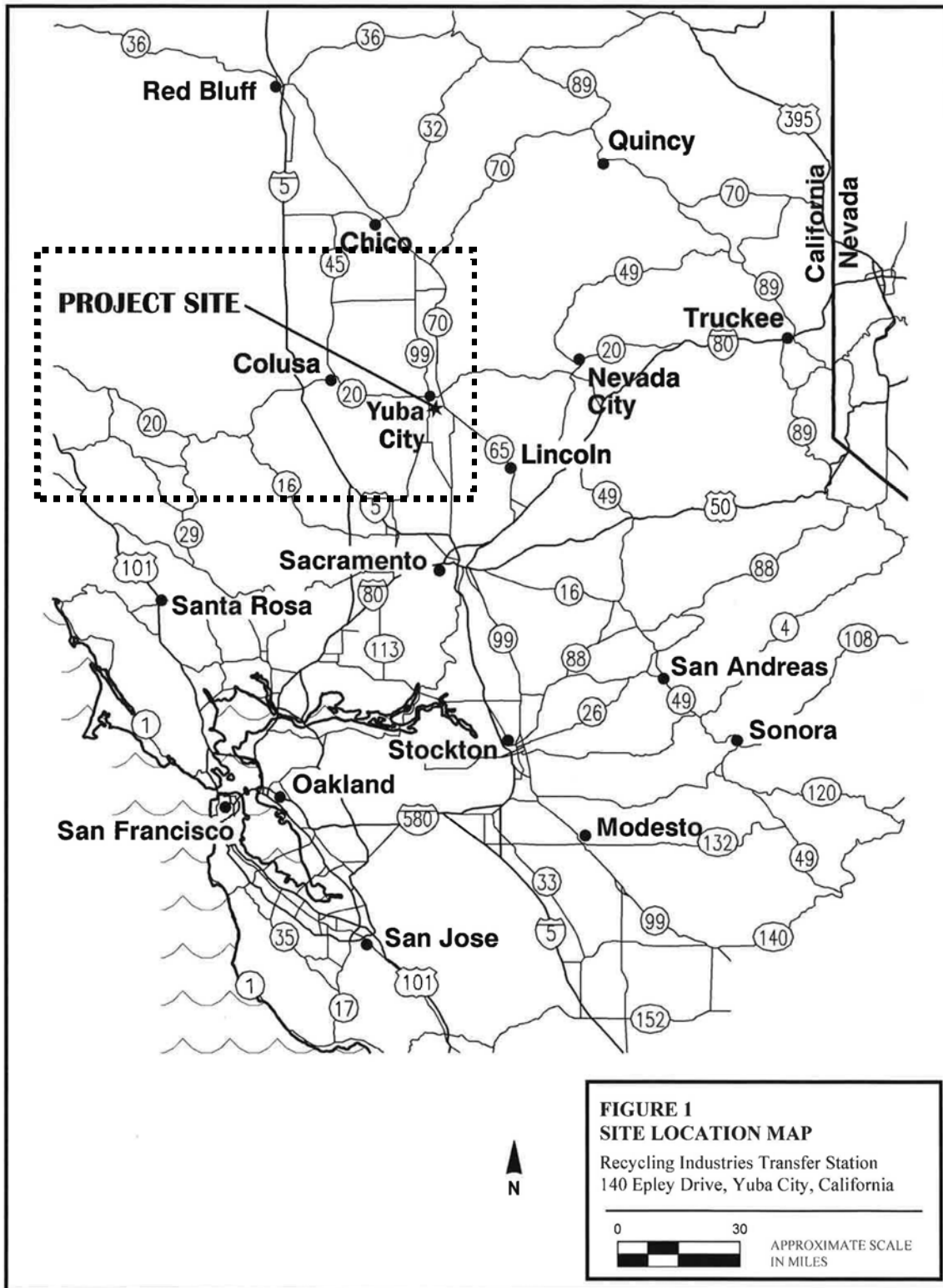
Mr. Arnolando Rodriguez, AICP, Development Services Director
City of Yuba City
1201 Civic Center Blvd.
Yuba City, CA 95993

1.6 PROJECT LOCATION

The project site is located in the City of Yuba City as shown on the Regional Vicinity Map (**Figure 1**) at 140 Epley Drive within Garden Highway Industrial Park. Major roads providing access to the facility include Lincoln Road, Bogue Road Garden Highway, Epley Drive and Burns Drive.

The operations currently permitted under UP 12-01 and SWFP 51-AA-008 occur on two contiguous parcels under the same land ownership. The parcels are referred as Sutter County Assessor's Parcel Number (hereinafter "APN") 54-083-014 and APN 54-083-023, which occupy approximately three acres. The proposed project would add the adjacent vacant, one-acre parcel to the south (APN 54-083-015) for a total site area of approximately four acres.

FIGURE 1 – REGIONAL VICINITY MAP



The Site is located approximately 0.55 miles south-southwest of the Sutter County Airport runway (at closest Site property line) and is within the Overflight Zone of this Airport (Airport Land Use Commission, 1994). **Figure 2** shows a Vicinity Map and **Figure 3** shows an Aerial Map of the project area.

Existing buildings, parking, access, as well as other relevant existing site features and improvements associated with the current RI facility are shown on **Figure 4, Existing Plan**. Existing buildings on site will be retained under the proposed project with an 1,800 square foot metal building (Building #2) relocated. The proposed project improvements are shown in **Figure 5, Proposed Site Plan**.

The RITS is located at 140 Epley Drive in the City of Yuba City in an industrial area of the Yuba City, and the property is zoned M-2. The RI facility is located on the south side of Epley Drive 1,900 feet east of Garden Highway and north of Burns Dr. The facility is located on approximately three (3) acres, zoned M-2 for heavy industrial and surrounded by compatible industrial/manufacturing land uses.

FIGURE 2 – VICINITY MAP

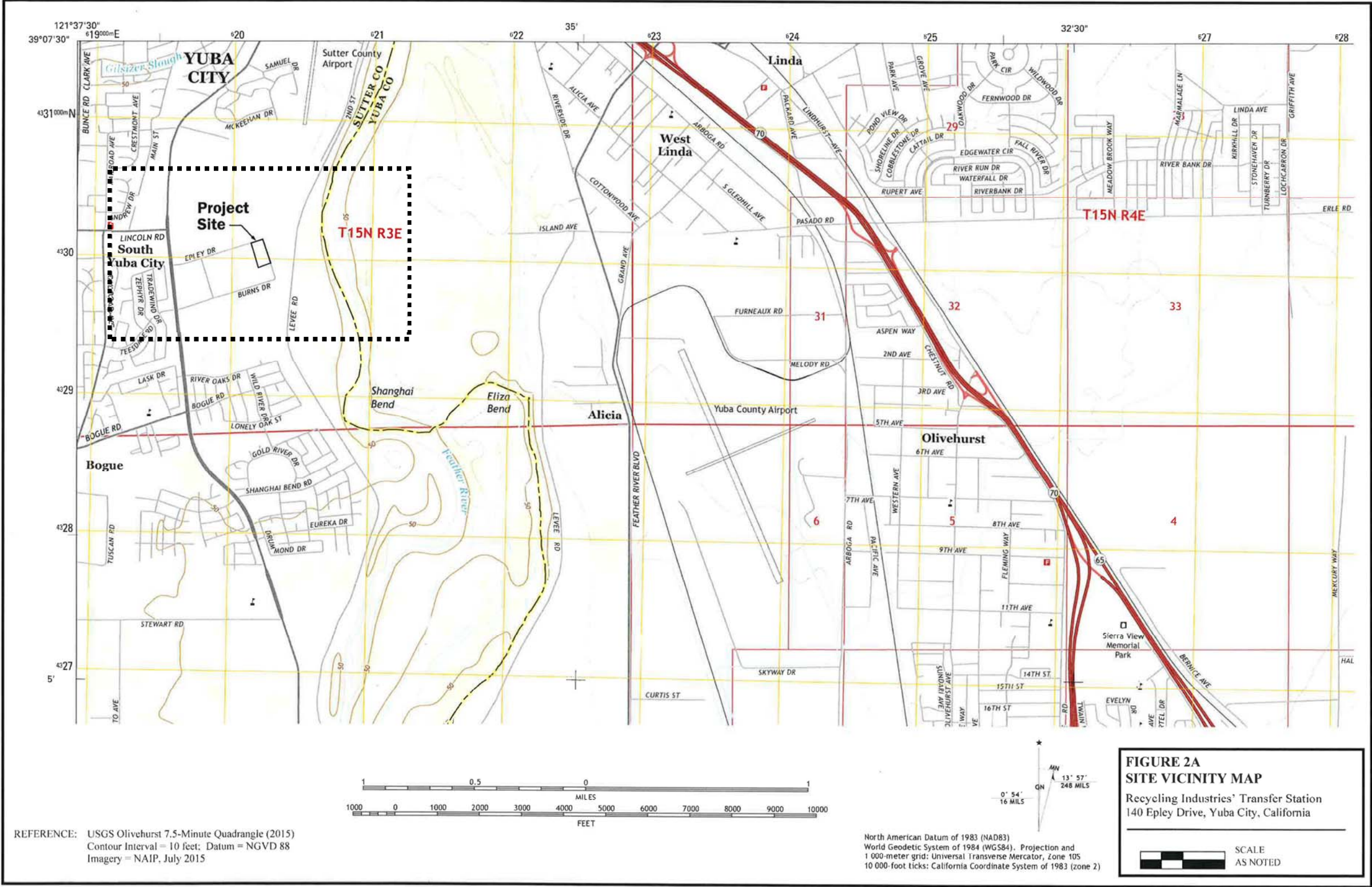


FIGURE 3 – AERIAL PHOTOGRAPH

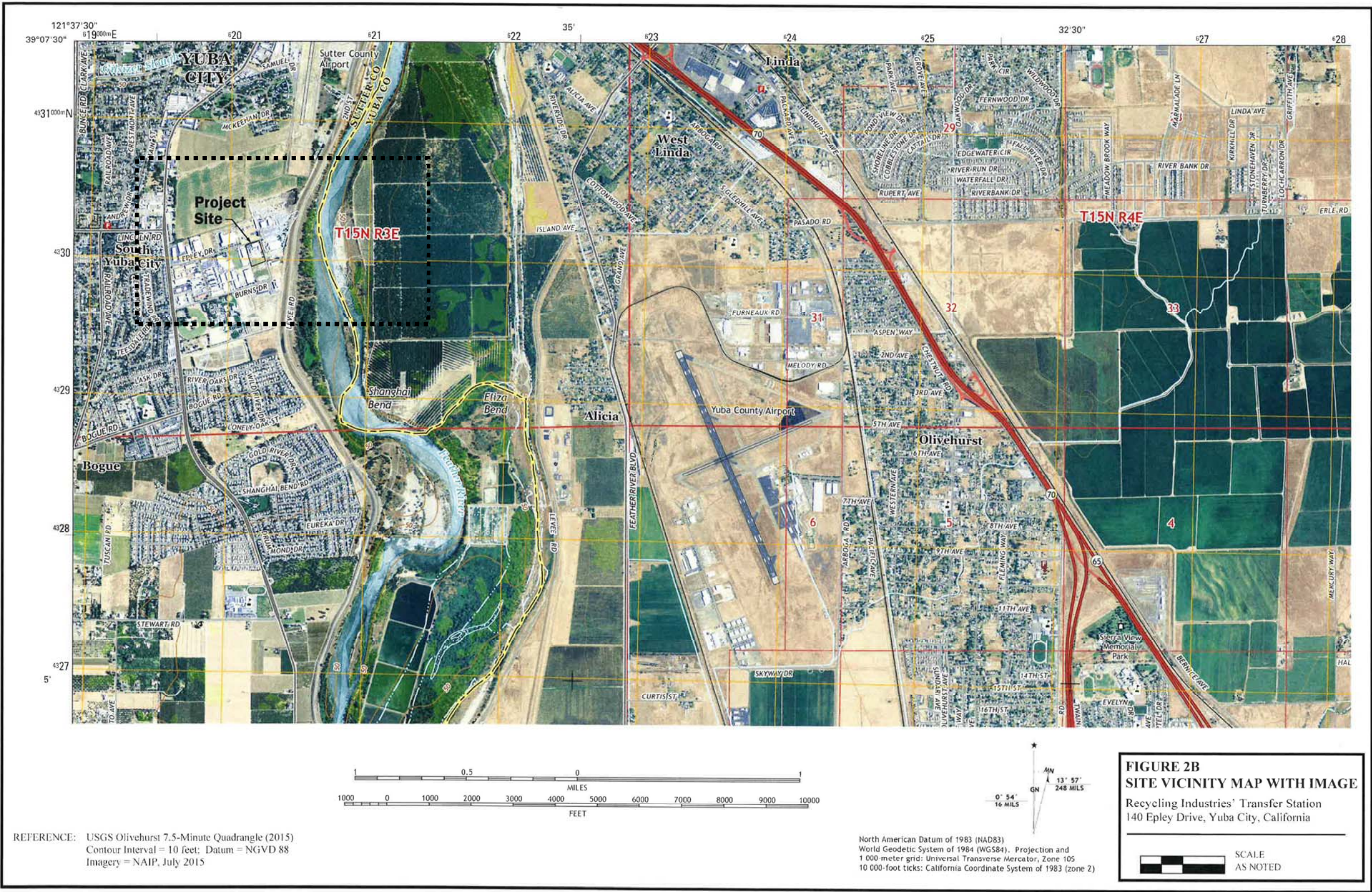


FIGURE 4 – EXISTING SITE PLAN

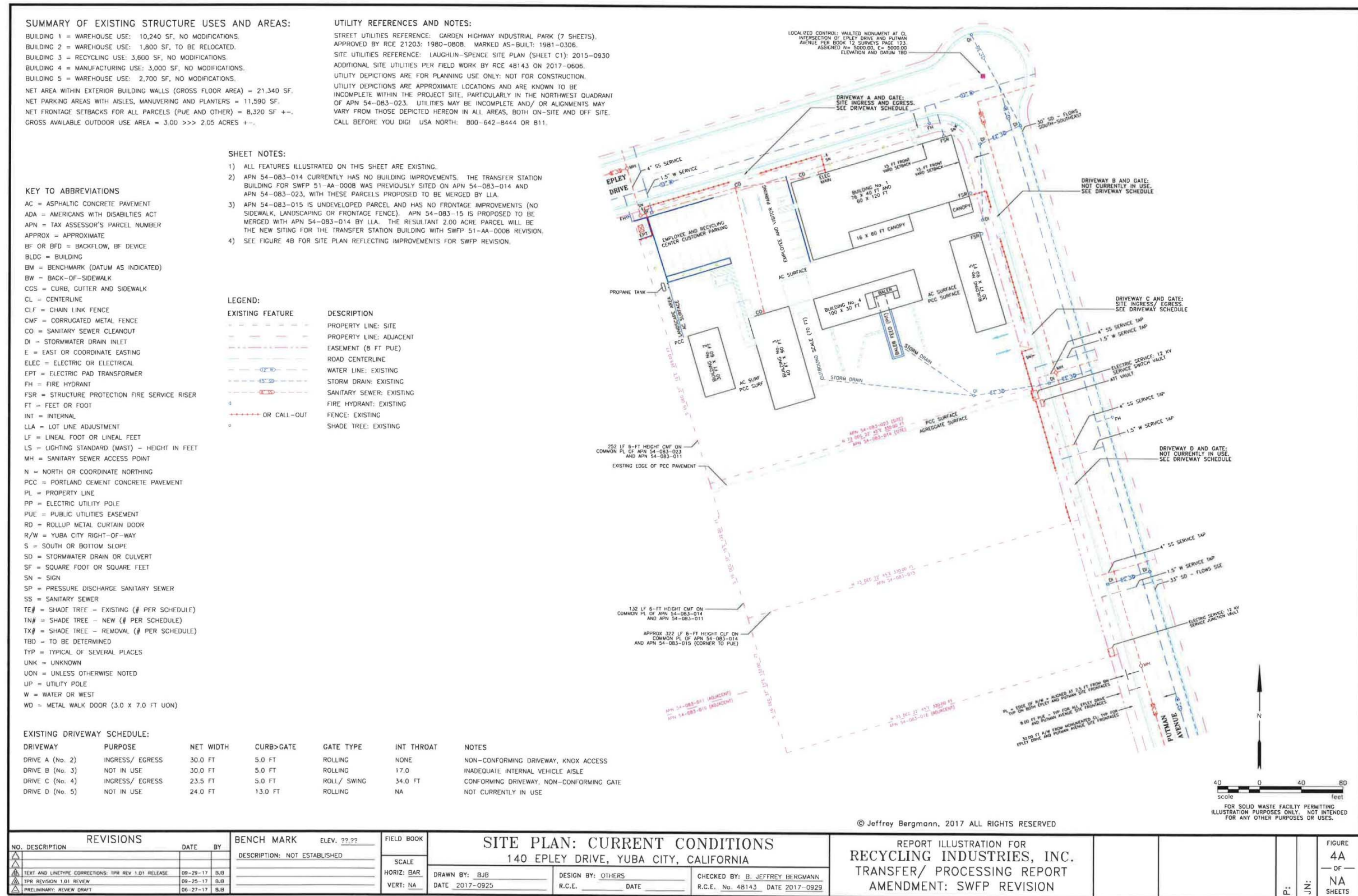
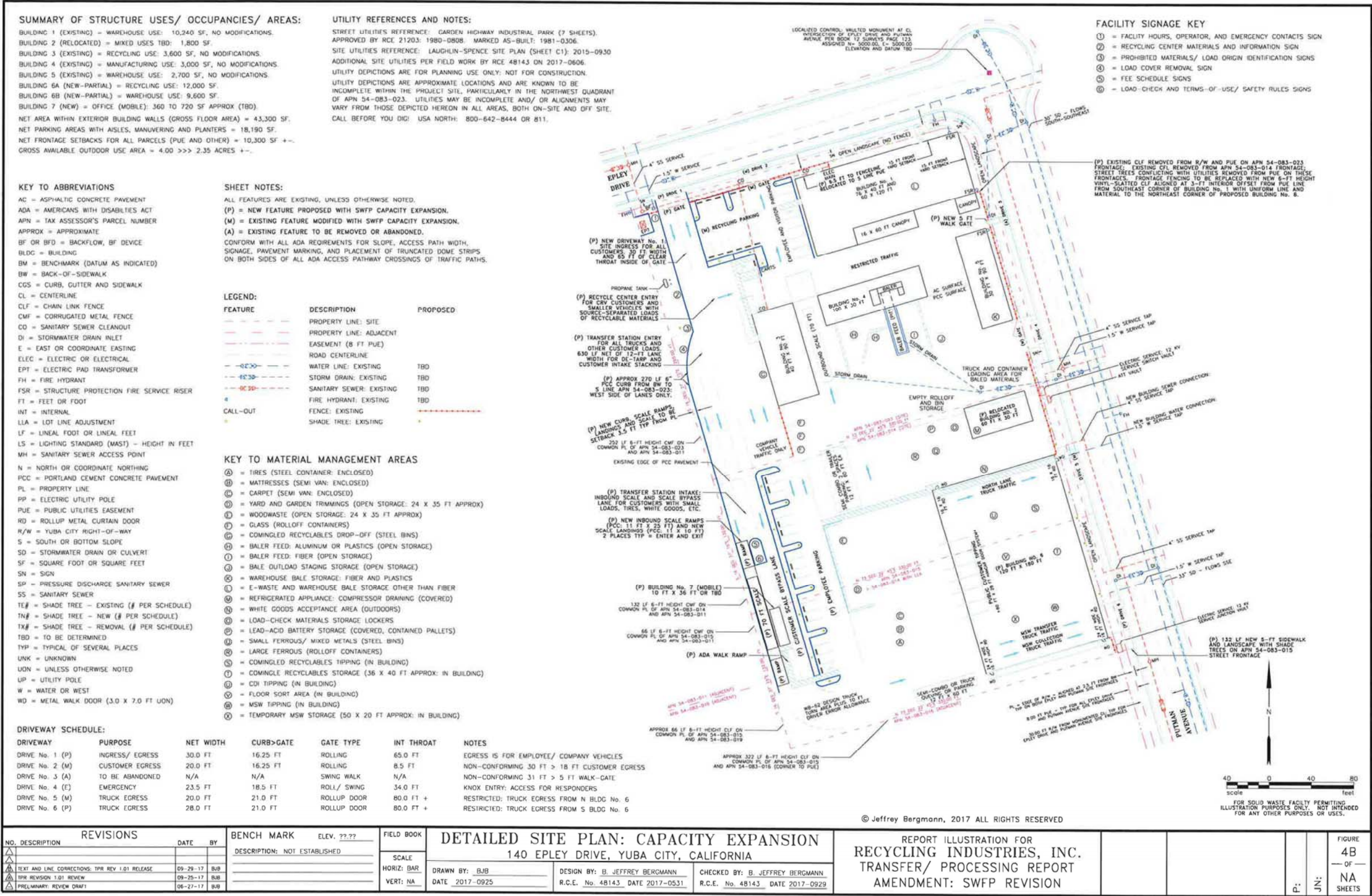


FIGURE 5 – PROPOSED SITE PLAN



SECTION 2.0 ENVIRONMENTAL CHECKLIST

This section contains the environmental checklist prepared for the proposed modification of Use Permit (UP) 12-01 for the Recycling Industries Transfer Station (proposed project). The checklist used is consistent with Appendix G of the State California Environmental Quality Act Guidelines.

Responsible Agencies:

- Yuba-Sutter Local Enforcement Agency (LEA)
- CalRecycle
- DTSC
- State Water Resources Control Board
- Feather River Air Quality Management District (FRAQMD)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" on the following pages.

- ☒ Aesthetics ☐ Greenhouse Gas Emissions ☐ Public Services
☐ Agriculture/Forest ☐ Hazards/Hazardous Materials ☐ Recreation
☒ Air Quality ☐ Hydrology/Water Quality ☒ Transportation/Traffic
☐ Biological Resources ☐ Land Use/Planning ☐ Tribal Cultural Resources
☒ Cultural Resources ☐ Mineral Resources ☐ Utilities/Services
☐ Energy ☒ Noise ☐ Mandatory Findings
of Significance
☐ Geology/Soils ☐ Population/Housing

DETERMINATION: (To be completed by the Lead Department.)

On the basis of this initial evaluation:

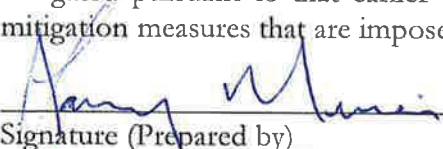
☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

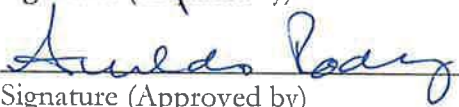
☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature (Prepared by)

10-3-18
Date


Signature (Approved by)

10-2-18
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources the Lead Department cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the Lead Department has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level. (Mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced.)
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA processes, an effect has been adequately analyzed in an earlier EIR or negative declaration. (State CEQA Guidelines § 15063(c)(3)(D).) In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 7) The explanation of each issue should identify: the significance threshold, if any, used to evaluate each question, and; mitigation measures identified, if any, to reduce the impact to less than significance. Sources of thresholds include the City General Plan, other City planning documents, and County ordinances. Some thresholds are unique to geographical locations.
- 8) Climate Change Impacts: When determining whether a project's impacts are significant, the analysis should consider, when relevant, the effects of future climate change on: 1) worsening hazardous conditions that pose risks to the project's inhabitants and structures (e.g., floods and wildfires), and 2) worsening the project's impacts on the environment (e.g., impacts on special status species and public health).

1. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings because of height, bulk, pattern, scale, character, or other features?	☐	☒	☐	☐
d) Create a new source of substantial shadows, light, or glare which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐

Responses to Questions:

- a) City of Yuba City EA 12-2 determined that UP 12-01 would not have a substantial adverse effect on a scenic vista as there are no officially designated scenic vistas in Yuba City. Therefore, the proposed project would not have an adverse effect on a scenic vista. In addition, it should be noted that the site is in an industrial area and the proposed project will only expand the overall area 25% and the increased building coverage would be 18%. The relocation of the building that was slated to be removed will not add additional buildings to what exists today and was evaluated in the IS/MD. The newly proposed and a new 700 square foot modular office trailer that is proposed to be located adjacent to a new 70-foot truck scale would not significantly increase the nature of the site. The proposed project will be similar in scale and massing as compared to other development in the area. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.
- b) City of Yuba City EA 12-2 determined that UP 12-01 would not substantially damage any scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway based on the fact that there are no officially designated or eligible scenic highways in Sutter County.

The proposed project includes the addition of the undeveloped one-acre parcel to the south (reference APN 54-083-15). The new parcel proposed under the project does not include any scenic resources such as trees, rock outcroppings, or historic buildings, and no new impacts to scenic resources are anticipated. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- c) City of Yuba City EA 12-2 determined that the 18,000 square foot transfer building approved under UP 12-01 would not degrade the existing visual character or quality of the site and its surroundings.

The proposed project would increase the size of the transfer station building to 21,600 square feet and relocate it to the southern portion of the expanded site. An existing 1,800 square foot metal building previously proposed for demolition will be retained on site and a new 700 square foot modular office trailer will be located adjacent to a new 70-foot truck scale. Visually, the bulk and massing of an 18,000 square foot and 21,600 square foot metal building are similar. Therefore, the proposed floor area increase would not substantially degrade the existing visual character or quality of the site and its surroundings because of height, bulk, pattern, scale, character, or other features will be similar to the existing nature of the site.

The proposed addition of an undeveloped one-acre parcel to the south (reference APN 54-083-15) will allow the proposed building to be sited in manner that provides more open space for traffic circulation and material storage. While the expanded site increases the scale of the project when compared to UP 12-01, it is consistent with surrounding industrial development and would not substantially degrade the existing visual character or quality of the site and its surroundings. Perimeter fencing consistent with the existing fencing and industrial setting will screen the additional acre.

Maintaining the 1,800 square foot metal building previously proposed for demolition and adding a new 700 square foot modular office trailer and 70-foot truck scale would be consistent with the surrounding industrial development in terms of height, bulk, pattern, scale and character, and no additional impacts are anticipated.

Under EA 12-2, potential adverse visual impacts related to the “collection, storage and distribution of recyclables and waste materials” were mitigated by perimeter fencing and mature landscaping as well as compliance with the regulatory requirements (RRs) set forth under Title 14 and included in the RI Facility Processing Report (FPR) dated December 2011.

While the proposed project would increase the amount of recyclables and waste processed each day at the RITS, no new impacts are anticipated in relation to the collection, storage and distribution/transfer of those materials. With perimeter fencing and material tipping and processing occurring inside the proposed building, as well as the RR contained in Title 14, CCR and implemented in the RITS Transfer/Processing Report (TPR) dated October 19, 2017 (which supersedes the FPR dated December 2011) and included as **Appendix A** of this IS/MND, the potential for the increased tonnage to substantially degrade the existing visual character or quality of the site and its surroundings would be reduced to less than significant levels. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- d) City of Yuba City EA 12-2 determined that the RI site was developed in compliance with City-approved lighting and that the development approved under UP 12-01 would not result

in a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

The proposed project would create new sources of shadows, light, and glare, but they would not be substantial or adversely affect day or nighttime views in the area. Shadow patterns associated with the expanded and relocated building would be similar to the project approved under UP 12-01 as there is no change in the proposed building height. While the proposed project could result in new sources of light and glare from the modular office windows, as well as from the additional exterior lighting associated with the expanded site area, any new exterior lighting would be developed in compliance with the “Exterior Lighting” requirements under City of Yuba City Municipal Code Article 58, and low or non-glare windows will be used in compliance with State and local building standards. The proposed project would not create a new source of substantial shadows, light, or glare which would adversely affect day or nighttime views in the area. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

2. AGRICULTURE / FOREST

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or with a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220 (g)), timberland (as defined in Public Resources Code § 4526), or timberland zoned Timberland Production (as defined in Government Code § 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Responses to Questions:

- a) The project site is designated as "Urban and Built-Up Land" as shown on the Sutter County Important Farmland Map (2016) prepared by the Farmland Mapping and Monitoring Program of the California Resources Agency. Per the Important Farmland Map, urban and built-up land is "occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. Common examples include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures." The proposed expansion of the

project site would not affect Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland).

- b) The entire project site, as well as surrounding properties, are zoned M-2 (Industrial), and there is no potential to conflict with an existing zoning for agricultural use. The undeveloped parcel (APN 54-083-15) included as part of the proposed project is not subject to a Williamson Act contract.
- c) There are no forest lands, timberlands or lands zoned for timberland production within the City of Yuba City, and there is no potential for the proposed project to impact any of those resources.
- d) There are no forest lands within the City of Yuba City and no forest land would be lost or converted to non-forest uses as a result of the proposed project.
- e) The proposed project would develop vacant, urban lands, zoned for industrial use. The proposed project would not result in changes to the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. The project site is already subject to vector control requirements via the TPR (see section 5.5), which will also apply to any additional tonnage collected at the site.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with or obstruct implementation of applicable air quality plan of the Feather River Air Quality Management District?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☒	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☒	☐	☐

Responses to Questions:

- a) The project site is located within the North Sacramento Valley Planning Area (NSVPA) and the Feather River Air Quality Management District (FRAQMD). In 2014, ozone levels in the City of Yuba City exceeded the 1-hour and 8-hour California Ambient Air Quality Standards (CAAQS) one and three times, respectively.

The Northern Sacramento Valley Planning Area, 2015 Triennial Air Quality Attainment Plan assesses the progress made in implementing the previous triennial update and proposes modifications to the strategies necessary to attain the CAAQS by the earliest practicable date.

Under the 2015 Triennial Plan projected emissions show a downtrend for both ROG and NO_x, which are the precursor emissions for ozone. The NO_x emissions are forecasted to reduce by 32% and the ROG missions are forecasted to reduce by 16% between 2010 and 2020.

In the NSVPA, ozone can be caused by stationary source emissions, such as from boilers, mobile sources such as cars, trucks, and trains, or area sources such as consumer products or wildfires. The 2015 Triennial Plan indicates that mobile sources comprise the majority of the NOx emission inventory in 2015, an estimated 65% of the total.

Based on an additional 200 TPD of solid waste being processed at the RITS, the proposed project could result in a total of 104 total daily vehicle trips to and from the site (i.e., 52 inbound and 52 outbound). It is estimated that the project will generate up to eight vehicle trips during the a.m. peak hour.

Any potential air quality impacts associated with an increase in project related vehicle emissions are mitigated by the current levels of service (LOS) at the intersections in proximity to the proposed project. All intersections studied are operating at LOS C or better, which indicates a lack congestion that is the primary source of concentrated vehicular emissions and adverse air quality impacts. The potential for local air quality impacts due to increased collection truck trips would therefore be considered less than significant

From a basin-wide perspective, the proposed project would result in reduced vehicle miles traveled (VMT) and overall reduced NOx emissions due to the RITS proximity to customers in the City of Yuba City. Based on the nominal increase in collection and transfer trucks using the facility, the LOS of adjacent intersections and lack of congestion as well as the potential reduction in VMT, the proposed project would not conflict with or obstruct implementation of Northern Sacramento Valley Planning Area 2015 Triennial Air Quality Attainment Plan.

Potential air quality impacts associated with the use of commercial collection/packer trucks under the proposed project will also be mitigated through compliance with the State Solid Waste Collection Vehicle (SWCV) regulation. The SWCV regulation is intended to reduce the harmful health impacts and smog-forming nitrogen oxide emissions of exhaust from diesel-fueled waste collection trucks by requiring SWCV owners to use California Air Resources Board verified control technology that best reduces emissions and to replace older trucks with new trucks that emit less pollutants.

Under a July 2005 Staff Report, regarding “Implementation of SB656 Measures to Reduce Particulate Matter” the entire FRAQMD is classified as non-attainment for PM10 under the CAAQS and unclassified for PM2.5.

The increase in solid waste processing under the proposed project will increase the potential for fugitive dust emissions. Compliance with FRAQMD Rule 3.16, regarding “Fugitive Dust Emissions” will be achieved by employing dust suppression methods such as water hoses, overhead misting and by conducting solid waste tipping and transfer activities inside an enclosed building to mitigate the potential impacts associated with the proposed project.

Sources of PM10 and PM2.5 also include internal combustion engines (ICEs), wood burning stoves and fireplaces, dust from construction, landfills, and agriculture, wildfires and brush/waste burning, industrial sources, and windblown dust from open lands. Potential project related increases in PM10 or PM 2.5 associated with the increased use of on and off-road ICE powered vehicles at the RITS will be mitigated through the use of required

pollution control equipment and maintaining company owned equipment and vehicles in tune. With new development and site paving on the one-acre parcel to be added, the use of dust suppression techniques such as an overhead misting system inside the transfer station building, and required vehicle emission control equipment, the proposed project would not be considered to have the potential for a significant impact on fugitive dust, PM 10 or PM 2.5 levels in the FRAQMD.

The proposed project will not conflict with or obstruct implementation of applicable air quality plan of the Feather River Air Quality Management District by controlling fugitive dust emissions and complying with the SWCV mandates. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- b) Construction and operation of the RITS project will not result in any violations of air quality standards or contribute substantially to an existing or projected air quality violation.

The proposed project will not substantially change the timing and methods of construction when compared to the project reviewed under EA 12-2 and approved under UP 12-01, and no new construction related air quality impacts are anticipated. Off-road diesel equipment associated with construction and operation of the facility will meet the California Air Resources Board Off-Road Diesel Fueled Fleets Regulations which are intended to reduce oxides of nitrogen and PM. FRAQMD regulations related to visible emissions (Rule 3.0), architectural coatings (Rule 3.15 and fugitive dust emissions (Rule 3.16) will also mitigate potential construction related air quality impacts. On-road emissions associated with construction worker and facility employee vehicles will also remain similar to the project analyzed under EA 12-2 and approved under UP 12-01.

Finally, potential air quality impacts associated with the use of commercial collection/packer trucks under the proposed project will be mitigated through compliance with the State Solid Waste Collection Vehicle (SWCV) regulation. The SWCV regulation is intended to reduce the harmful health impacts and smog-forming nitrogen oxide emissions of exhaust from diesel-fueled waste collection trucks by requiring SWCV owners to use California Air Resources Board verified control technology that best reduces emissions, and to replace older trucks with new trucks that emit less pollutants. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- c) The collection trucks that would utilize the RITS are currently operating in the air basin so the project would not represent a new source of vehicle emissions. Any potential air quality impacts associated with an increase in project related vehicle emissions are mitigated by the current levels of service (LOS) at the intersections in proximity to the proposed project. All intersections studied are operating at LOS C or better, which indicates a lack congestion that is the primary source of concentrated vehicular emissions and adverse air quality impacts. In addition, and effective October 1, 2019 via the new franchise hauler agreement with the City, all collection and transfer vehicles will have the most up-to-date pollution control equipment and, over time, fleets will be upgraded to clean fuel engines such as Compressed Natural Gas (CNG).

The operation of on-site diesel-powered equipment to load-out solid waste will increase under the proposed project. At 100 tons per day, a loader would be expected to operate two hours per day and at 300 tons per day, the loader would be anticipated to operate six hours per day.

The following emissions would be associated with the additional loader operations associated with the proposed 200 ton per day increase in tonnage per day:

Emissions Calculations - Rubber Tired Loader

Hp	500								
Hours of Operation per Day	6								
Number	1								
Vehicle Speed (mph)	0.5								
Total Daily Miles	5								
Days/year	312								
	ROG	CO	NOx	SOx	PM10	PM2.5¹	CO2	CH4	CO2e²
Emission Factor, lbs/hr ³	0.1369	0.5126	0.9018	0.0023	0.0326	0.032307	237	0.0124	
Emissions, lb/day	0.8214	3.0756	5.4108	0.0138	0.1956	0.19384	1422	0.0744	4048

¹ PM 2.5 as a percentage of PM10 0.991

² Per EPA Greenhouse Gas Equivalencies Calculator - <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>

³ Emission Factors Per SCAQMD Off-Road - Model Mobile Source Emission Factors for Model Year 2019 Equipment

Under the FRAQMD rules, projects that would exceed 25 pounds per day of ROG or NOX, or 80 pounds per day of PM10, or greater would be considered having a significant impact for the respective criteria pollutant. The proposed project would generate 0.8 pounds per day of ROG, 5.4 pounds per day of NOx and 0.195 pounds of PM10 and would therefore not exceed any of the FRAQMD's significance thresholds and the air quality impacts associated with the increased tonnage would be considered less than significant.

Off-road equipment used in the operation of the facility would not result in emissions that exceed the FRAQMD's significance thresholds. As shown in the Table above, the proposed project would result in increased air emissions associated with increased use of off-road equipment onsite. Multiplying the emission factors by the six (6) additional hours of loader operation, it is estimated that the proposed project would generate approximately 0.8 lbs/day of ROG, 5.4 lbs/day of NOx and 0.2 lbs/day of PM10. None of the project related emissions will exceed the 25 pounds per day of ROG or NOX, or 80 pounds per day of PM10 significance thresholds set by the FRAQMD, and no significant air quality impacts are anticipated.

Emissions associated with the proposed use of commercial solid waste collection and transfer vehicles at the RITS will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors) due to the use of the most up-to-date pollution control equipment on both on- and off-road vehicles. Furthermore, as mentioned previously, ROG emissions are forecasted to decrease by 32% and the ROG emissions are forecasted to decrease by 16% between 2010 and 2020 in the NSVPA. The commercial collection vehicles that would potentially utilize the RITS are collecting or will collect waste

generated within the FRAQMD with or without the proposed Project. As noted above, City growth forecasts show solid waste generation increasing to 300 TPD by the year 2030. This growth will occur with or without the project. Thus, there will not be any net increase in emissions of oxides of nitrogen or PM due to the proposed project. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- d) EA 12-2 indicated that there are no sensitive receptors in the vicinity of the project. Specifically, the nearest residence is located approximately 1,900 feet west of the project site (on Eastwind Drive) and the nearest school (Lincrest Elementary School) is located over one mile west of the project site. The potential for the proposed project to expose sensitive receptors to substantial pollutant concentrations would be considered less than significant.
- e) EA 12-2 acknowledged that potential odor impacts associated with operation of the project as proposed under UP 12-01 could be mitigated by tipping and processing solid waste in an enclosed building, installing an overhead misting system with an odor neutralizing compound and not accepting solid waste with over ten percent putrescible material.

The proposed project would revise UP 12-01 to remove the condition prohibiting the RITS from receiving packer trucks with garbage. Allowing solid waste collection vehicles to use the RITS could result in an increased potential for odor impacts. By conducting material tipping and processing inside the proposed transfer 21,600 sf building, as well as the Regulatory Requirements contained in Title 14, CCR and implemented in the RITS Transfer/Processing Report (TPR) dated October 19, 2017 (which supersedes the FPR dated December 2011) the potential odor impacts associated with packer trucks bringing garbage to the RITS would be mitigated and the potential to create objectionable odors affecting a substantial number of people would be reduced to less than significant levels. Odor control provisions included in the TPR include an overhead misting system with odor neutralizing compound, removal of waste within 48 hours of receipt and maintaining a clean site are used to control odors. Provisions requiring weekly washing of collection and transfer trucks will either be included as a condition of approval or incorporated into the franchise agreement to further reduce the potential for odor impacts associated with those vehicles. It should also be noted that the TPR adopted under the proposed Use Permit revision will only allow RITS to accept green waste/ yard waste from self-haul customers. RI intends to segregate greenwaste/ yard waste from mixed loads (within franchise debris box intake and mixed public/ self-haul loads) for diversion to a regional greenwaste/ compost facility. RI will not accept source-separated curbside greenwaste. Instead, all franchise curbside collection of residential yard waste and food scraps will be delivered directly to a regional greenwaste/ compost facility, thus eliminating a major potential odor source from potentially impacting the facility and local area. Since UP 12-01 currently allows RI to accept source-separate curbside greenwaste, the proposed revisions to UP 12-01 may provide an improvement to odor impacts over baseline conditions. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

4. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands, and drainages) or waters of the United States, as defined by § 404 of the federal Clean Water Act or California Fish & Game code § 1600, et seq. through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Responses to Questions:

- a) Based on the Yuba City General Plan, EA 12-2 concluded that there no special status species on the site or within the vicinity of the project site. The Yuba City General Plan designates the project site as developed land and shows that the location of potential Hartweg's Golden

Sunburst Habitat, which is a designated Special Status Species, approximately .8 miles east of the project area. The project site, as well as the undeveloped parcel to be added under the proposed project, are not considered Hartweg's Golden Sunburst habitat, and therefore no adverse impacts to special status species will occur as a result of the proposed project. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- b) Based on the Yuba City General Plan, EA 12-2 concluded that there are no riparian habitats or any other sensitive natural communities within the vicinity of the project. While the project site, and the undeveloped parcel to be added under the proposed project are located approximately 1,200 feet west of the Feather River and associated wetlands, the Yuba City General Plan, dated April 8, 2004 provided that the California Natural Diversity Data Base (CNDDB) does not list any riparian-related special status vegetation species in the Yuba City Planning Area. Furthermore, the riparian habitat is separated from the project site by intervening development and the Feather River Levee. Based on the fact that the Yuba City General Plan designates the project site as developed land, and the Feather River Levee physically separates the project area from the river and associated riparian habitat no impacts are anticipated. The proposed project will therefore not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.
- c) EA 12-2 concluded that there are no federally protected wetlands within the vicinity of the property. While the project site, and the undeveloped parcel to be added under the proposed project are proximate to the Feather River and associated wetlands, that sensitive habitat is separated from the project site by the Feather River Levee. The Yuba City General Plan designates the project site as developed land, and the Feather River Levee physically separates the project area from the river and associated riparian habitat. The proposed project will therefore not have a substantial adverse effect on federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands, and drainages) or waters of the United States, as defined by § 404 of the federal Clean Water Act or California Fish & Game code § 1600, et seq. through direct removal, filling, hydrological interruption, or other means. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.
- d) EA 12-2 concluded that the project proposed under UP 12-01 would not interfere substantially with the movement of any native resident or migratory fish or wildlife corridors or impede the use of native wildlife nursery sites. The project site, as well as the undeveloped parcel to be added under the proposed project are located in an urbanized area as designated by the Yuba City General Plan and thus experiences nominal wildlife movement. The proposed project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- e) EA 12-01 stated that there are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or any other approved local, regional, or state habitat conservation plans within the project vicinity. Although the Yuba City General Plan, dated April 8, 2004 provided that the CNDDDB does not list any riparian-related special status vegetation species in the Yuba City Planning Area, the Feather River provides important fish and riparian habitat areas. As such, the City recently began the preparation of a strategic master plan for the 750-acre Feather River corridor, the purpose of which is to create a vision for the River, one that would make the most of the River as a recreational resource, while providing habitat for a variety of wildlife. The vacant parcel to be added under the proposed project will not increase the potential for conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved or proposed local, regional, or state habitat conservation plan due to the lack of any such designated protection areas in the project vicinity. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

5. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

Responses to Questions:

- a) Under EA 12-2, a visual inspection of the project site was conducted and no historical resources as defined by Section 15046.5 of the California Environmental Quality Act were observed. As the additional parcel included under the proposed project is undeveloped there is no potential for any impacts that would cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5.
- b) EA 12 -02 concluded that with mitigation, the project proposed under UP 12-01 would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5. The mitigation measure states:

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.

Application of the same mitigation measure to the undeveloped parcel to be added under the proposed project would reduce the potential for any substantial adverse changes to an archaeological resource associated with development on the new parcel. In addition,

pursuant to AB 52, the Ione Band of the Miwok Indians and the United Auburn Indian Community of the Auburn Rancheria were notified of the proposed project by letter, dated May 9, 2018, and delivered via certified mail on May 11, 2018. No requests for consultation were received during the 30-day AB 52 comment period. Therefore, the revisions to the project and new information do not create a new or more significant impact than was evaluated in the original IS/MND.

- c) EA 12 -02 concluded that with the mitigation included under 5 b) above, the project proposed under UP 12-01 would not destroy a unique paleontological resource or site or unique geologic feature. Application of the same mitigation measure to the undeveloped parcel to be added under the proposed project would reduce the potential to destroy a unique paleontological resource or site or unique geologic feature to less than significant levels.
- d) EA 12 -02 concluded that with the mitigation included under 5 b) above, the project proposed under UP 12-01 would not disturb any human remains, including those interred outside of dedicated cemeteries. Application of the same mitigation measure to the undeveloped parcel to be added under the proposed project would reduce the potential impacts associated with any human remains found onsite during the construction to less than significant levels. In addition, the RRs contained in Health and Safety Code Section 7050.5 subdivision (c) and Public Resources Code Section 5097.98 related notification of local Native Americans of any buried remains based on the corner's review, will further reduce the potential impacts on buried remains that may be encountered during development of the proposed project.

6. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known active fault trace? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☒	☐	☐
iii) Seismic-related ground failure, including liquefaction and lateral spreading?	☐	☒	☐	☐
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of onsite wastewater treatment systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

Responses to Questions:

- a) EA 12-2 cited the Environmental Impact Report prepared for the City's 2010 General Plan, which concluded erosion, landslides, and mudflows are not considered to be a significant risk in the City limits or within the Urban Growth Boundary. No active earthquake faults

are known to exist in Sutter County, although active faults in the region could produce motion in Yuba City.

Potentially active faults do exist in the Sutter Buttes. The faults are considered small and have not exhibited activity in recent history (last 200 years). Earthquakes of up to a 5.8 magnitude on the Richter Scale have been recorded approximately 35 miles away in the last 50 years.

A geotechnical report prepared by Gularte & Associated, dated January 7, 2016, and updated June 29, 2018, for the RITS project approved under UP -12-01 found that the site will experience a horizontal ground acceleration of 0.731 g to 0.294g in the next 50 years which is considered a relatively low level of ground shaking for California. This report is provided as **Appendix B** to this Initial Study.

The Gularte report also found that the risk of lateral spreading from landslides and liquefaction is considered to be low. Liquefiable soils were not encountered during the investigation. Risk from landsliding should be minor considering the predominantly level topography of the site and area.

The Gularte geotechnical report has been updated to include the undeveloped parcel to be added under the proposed project, and based on the findings and recommendations contained in the report, the proposed project would not be expected to expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death from rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction and lateral spreading, or seismic-related ground failure, including liquefaction and lateral spreading.

- b) While the proposed project will result in loss of topsoil due to building construction and paving, the project site is not considered prime agricultural land as designated on the “Sutter County Important Farmland Map 2016”, as published by the Farmland Mapping and Monitoring Program, published June 2017. Under the proposed project, site drainage and runoff will be controlled through the use of curbs, gutters and storm drains in order to minimize the potential for on and off-site soil erosion.
- c) The Gularte geotechnical report, cites 1992 Geologic Map of the Chico Quadrangle prepared by the California Department of Mines and Geology which shows the project site as being composed of unconsolidated and semi-consolidated alluvium, and that the risk of lateral spreading from landslides and liquefaction is considered to be low. The geotechnical report concludes that from an earthwork, pavement, and foundations viewpoint, the soils at this site are considered suitable for support of the anticipated loads provided the engineering recommendations are followed properly.

The Gularte geotechnical report has been updated to include the undeveloped parcel to be added under the proposed project, and based on the findings and recommendations contained in the January 7, 2016 and June 30, 2018 reports, the proposed project would not be expected to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

- d) An expansive soil (usually clayey) increases in volume when water is added (expands) and shrinks when water content is reduced. EA 12 -02 concluded the extreme southwest corner of the Yuba City Growth Boundary is the only known area with expansive soils. The project site is not located within this area and therefore will not be impacted by the presence of expansive soils.

The Gularte geotechnical report cites 1992 Geologic Map of the Chico Quadrangle prepared by the California Department of Mines and Geology which shows the project site as being composed of unconsolidated and semi-consolidated alluvium, and their onsite boring observations show the presence of silts and sands. Based on the findings and recommendations contained in the updated June 29, 2018 report, the proposed project is not expected to be located on expansive soil, thereby creating substantial risks to life or property.

- e) As the proposed project does not include use of septic tanks or alternative onsite wastewater disposal systems, there would be no potential environmental impacts associated with soils incapable of adequately supporting such systems.

7. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas (GHGs) emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Responses to Questions:

- a) The proposed project will increase the permitted capacity at the RITS to 300 TPD and allow packer trucks to bring garbage to the facility. The additional waste and recyclables that would be processed by the RITS are currently being delivered to the Recolgy Yuba-Sutter Integrated Waste Recovery Facility located at 3001 N. Levee Road in Marysville, CA 95901. Use of the RI facility would reduce each collection truck trip traveled by approximately four miles (two miles in each direction) as measured from 1446 Colusa Highway to the Recolgy Yuba-Sutter Integrated Waste Recovery Facility and result in reduced GHG emissions. It is anticipated that the additional tonnage proposed for processing at the RITS would be diverted from the Recolgy Yuba-Sutter Integrated Waste Recovery Facility, that VMT would be reduced by approximately four miles per packer truck, and that there would be no net increase in GHG emissions associated with the proposed. The proposed project is not anticipated to generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment as packer truck's would use the most up-to-date pollution control equipment and VMT would be reduced.

When compared to the Greenhouse Gas (GHG) emissions associated with the project approved under UP 12-1 and EA 12-2, any additional GHG emissions associated with the proposed project would be associated with the additional loader operations onsite. As shown in the table provided in Section 3(c) above, operation of the loader would result in 4,048 pounds per day of CO₂e emissions, which equates to 1.8 metric tons per day of 562 metric tons CO₂e per year. Operation of the proposed loader would increase CO₂e emissions by approximately 562 metric tons per year which is less than the 10,000 MT/year threshold of significance for industrial facilities. The additional vehicles using the facility are currently operating in the air basin and would not result in a new source of emissions.

Furthermore, considering the GHG reduction baseline analysis approved under UP 12-1 and EA 12-2, it is assumed that diverting the additional 200 tons per day to the project site will further reduce GHG in the area, given that fewer miles will be driven to the project site as compared to the existing disposal site located in Marysville, CA. Use of the RI facility would

reduce each collection truck trip traveled by approximately four miles (two miles in each direction) as measured from the City centroid (at 1446 Colusa Highway) to the Recology Yuba-Sutter Integrated Waste Recovery Facility. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- b). The proposed project will expand solid waste and recycling services in the City, which are services recognized as part of the California Climate Plan approved under AB 32. Under AB 32 the State intends to reduce greenhouse gas emissions to 1990 levels means cutting approximately 30% from business-as-usual emissions levels projected for 2020, or about 15% from today's levels. As mentioned previously, the proposed project will reduce packer truck VMT by approximately four miles per trip as well as the associated GHG emissions in the air basin, and its cumulative impact is not considerable. Thus, the proposed project will not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

8. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, storage, production, use, or disposal of hazardous materials?	☐	☒	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials or waste into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of sensitive land uses?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.				

Responses to Questions:

- a) EA 12-2 states that only non-hazardous municipal solid waste and recyclables will be accepted at the RITS. This includes municipal solid waste generated by the residential and commercial self-haul customers and includes self-hauled solid waste. No designated, special, medical, liquid or hazardous wastes will be accepted. A Hazardous Waste Load Check Program will be implemented at the RITS to enforce this policy as noted in the project FPR.

E-waste and universal waste is currently accepted at the facility and handled and stored in compliance with all RRs as well as the RI FPR.

EA 12-2 further states that, in accordance with the California Code of Regulations, a hazardous waste screening program will be developed and implemented at the facility to detect illegally disposed liquid, hazardous and/or special wastes (infectious wastes, dead animals, and sludge). Any non-acceptable items will be returned to the customer. RI will provide a list of acceptable locations to properly dispose of non-accepted material.

The proposed project, which would increase the permitted capacity to 300 tons per day, would increase the possibility of hazardous material being brought to the RITS. By conducting periodic “load checks” pursuant to the RRs contained in Title 14, CCR and implemented in the RITS Transfer/Processing Report (TPR) dated October 19, 2017 (which supersedes the FPR dated December 2011) the potential to create a significant hazard to the public or the environment through the routine transport, storage, production, use, or disposal of hazardous materials is reduced to less than significant levels. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- b) As stated above, the RITS will only accept non-hazardous municipal solid waste and recyclables. Employees will be trained to recognize and respond to any hazardous materials found in the waste-stream and which will be stored in a hazardous waste locker until a certified collection company removes it for processing and disposal. Spill kits along with personal protection equipment (PPE) will be located throughout the facility.

The proposed project, which would increase the permitted capacity to 300 tons per day, would increase the possibility of hazardous material being brought to the RITS. By training and equipping employees with the necessary PPE, conducting operations in compliance with the RRs contained in Title 14, CCR and implemented in the RITS Transfer/Processing Report (TPR) dated October 19, 2017 (which supersedes the FPR dated December 2011) the potential to create a significant hazard to the public or the environment through the routine transport, storage, production, use, or disposal of hazardous materials is reduced to less than significant levels. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- c) EA 12-2 indicated that the project proposed under UP 12-01 would not result in hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The nearest school (Lincrest Elementary School) is located over one mile west of the project site. The proposed project, which would increase the permitted capacity to 300 tons per day, would not generate

hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. The potential to impact a sensitive land use within one-quarter mile of the project site would be less than significant.

- d) A June 2018 review of the EnviroStor database, which is the Department of Toxic Substances Control's data management system for tracking cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known contamination or sites where there may be reasons to investigate further, does not show any pending cases or clean-up activity for the project site including the parcel to be added under the proposed project. A Phase I Environmental Assessment prepared by Vertex and dated December 7, 2015, also concluded that there was no evidence of recognized environmental conditions (RECs) associated with hazardous materials or contamination. Since the project site does not appear on the EnviroStor database, there is no potential for the project to create a significant hazard to the public or the environment. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.
- e) EA 12-2 indicated that the project site is located within the sphere of influence of the Sutter County Airport. The Sutter County Department of Public Works reviewed the project and noted that the Sutter County Airport Comprehensive Land Use Plan limits the project's average density to no more than 25 people per acre per hour in a 24-hour period or no more than 50 people per acre at any time. The applicant has noted that the average concentration of people per hour is less than 25 people, and that it is unforeseeable that there will be more than 50 people per acre on the site. With compliance with the Sutter County Airport Comprehensive Land Use Plan, UP 12-01 would not result in a safety hazard for people residing or working in the project area due its proximity to the Sutter County Airport.

The proposed project would increase the permitted capacity at the RITS to 300 tons per day of solid waste and recyclables, and add six employees for a total of 22 employees. The proposed project, would meet the RRs established under the Sutter County Airport Comprehensive Land Use Plan which limits the project's average density to no more than 25 people per acre per hour in a 24-hour period or no more than 50 people per acre at any time. Based on a total site area of four acres under the proposed project, no more than 100 people per hour in a 24-hour period or no more than 200 people at any time will be on the project site. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- f) EA 12-2 established that there are no private airstrips located within City limits or the City's Urban Growth Boundary. The proposed project would therefore not result in a safety hazard for people residing or working in the project area do to its location in proximity to a private airstrip.
- g) EA 12-2 established that the project approved under UP 12-01 would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Based on that finding and the fact that the proposed facilities and traffic circulation at the site are not anticipated to be substantially different than the site features evaluated in the original IS/MND, the proposed project would also not be expected to impair implementation of, or physically interfere with, an adopted emergency response

plan or emergency evacuation plan. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- h) Per a June 2018 review of the Cal Fire website, Sutter County does not contain any State Responsibility Area (SRA) land, and therefore does not have any designated High Fire Hazard Severity Zones (HFHSZ). The Draft Sutter County Fire Hazard Zones in Local Responsibility map designates small portions of the City of Yuba City as Moderate Fire Hazard, and the project site designated "Unzoned". The proposed project would, therefore, not be expected to expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

9. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☒	☐	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				
f) Otherwise substantially degrade water quality?	☐	☒	☐	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, or within a floodway or floodplain?	☐	☐	☐	☒
h) Place structures, which would impede or redirect flood flows, within a 100-year flood hazard area, floodway, or floodplain?	☐	☐	☐	☒

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | ☐ | ☒ | ☐ | ☐ |
| j) Inundation by seiche, tsunami, or mudflow? | ☐ | ☐ | ☐ | ☒ |

Responses to Questions:

- a) EA 12-2 found that the project proposed under UP 12-01 would not violate any water quality or wastewater discharge requirements as the facility will not use water as part of the operation and will not discharge water off site as a byproduct of the operation. The overhead misting system may use a nominal amount of water, or an odor reducing solution, that is ultimately absorbed by the waste material so there is no possibility of runoff or discharge into the stormwater or sanitary sewer systems. With the zero-waste water operation, the facility will not have any industrial waste water discharge.

The proposed project, which would allow up to 300 tons per day of solid waste and recyclables to be delivered by collection trucks and processed at the RITS, would not be expected to substantially increase the potential to violate any water quality standards or waste discharge requirements when compared to the project approved under UP 12-01.

Under the proposed project, potential violations to water quality standards could occur from stormwater runoff due to contact with solid waste, recyclables, maintenance supplies and vehicle travel-ways. These impacts will be mitigated by tipping and processing solid waste inside a covered building and complying with the RITS TPR and Stormwater Pollution Prevention Plan (SWPPP) as well the RRs contained in CCR Title 14 and Title 23. The proposed transfer station building will also include floor drains to collect and convey water tracked into the facility by customers during rain events or generated as a result of washdown water associated with steam cleaning the tipping floor and equipment inside the transfer station. Water from the floor drains will be treated pursuant to the Yuba City Department of Public Works prior to being discharged to the sanitary sewer system.

With the design features and RRs, the proposed project would not violate any water quality standards or waste discharge requirements. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- b) As the City has adequate water entitlements from the Feather River as well as treatment/distribution capacity to accommodate any need associated with the project, EA 12-2 found that the project approved under UP 12-01 would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).

The proposed project is not anticipated to significantly increase water demand when compared to the project approved under UP 12-01 in that the number of employees will be similar and the amount of water required for site operations will remain essentially the same.

As noted in this section of the TPR, the operator estimates using less than 0.49 acre-feet of water on an annual basis, which is approximately the same amount of water used by 1.8 residential households annually. The amount of water use is not considered a significant impact. This water will drain into the City's sanitary sewer through an engineered clarifier to remove solids.

Decreased groundwater infiltration on the project site due to the larger building and additional paving associated with the larger site will be offset by the fact that stormwater runoff is conveyed through storm drains to a detention basin and on to the Feather River which is the source of the City's water supply. The paved gutters and drains will more effectively and efficiently convey water to the Feather River than would occur under existing conditions. The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- c) The site is relatively flat and partially developed with paving and buildings which drain to an existing storm drain system. There are no streams or rivers on the project site. The undeveloped portions of the site are flat and the proposed project will not require substantial grading. Site drainage will surface flow through paved gutters and/or drains to an offsite storm drain system which will minimize the potential for erosion or siltation. The proposed project will not substantially alter the existing drainage pattern of the site or area, through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.
- d) The proposed project will not substantially alter existing drainage patterns of the site or area or alter the course of a stream or river. Runoff from the proposed project site will be conveyed in paved gutters and/or drains to an offsite storm drain system which will minimize the potential for on-site flooding.

The City of Yuba City maintains a stormwater conveyance system which collects all water from storm events (stormwater) and drains to the Feather River and Sutter Bypass. This system reduces the effects of localized flooding. Prior to any storm drain connections associated with the project, stormwater runoff calculations shall be provided to and approved by the City showing that the municipal storm drain infrastructure is adequate to accommodate surface water runoff from the project. The infrastructure includes a 33-inch storm drain in Putman Avenue, a 36-inch storm drain in Burns Drive, a detention basin adjacent to the City Wastewater Treatment Plant and a pump station which conveys the water to the Feather River. With City review and approval of site runoff and storm drain design calculations, any increase the rate and/or amount of surface runoff from the proposed project would be conveyed off site in a manner that does not result in on- or off-site flooding. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- e) With City review and approval of site runoff and storm drain design calculations, there is no potential for runoff from the proposed project to exceed the capacity of the existing stormwater drainage system, and while the proposed project may be a potential source of polluted runoff, any impacts will be mitigated by tipping and processing solid waste inside a

covered building, AND complying with the RITS TPR and Stormwater Pollution Prevention Plan (SWPPP) as well the RRs contained in CCR Title 14 and Title 23. The proposed transfer station building will also include floor drains to collect and convey water tracked into the facility by customers during rain events or generated as a result of washdown water associated with steam cleaning the tipping floor and equipment inside the transfer station. Water from the floor drains will be treated pursuant to the Yuba City Department of Public Works prior to being discharged to the sanitary sewer system.

The proposed project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- f) The proposed project does not include any processes or activities that could otherwise substantially degrade water quality.
- g) The proposed project is classified as an industrial use and would therefore not result in the placement of housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, or within a floodway or floodplain, based on a review of the Federal Emergency Management Agency (FEMA) National Flood Insurance Program, Flood Insurance Rate Map, Sutter County, California, Panel 605 of 880, Map No. 060394, Panel 0605E.
- h) The FEMA map indicates that the project site is within “Zone X” (shaded), a zone defined as “*Areas with 0.2% annual chance flood; Areas of 1% annual chance flood with average depths less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood*”. The site is also subject to inundation from failure of the Oroville or YWCA Bullards Bar Dams. As the project site is protected from flooding by the Feather River Levee, the only potential for the proposed project to impede or redirect flood flows, within a 100-year flood hazard area, floodway, or floodplain, would be in the event of a levee failure or failure of an upstream dam or levee. The City’s 200-year flood map with a Feather River Breach shows the project site with flood waters of 0 to three feet. While the proposed project could impede or redirect flood flows, within a 100-year flood hazard area, floodway, or floodplain, the impacts would be considered less than significant when compared to the impacts associated with a levee or dam failure on the City. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.
- i) As discussed in “h” above, as the project site is protected from flooding by the Feather River Levee and subject to inundation from failure of the Oroville or YWCA Bullards Bar Dams. In the event of levee failure, there is the potential to expose people or structures to a risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. The City’s 200-year flood map with a Feather River Breach shows the project site with flood waters of 0 to three feet. The City has implemented a Flood Evacuation Management plan, and the project site is located in Zone 5 that uses the Black Burn Tally - Sports Complex at 300 Burns Dr. as a temporary gathering area for people who need transportation out of an evacuation area. With the City’s emergency evacuation plan, the potential to expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam would be considered

less than significant. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- j) The project site is not located near waterbodies that could cause inundation by seiche or tsunami and no associated impacts would occur. The generally flat topography of project area site would also minimize the potential for inundation from mudflow and no adverse associated impacts would occur.

10. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Responses to Questions:

- a) EA 12-2 found that the project approved under UP 12-01 would not physically divide an established community based on the fact that the site is zoned M-2 (Industrial District) and entitled for use as a recycling and solid waste facility and for the proposed type of development. Furthermore, the site is not within an established “residential community” is located on the periphery of the City and approximately 1,200 feet from the closest residential neighborhood. The proposed project, which would add a vacant parcel to the RITS site, would not physically divide an established community based on the fact that the new parcel to be added is adjacent to the existing site, zoned for the proposed type of use, and that the project can be considered an infill development located within an existing industrial subdivision that is comprised of similar development. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.
- b) EA 12-2 found that the project approved under UP 12-01 would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect since the property has the appropriate General Plan designation and Zoning classification to accommodate the proposed project.

The proposed project, which would add a vacant parcel to the RITS site, and allow collection trucks to deliver up to 300 TPD of solid waste and recyclables to the facility, would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect since the property has the appropriate General Plan designation and Zoning classification to accommodate the proposed project. In addition, the proposed

project is of the same nature as the existing project and only expands the footprint of the facility by 25%. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- c) EA 12-2 found that the project approved under UP 12-01 would not conflict with any applicable habitat conservation plan or natural community conservation plan based on the fact that there are currently no habitat conservation plans or natural community conservations plans within City limits or the Urban Growth Boundary. The proposed project, which would add a vacant parcel to the RITS site and allow collection trucks to deliver up to 300 TPD of solid waste and recyclables to the facility, would not conflict with any applicable habitat conservation plan or natural community conservation plan the modifications included in the proposed project are of the same nature as the existing project and only expand the footprint of the facility by 25%. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

11. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Responses to Questions:

- a) EA 12-2 found that the project approved under UP 12-01, would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state in that the project site has no known mineral resource value nor is there opportunity for mineral resource extraction that would be of value to the region and the residents of the state.

The proposed project, which would add a vacant parcel to the RITS site, would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state in that the vacant parcel to be added by the proposed project has no known mineral resource value nor is there opportunity for mineral resource extraction that would be of value to the region and the residents of the state.

- b) EA 12-2 found that the project approved under UP 12-01, would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan in that the site is not designated for mineral extraction.

The proposed project, which would add a vacant parcel to the RITS site, would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan in that the vacant parcel to be added by the proposed project is not designated for mineral extraction.

12. NOISE

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Responses to Questions:

- a) EA 12-2 found that the project approved under UP 12-01, would generate more noise than that which was generated by the RI recycling facility. Noise levels associated with solid waste facilities such as the proposed RITS include packer/collection trucks and self-haul vehicles, material handling equipment (loaders and forklifts), vehicle back-up warning alarms, material loading and unloading activities, and general maintenance activities.

EA 12-2 found that potential noise impacts would be mitigated by confining solid waste operations to the interior of the building and by properly sound-proofing, shielding and/or muffling material handling equipment and noise generating activities. EA 12-2 further found that by providing employees with ear protection as necessary and potentially implementing a Hearing Conservation Program if deemed necessary by CalOSHA, the potential for

exposure of workers to noise levels in excess of health and safety standards would be mitigated. As part of the Hearing Conservation Program, noise measurements will be taken by an independent noise consultant during the first full-year of operations, and as needed thereafter, to monitor long-term noise levels. If noise measurements conclude that there are potential adverse impacts, the Hearing Conservation Program would mandate hearing protection to insure worker health and safety.

EA 12-2 concluded that the project proposed under UP 12-01 was not anticipated to generate noise beyond what was anticipated in the Yuba City General Plan EIR and would be required to comply with all applicable noise regulations, including the General Plan Noise and Safety Element.

The proposed project, which would entail construction of a slightly larger transfer station building and allow delivery of up to 300 TPD of solid waste and recyclables by self-haul and commercial collection trucks, would not be expected to increase noise levels beyond those anticipated under UP 12-01.

As with the project analyzed under EA 12-2 and approved under UP 12-01, the proposed project would result in a short-term increase noise levels related to construction. With the implementation of City code requirements related to construction hours and equipment operation, construction of the proposed project would not exposure workers or the public to, or generate, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Regarding operational impacts associated with the proposed project, the City's General Plan indicates that "[n]oise produced by industrial facilities has a negligible effect on the City's noise environment", and "[a]lthough the City does not have a Noise Ordinance, noise issues are handled by the City's Nuisance Ordinance, which regulates the time of day that certain noise-generating activities may take place."

General Plan implementing policy 9.1-I-3 provides that, in making a determination of impact under the California Environmental Quality Act (CEQA), an increase of four or more DBA is considered to be "significant" if the resulting noise level would exceed that described as normally acceptable for the affected land use. Per the City General Plan, the normal noise range for industrial uses is from 50 to 75 dB. General Plan implementing policy 9.1-I-4, seeks to "protect especially sensitive uses, including schools, hospitals, and senior care facilities, from excessive noise, by enforcing "normally acceptable" noise level standards" which for industrial uses range from 50 to 75 dB.

Based on the City's General Plan Noise Policies, an increase in noise levels to 79 dB would be considered a significant impact. Under the RITS TPR, through the use of design and operational controls, noise levels would not exceed 65 dB at the property line, which is within the normally established range established under the General Plan.

There is also the potential for increased offsite noise levels along travel corridors due to the proposed increase in permitted tonnage and use of the RITS by commercial solid waste collection trucks. The City's General Plan indicates that future development within the City's Planning Area will result in new roads and increased traffic volumes, thus increasing noise

levels in some areas. Specifically, community noise levels along Garden Highway and Lincoln Road are projected to increase in the future due to increased traffic. To minimize future noise impacts, General Plan Implementing Policy 9.1-I-2 proposes to regulate the hours of operation related to noise generating businesses, deliveries and trash pickup hours.

Noise levels at the RITS may adversely impact employees and require use of personal protection equipment. Implementation of a Hearing Conservation Program and compliance with the RITS TPR, health and safety standards and Cal/OSHA RRs would reduce those impacts to less than significant levels.

Based on compliance with City policies and regulations and the operating standards contained in the RITS TPR, as well as the proposed facility's location in an industrial zone that is not near sensitive land uses, the proposed project would not expose people or generate noise levels in excess of standards established in the local general plan, or applicable standards of other agencies. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- b) The proposed project, which would allow delivery of up to 300 TPD of solid waste and recyclables by self-haul and commercial collection trucks, would not be expected to expose people to or generate excessive groundborne vibration or groundborne noise levels when compared to the impacts associated with the project approved under UP 12-01.

Onsite groundborne vibrations and noise would result from construction of the proposed transfer station building as well as from material loading and unloading and the movement of material handling equipment.

As with the project analyzed under EA 12-2 and approved under UP 12-01, the proposed project would result in a short-term increase groundborne vibration and groundborne noise levels related to construction activities. With the implementation of City code requirements related to construction hours and equipment operation, construction of the proposed project would not expose workers or the public to, or generate, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

The site location in an industrial area away from sensitive land uses, coupled with the size of the site and the location of building where material processing operations will occur on the site, all contribute to a reduced potential to expose people to or generate excessive groundborne vibration or groundborne noise levels associated with onsite operations.

The proposed project, which would allow delivery of up to 300 TPD of solid waste and recyclables by self-haul and commercial collection trucks, could increase the potential for off-site groundborne vibration or groundborne noise on local streets due to increased use of the facility by commercial collection trucks. Roadway conditions have a direct impact on groundborne vibration with smooth surfaces rarely producing perceptible vibration levels. The franchise agreement for solid waste collection includes provisions for street maintenance contributions, which would reduce the potential for collection trucks associated with the proposed project to expose people to or generate excessive groundborne vibrations.

Potential offsite impacts to residents or sensitive land uses from groundborne vibration or groundborne noise associated with collection trucks on local streets shall also be mitigated by using the franchise agreement to limit the hours trash can be collected to ensure that activities take place at hours that will not cause a violation of the City's Nuisance Ordinance and General Plan. The following hours of operation will also reduce the potential for noise impacts:

Monday – Friday:	Intake and tipping: 7:00 AM to 5:00 PM (all customers) Other outdoor site operations: 6:30 AM to 9:00 PM and other activities within buildings: Up to 24 hours/day.
Saturday:	Intake and tipping: 7:00 AM to 5:00 PM (all customers) Other outdoor site operations: 6:30 AM to 9:00 PM and other activities within buildings: Up to 24 hours/day.
Sunday:	Intake and tipping: 7:00 AM to 5:00 PM (all customers)

Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- c) The project site is located in an industrial area and RI has been operating a recycling facility at the location since 2008. Surrounding businesses include steel fabricators, a sawmill, and manufacturing companies. Ambient noise levels related to current operations, as well as anticipated noise levels associated with operation of the proposed project would not exceed the normal noise range for industrial uses which, per the City's General Plan, is from 50 to 75 dB. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project is not anticipated based on the existing land uses in the project area. Under the RITS TPR, through the use of design and operational controls, noise levels would not exceed 65 dB at the property line, which is within the normally established range established under the General Plan. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.
- d) EA 12-2 found that short-term noise impacts can be expected resulting from site grading and construction activities associated with the new building. Construction-related noise impacts will be less than significant because adherence to City Noise Ordinance which limits the hours of operation for construction and use of heavy machinery. The proposed project, which includes a slightly larger transfer station building, is not anticipated to increase construction related noise impacts, when compared to the project analyzed under EA 12-2, through substantial temporary or periodic increases in ambient noise levels in the project vicinity above those levels existing without the project.

Existing operations which include unloading and loading of recyclables, vehicle starts and back-up warning signals all result in periodic increases in ambient noise levels that are not considered substantial in the context of surrounding industrial land uses. The proposed project, which would allow delivery of up to 300 TPD of solid waste and recyclables by self-

haul and commercial collection trucks, would generate similar periodic increases in ambient noise levels similar to those associated with the existing operations as well as those associated with operations approved under UP 12-01. The proposed project would result in more frequent noise associated with loading and unloading activities but would not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project since all loading and unloading activities are conducted inside a building, which is located in a heavy industrial area and surrounded by heavy industrial zoned land for at least 1,000 feet in all directions. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- e) The project is located in an airport land use planning area. The Sutter County Airport Comprehensive Land Use Plan adopted in April of 1994 provides that airport operations will not exceed 65 dB which is consistent with normally acceptable “noise level standards” which for industrial uses range from 50 to 75 dB. The fact that the project site is located more than ½ mile from the airport runway would also reduce potential exposure to excessive noise levels from the airport. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.
- f) As there are no private airstrips in the City, there is no potential for the employees at the RITS of being exposed to excessive noise levels.

13. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, especially affordable housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Responses to Questions:

- a) The proposed project, which would allow delivery of up to 300 TPD of solid waste and recyclables by self-haul and commercial collection trucks, would not induce substantial population growth in an area, either directly or indirectly. The project does not include housing and that would induce population growth. The proposed RITS would not induce population growth but would simply provide a mechanism safe and efficient processing of solid waste and recyclables generated by the projected growth in population.
- b) The proposed project would add a vacant parcel to the site development that was not part of the project approved under UP 12-01. No housing would be lost or residential land converted to non-residential uses, under the proposed project, and there is no potential to displace substantial numbers of existing housing, especially affordable housing, necessitating the construction of replacement housing elsewhere.
- c) The proposed project would add a vacant parcel to the site development that was not part of the project approved under UP 12-01. No persons would be displaced due to construction of the project that would necessitate construction of replacement housing elsewhere.

14. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response time or other performance objectives for any of the following public service:				
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

Responses to Questions:

EA 12-2 concluded that the project proposed under UP 12-01 would not result in the need for additional fire or police protection as the City currently provides those services to the project site. The Yuba City Fire Department reviewed the plans submitted as part of UP 12-01 and indicated that the project would require fire sprinklers.

As with the project approved under UP 12-01, the proposed project, which would allow delivery of up to 300 TPD of solid waste and recyclables by self-haul and commercial collection trucks, would not be expected to require additional fire and police personnel to maintain acceptable service ratios or response times, or the construction of any new police or fire facilities. With the provision of security fencing, exterior lighting and security cameras, the project would not place additional demands on local police. Installation of an overhead fire sprinkler system, as well as operation of the facility as set forth in the RITS TPR, would not require the need for additional fire services. Based on the proposed design of the RITS, together with the operational mandates included in the TPR, there would be no potential for substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities to maintain acceptable service ratios, response time or other performance objectives related to police and fire service.

The proposed project does not include housing nor will it increase employees at the current facility. Thus, the proposed project will not increase demand for schools, parks or other public facilities. No impacts schools, parks or other public facilities such as libraries are anticipated as a result of the proposed project.

15. RECREATION

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of such facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Responses to Questions:

- a) EA 12-2 concluded that the project approved under UP 12- 1 would not increase the use of existing parks such that substantial physical deterioration of the facilities would occur based on the fact that it was an industrial use. While the proposed project would allow delivery of up to 300 TPD of solid waste and recyclables by self-haul and commercial collection trucks, the use would not increase employment at the site and is still classified as industrial and the potential to increase the use of existing parks such that substantial physical deterioration of the facilities would be less than significant. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.
- b) The proposed project does not include housing nor will it increase employment at that site and as such will not increase demand for schools, parks or other public facilities. No impacts schools, parks or other public facilities such as libraries are anticipated as a result of the proposed project. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

16. TRANSPORTATION/TRAFFIC

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b) Conflict with an applicable congestion management program (CMP), including, but not limited to, level of service standards and travel demand measures, or other standards established by the CMP for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☒	☐	☐
e) Result in inadequate emergency access?	☐	☐	☒	☐
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐

Responses to Questions:

- a) A traffic assessment was conducted by KD Anderson and Associates, Inc., dated June 5, 2018, and is included as **Appendix C**. As part of the traffic assessment, traffic counts were taken at three intersections selected by the City in the project vicinity on May 7, 2018, while school was in session and between the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., to determine the existing conditions and levels of service. These time periods were selected based on consideration of the hours of highest traffic volume in the Yuba City area and typical engineering practice. Traffic counts were conducted in 15-minute intervals, and the consecutive 60-minute period with the greatest volume was identified as the peak hour.

Per the KD Anderson traffic study, existing Level of Service (LOS) traffic conditions for the three study intersections are as follows:

INTERSECTION	AM PEAK HOUR LOS	PM PEAK HOUR LOS
Garden Hwy./Lincoln Rd.	AM Peak Hour – LOS B	PM Peak Hour – LOS B
Garden Hwy./Epley Dr.		
Southbound left turn	AM Peak Hour – LOS B	PM Peak Hour – LOS C
Westbound approach	AM Peak Hour – LOS C	PM Peak Hour – LOS A
Garden Hwy./Burns Dr.	AM Peak Hour – LOS B	PM Peak Hour – LOS B

All three intersections studies are currently operating with Levels of Service that exceed the City's Minimum LOS D standard, and no improvements are required.

The amount of vehicle traffic associated with the project is described in terms of vehicle trips. Each load traveling to or from the site generates two trips (i.e., one inbound to the site and one outbound from the site). The number of vehicle trips has been estimated based on the increase in permitted tonnage as well as the capacity of the vehicles used to transport the material. Based on an additional 200 TPD of material being processed at the site, the proposed project could result in a total of 104 total daily vehicle trips to and from the site (i.e., 52 in bound and 52 outbound).

The amount of vehicular traffic occurring in any particular hour will depend on the business' hours of operation and the likely schedule of activities. Estimated truck activity and employee travel associated with the project will occur over an eleven (11) hour operating day from 7:00 a.m. to 6:00 p.m. Truck activity is expected to be relatively uniform across that period, but somewhat less truck travel would be expected in the evening as the plant begins to wind down for the day. It is estimated that the project will generate up to eight vehicle trips, or 18 Passenger Car Equivalent (PCE) trips during the a.m. peak hour.

The City of Yuba City employs a trip generation threshold to determine at a screen line level whether a traffic impact could possibly occur and whether a traffic impact analysis is justified. The screen line threshold (i.e., 50 peak hour trips (inbound plus outbound) is similar to that required by many other public agencies. There is no specific screen line for PCE's. The project could generate up to eight vehicle trips during the a.m. peak hour which is well below the 50 trips threshold for a traffic study. Even if the project's peak hour PCE estimate was applied, this estimate (i.e., 18 PCE's peak hour trips) is less than the 50-trip threshold used by the City of Yuba City. Based on the City's criteria, the project is not expected to have a significant impact to the local or regional street systems.

The Yuba City General Plan addresses traffic level of service through implementing policy 5.2-I-12 which states:

Develop and manage the roadway system to obtain LOS D or better for all major roadways and intersections in the City. This policy does not extend to residential streets (i.e., streets with direct driveway access to homes) or bridges across the Feather River nor does the policy apply to state highways and their intersections, where Caltrans policies apply. Exceptions to LOS D policy may be allowed by the City Council in areas, such as downtown, where allowing a lower LOS would result in clear public benefits.

The primary streets providing access to the project site are Garden Highway, Bogue Road and Lincoln Road which are all classified under the City's General Plan as Major Arterials. The General Plan "Daily Roadway Segment Operations Summary – October 2001, shows the following levels of service:

- Garden Highway from Lincoln Road to Teesdale Road - LOS C;
- Bogue Road from SR 99 to Railroad Ave. - at LOS B; and,
- Lincoln Road from Walton Avenue to Highway 99 - LOS B.

The General Plan "Peak Hour Intersection Operations Summary – 2002 Conditions, does not include any intersections in close proximity to the project site.

The Yuba City General Plan seeks to achieve a balance between existing and future land use and traffic carrying capacity through planned improvements to the roadway network. Major street improvements planned or programmed for Yuba City include enhancements to Highway 99 and State Route 20. Highway 99 will be widened between Bogue Road and Lincoln Road to 6 lanes. State Route 20 from Highway 99 to Civic Center Drive is proposed to be widened from 4 to 6 lanes. Other key improvements include two new north-south parkways to provide better connections; a new bridge as an extension of Lincoln Road; and numerous new collector and local streets, to provide a well-connected circulation system.

The following street improvements as set forth in the Yuba City General Plan would benefit the project site and area:

- Upgrade Lincoln Road from Township Road to Garden Highway to a 4-lane arterial;
- Upgrade Bogue Road from George Washington Boulevard to Garden Highway to a 4-lane arterial; and,
- Upgrade Garden Highway from Epley Drive to Percy Avenue to a 4-lane arterial.

The following General Plan Implementing Policies would reduce any potential project related impacts:

- 5.2-I-5 - Continue to require that new development pays a fair share of the costs of street and other traffic and transportation improvements based on traffic generated and impacts on service levels.
- 5.2-I-6 Require city-wide traffic impact fees on all new development to ensure that transportation improvements keep pace with new development.

The 2011 Yuba City Bicycle Master Plan provides a set of goals and policies for development of a safe and continuous bikeway system that benefits the City's residents and businesses that expands on the existing system. Existing bikes lanes in the project vicinity include:

- Bogue Road between South Park Drive and Garden Highway (Class 2)
- Garden Highway between Stewart Road and Lincoln Road (Class 2)
- Teesdale Road between Railroad Avenue and Garden Highway (Class 2)
- Levee Bike Path South between boat access and Shanghai Bend Drive (Class 1)

The proposed project would not impact any of the following planned bicycle facilities:

- Lincoln Road from Township Road to Garden Highway (the State Route 99 to Garden Highway is classified as a high priority) (Class 2)
- Garden Highway from Stewart Road and Second Street (Class 2)
- Burns Drive from Garden Highway to the Levee Access (Class 3)

The proposed project will incorporate two bicycle locking racks for employees per code requirements. RI may salvage discarded bicycles which will be donated to local organizations that restore and donate them to members of the community.

Based on the proposed project generating trips that are below the screen line level threshold and below applicable warrants, the fact that the surrounding street segments were operating at LOS C or better, and the future street improvement plans contained in the City's General Plan that would increase effectiveness of circulation in the project area, the proposed project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- b) Based on the proposed project generating trips that are below the screen line level threshold and below applicable warrants and having a similar number of employees as the project approved under EA 12-2 and UP 12-01, no additional impacts to the roadway system or additional demand for public transportation would be generated. Furthermore, the project does not require preparation of a trip reduction plan since less than 500 people will be employed at the project site. The proposed project would not conflict with applicable congestion management program (CMP) policies or regulations such as City level of service standards and travel demand measures, or other standards established by the CMP for designated roads or highways. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.
- c) The proposed project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

- d) EA 12-2 determined that based on the review and recommendations of the Yuba City Engineering Division, the project proposed under UP 12-01 did not warrant traffic improvements beyond what had already been constructed in the area. The project was further conditioned to prohibit trucks from stacking in the public right-of-way as they wait to access the site. Based on the proposed project generating traffic and circulation patterns similar to those associated with the project approved under UP 12-01, incorporating any recommendations from the City Engineering Department, and providing adequate onsite stacking distance for customers, there will not be any increase in hazards due to the proposed project design. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.
- e) EA 12-2 determined that based on the review and recommendations of the Yuba City Fire Department, which included the requirement that a fire sprinkler system be installed, adequate emergency access would be provided. Based on the fact that the proposed project would not substantially increase the fire hazards at the site when compared to those anticipated under the proposed project, installation of a fire sprinkler system and compliance with the RITS TPR which details emergency access points and access procedures, the proposed project will not result in inadequate emergency access. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.
- f) The proposed project will provide two bicycle locking racks and the nearest public transit stops are located .6 miles to the northeast and southeast, and as such will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

17. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the Regional Water Quality Control Board?	☐	☐	☒	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☒	☐	☐

Responses to Questions:

- a) The existing RI facility is connected to the sewer system and the proposed project should not generate wastewater quantities that would exceed current treatment capacity. Per EA 12-2, Yuba City has adequate wastewater treatment to accommodate the proposed project, and effluent generated at the RITS would not be expected to exceed any requirements of the wastewater treatment plant or Regional Water Quality Control Board. In addition, the proposed project includes clarifiers to treat washdown and contact stormwater prior to

discharge into the sanitary sewer system. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- b) The City's water treatment plant has a capacity of 36 million gallons per day (mgd) and based on a projected 2025 water demand of 21 mgd, there would be sufficient water treatment capacity for the proposed project. The project would therefore not require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

The City's wastewater treatment facility (WTF) has a capacity of seven million gallons per day (mgd) and is currently treating approximately six mgd. The 1997 Yuba City Wastewater System Master Plan did not indicate major sewer deficiencies for either current or future flow conditions. The project would therefore not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- c) The City of Yuba City maintains a stormwater conveyance system that collects water from storm events (stormwater) and drains to the Feather River and Sutter Bypass. This system reduces the effects of localized flooding. Prior to any project-related storm drain connections, the City will review and approve stormwater runoff calculations to ensure that the existing off-site municipal storm drain infrastructure is adequate to accommodate surface water runoff from the project. The infrastructure includes a 33-inch storm drain in Putman Avenue, a 36-inch storm drain in Burns Drive, a detention basin adjacent to the City Wastewater Treatment Plant and a pump station that conveys the water to the Feather River. With City review and approval of site runoff and storm drain design calculations, any increase the rate and/or amount of surface runoff from the proposed project would be conveyed off site in a manner that does not result in on- or off-site flooding. The proposed project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- d) The project site is designated for industrial uses under the General Plan Land Use Map and assuming buildout as envisioned in the plan, a total of 27,474 acre feet of water will be required in year 2025. With an expected annual supply of 32,573 acre feet, average water demand will not exceed supply. The RITS TPR will incorporate water conservation measures related to operation of the facility as well as water conserving plumbing fixtures as required under the applicable building codes. There would be sufficient water supplies available to serve the project from existing entitlements and resources, and new or expanded entitlements would be needed.

There will be a small increase in water use associated with the project and proposed mitigation measures such as reduced frequency of pressure washing, alternative cleaning methods and overall water conservation measures. In section 5.7.2 of the TPR, the operator stipulates to provide daily pressure washing of the tip floor as a mitigation measure to further reduce any impacts associated with odor. Daily cleaning of a tip floor with a pressure washer is a significant improvement over the minimum operating standards for solid waste facilities.

As noted in this section of the TPR, the operator estimates using less than 0.49 acre-feet of water on an annual basis, which is approximately the same amount of water used by 1.8 residential households annually. The amount of water use is not considered a significant impact. This water will drain into the City's sanitary sewer through an engineered clarifier to remove solids. The operator could reduce daily pressure washing of the tip floor if the City requests this as a mitigation measure. The City sewer system is capable of handling this additional amount of sewer discharge. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

- e) Sanitary sewer service is currently provided to the project site. Any new connections required as part of the proposed project would be reviewed and approved by the City indicating that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.
- f) EA 12-2 concluded that there is adequate landfill capacity to accommodate the proposed transfer station use. If Recology's Ostram Road Landfill is unable to receive solid waste, then five other landfills located within a 70 mile radius of the RITS are available to accommodate this project's solid waste disposal needs. The proposed project would not result in an increase in the amount of solid waste requiring disposal at local landfills as the waste is already being generated and disposed of in the area so there would not be impacts on local landfills as a result of the proposed project. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.
- g) The proposed project is a solid waste facility that will require a solid waste facility permit issued under Title 14 CCR and subject to the regulations and operating standards contained therein. Operational standards set forth in the RITS TPR will ensure compliance with all applicable federal, state, and local statutes and regulations related to solid waste. Therefore, the revisions to the project do not create a new or more significant impact than was evaluated in the original IS/MND.

18. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Responses to Questions:

- a) The project site is in an urbanized area with little biological value. The proposed project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate an important example of the major periods of California history or prehistory.
- b) The project related impacts are individually limited, and cumulatively would not be considerable when viewed in the context of existing and future development envisioned under the Yuba City General Plan.

- c) EA 12-2 found that the potential environmental effects related to the project approved under UP 12-01 would not create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. The proposed project would expand existing recycling and solid waste service permitted under UP 12-01 by allowing up to 300 tons per day of solid waste and recyclables to be delivered to the RITS in commercial collection and self-haul vehicles. Any additional impacts associated with the proposed project will be mitigated through compliance with the Regulatory Requirements contained in Title 14 CCR, as well as through the operational controls established in the RITS TPR, and would therefore not have any environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

APPENDIX A
TRANSFER/PROCESSING REPORT

TRANSFER/ PROCESSING REPORT

Recycling Industries, Inc.

**Large Volume Transfer Station
SWFP Revision**

**140 Epley Drive
Yuba City, California**



**SWFP Application Submittal: Revision 1.01
29 September 2017**

Please print on recycled paper

TRANSFER/ PROCESSING REPORT
Recycling Industries' Large Volume Transfer Station
140 Epley Drive
Yuba City, California

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RECORD OF AMENDMENTS & UPDATES

<u>Revision No.</u>	<u>Revision Date</u>	<u>Affects</u>
0.03	08/31/2017	Pre-Submittal Client Draft (client distribution)
1.01	09/29/2017	SWFP Application Release (full distribution)

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LIST OF ABBREVIATIONS AND ACRONYMS

8 CCR	Title 8 of the California Code of Regulations (Division 1 unless otherwise noted)
14 CCR	Title 14 of the California Code of Regulations (Division 7 unless otherwise noted)
22 CCR	Title 22 of the California Code of Regulations (Division 4.5 unless otherwise noted)
24 CCR	Title 24 of the California Code of Regulations (California Fire Code)
AB 939	The California Integrated Waste Management Act, as Amended
A/C	Authority to Construct (Issued by Local Air Quality Management District)
AC	Asphaltic Concrete Pavement
ADA	Americans With Disabilities Act
AI	Airport Influence Combining District (for Sutter County Airport CLUP)
ALUC	Airport Land Use Commission (for Sutter County Airport)
AMS	Alternative Management System (for treated wood waste)
ANSI	American National Standards Institute
APN	Sutter County Tax Assessor's Parcel Number
ARB	California Air Resources Board
BMP	Stormwater Pollution Prevention Best Management Practices
Cal Recycle	California Department of Resources Recycling and Recovery
CCR	California Code of Regulations
CDI	Construction, Demolition, and Inert Materials
CEQA	The California Environmental Quality Act
CESQG	Conditionally Exempt Small Quantity Generator
CFR	Code of Federal Regulations
CI	Compression Ignition (diesel engine)
Contact Water	Water that has been in contact with MSW materials
CRV	California Redemption Value
CLUP	Comprehensive Land Use Plan (for Sutter County Airport)
CUPA	Certified Unified Program Agency
DTSC	California Department of Toxic Substances Control
DWR	California Department of Water Resources
ESFR	Early Suppression Fast Response Building Fire Protection System
Facility	Same as "Site" Below (together with improvements upon these parcels)
FEMA	Federal Emergency Management Agency
FRAQMD	Feather River Air Quality Management District
gpm	Gallons per Minute (flowrate measurement)
H&S Code	California Health & Safety Code
IIPP	Illness and Injury Prevention Plan
IWMP	Integrated Waste Management Plan (AB 939 mandate)
JPA	Joint Powers Authority
KV	1000 volts
LEA	Local Enforcement Agency for Cal Recycle
LOS	Level of Service for Public Roadways
LVTs	Large Volume Transfer Station (Title 14 CCR definition)
M-2	Industrial Zoning District (Yuba City Municipal Code)

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LIST OF ABBREVIATIONS AND ACRONYMS (continued)

MND	Mitigated Negative Declaration (environmental review document)
MSW	Municipal Solid Waste
NAD83	North American Datum (1983)
NFPA	National Fire Protection Association
NDFE	Non-Disposal Facility Element of the IWMP
NOAA	National Oceanographic and Atmospheric Administration
NOD	Notice of Determination
NPDES	National Pollutant Discharge Elimination System
NWS	National Weather Service
OCC	Recycled Corrugated Cardboard
Overflight Zone	Area Outside Approach/ Departure Zone (Determined By Airport Land Use Commission)
PG&E	PG&E Corporation (subsidiary of Pacific Gas and Electric Company)
PCC	Portland Cement Concrete Pavement
PERP	Portable Equipment Registration Program (ARB program)
PO	Permit to Operate (Issued by Local Air Quality Management District)
POTW	Publically-owned Treatment Works for Sanitary Sewer
PRC	California Public Resources Code
Project Site	Same as "Site" below
psi	Pounds per Square Inch (gauge water pressure measurement)
RCRA	The Resource Conservation and Recovery Act, as Amended
RFI	Report of Facility Information
RI	Recycling Industries, Inc.
RITS	Recycling Industries Transfer Station
RWMA	Yuba-Sutter Regional Waste Management Authority (JPA)
RWQCB	California Regional Water Quality Control Board, Central Valley Region
SACOG	Sacramento Area Council of Governments
SCH	State Office of Planning and Research, State Clearinghouse and Planning Unit
SF	Square Feet (area)
Site	Sutter County APN 54-083-014, APN 54-083-015 and APN 54-083-023, in combination
SRRE	Source Reduction and Recycling Element of the IWMP
SWFP	Solid Waste Facilities Permit
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	California State Water Resources Control Board
TPD	Tons per Operating Day
TPR	Transfer/ Processing Report
TWW	Treated Wood Waste
U.S. EPA	United States Environmental Protection Agency
YCFD	Yuba City Fire Department
Yuba-Sutter LEA	Yuba County Community Development & Services Agency, Department of Environmental Health, Acting as LEA within Sutter County and Yuba City
YCDPW	Yuba City Department of Public Works

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REGISTERED PROFESSIONAL'S CERTIFICATION

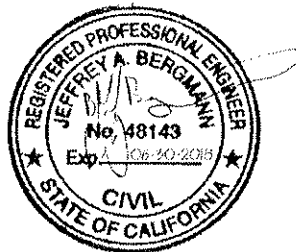
This *Transfer Processing Report, Recycling Industries' Large Volume Transfer Station, 140 Epley Drive, Yuba City, California* ("TPR"), has been developed in accordance with applicable State requirements of the California Department of Resources Recycling and Recovery ("Cal Recycle") for the contents of reports of facility information for Large Volume Transfer Stations, as set forth within Title 14 of the California Code of Regulations, as were in effect as of the certification date below.

This TPR was prepared in accord with the scope-of-work outlined within the contract agreement between the Engineer and Recycling Industries, Inc., and is subject to all conditions and limitations set forth within said contract agreement. This document was prepared in accordance with generally accepted engineering and environmental consulting practices prevailing within the region of this site, at the time that this document was prepared. This document was prepared for the exclusive use of Recycling Industries, Inc., and for the purpose expressly stated in the preceding paragraph. No other warranties are expressed or implied by the Registered Professional.

The data, analysis and any opinions contained within this report are reflective of conditions existing at the time that this document was prepared, and may be based upon data and/ or information derived from third parties. Unless attributed to a third party, all content of this TPR, including all text and all graphics, is copyright © Jeffrey Bergmann, 2017 ALL RIGHTS RESERVED, and subject to penalties for infringement of this copyright & for unauthorized use.

Unless otherwise expressly stated, all illustrations within this Document are not for use as construction plans, and all depictions of utilities should be considered approximate locations, and potentially incomplete. Use of any information contained within this TPR by any other parties for any purposes shall be at such parties' sole and exclusive risk, shall be subject to compensation to the Engineer for authorized use, and shall be without liability to the Engineer.

Witness My Hand & Seal



29 September 2017

Date

Jeffrey Bergmann, P.E.

California Registered Professional Engineer No. 048143 (CIVIL)

TRANSFER/ PROCESSING REPORT

Recycling Industries' Large Volume Transfer Station

140 Epley Drive

Yuba City, California

1.0. INTRODUCTION

This Transfer/ Processing Report (hereinafter also "*TPR*") has been prepared for, and at the request of, Recycling Industries, Inc. (hereinafter also "*Recycling Industries*" or "*RI*" or "*Operator*") for RI's operations located at 140 Epley Drive, within the city limits of Yuba City, California. Land owner for this facility is a separate entity (Kuhnen Family Limited Partnership, hereinafter "*KFLP*"), which shares common ownership & management with the Operator entity.

RI had conducted recycling operations at this location between 2009 and 2015 as a *Recycling Center* pursuant to the allowance of 14 CCR Section 17402.5 (d). During 2011 through early 2015, RI pursued application for full Solid Waste Facility Permit (hereinafter also "*SWFP*") in order to allow intake of self-haul solid waste materials at this location, in addition to recyclable materials mixed with solid waste, and/ or recyclable materials with greater than 10 percent residual materials [per definition of 14 CCR Section 17402.5 (b)(1)].

Cal Recycle concurrence upon SWFP No. 51-AA-008 was granted on 27 May 2015. This existing SWFP is administered by Yuba County Community Development & Services Agency, Department of Environmental Health (hereinafter also "*Yuba-Sutter LEA*" or "*LEA*"), acting as the Local Enforcement Agency for Cal Recycle.

SWFP 51-AA-008 permits RI to accept up to 100 tons per day (hereinafter "*TPD*") of municipal solid waste (hereinafter "*MSW*"), as well as recyclable materials, upon 3 permitted acres as detailed herein, without limitation on the percentage of residual materials relative to intake, with prohibition that putrescent materials may not exceed 10% of intake. SWFP 51-AA-008 conditions that mixed MSW in commercial packer trucks may be only accepted with written authorization from Yuba City staff. SWFP 51-AA-008 permits RI a traffic volume of up to 238 vehicles per day for customer intake and outbound materials traffic.

The purposes of this amendment to the TPR and associated revision of this SWFP are:

- 1) To increase the acreage permitted by SWFP from 3 $\pm$ to 4 $\pm$ acres;
- 2) To increase the new transfer station building size from 18,000 square feet to 21,600 square feet;
- 3) To provide customer intake configuration designed to accommodate permitted traffic volumes;
- 4) To reconfigure site traffic flow to provide better separation of customer user classes;

- 5) To provide traffic flow which allows intake of customers who have loads consisting exclusively of recyclable materials (California Redemption Value containers, metals & white goods, cardboard & fiber, e-wastes) separate from customers who have loads consisting of MSW, mixed MSW & recyclables, and recyclable materials only accepted at transfer station operations;
- 6) To incorporate additional controls for odor, vectors and protections for human and environmental health specific to acceptance of solid wastes in commercial packer trucks, and for transfer of residual MSW from franchise collection intake sources; and
- 7) To increase permitted RITS tonnage from 100 TPD (average and peak) to 300 TPD average (year 2030) and 360 TPD (unusual loading).

With regard to item 6) above, the jurisdictions within the economically viable collection area for commercial packer trucks are secured by exclusive franchise license (within Yuba City, unincorporated Sutter County, and the City of Live Oak, as well as within adjoining Yuba County and the Cities of Marysville & Wheatland). Commercial waste collection and construction/ demolition & inert (hereinafter also “*CDI*”) debris collection is similarly subject to exclusive franchise license within these jurisdictions.

With regard to 7) above, station design capacity remains unchanged from that as stipulated within SWFP 51-AA-008 (500 TPD design capacity), as was the design capacity defined within the TPR (Recycling Industries, 2014) pursuant to which the prior environmental document under the California Environmental Quality Act (hereinafter “*CEQA*”) was prepared, with that TPR similarly conditioning the land use permit supporting SWFP 51-AA-008. The daily permit tonnage increase described under item 7) above will be the result of permitted footprint increase from 3 to 4 acres, and other improvements to accommodate this daily tonnage increase, while meeting or exceeding State Minimum Standards and complying with other regulations and local ordinances. These improvements will afford the capacity for the RI Transfer Station to accept franchise tonnage from Yuba City through and beyond year 2030.

Solid waste management activities as described herein will not increase traffic to and from the RITS to customer vehicle counts greater than allowance of the existing SWFP, as has been considered within the prior environmental document prepared pursuant to CEQA. The design of the RITS includes internal circulation of traffic within the Site such that adequate provisions are available to accommodate this traffic volume and preclude stacking of customer vehicles upon public roads, as well as without disruption of internal customer traffic flow.

All solid waste management activities involving MSW, recyclable materials mixed with MSW, and similar solid wastes potentially containing putrescent materials in quantities which could provide food source or harborage for rodents and other vectors, or which could be an attractant for birds, are to be conducted as operations within an enclosed building, with building entrances closed at times when not opened for customer tipping. MSW and putrescent materials are removed within 48 hours of receipt, with an operational objective to remove MSW within 24 hours of receipt.

Outdoor operations for this Facility are limited to those materials that do not provide a food source for rodents, that will not provide harborage for other vectors, and that are not an attractant

for birds. Outdoor activities for this Facility are screened from public view by frontage fencing along both Epley Drive and Putman Avenue. The outdoor ground operations described within this TPR should not be visible from street exposures.

The activities described within this TPR are permissible uses for the current zoning of the parcels which comprise the Facility per the most recently adopted zoning, subject to finding by the local planning authority (Yuba City Planning Department) that the vested entitlements for the Project Site (Use Permit and associated Environmental Document) adequately consider all operations described in this amended TPR.

The solid waste operations conducted at this Facility are intended to be consistent with requirements of the California Integrated Waste Management Act (hereinafter also “AB 939”), as amended, and the associated Non-Disposal Facility Element of the regional Integrated Waste Management Plan. The minimum rate of recycling/ diversion/ conversion to beneficial use for this Facility is 85% of gate intake of source-separated recyclable materials. The target rate of recycling/ diversion/ conversion to beneficial use for the RITS is a minimum of 15% of mixed solid waste materials.

The design and operation of the RITS is intended to meet or exceed all State Minimum Standards for Solid Waste Transfer & Processing facilities, in addition to all other applicable State regulations, Federal regulations, and local ordinances.

Purpose of this TPR, and a summary of Facility operations are detailed in Section 1.1 and Section 1.2 below, respectively. Materials which are prohibited from acceptance at the RITS, as well as those materials which will not be accepted by Recycling Industries at the RITS are described in Section 1.3 below.

1.1 PURPOSE

Operations conducted at this location are within the “Full Solid Waste Facilities Permit” level, as set forth pursuant to Title 14 of the California Code of Regulations (hereinafter “14 CCR”) Chapter 3, Article 6, Section 17403.7 for Large Volume Transfer Stations. This TPR and supporting documents are submitted to the LEA, as agent for Cal Recycle, in support of a complete and correct SWFP application in accord with 27 CCR, Division 2, Chapter 4, Subchapter 3.

The specific purposes of this TPR are:

- 1) To provide, pursuant to the requirements of Title 14 CCR, Division 7, Chapter 3, Article 6.1, demonstration that the siting and design of the Facility meets solid waste Transfer & Processing Facilities Siting and Design Standards, including the engineering design requirements of 14 CCR Section 17406.2;
- 2) To provide a written plan which demonstrates that planned materials acceptance, materials processing, materials storage, residuals management, and overall operations, are consistent with the applicable State Minimum Standards for solid waste operations contained within 14 CCR, Division 7, Chapter 3, Article 6.2, as well as with State

Minimum Standards specific to solid waste Transfer & Processing Facilities contained within 14 CCR, Division 7, Chapter 3, Article 6.35;

- 3) To provide demonstration that the Facility will operate in compliance with solid waste transfer & processing recordkeeping requirements set forth within 14 CCR, Division 7, Chapter 3, Article 6.3;
- 4) To provide demonstration that this Facility and its operations will be conducted in accordance with existing local planning requirements & land use permits, applicable environmental regulations for water and air, applicable fire protection standards, and other local and state policies, regulations & statutes applicable to the solid waste management operations hereunder; and
- 5) To provide documentation that the SWFP for this Facility is consistent with the Non-disposal Facility Element of the regional Integrated Waste Management Plan for Yuba City in accord with Public Resources Code (hereinafter “PRC”) Section 50001.

A checklist for determination that this TPR and associated SWFP application documents constitute a complete application for SWFP at the time of submittal is provided in Appendix A.

Since the SWFP application supported by this amended TPR increases the tonnage to be accepted by the Facility, and also increases the acreage upon which Facility operations are to occur, the associated SWFP application is for *revision of SWFP* pursuant to 27 CCR Section 21620(a)(4)(A) and to 27 CCR Section 21620(a)(4)(B), respectively.

Terms relating to solid waste management as used within this TPR shall be interpreted in accord with those definitions provided within 14 CCR Division 7, Chapter 3, Article 6, Section 17402, unless otherwise noted.

1.2 SUMMARY OF OPERATIONS

Operations pursuant to this TPR for revision of the existing SWFP are summarized as:

- ♦ Occurring upon 4 ± acres (one additional acre with SWFP revision);
- ♦ Occurring following completion of the new MRF/ Transfer Station building;
- ♦ With new ingress constructed from Epley Drive for all customers;
- ♦ With a new inbound scale/ transfer station access controls, and re-purposed outbound scale for customer cashing;
- ♦ With modified internal traffic flow, including adequate internal traffic stacking;
- ♦ With other modifications and improvements (depicted on Figure 4B) and;
- ♦ With direct egress onto Putman Avenue for franchise hauler vehicles with established tare weight (packer trucks), and MSW transfer trucks (weighed at their destination) as exit for these vehicles following tipping or loading.

Solid waste and recycled materials handling operations at this location pursuant to this TPR and revised SWFP will include receipt of up to 300 tons per operating day (average) and 360 tons per operating day (unusual loading) of mixed MSW materials and CDI debris, from both public self-haul and franchise solid waste collection sources, in addition to source-separated recyclable materials, and mixed source-separated recyclables (co-mingled recyclables) from franchise curbside collection programs.

A detailed listing of materials to be accepted at this location is found within Appendix G, Section G.2.1. Unacceptable materials for this location are detailed in Appendix G, Section G.2.2 and summarized in Section 1.3 below. Materials prohibited from acceptance this location are detailed in Appendix G, Section G.2.3 and also summarized in Section 1.3 below.

Solid Waste and recycled materials handling operations at this location will be limited to receipt of up to 100 tons of MSW and mixed wastes per operating day (pursuant to the SWFP currently in place) until completion of improvements for capacity expansion as described within this TPR.

1.3 PROHIBITED AND UNACCEPTABLE MATERIALS

Hazardous Wastes pursuant to 22 CCR Division 4.5, Chapter 10, Article 2, Section 66260.10 and Universal Wastes pursuant to Section 66261.9 (with specific exceptions as noted in the following paragraph), Designated Wastes (as defined in California Water Code Section 13173), Medical wastes pursuant to the California Health & Safety Code (hereinafter "*H&S Code*") Section 177690 and certain Treated Medical Wastes pursuant to H&S Code 177695, are excluded during load acceptance screening, and/ or by the continuous load-check program described within this TPR. Sewage Sludge, septage, and liquid or semi-solid wastes are similarly excluded. Animal carcasses are also an excluded waste (not to be included within the SWFP for this location). Collectively, the excluded materials as described in this paragraph are referenced herein as "*Prohibited Materials*".

Specific exceptions to *Prohibited Materials* as defined in the preceding paragraph which will be accepted at this location are:

- 1) Lead-Acid Storage Batteries collected at this location for recycling;
- 2) Covered Electronic Devices (e-waste) collected at this location for recycling pursuant to the Electronic Waste Recycling Act (SB 50), as amended; and
- 3) Treated Wood Waste collected at this location and managed pursuant to the Alternative Management Standards (hereinafter "*AMS*") for Treated Wood Waste (22 CCR Division 4.5, Chapter 34, Section 67386.1 et seq.).

Hazardous and potential hazardous materials (toxic, corrosive, reactive & flammable materials, RCRA-listed hazardous wastes, and non-RCRA hazardous wastes), designated wastes & universal wastes, and regulated medical wastes/ certain treated medical wastes are excluded from Facility intake materials to the extent practicable through intake load screening protocols and the continuous load check programs set forth within this TPR. *Prohibited Materials* as may be discovered during customer intake are rejected. *Prohibited Materials* as may be discovered

during and following customer tipping are to be lawfully managed by the Operator, as described within this TPR.

Loads containing wastes that are potentially beyond the operational and design controls described within this TPR for odors, vectors, dust nuisance, or protection of the environment will not be accepted. Examples include loads that consist primarily/ exclusively of highly putrescent wastes and loads that consist primarily/ exclusively of manure or biosolids. Such loads may be rejected by the Operator, with the customer directed to an appropriate alternate facility such as a land-disposal solid waste facility (landfill), or to a composting facility for disposition of their load. Collectively, the materials described in this paragraph are referenced herein as “*Unacceptable Materials*”.

The Operator further will not accept materials from franchise curbside greenwaste collection, and will not accept franchise collection restaurant and food wastes collected for the purpose of diversion to composting, under the operations described within this TPR. These materials will be transported directly to a permitted greenwaste/ composting facility. Only yard and garden trimmings from public self-haul customers will be accepted pursuant to operations described within this TPR.

1.4 SCOPE AND LIMITATIONS

The Operator has directed that this is the appropriate scope under which RI wishes to conduct operations at this location at the present time. Some of the information on operations included herein has been provided by the Operator, and may not have been verified by the certifying professional. This TPR has been prepared for, and its applicability is limited to, this particular location and this particular Operator. Applicability of this TPR is further limited to those operations specifically identified within this TPR.

This TPR must be periodically updated, as necessary to reflect modifications, additions or deletions to solid waste handling operations as described herein. Excepting *Minor Changes* in operations as enumerated within 14 CCR Section 21620(a)(1), changes to the type or nature of activities at this location, or changes in the areas where these activities are conducted should be evaluated by a qualified professional to establish if they necessitate amendment of this TPR and/ or modification of the associated SWFP.

This TPR may be amended, or this TPR may be replaced in the future, to incorporate additional activities & operations by Recycling Industries or by other parties insomuch as those activities & operations may be allowed by zoning and/ or land use entitlements for the property(ies), if they were adequately considered within the governing Environmental Document (CEQA), and if they are permissible by other applicable regulations. This TPR may be also amended in the future to account for differing quantities and/ or differing characteristics of materials to be accepted, processed, and stored at this location, subject to these caveats concerning land use ordinance, land use entitlements, environmental review, and compliance with other statutes and regulations.

Nothing in this TPR is intended, nor shall it be construed to supplement or to replace, employee health and safety programs which are required by the Operator's employee health and safety policies, or which are otherwise required by law.

TRANSFER/ PROCESSING REPORT

Recycling Industries' Large Volume Transfer Station 140 Epley Drive Yuba City, California

2.0 LOCATION, SETTING AND IMPROVEMENTS

Information concerning Site location, customer access routes, the area anticipated to be served by the Facility, zoning of the Facility, zoning & land uses in the Facility vicinity, existing utility connections and available utilities (including available fire flow), a description of existing and planned improvements (existing buildings, new buildings, parking, pavement, & landscaping), stormwater drainage, and flood hazard evaluation for the Site are detailed in the sections below.

2.1 FACILITY LOCATION

Site location is presented on Figure 1. The site is located in the Garden Highway Industrial Park, within the incorporated area of Yuba City, Sutter County California. Facility operations are conducted upon properties with an associated situs address of 140 Epley Drive.

The currently permitted operations under SWFP 51-AA-008 occur upon two contiguous parcels under the same land ownership. These are Sutter County Tax Assessor's Parcel Number (hereinafter "APN") 54-083-014 and APN 54-083-023, which occupy a combined $3.0 \pm$ acres. With capacity expansion pursuant to this TPR, the adjacent parcel to the south these permitted 3.0 acres (APN 54-083-015 = $1.0 \pm$ acres) will be merged into APN 54-083-014 (currently $1.0 \pm$ acres, becoming $2.0 \pm$ acres) by lot line adjustment. The resulting $4.0 \pm$ acre footprint upon these parcels is the permit area to be included in amendment of SWFP 51-AA-008 (herein also "Project Site", or "Site" or together with improvements, "Facility").

The Site is centered at latitude 39.1112 north, longitude -121.6099 west (NAD83). A scale map of the Site Vicinity is provided on Figure 2A. A Site Vicinity Map with aerial imagery is provided on Figure 2B. A scale Site Vicinity Plan, depicting the Project Site, as well as adjoining and proximate parcels, is provided on Figure 3.

The Site is located approximately 0.55 miles south-southwest of the Sutter County Airport runway (at closest Site property line), and is within the *Overflight Zone* of this Airport (Airport Land Use Commission, 1994). Attention is directed to Section 3.10 of this TPR for information on the Airport Land Use Commission and references to other sections of this document pertaining to the Sutter County Airport and considerations required for Project Site location within the *Overflight Zone*.

Existing buildings, parking, surfacing, Facility access, as well as other relevant existing site features and improvements are illustrated on Figure 4A. Existing buildings retained with capacity expansion, together with proposed/ relocated buildings, existing and new utilities, modified and new parking, modified and new Facility ingress & egress, as well as other relevant features and

improvements with capacity expansion pursuant to this TPR are illustrated on Figure 4B. Summary narratives of Facility features and improvements with capacity expansion are provided in Section 2.7 of this TPR and within associated subsections.

2.2 FACILITY ACCESS ROUTES

Primary truck access to the Site from the junction of State Highway 20 & State Highway 99 is: South on State Highway 99 approximately 3.0 miles to Bogue Road; Thence east approximately 1.00 miles on Bogue Road to Garden Highway; Thence north approximately 0.70 miles on Garden Highway to Epley Drive; Thence east-northeast on Epley Drive approximately 0.35 miles to the Facility entry. Both Garden Highway (south of Franklin Avenue) and Bogue Road (between State Highway 99 and Garden Highway) are designated truck routes (Yuba City Code of Ordinances, Title 4, Chapter 9, Article 13, Section 4-9.1305(c)(20) and Section 4-9.1305(c)(27), respectively), and are posted as truck routes.

One alternate access to the Site from the junction of State Highway 20 & State Highway 99 is: South on State Highway 99 approximately 2.0 miles to Lincoln Road; Thence east approximately 0.95 miles on Lincoln Road to Garden Highway; Thence south approximately 0.15 miles on Garden Highway to Epley Drive; Thence east-northeast on Epley Drive approximately 0.35 miles to the Facility entry. Lincoln Road is also designated as a truck route by Yuba City Code of Ordinances, Section 4-9.1305(c)(22), and is posted as a truck route.

Lincoln Road is identified within the current Yuba City General Plan for future development as a major arterial interconnection between State Highway 99 and State Highway 70, with easterly extension of Lincoln Road aligned to the south of the Sutter County Airport and just north of the Garden Highway Industrial Park (with a new bridge over the Feather River connecting to Highway 70 at Earle Road). This interconnection is identified within the General Plan as necessary to maintain level of service (“LOS”) on the Highway 20 corridor through Yuba City and the Highway 20 Bridge across the Feather River from Yuba City into Marysville.

Regardless of future status of this interconnection as presented in the current Yuba City General Plan, the RITS removes approximately 200+ vehicles per day originating from Yuba City and Sutter County from the Highway 20 corridor through eastern Yuba City (thence the Highway 20 Bridge), as otherwise would be destined for the Recology Transfer Station, located off Highway 20 on Levee Road near the east corporate limits or Marysville.

Burns Drive to Putman Avenue is an alternate route to the routing on Epley Drive from Garden Highway described above. Burns Drive, Epley Drive, and Putman Avenue are truck routes designated by Yuba City Code of Ordinances, Section 4-9.1305(c)(28), Section 4-9.1305(c)(29), and Section 4-9.1305(c)(31), respectively, and are posted as truck routes.

Numerous alternate routes for self-haul residential and business customers from Yuba City exist via arterial roads.

2.3 FACILITY SERVICE AREA

The service area of the Facility is currently governed by competitive free market, and is not defined by an exclusive franchise or license agreement. Accordingly, there is no defined service area at the present time. Given regional solid waste management opportunities & current market conditions, it is anticipated that the primary service area of the Facility will compromise an approximately 10 mile radius, including, but not be limited to the City of Yuba City, and proximate portions of unincorporated Sutter County. The service area for the RITS under free market conditions is governed by competitive pricing, by customer convenience, and by the customer service and customer satisfaction level provided by the Operator.

On 24 January 2017, the City of Yuba City Council voted to seek competitive proposals for solid waste franchise collection within the City's jurisdiction. This solid waste franchise includes residential curbside collection solid waste materials, residential curbside collection comingled recyclable materials, residential curbside greenwaste materials, commercial solid waste materials, and debris box solid wastes for a service area with an estimated 2017 population of 67,485 and a 2016 to 2017 estimated growth rate of 0.1 percent (California Department of Finance, 2017).

This TPR, and the associated SWFP issued pursuant to amendment application, accommodates all of these Yuba City franchise waste streams with the exception of residential curbside greenwaste, and commercial restaurant wastes destined for composting. If RI is a successful partner in the pending solicitation for Yuba City franchise collection services, RI's franchise collection partner will transport these compostable materials directly (from collection) to a regional permitted greenwaste/ composting facility.

This TPR modifies the operations of the RITS to accommodate use of this Facility as the Yuba City franchise collection destination facility for all other wastes and recyclables, and increases the Facility capacity to accommodate the loadings required for this franchise collection, together with self-haul residential and commercial solid waste and recyclables customers' use, through an initial planning horizon of approximately 15 years.

2.4 FACILITY ZONING AND LAND USE ENTITLEMENTS

The parcels which comprise the existing permitted Facility (APN 54-083-023 and APN 54-083-014) are currently designated as Yuba City Zoning District "M-2" (Industrial District), with a General Plan designation of "*Manufacturing, Processing, and Warehousing*", a land use designation including heavy industries.

The additional 1 acre added to SWFP operations pursuant to this TPR (APN 54-083-015) is also designated as Yuba City Zoning District "M-2". The land owner will execute a lot line adjustment in order to merge the southern-most parcel (APN 54-083-015 = 1.00 acre $\pm$) into APN 54-083-014 (currently 1.00 $\pm$ acre, becoming 2.00 $\pm$ acres).

All parcels comprising the Project Site (APN 54-083-014, APN 54-083-015 and APN 54-083-023) are within the *Overflight Zone* of the Sutter County Airport, and are subject to the Airport Influence Combining District requirements of Title 8, Chapter 5, Article 36 of Yuba City's

Zoning Ordinance, and applicable requirements of Title 8, Chapter 3. Attention is directed to Section 3.10 of this TPR for background information on the Airport Land Use Commission (hereinafter also “ALUC”) and for reference to the Comprehensive Land Use Plan (hereinafter also “CLUP”) as adopted by ALUC. Attention is further directed to Section 5.9 of this TPR, wherein compliance of the Facility to the restrictions and requirements of the CLUP for the *Overflight Zone* of the Sutter County Airport are detailed.

In accordance with the requirements of the Yuba City’s Zoning Ordinance Section 8-5.2102, a Use Permit approved by the Planning Commission is required to operate a recycling collection and materials processing facility in the M-2 Zoning District.

On July 23, 2014, the Planning Commission approved a Use Permit (Yuba City Use Permit No. UP 12-01) to approve a Large Volume Transfer Station (hereinafter also “LVTS”) at this Site subject to certain conditions of approval for this land use, and adopted a Mitigated Negative Declaration (City File No. EA 12-02 – see TPR Section 3.11 below).

A LVTS is the current type/ classification of solid waste management facility permitted pursuant to SWFP 51-AA-008, and a LVTS is the type and class of solid waste management facility described within this TPR for amendment of SWFP 51-AA-008.

During the review process for Use Permit No. UP 12-01 the City determined that this LVTS was a *recycling collection and materials processing facility* pursuant to Yuba City Zoning Ordinance Section 8-5.2102. Based upon the use permit application (including the TPR for SWFP 51-AA-008) as well as the CEQA Environmental Document/ Environmental Document circulation comments, City staff determined that the site for the RITS was “*highly suited for a LVTS*”.

The current Use Permit No. 12-01 entitlement allows receipt of up to 100 tons per day of mixed MSW from self-haul residential and commercial customers, limits the putrescible fraction to 10 percent of intake materials, and requires MSW management within an enclosed building pursuant to the operations described within the TPR (Recycling Industries, 2014) upon which SWFP 51-AA-008 was based.

On August 24, 2016, the Planning Commission granted a 2-year extension for Use Permit UP 12-01 for completion of development of the LVTS upon the 3-acre properties at 140 Epley Drive subject to compliance with all conditions and/or mitigation measures as approved by the Planning Commission on July 23, 2014. This extension-of-time expires on 23 July 2018.

2.5 FACILITY VICINITY ZONING AND LAND USES

Land uses within 1 mile of the Project Site include: Heavy industrial uses (manufacturing, warehousing, electricity generation, hazardous waste management, sewage treatment, etc.); Airport use; Commercial use, Agricultural uses, Residential, and Open space. Figure 2B illustrates the general distribution of nearby land uses.

All parcels within 1,000 feet of the Project Site are zoned M-2 (Industrial District). Additional information on zoning of lands in the Facility vicinity is provided in Appendix C. Figure 3 illustrates the specific land uses in proximity to the Site at the time of preparation of this TPR.

Lands within 1,000 feet to the south of the Project Site are occupied exclusively by heavy industrial uses, including the Yuba-Sutter RWMA Hazardous Waste Collection Center (134 Burns Drive), the Calpine Feather River power generation station (202 Burns Drive) and Kingsbury Bearings (1329 Putman Avenue). An unimproved lot used for storage of rental steel containers (Container Solutions – 1281 Putman Avenue) is located adjacent and to the south of the Project Site.

Lands within 1,000 feet to the southwest of the Project Site contain the Yuba City Wastewater Treatment Plant (302 Burns Drive). Lands within 1,000 feet to the west of the Project Site are mixed heavy industrial, manufacturing, and warehouse occupancies. Hilo Erectors (structural steel fabrication and erection) is located adjacent to the Site to the west (216 Epley Drive).

Lands within 1,000 feet to the northwest, north and northeast of the Project Site are occupied by heavy industrial uses (to 950+ feet), consisting of Yuba City Steel Products (steel products machining, fabrication and coating) at 345 Epley Drive, D&H Trucking Inc. (parking for contract trucking service) located at 143 Epley Drive, and Unity Forest Products (sawmill and lumber remanufacture) located at 1162 Putman Avenue. Agricultural land use (with zoning of M-2 industrial district) is present to the north of these existing heavy industrial land uses, between the Garden Highway Industrial Park and the Sutter County Airport.

Lands to the east of the Project Site include industrial and warehouse uses (extending 450 to 650 feet from the Site boundary), with Andean Naturals (seed warehousing/ distribution) located at 1200 Putman Avenue, Local Union 228 Plumbers, Pipefitters, Steamfitters and Welders (training center) located at 1246 Putman Avenue, and North State Tire/ Bandag Repair, located at 1286 Putman Avenue. The west levee of the Feather River extends approximately 500 feet beyond these land uses to the east.

The closest residentially zoned or residentially occupied parcels are 1,850 feet west of the Project Site (west of Garden Highway). Residential developments are also present beginning approximately 2,350 feet south of the Site.

The nearest schools are Park Avenue Elementary School (100 Morton Street, Yuba City), which is located approximately 1.1 miles to the north-northwest of the Project Site property boundary, Lincrest Elementary School (1400 Phillips Street, Yuba City), which is located approximately 1.1 miles to west-southwest of the Project Site property boundary and Riverbend School, which is located approximately 1.5 miles south of the Site.

No hospitals or similar sensitive-receptor occupancies or uses have been identified within 1 mile of the Site.

2.6 SITE USE HISTORY

The Project Site is located within the Garden Highway Industrial Park, an area developed during the early 1980s, in part to accommodate land uses compatible with the Yuba City Wastewater Treatment Plant (located approximately 900 feet south-southwest of the Site) and the Sutter County Airport (located approximately 3,000 feet north-northeast on the Site).

The northern 3 acres of the Site previously served as a wire & cable spool manufacturing facility for Sonoco Products Baker Division, until approximately December 2006. RI began operations at this location (upon 3 acres) as a Recycling Center during early 2009.

2.7 GENERAL DESCRIPTION OF SITE IMPROVEMENTS

Information concerning existing Site improvements and new Site improvements proposed with Facility expansion, including existing buildings, proposed new buildings, parking, landscaping, surfacing, utilities, adequacy of water supply for Facility operations & fire protection, and other improvements such as sanitary facilities, are summarized below.

2.7.1 Existing Buildings

Existing building improvements at the Facility are illustrated on Figure 4A. There are 5 existing buildings (all are metal construction) with gross floor areas in square feet (hereinafter “SF”) as follows:

- ♦ *Building No. 1* (10,400 SF) – (primarily warehouse use);
- ♦ *Building No. 2* (1,800 SF) - planned building relocation (mixed uses to be determined);
- ♦ *Building No. 3* (3,600 SF) - recycling center/ cashier (recycling use);
- ♦ *Building No. 4* (3,000 SF) - equipment shed for baler (manufacturing use); and
- ♦ *Building No. 5* (2,700 SF) - baled materials storage (warehouse use).

Building No. 1 and *Building No. 5* are currently provisioned with Early Suppression Fast Response (hereinafter “ESFR”) fire systems for building protection, with sprinkler head types as approved by the local fire authority for these warehouse occupancies.

With the exception of the relocation and repurposing of *Building No. 2* (as depicted on Figure 4B), no modifications to other existing buildings are planned with RITS capacity expansion pursuant to this TPR. Potential uses for relocated *Building No. 2* are being evaluated by the Operator, and include sanitary facilities (water closets and handwashing provisions) for transfer station workers.

2.7.2 Proposed Buildings

New building improvements proposed at the Facility are illustrated on Figure 4B. These buildings include:

- ♦ *Building No. 6* (21,600 SF) - warehouse use (partial) and recycling use (materials recovery operations); and
- ♦ *Building No. 7* (360 to 720 SF) - office use (mobile, used as the weighmaster station for inbound scale).

Building No. 6 will be apportioned for approximately 9,600 SF for solid waste transfer purposes and approximately 12,000 SF for recycling purposes. *Building No. 6* will be provisioned with a fire sprinkler system for building protection, with sprinkler system design furnished concurrent with improvement plans for this building, and as approved by the local fire authority.

Building No. 6 will also be provisioned with a pressure atomizer (mist) odor sequestration system integral to the building's mechanical systems as described in Section 5.4 of this TPR. *Building No. 6* will further be fitted with floor drains for cleaning (see Section 5.7.2 below), together with sand-oil separators with trash racks (see Section 5.7.3 below), so that vehicle paths through the building can be periodically sanitized by high temperature/ high pressure washdown, minimizing potential residue tracking from truck traffic.

Building No. 7 will be a mobile configured specifically for use as a solid waste facility weighmaster station and intake control point, with building floor area ranging from between approximately 360 SF (10 x 36 feet) to 720 SF (12 x 60 feet), as decided by the Operator. In addition to weigh-in function (assessment of charges), this building will also function as the control point for customer access to the transfer station and as the communications center for customer and traffic control (assignment of tipping slots, video monitoring for initial load screening and video monitoring during customer tipping).

2.7.3 Other Site Improvements

Other improvements proposed at the Facility are similarly illustrated on Figure 4B. These include a new inbound scale and new intake traffic stacking lanes, new/ modified/ repurposed driveways and gates, new/ modified passenger vehicle on-site parking, designation of on-site truck parking, provision of bicycle parking, pavement surfacing for all internal vehicle paths and outdoor operation areas, and new landscaping for street frontages and on-site parking areas, including parking area shade trees and street shade trees.

Some of the information provided below (for example, bicycle parking) is not directly relevant to the purposes of this TPR, but is provided to demonstrate conformance of the Facility capacity expansion to various Yuba City ordinances, as Yuba City has conditioned their Use Permit for the Facility upon the content of the Report of Facility Information (this TPR) for this land use entitlement.

Inbound Scale

The Facility currently has a single in-ground scale, located as illustrated on Figure 4A, which presently serves for both inbound and outbound weighing. With capacity expansion pursuant to this TPR, the Operator is adding an inbound scale in the southwest of the Site, associated with the addition of *Building No. 7* as described above. Location of this new above-ground scale is depicted on Figure 4B, together with entry and exit ramps/ landings and traffic lanes from

Facility ingress through new *Gate No. 1* to this scale. The existing in-ground scale is to be repurposed as an outbound scale with Facility capacity expansion, as illustrated in Figure 4B.

In addition to the traffic lane over the inbound scale, an intake traffic lane bypassing the scale is provided for customers with small (minimum-fee) loads and customers with fee-per-item loads (such as white goods and tires). The location and configuration of the new inbound scale and associated traffic lanes increases Facility intake queuing to greater than 600 lineal feet of 12-foot width lanes, with traffic flow as illustrated upon Figure 4B and detailed in Section 4.3 of this TPR.

The existing in-ground scale is to be purposed as an outbound-only scale, with cashiering for transfer station customers provided at the cashier window present on east side of *Building No. 3*.

Driveways and Gates

The Facility is currently has 3 driveways/ gates upon APN 54-083-23, and 1 driveway/ gate upon APN 54-083-014. These existing driveways [*Drive A (No. 2)*, *Drive B (No. 3)*, *Drive C (No. 4)* and *Drive D (No. 5)*] are illustrated on Figure 4A. Each of these 4 existing driveway/ gates is sized/ configured for both ingress and egress. APN 54-083-015 has unimproved frontage, and is currently without sidewalk improvements and without a driveway improvement.

With capacity expansion pursuant to this TPR, one existing driveway (*Drive No. A/2*) for APN 54-083-23 is to be modified from a 30-ft width driveway (ingress and egress) to a 20-foot width egress-only driveway conforming to Yuba City Plate ST11 standards. The second existing driveway for APN 54-083-23 (*Drive No. B/3*) will be converted into a 5-foot walk gate for employee access from street parking. The third existing driveway (*Drive No. C/4*) for APN 54-083-23 will be utilized for emergency responder access to the Facility and fitted with Knox lock for this purpose.

Of the 3 existing driveways upon APN 54-083-23, only *Drive/ Gate No. 2* will be used for RITS customers following Facility capacity expansion, with a purpose of egress for all public customers.

One new driveway is proposed in the northwest of APN 54-083-23 with Facility capacity expansion pursuant to this TPR. New *Drive/ Gate No. 1* (see Figure 4B) will function as the point of ingress for all Facility traffic (for the Recycling Center, for the transfer station and for all company vehicles & employees using on-site parking). New *Drive/ Gate No. 1* will also serve for egress of employees and company vehicles (not for customers). A 30-foot width driveway conforming to Yuba City Plate ST11 standards, with 65-foot clear throat inside the gate is proposed for this new ingress and egress driveway.

One new driveway is also proposed upon APN 54-083-015 (*Drive/ Gate No. 6* – see Figure 4B) with Facility capacity expansion. This new driveway will function as egress for MSW collection vehicles and transfer fleet semi-combos from the south end of the transfer station building. A 28-foot width driveway conforming to Yuba City Plate ST11 standards has been proposed, with the exit roll-up door on the east side of *Building No. 6* serving as the gate onto Putman Avenue for *Drive No. 6*. Existing *Drive No. 5* will serve similar function for egress of recycling collection vehicles from the north end of *Building No. 6*. Existing *Drive No. 5*

requires a minor modification of curb opening interval, together with replacement of sidewalk ramps to conform with current Yuba City Plate ST11 standards.

Facility egress from *Drive No. 5* and *Drive No. 6* is limited to large trucks with established tare (weighed as loaded upon intake), or semi-combos which are weighed at their destination. Egressing these vehicles onto Putman Avenue via *Drive No. 5* and *Drive No. 6* enhances efficiency of traffic exiting the Facility over the outbound scale, and most importantly, limits operation of these larger trucks in proximity to smaller vehicles (public customers) - a provision for safety (for protection of users).

In summary, the existing 4 driveways for the 3-acre facility will be modified/ reconfigured to result in 4 driveways for the 4-acre facility, together with one emergency access driveway.

Attention is directed to Section 4.2 of this TPR for additional information on access controls associated with this ingress/ egress configuration, and to Section 4.3 of this TPR for information on internal traffic flow.

Passenger Vehicle Parking

Current passenger vehicle parking for the RITS includes 17 Recycling Center customer/ employee parking spaces in the northwest of the Site (north of *Building No. 3*), 10 employee/ visitor parking spaces to the west of *Building No. 1*, and 19 on-street parking spaces for employees and visitors. Net current vehicle parking provision is 46 spaces, including 1 standard ADA space and 1 ADA van space.

Concurrent with addition of new *Gate No. 1*, parking spaces in the northwest of the Site are modified from 17 existing spaces to 12 spaces (including 1 ADA van) for Recycling Center customers, together with addition of new landscape planters and shade trees. Concurrent with the modification of existing *Gate No. 2*, parking spaces to the west of *Building No. 1* are reduced from 10 spaces to 7 spaces (including 1 ADA) with a new planter added to the north end of this parking. Eight parking spaces are thus eliminated with modifications to these existing parking areas, with 19 on-site parking spaces remaining north of the Recycling Center building and west of *Building No. 1* (including 1 ADA and 1 ADA van space).

A new employee parking area is provided with the Facility capacity expansion pursuant to this TPR, located to the east of the new inbound scale as illustrated on Figure 4B, together with a landscape planter which forms a physical barrier to channelize traffic to the transfer station intake control point. 19 new parking spaces, including 1 ADA space (together with ADA path and ramp to the scalehouse), together with parking area shade trees/ landscaping are provided. A 24-foot width aisle to the east of this new employee parking area allows 2-way traffic, providing egress for employees and other company vehicles via *Gate No. 1*.

On-street parking expands to 22 spaces with the RITS capacity expansion. Along with the 19 customer/ visitor spaces remaining north of *Building No. 3* and west of *Building No. 1*, and the 19 new parking spaces provided within the employee parking area east of the scalehouse, a net of 60 passenger vehicle parking spaces are provided with the Facility capacity expansion, including 2 standard ADA spaces and 1 ADA van space.

All street frontage parking spaces are 24 foot parallel. All on-site vehicle parking spaces are standard size (9 foot width x 18 foot length). Yuba City Zoning Code prohibits “compact spaces” within the M-2 zoning district, and no compact spaces are proposed. Wheel stops are to be installed in certain parking spaces as illustrated on Figure 4B to protect fencing and/ or shade trees from damage.

Yuba City Zoning Code requires a minimum of 55 vehicle parking spaces, as calculated per the requirements of Title 8, Chapter 5 of the Yuba City Zoning Code, Section 8-5.6002(a), for the Facility with improvements and uses associated with the RITS capacity expansion. The proposed passenger vehicle parking provisions with Facility capacity expansion pursuant to this TPR exceed these Yuba City Zoning Code passenger vehicle parking space requirements, and similarly exceed Yuba City Zoning Code requirements for parking lot landscape/ planter areas [Title 8, Chapter 5 of the Yuba City Zoning Code, Section 8-5.6003(a)] as well as 15-year tree growth parking area shading requirements [Title 8, Chapter 5 of the Yuba City Zoning Code, Section 8-5.6004(a)(2)].

Truck Parking

On-street truck parking is prohibited on Epley Drive, Putman Avenue, and surrounding streets within the Garden Highway Industrial Park pursuant to Yuba City Code of Ordinances, Title 4, Chapter 9, Article 13, Section 4-9.1306. This prohibition is clearly posted by signage on the street frontages surrounding the Site.

Both the Operator’s fleet trucks, as well as contracted hauler trucks currently use on-site parking at the Facility. On-site truck parking for the RITS has been assigned on an informal space-available basis in the past. With the Facility capacity expansion, on-site parking for semi-trailers and semi-combos for the transfer fleet and recycled materials shipment is better managed by designating truck parking, loading, and queuing areas.

The MSW transfer fleet is estimated to require 3 semi-trailers (see Appendix H). One of these 3 semi-trailers will always be parked within the load-out area of the south drive-through lane of *Building No. 6* (see Figure 4B). During the operating day, the other 2 transfer fleet semi-combos will be en-route or returning from the land disposal destination (on the road). If one of the transfer fleet semi-combo trucks returns prior to the departure of the vehicle in the load-out bay, an internal queuing space is provided outside the southwest curtain door entry to *Building No. 6*. If both transfer fleet semi-combo trucks return prior to the departure of the vehicle in the *Building No. 6* loading bay, an additional parking space is designated to the south of *Building No. 3* (1 of the 2 spaces provided for this purpose – See Figure 4B).

Overnight, two transfer fleet semi-combos will be parked in the south drive-through lanes within *Building No. 6* (for departure to land disposal destination prior to beginning of customer intake the following day), with the 3rd transfer fleet semi-combo parked in the space provided outside the southwest curtain door entry to *Building No. 6*.

Two on-site spaces for semi-trailer/ semi-combo parking are provided to the south of *Building No. 3*, as illustrated on Figure 4B. One of these spaces is a contingency provision for the concurrent return of all transfer fleet vehicles during the operating day. The 2nd space is provisioned for temporary parking of outbound recycled material semi-combos.

Concurrent provision requirement for trucks transporting outbound recyclable materials is estimated as 2 additional semi-trailers/ semi-combos. Of the 2 concurrent semi-trailers transporting outbound recycled materials, one will be in the process of loading in the area north of relocated *Building No. 2*, as delineated on Figure 4B. The 2nd will be parked/ queued in one of the 2 spaces delineated south of *Building No. 3*.

The estimated on-site truck parking requirements are satisfied in this manner.

Bicycle Parking

Bicycle parking shall be provided with the Facility capacity expansion to meet or exceed the requirements of Title 8, Chapter 5 of the Yuba City Code, Section 8-5.6008. A stationary bicycle locking rack will be provided in the northwest of APN 54-083-23, with a second stationary bicycle locking rack provided in the northeast of APN 54-083-14. Minimum capacity with these proposed racks will be 4 bicycles.

Pavement Surface and Surface Water Drainage

APN 54-083-23 is currently surfaced with a combination of asphaltic concrete (hereinafter “AC”) pavement on the northern portion of this parcel, and portland cement concrete (hereinafter “PCC”) pavement on the southern portion, with division between these existing pavement surfaces delineated on Figure 4A. The existing PCC pavement extends onto the north margin of APN 54-083-014. APN 54-083-014 otherwise currently has aggregate surface, and APN 54-083-015 is undeveloped with subsoil/ vegetation surface.

With capacity expansion pursuant to this TPR, pavement will be extended to all areas of APN 54-083-014 (as merged with APN 54-083-015 by lot line adjustment = 2 acres resultant) which are to be used as vehicle traffic areas or to be used for outdoor operations. Approximately 53,000 square feet of new pavement surface will be provided outside of the building envelopes on the southern 2 acres of the Site for these uses (up to 85% pavement coverage). Pavement type & limits, together with engineered drainage, will be provided within site improvement plans accompanying plans for the new transfer station building.

Landscaping and Frontage Aesthetics

Landscape planters will be provided for on-site parking areas as illustrated on Figure 4B. Approximately 2,500 SF of new (additional) on-site landscape planters and approximately 15 new trees for on-site parking area shading are proposed with Facility capacity expansion pursuant to this TPR to meet or exceed the requirements of Title 8, Chapter 5 of the Yuba City Code, Section 8-5.6003(a), and the parking area shading requirements of Section 8-5.6005 (a)(2). Detailed plans for on-site landscaping will accompany improvement plans for the new transfer station building.

Both Epley Drive and Putman Avenue have 30.00 foot right-of-way on each side of monumented centerline. This City right-of-way extends approximately 2.5 feet interior to the sidewalk line (2.5 feet from back-of-walk) on both the Epley Drive and Putman Avenue street frontages of the Site. A public utilities easement (hereinafter “PUE”) extends 8.00 feet from the edge of the right-of way (= the street-side property line of these parcels) into these

parcels (M.H.M., Inc., 1979). The interior edge of the PUE is accordingly aligned at approximately 10.5 feet from back-of-walk for both the Epley Drive and Putman Avenue street frontages.

This PUE on the Epley Drive and Putman Avenue frontages of APN 54-083-023, as well as on the Putman Avenue frontage of both APN 54-083-014 and APN 54-083-015, contain the Pacific Gas and Electric Company natural gas distribution main, together with underground 12 KV electric distribution facilities as well as gas and electric service connections for parcels to the north of Epley Drive and to the east of Putman Avenue. Underground communications lines (AT&T) are also present within the PUE on these Site frontages. Several established street trees are currently in conflict with these utility installations with the PUE.

The Operator proposes to replace frontage fencing along Putman Avenue in the interval from the southeast corner of *Building No. 1* to the northeast corner of *Building No. 6* with vinyl-slatted chain link fence of uniform materials, and with a uniform setback of 3 feet from the interior line of the PUE (approximately 13.5 feet from back-of-walk, see Section 4.2 below). Concurrent with the frontage fencing realignment, existing street trees which are currently in conflict with electric and natural gas distribution utilities within the PUE will be removed.

Approximately twelve to 14 new street shade trees will be planted in the interval between the PUE and the new fencing line (outside of the PUE, with bole centers approximately 12 feet from back-of-sidewalk) on the Putman Avenue frontage, together with compatible shrubs and groundcover planted within the PUE. These landscape improvements will be in accordance with a landscape plan approved by Yuba City Development Services. The resulting frontage exposure on Putman Avenue will screen ground operations within the Facility from public view, and create a uniform and aesthetic frontage exposure for the Facility on Putman Avenue.

Street tree conflicts within the PUE also exist on the westerly 100 feet of the Epley Drive frontage of APN 54-083-023. Two street trees are proposed to be removed within this interval, together with setback of the frontage fence to the inside of the PUE concurrent with construction of new *Gate No. 1* and modification of *Gate No. 2*.

2.7.4 Utilities

Utilities currently serving the Site include:

- ♦ Existing underground electric power service from a pad transformer near the northwest corner of APN 54-083-023 to switchgear and main panel near the northwest corner of *Building No. 1*, thence electric distribution to subpanels within the various Facility buildings;
- ♦ Existing treated water connection (1.5-inch) to the Yuba City Department of Public Works water main on Epley Drive;
- ♦ Existing sanitary sewer connection (4-inch) to the Yuba City sanitary sewer collection system on Epley Drive;
- ♦ Landline telephone service; and

- ♦ Cellular voice and cellular data service.

Utilities available to serve the new transfer station building (*Building No. 6*), the new weighmaster station (*Building No. 7*) and relocated *Building No. 2* include:

- ♦ Existing underground electric power distribution (12 KV) within the PUE, with a vault containing a service switch located near the northeast corner of *Building No. 6*, and an electrical junction vault located near the southeast corner of *Building No. 6*, along Putman Avenue as illustrated on Figure 4B;
- ♦ Treated water service connection (1.5-inch) for the Yuba City Public Works water main at edge of right-of-way on Putman Avenue, near the northeast corner of *Building No. 6*, as illustrated on Figure 4B;
- ♦ Sanitary sewer service connection (4-inch) for the Yuba City sanitary sewer collection system at edge of right-of-way on Putman Avenue, near the northeast corner of *Building No. 6*, as illustrated on Figure 4B;
- ♦ Natural gas service within the PUE; and
- ♦ Landline telephone service within the PUE.

2.7.5 Site Water Supply

Treated water for potable use, for sanitation purposes, and for fire suppression is supplied via a 12-inch water main located within both Epley Drive and Putman Avenue right-of-ways (see Figure 4B). Potable and irrigation water supplies for existing operations (upon APN 54-083-023) are sourced from 1.5-inch connection to the water main on Epley Drive as illustrated on Figure 4B. Water from this connection is distributed to *Building No. 1* and *Building No. 3* for use as potable supply, for handwashing and for waterclosets.

Water supplies for expansion operations (upon APN 54-083-14/ 15) are to be sourced from a new 1.5-inch connection to the water main on Putman Avenue as illustrated on Figure 4B. Water from this connection is to be distributed to relocated *Building No. 2*, new *Building No. 6* and new *Building No. 7* for use as potable supply, for handwashing and waterclosets, and for cleaning of solid waste operations surfaces as detailed in Section 5.7.2 of this TPR.

These water mains branch from larger water mains on Garden Highway and are interconnected within the Garden Highway Industrial Park in a loop configuration. This water main loop configuration provides reliability (redundancy) for fire supply and provides available fire flows commensurate with fire protection requirements for heavy industrial land uses. Loop configuration, together available fire flow based upon recent flow testing, is discussed within Section F.2.4 of Appendix F.

Locations of street hydrants in proximity to the Facility are illustrated on Figure 4B and discussed within Section F.2.5 of Appendix F. Based upon the new buildings/ occupancies and outdoor uses proposed for the RITS Facility capacity expansion as described within this TPR, no on-site fire hydrants are proposed with capacity expansion, as discussed within Appendix F.

Fire supply for protection of *Building No. 1* and *Building No. 5* is connected to water main near the northeast corner of *Building No. 1*. No changes to occupancies or the fire protection systems for these buildings are planned in conjunction with Facility capacity expansion.

New fire service connection for *Building No. 6* is to be connected to the Putman Avenue Water man as depicted on Figure 4B. Available fire flow for protection of proposed *Building No. 6* is also adequate for the proposed occupancy and protection system as designed for the type and volume of materials within this structure, as discussed within Section F.2.4 of Appendix F.

2.7.6 Site Sewage Disposal

Eight-inch sanitary sewer collectors (operated by The City of Yuba City) are located within both Epley Drive and within Putman Avenue, with alignments as illustrated on Figure 4A and Figure 4B. An existing sanitary sewer connection on Epley Drive, near the northwest corner of APN 54-083-023, currently serves *Building No. 1* and *Building No. 3*.

Existing sanitary sewer service stubs are available at the edge of right-of-way on Putman Avenue at the locations depicted on Figure 4B for service connection for floor drains within *Building No. 6*, and for sanitary facilities for transfer station workers, provided (as decided by the Operator), within relocated *Building No. 2*.

2.7.7 Site Sanitary Facilities

Sanitary facilities for employees are currently provided within *Building No. 1*, consisting of two separate waterclosets, each with handwashing provision and with lockable doors. An additional sanitary facility for employees, visitors and Recycling Center customers is located within *Building No. 3*, and consists of one ADA-compliant watercloset, together with handwashing provision and with lockable door. Handwashing provision for all sanitary facilities includes warm water and antimicrobial soap dispensing.

These existing sanitary facility provisions meet the requirements of Title 40 of the Code of Federal Regulations (hereinafter “40 CFR”) part 1910.141(c) and analogous regulations of the California Department of Industrial Relations under Title 8 of the California Code of Regulations (hereinafter “8 CCR”) for minimum workplace sanitary facilities for up to 30 employees.

All sanitary facilities shall be inspected periodically throughout the operating day for cleanliness and adequate supplies. Sanitary facilities made available for public use within *Building No. 3* shall include a checklist for hourly inspection for cleanliness and availability of adequate supplies

2.8 CLIMATOLOGICAL SETTING

The climate of eastern Sutter County is characterized by hot, dry summers with mild winters. Detailed enumeration of available climatologic data is provided within Appendix B together with potentially representative station identities (DWR, NOAA and NWS Nos.). Station selection criteria, together with discussion of available periods-of-record, data source references, and

similar technical details are provided within Appendix B. The resultant values for climatologic data is summarized below.

2.8.1 Temperature

Potentially representative data sources for temperature are discussed in Attachment B-1 to Appendix B, with data from the 30-year period from 1981 through 2010 for the Yuba County Airport Station selected as potentially representative and tabulated in Table B-1 of Appendix B.

Monthly mean daily temperature ranges from a high of 77.3° Fahrenheit (F) during July to a low of 45.3° F in December. Monthly mean minimum temperatures range from 59.8° F during July to 36.9° F in December. Monthly mean maximum temperatures range from 94.8° F during July to 53.8° F in December.

2.8.2 Wind Characterization

Representative wind data source is detailed in Attachment B-1 to Appendix B. Wind roses, as generated from the 42-year period of record from January 1973 through December 2015 for the Yuba County Airport Station, are presented within Attachment B-2 of Appendix B. The observation count from which windroses have been generated is provided upon each of these diagrams (for annual resultant winds and for resultant winds during each of 12 calendar months).

During the summer months this wind rose set illustrates a predominant wind direction from the south-southeast (towards the north-northwest), with such winds prevailing at approximately 90 to 95 percent frequency during the months of July and August.

Approximately 5 to 10 percent wind frequency during the summer months are from the south-southwest ("Delta Breeze" winds), which typically occur during the afternoon and early evening. The Delta Breeze effect occurs from mid-spring (April/ May) through early autumn (September). An approximately 10 – 15% frequency of winds from the north-northwest occurs during May and June, thence again during September, as a diurnal variation in direction associated with the Delta Breeze effect.

During the late autumn and winter months (October through March), wind direction and speed is influenced by cyclonic/ anticyclonic rotation from pressure gradients associated with storm events. This is typified by periods of relatively strong (15 to 20 mph+) winds from the southeast as the low pressure of a storm system approaches the Site (typically with anti-cyclonic = counterclockwise wind circulation around the center of the low pressure), followed by a period of winds from the northwest (cyclonic) after the low pressure of a storm system has moved past the region (also accompanied by periods of relatively strong winds). The location of the center of low pressure & its trajectory, the magnitude of the low pressure, and the associated pressure gradients to surrounding air masses, all influence the variable directions and wind speed of the cyclonic/ anticyclonic winds associated with storm events.

Notable from these windrose diagrams is near-absence of winds from the east and from the west. Winds from these directions are infrequent and magnitude of these winds is typically

calm to light. Based upon this data, door openings for new *Building No. 6* have been oriented to face the “west” and to face the “east”.

2.8.3 Precipitation, Evaporation and Water Balance

Representative precipitation and evaporation data sources are detailed in Attachment B-1 to Appendix B, with data from a portion of the 111-year period from 1897 through 2007 for the Marysville Station selected as potentially most representative.

Precipitation data recorded at the Marysville Station for 55 years of the total 111-year period of record (see associated table reference) during 1897 through 2007 result in a mean annual precipitation of 20.87 inches. Mean monthly precipitation data for the Marysville Station is presented in Table B-2. Attention is directed to Appendix B, Section B.3 for discussion of censoring by the data source repository in order to exclude those months and those years of station precipitation data containing incomplete records.

Mean annual and mean monthly evaporation data recorded for the 6.5-year period of record from January 1960 through February 1967 (less 6 consecutive months from January 1961 through June 1961) at the Yuba City 7W Station are presented in Table B-4 of Appendix B, and indicate an average annual Class A pan evaporation of 60.9 inches. A minimum monthly mean evaporation of 1.29 inches was reported during December, and a maximum mean monthly evaporation of 9.17 inches was reported during June.

Average monthly water balance, based on the Class A Pan evaporation record presented in proceeding paragraph, is provided in Table B-4 of Appendix B. Net positive water balance occurs during the months of November through February, and totals 6.5 inches. Water balance deficits are encountered in all other months, as tabulated within Table B-4. Net annual water balance deficit for the Project Site, based on the data, source stations and periods of record presented in notes upon Table B-4 of Appendix B totals (minus) 39.9 inches.

2.8.4 Time-Duration Precipitation Depths

The source for representative time-duration precipitation data is provided in Attachment B-1 to Appendix B, and station data is discussed within Section B.4 of Appendix B. Short and long depth-duration frequency data are summarized within Section B.4.1 and Section B.4.2 of Appendix B, respectively. Short depth-duration frequency data and long depth-duration frequency data from the referenced station and period-of-record are tabulated within Table B-3 of Appendix B.

This time-duration precipitation data should be considered during design of stormwater management systems for new improvements at the Facility. Specifically, if the Rational Method is used for stormwater conveyance design (for peak flow design), short-duration precipitation depths enumerated within Appendix B Table B-3 (or a curve or model derived therefrom) should be used for the corresponding time-of-concentration calculated for the various sub-areas of the drainage system for the appropriate design return period. Drainage calculations are to be provided accompanying the improvement plans for these systems subordinate to Facility capacity expansion improvements.

2.9 STORMWATER DRAINAGE

On-site surface water drainage is, and will continue to be, by sheet flow from pavement surface into drain inlets. All traffic areas, parking areas, and all areas of outdoor operations are and are to be paved with either PCC or AC surface. No detention basins or areas of open water surface are present at the Site, and, as properly designed, constructed and maintained, pavement surfaces and stormwater conveyances will not result in ponding of water following storm events.

Contact Water (see Section 5.7.1 of this TPR) is not managed as stormwater, but is discharged to sanitary sewer following pre-treatment. Water from cleaning activities (see Section 5.7.2 of this TPR) is also not managed as stormwater, and is similarly discharged to sanitary sewer following pre-treatment.

Storm water runoff calculations/ stormwater drainage conveyance and drain inlet design will be provided together with improvement plans for new *Building No. 6* and associated grading and pavement plans for the south portion of the Facility. Stormwater will be directed away from user-accessed areas and into conveyances (culverts) as part of the objectives of the improvement plan drainage design.

A conveyance connection to the 33-inch storm drain running parallel to east edge-of-pavement of Putman Avenue will be necessary to accommodate stormwater drainage from new pavement areas in the southern portion of the Site. A 16-foot side-yard setback (11-foot setback from the landing edge of the southwest walk door) for *Building No. 6* has been provided to accommodate this conveyance, as well as to maintain this stormwater conveyance connection (see Figure 4B).

All stormwater entering drain inlets upon the Project Site is to be conveyed across Putman Avenue to the storm drain running parallel to the east edge-of-pavement. This storm drain flows south-southeast to Burns Drive, thence flows west-southwest within a 36-inch conveyance running parallel to the south edge-of-pavement of Burns Drive. Stormwater thence enters a detention basin located south of Burns Drive, adjacent to the Yuba City Wastewater Treatment Plant. A pump station is located in the northeast corner of this detention basin. The pump station transfers water from the detention basin to the east-northeast through a 12-inch force pipe, past the intersection of Putman Avenue and Burns Drive, thence through the west levee of the Feather River to discharge.

Stormwater runoff from areas of industrial uses upon the Site thus discharges indirectly to Waters of the United States. Attention is directed to Section 3.5 of this TPR for information on Facility compliance with the State-administered National Pollutant Discharge Elimination System for industrial stormwater dischargers.

2.10 FLOOD HAZARDS

The potential for inundation and washout from flood events in the vicinity at the Project Site has been evaluated by the Federal Emergency Management Agency [FEMA], (FEMA, 2008). The most recent flood hazards map for the Project Site vicinity available at the time of preparation of this reporting is presented on Figure 5.

This FEMA map indicates that Project Site is within “Zone X” (shaded), a zone defined as “*Areas with 0.2% annual chance flood; Areas of 1% annual chance flood with average depths less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood*”.

The Project Site flood hazard designation by FEMA is subject to the levee protection note within the Legend on Figure 5. The 1% annual chance flood is a “*100-year flood*”. The 0.2% annual chance flood is a “*500-year flood*”.

TRANSFER/ PROCESSING REPORT

Recycling Industries' Large Volume Transfer Station

140 Epley Drive

Yuba City, California

3.0 LOCAL AGENCY CONSIDERATIONS AND OTHER PERMITS

Information concerning conformance or compliance of operations at the Project Site to requirements which are within the jurisdictional authority of agencies other than the LEA, and/or permits issued by other agencies for the operations which are subject of this TPR, are summarized below.

3.1 LOCAL PLANNING AGENCY

Yuba City Development Services has responsibility for ensuring that the planned Facility development and operations comply with City Zoning Code requirements as well as related City Ordinances and standards.

Yuba City Development Services further has responsibility for conditioning land use entitlements required for development and operations of a Large Volume Transfer Station within the Industrial Zoning District of Yuba City (see TPR Section 2.4 above). Land use entitlements required for RITS operations with capacity expansion differ from those vested by prior land use entitlements for the Project Site.

Yuba City Development Services is processing a modification to the existing land use permit for the Project Site detailed in Section 2.4 of this TPR, and is acting as lead agency for preparation of the related environmental document (see Section 3.11 of this TPR). Both the land use permit and environmental review will be occurring concurrently with initial review of this TPR by the LEA.

It is anticipated that both the modified Land Use Permit and the Notice of Determination for the environmental document prepared and circulated pursuant to the California Environmental Quality Act will be completed at the time when the LEA is prepared to forward the SWFP to CalRecycle for concurrence by their Board.

3.2 LOCAL FIRE AGENCY

The Yuba City Fire Department (hereinafter also "YCFD") has the mission to provide fire and life safety response for the Facility, and to enforce provisions of the California Fire Code (Title 24, Part 9 of the California Code of Regulations) and applicable local amendments thereto.

YCFD Station No. 3 is located at 795 Lincoln Road. Response route to the Site from YCFD Station No. 3 is detailed within Appendix F. Net distance from YCFD Station No. 3 is

approximately 0.80 miles and estimated response time from YCFD Station No. 3 to the Facility is approximately 2 minutes following dispatch.

YCFD Station No. 3 is staffed 24 hours per day, 365 days per year, typically with 2 firefighters and 1 incident commander. Equipment normally stationed at YCFD Station No. 3 is detailed within Appendix F. Based upon information relayed through 911 dispatch, or upon the incident commander's assessment following arrival at the Site, YCFD may summon additional equipment and resources for response.

Attention is also directed to Section F.2.4 of Appendix F to this TPR which provides a description of water supply available to the Site for the purpose of fire suppression. Attention is further directed to Section 6.1 of this TPR which summarizes fire and life safety provisions for Facility plant and operations. Appendix F summarizes the Operator's fire prevention and fire countermeasures for the Facility in greater detail.

Both of the existing warehouse occupancies (*Building No. 1* and *Building No. 5*) have automatic sprinkler systems (ESFR protection) that have been approved by YCFD as summarized in Section 2.7.1 above. New *Building No. 6* will also have an automatic sprinkler system, of type and design to be provided with improvement plans associated with this new building, as approved by YCFD.

Review of this TPR by YCFD will be requested concurrent with application for review of this TPR by the LEA. This review includes request for evaluation of the quantity, composition, and arrangement of combustible materials to be managed and stored at the Facility as described within this TPR, in context with the current countermeasures (building sprinklers and available hydrant supply/ hydrant locations) for this Facility.

Status of Facility compliance with California Fire Code will be determined by YCFD prior to issuance of SWFP. A written statement of stipulations from this agency will be requested to be provided to the LEA, and may be referenced within SWFP conditions and transmitted together to Cal Recycle for concurrence. Any changes as stipulated by YCFD in the quantity, composition, and arrangement of flammable and combustible materials to be managed and stored at the Facility, or required changes in fire countermeasures described in this TPR, will be incorporated in an update to this TPR.

3.3 AIR QUALITY MANAGEMENT DISTRICT

The Feather River Air Quality Management District (hereinafter "*FRAQMD*") has the mission to enforce rules and regulations of the California Air Resources Board (hereinafter "*ARB*") for operations at the Site, and to enforce provisions of local rules adopted by FRAQMD pursuant to their agency's statutory authorities.

There is no fixed equipment or machinery (stationary sources) subject to ARB or FRAQMD requirements installed at the Facility at the present time, and the Operator currently has no plans for addition of stationary source equipment or machinery which would be subject to ARB or FRAQMD regulation. If, in the future, the Operator purchases, leases, or otherwise uses

fixed materials handling equipment at the Facility which is so regulated, the Operator shall obtain, prior to equipment use at Facility, any necessary Authority to Construct (hereinafter also “A/C”) thence Permit To Operate (“PO”) for such equipment, as required for operating that stationary source equipment within the jurisdiction of FRQMD. This TPR should be amended to reflect any such future stationary-source equipment for processing of materials at the Facility.

RI’s current operations at this Facility rely exclusively upon portable propane powered or diesel-powered forklifts, and certain other equipment (loaders, etc.) powered by compression-ignition (diesel-cycle, hereinafter also “CI”) engines. CI-powered equipment used at this Facility is also utilized by RI at other facilities on an as-needed equipment sharing basis. Certain shared CI equipment units are subject to regulations codified within 13 CCR, Division 7, Chapter 9, Article 4.

All CI equipment that is subject to these regulations is operated pursuant to a Permit to Operate (hereinafter “PO”) from the Home Air District for the equipment, and/or an ARB Portable Equipment Registration Program (hereinafter “PERP”) registration pursuant to regulations codified within 13 CCR, Division 7, Chapter 9, Article 5, Section 2450 et seq. All such portable equipment operated at the Site is fitted with CI power plants that meet current emission-certification Tiers for their CI engines, with current PERP registrations maintained for these CI units.

Fugitive dust is minimized by periodic sweeping of traffic paths and by other nuisance dust control housekeeping practices. Attention is directed to Section 5.3.1 of this TPR for a more detailed discussion of fugitive dust control.

Any additional mitigations or permits deemed to be required by FRAQMD will be decided at the time of environmental document circulation as discussed within Section 3.1 above.

3.4 PUBLICLY OWNED TREATMENT WORKS

The Yuba City Department of Public Works (hereinafter also “YCDPW”) operates and maintains the local publicly owned treatment works (hereinafter “POTW”). The Yuba City Wastewater Treatment Plant is located at 302 Burns Drive, approximately 900 feet west-southwest of the Site.

An 8-inch sanitary sewer collector operated by YCPWD is located within the Epley Drive right-of-way, and currently receives 4-inch connection from sanitary facilities within *Building No. 1* and *Building No. 3*. No expansion or additional fixtures, nor other changes are proposed for this sanitary sewer connection on Epley Drive.

An 8-inch sanitary sewer collector is also located within the Putman Avenue right-of-way, with three unused 4-inch connection stubs located at the edge of Facility frontage of the Putman Avenue as illustrated on Figure 4B. New sanitary sewer connection to POTW is planned from the connection stub located central to the APN 54-083-014 frontage, as identified on Figure 4B. This connection will serve sanitary facilities (waterclosets and handwashing) within relocated

Building No. 2 (as may be decided by the Operator), as well as floor drains for sanitation cleaning of vehicle paths through *Building No. 6* and other floor areas within this building.

This new sanitary sewer connection will be detailed within improvement plans for *Building No. 6* and will conform to all provisions of the California Plumbing Code and all requirements of YCPWD for this connection. Pre-treatment of sanitary sewer discharge from *Building No. 6* floor drains is proposed. Pre-treatment of sanitary sewer discharge from floor drains will minimally include sand-oil interceptors with integral trash racks for these floor drains (see Section 5.7.3 below), to be detailed within the improvement plans for *Building No. 6*.

3.5 STORMWATER PROGRAMS

Attention is directed to Section 2.9 of this TPR, which describes stormwater collection and conveyance from the Facility. Stormwater from the Facility discharges indirectly to waters of the United States, and the Facility is thus subject to the State-administered National Pollutant Discharge Elimination System (hereinafter “*NPDES*”) programs for industrial stormwater discharges.

RI has filed an Notice of Intent (hereinafter “*NOI*”) to comply with SWRCB General Order 2014-057-DWQ for Industrial Discharge to Waters of the United States pursuant to General Industrial NPDES Permits Program administered by SWRCB and enforced by RWQCB. SWRCB has assigned WDID No. 5S511024147 to operations at this location.

RI has caused a Stormwater Pollution Prevention Plan (hereinafter “*SWPPP*”) to be developed by a qualified professional as required by SWRCB General Order 2014-057-DWQ, and has implemented the site surface water management improvements and best management practices (hereinafter “*BMPs*”) set forth within this SWPPP (Recycling Industries, 2015).

The Operator implements and maintains these BMPs for control of stormwater discharge quality pursuant to the SWPPP, conducts observations of stormwater discharges required by the General Industrial NPDES program, and performs sampling and analysis of stormwater per the requirements of SWRCB Order 2014-057-DWQ. BMPs are evaluated for efficacy on a minimal annual basis, and are modified when warranted. The Operator provides mandatory reporting to the RWQCB on an annual basis for this NPDES program.

The RITS is subject to periodic unannounced inspections by RWQCB enforcement staff to ensure that all elements of these stormwater programs are current, that BMPs are being implemented & maintained, that BMPs are periodically evaluated for efficacy, and that required records are maintained and current.

There are no non-stormwater discharges to surface water drainages that lead to Waters of the United States from any industrial uses upon the Site.

3.6 CERTIFIED UNIFIED PROGRAM AGENCY

The Sutter County Development Services Department, Environmental Health Division is the local agency tasked with administration and enforcement of Federal, State, and local laws, regulations, and ordinances pertaining to hazardous materials, hazardous wastes, underground

storage tanks, and the Aboveground Petroleum Storage Act, through its Certified Unified Program Agency (hereinafter “CUPA”). The Sutter County Development Services Department, Environmental Health Department is responsible for ensuring compliance with California Department of Toxic Substances Control requirements for the Project Site detailed in Section 3.7 below.

3.7 DEPARTMENT OF TOXIC SUBSTANCES CONTROL

The California Department of Toxic Substances Control (hereinafter “DTSC”) is the State agency which regulates certain hazardous waste generators, transporters and storage & disposal facilities, including those that are not required to be regulated by the U.S. Environmental Protection Agency (hereinafter “U.S. EPA”) under the Resource Conservation and Recovery Act (hereinafter “RCRA”). DTSC also regulates certain wastes which are regulated within California, and not otherwise regulated by the U.S. EPA (hereinafter “Non-RCRA Wastes”).

The primary DTSC-regulated wastes anticipated to be generated from the Facility are load-check program wastes. Used engine lubricating oil and hydraulic oil from Facility equipment maintenance will also contribute to generation of DTSC-regulated wastes. RI has obtained a permanent facility identification number for these wastes generated by routine maintenance activities and by the Facility’s load-check program. Generator ID No. CAL-000-338-638 has been assigned for generation and storage of these wastes at this location. DTSC has assigned California Environmental Reporting System ID No. 10195501 to this location.

Historically, RI has qualified as a Conditionally Exempt Small Quantity Generator (hereinafter “CESQG”), based upon the limited generation of RCRA and DTSC-regulated materials from the Facility pursuant to the CESQG rules of the U.S. EPA and DTSC. It is anticipated that the RITS will continue to qualify as a CESQG pursuant to these rules for solid waste operations conducted pursuant to this TPR.

RI contracts with equipment maintenance vendors for routine service of most portable equipment (such as lubricating oil change), with the waste fluids from this equipment service removed by the service vendor. RI may self-service some equipment, with the resulting fluids properly labeled and temporarily stored within secondary containment in a protected location. Materials so generated (lubrication and hydraulic oils) are removed by equipment maintenance vendors during next scheduled equipment maintenance, or may be self-hauled (20 to 55 gallons/ trip) to the RWMA CESQG facility on Burns Drive.

The continuous load-check program for the Facility is anticipated to generate most of the wastes that are regulated by DTSC. Treated Wood Waste (hereinafter “TWW”) is anticipated to be the primary material generated by the continuous load-check program. TWW generated during the continuous load-check programs will be managed as described in Section 4.8.4 of this TPR. RCRA wastes, and DTSC-regulated wastes generated during the continuous load-check programs will be managed as described in Section 4.9 of this TPR.

Attention is directed to Section 5.10 of this TPR and to Appendix G for continuous load-check program protocols, and to to Section 7.5.3 of this TPR for hazardous materials recognition

materials recognition training for RITS operations staff. All RI operations staff are trained in hazardous materials recognition, including TWW recognition. Attention is further directed to Section 7.5.4 for TWW materials handling and management training and to Section 7.5.5 of this TPR for hazardous waste operations training provided to certain RITS staff.

3.8 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

In addition to being the State agency responsible for promulgation of regulations for State minimum standards for solid waste handling, and for concurrence with SWFPs for solid waste facilities, the California Department of Resources Recycling and Recovery (CalRecycle) also administers regulations promulgated under other statutes applicable to this Facility, as enumerated below.

3.8.1 Beverage Container Recycling

CalRecycle administers the State's beverage container programs (formerly administered by the California Department of Conservation, Division of Recycling) in accord with the California Beverage Container Recycling and Litter Reduction Act (PRC Division 12.1).

RI operates a beverage container Recycling Center at the Site, certified pursuant to the regulations and requirements of CalRecycle. These existing operations have been conducted at the Site by RI since early 2009, and are conducted from *Building No. 3* (The Recycling Center Building) upon APN 54-083-023, with a parking area for Recycling Center customers located to the north of *Building No. 3* as illustrated on Figure 4A (existing) and on Figure 4B (modified). RI is responsible for maintaining records, providing notifications, and for other compliance items as required by regulations promulgated within 14 CCR Division 2, Chapter 5, Subchapter 6, for beverage container recycling operations at this Site.

The Recycling Center shares common ingress and egress with the transfer station, and shares common employees and plant & equipment (forklifts, baler, etc.) as well as common areas & buildings for storage of processed recycled materials. Processing operations and storage of materials from the Recycling Center are upon APN 54-083-023, and the Facility layout within this TPR allows the Recycling Center to operate independently of transfer station operations (the Recycling Center may accept customers at times when the transfer station may not be open to customers).

3.8.2 Electronic Waste Recycling

The Facility also accepts discarded electronic devices ("*e-waste*") in accordance with regulations promulgated by Cal Recycle within 14 CCR Division 7, Chapter 8.2, pursuant to the California Electronic Waste Recycling Act of 2003, as amended. RI serves as an "*Authorized Collector*" pursuant to PRC 42463(b), providing acceptance and consolidation services of e-waste for shipment to a covered electronic device recycler (defined pursuant to PRC 42463(h)). RI has been assigned Covered Electronic Waste Collector ID No. CEW-110037 for this activity.

Historically, the Recycling Center building has served as the collection and consolidation point for covered electronic wastes, with e-wastes consolidated into Gaylord containers by

type, thence temporarily stored in *Building No. 1* pending shipment to the covered electronic device recycler.

With the planned relocation of *Building No. 2* as depicted on Figure 4B, e-waste acceptance and consolidation will be moved to the west side of relocated *Building No. 2*, (or added at this location) adjacent to Freon recovery operations for refrigerated white goods. Following consolidation and pending shipment, these consolidated e-wastes are moved to temporary storage within *Building No. 1*.

3.8.3 Tire Recycling

The Facility also accepts discarded passenger and truck tires from customers with 9 or fewer tires per load (Tire Program Identification Exempt Customers). Less than 150 such tires accepted per operating day as averaged over the operating year. Waste tires accepted at this Facility are stored in a covered metal transport container (protected from precipitation) and are removed for recycling/ beneficial use at a frequency such that less than 500 tires are so stored at the Facility at any time.

While the Facility is not qualified as an “*Exempt or Excluded*” Waste Tire Facility as authorized by PRC 42823.5(a) or 42831, the averaged daily intake rate of such tires exempts the Facility (as a permitted solid waste facility which is otherwise subject to minimum monthly LEA inspections) from requirements for Waste Tire Facility permitting pursuant to regulations promulgated by Cal Recycle within 14 CCR Division 7, Chapter 6, Article 1, Section 18420 (a)(1), pursuant to the definition of 14 CCR Division 7, Chapter 3, Article 4.1, Section 17225.850.

All tires accepted by the RITS, or segregated from loads tipped at the RITS, are placed within an enclosed/ covered metal transport container and protected from precipitation accumulation upon receipt, or before the end of the operating day. The location of the enclosed/ covered metal transport container may vary within the Facility, but will always be placed at a location that is 50 feet or more from all property lines for adjacent parcels and 50 feet or more from all building structures.

Tires so collected and temporarily stored are not altered, shredded, baled or otherwise processed at the RITS, but are shipped as whole tires for recycling or beneficial use at a permitted off-site location by a Registered Waste Tire Hauler in compliance with the Used Tire Manifest System (PRC Section 42961.5).

3.9 REGIONAL SOLID WASTE PLANNING AGENCY

The political subdivisions of Yuba County and Sutter County, together with the cities of Marysville, Wheatland, Yuba City, and Live Oak have formed a solid waste joint powers authority (hereinafter “*JPA*”). This JPA (The Yuba-Sutter Regional Waste Management Authority - hereinafter “*RWMA*”) serves as the legislatively-allowed body tasked with the legislatively-mandated development of the Source Reduction and Recycling Element (hereinafter “*SRRE*”) and the Non-Disposal Facility Element (hereinafter “*NDFE*”) of the regional Integrated Waste Management Plan (hereinafter “*IWMP*”) pursuant to PRC Section 40950 et seq. and PRC

41730 et seq., respectively (collectively, portions of the California Integrated Waste Management Act or “AB 939”).

RWMA has developed AB 939 planning documents including the SRRE & NDFE, together with regional recovery goals, objectives, and policies in accord with these documents. Ordinances have been adopted by the JPA member jurisdictions to advance these regional recovery goals and objectives.

During September 2014, RWMA amended the NDFE to incorporate the RITS as a non-disposal facility with a design capacity of 500 TPD. A copy of the NDFE amendment of the regional IWMP that incorporates this Facility is provided in Appendix E. The RITS is identified by RWMA as consistent with the policies set forth in the preceding paragraph, with a minimum rate of recycling/ diversion/ conversion to beneficial use of 15 percent by weight of gate intake. Inclusion of this Facility in the NDFE is described herein in order to constitute a correct and complete application for SWFP, pursuant to the requirements of PRC 50001.

At the minimum rate of recycling, diversion/ conversion to beneficial use of 15 percent by weight of gate intake, and the target rate of self-haul recycling, diversion/ conversion to beneficial use of 50 percent by weight of gate intake, the Facility as described in this TPR will be consistent with the regional policies and associated ordinances established through the RWMA and its member jurisdictions’ intention to achieve the regional recovery goals and objectives of the adopted IWMP, as approved by Cal Recycle.

3.10 AIRPORT LAND USE COMMISSION

The Sacramento Area Council of Governments (hereinafter “SACOG”) is a public entity agency with a Board of Directors established pursuant to a JPA between the Counties of El Dorado, Placer, Sacramento, Sutter, Yolo and Yuba, and 22 cities within these political subdivisions (including the City of Yuba City). The Board of Directors of SACOG consists of elected representatives from member counties, and elected representatives from member cities within these counties. The Board of Directors of SACOG serves as the Airport Land Use Commission (“ALUC”), as authorized pursuant to the California Aeronautics Act (Public Utilities Code, Chapter 4, Article 3.5), with mission including development of land use planning documents for public-use airports.

Pursuant to responsibilities and authorities granted to this JPA, ALUC has developed a Comprehensive Land Use Plan (“CLUP”) for the Sutter County Airport. This CLUP (Airport Land Use Commission, 1994), is intended to protect public health, safety and welfare through adoption of land use standards that minimize exposure of the public to excessive noise and safety hazards from public-use airport operations. This CLUP sets standards for compatible land uses within various zones influenced by the Sutter County Airport, together with restrictions to exclude incompatible land uses.

The City of Yuba City has integrated this CLUP for the Sutter County Airport into the Zoning Ordinance within the Yuba City Municipal Code (Title 8, Chapter 5, Article 36). This zoning ordinance creates an Airport Influence (AI) Combining District within the *Overflight Zones* of the Sutter County Airport that are within Yuba City’s jurisdictional authority.

All parcels comprising the Project Site (APN 54-083-014, APN 54-083-015 and APN 54-083-023) are within the CLUP *Overflight Zone*, and are subject to the AI Combining District requirements of Title 8, Chapter 5, Article 36 of the Yuba City Zoning Code. None of the Project Site parcels are within the more restrictive “*Clear Zone*” or “*Approach-Departure Zone*” of the Sutter County Airport, as defined within the CLUP.

A map of all CLUP zones for the Sutter County Airport is included in Appendix C.

Discussion of compliance with the land use requirements and restrictions applicable to the Project Site and Facility operations pursuant to this CLUP, and the Yuba City AI Combining District requirements for the *Overflight Zone*, is provided within Section 5.9 of this TPR.

3.11 CALIFORNIA ENVIRONMENTAL QUALITY ACT

Prior environmental review pursuant to the California Environmental Quality Act (hereinafter “*CEQA*”) was conducted for solid waste operations at the Facility during the Use Permit No. 12-01 land use entitlement process by Yuba City. A Mitigated Negative Declaration (hereinafter “*MND*”) was prepared by the City for the UP 12-01 project (City File No. EA 12-02), and was routed to the State *Office of Planning and Research, State Clearinghouse and Planning Unit* (SCH No. 2014052082). The public review period for this MND began on May 23, 2014 and closed on June 25, 2014. Environmental Review documentation, through and including the adopted Yuba City Planning Commission Resolution for this Environmental Document and the Notice of Determination filed for the UP 12-01 project is provided within Appendix D.

The MND for the Use Permit No. 12-01 entitlement considered receipt of 100 tons per day of mixed MSW from self-haul residential and commercial customers upon a 3-acre site, with MSW management activities conducted within an enclosed building pursuant to operations as described within the Transfer Processing Report (Recycling Industries, 2014) upon which UP 12-01 was conditioned.

Comments were received on this MND circulation from the following agencies:

- ♦ Cal Recycle (advisory); and
- ♦ RWQCB, Central Valley Region (advisory).

Public comments received during the Environmental Review process for EA 12-02 consisted of letters of support from area businesses. No opposition to the project was noted by staff, and no opposition to the project was presented at the Public Hearing for UP 12-01/ EA 12-02.

Comments were received prior to this MND circulation from the following agencies:

- ♦ Yuba City Fire Department (stipulation);
- ♦ Yuba-Sutter Transit (no comment response);
- ♦ Regional Waste Management Authority (advisory); and
- ♦ Yuba-Sutter LEA (request for additional detail).

The Yuba City Fire Department stipulation was that the new transfer station building (then 18,000 SF, now 21,600 SF with capacity expansion) was to be provided with automatic sprinklers. This stipulation is acknowledged and is incorporated within Section 3.2, Section 6.1, and within Appendix F of this TPR.

The additional detail requested by the LEA (on-site traffic flow & protection of users, dust, litter and vector control) was provided within the TPR (Recycling Industries, 2014), and an update to the TPR (Recycling Industries, 2015) submitted concurrent with SWFP application upon which SWFP 51-AA-008 was issued. The details requested by the LEA concerning on-site traffic flow, protection of users, dust control, litter control, and vector control, are expanded and enhanced within this TPR for amended SWFP application for the RITS capacity expansion.

The RITS capacity expansion pursuant to this TPR varies from the UP 12-01 project in the following key aspects relevant to the CEQA guidelines:

- 1) The footprint of the RITS Facility is expanded from 3 acres to 4 acres, with the additional 1 acre being an adjacent undeveloped industrial parcel to the south, which has been previously highly disturbed (graded with topsoil removed), and having no known or documented historical, cultural or ecological significance; and
- 2) The customers serviced by the RITS Facility with capacity expansion pursuant to this TPR include a fractionally higher proportion of larger trucks (franchise collection trucks and MSW transfer fleet semi-combos) which will be traveling upon State Highways and City streets designated as truck routes (See Section 2.2 of this TPR), with such streets having been designed and constructed to accommodate both the type and volume of this truck traffic.

Attention is directed to Section 4.5.2 below, which estimates the fractionally higher proportion of larger trucks to be approximately 15% of total average anticipated Facility traffic. The overall traffic volume estimated to be generated by the RITS Facility with capacity expansion pursuant to this TPR does not exceed the traffic volumes considered during environmental review of the UP 12-01 project through a year 2030 planning horizon (see Table 1). The primary difference in morning peak and afternoon peak hour traffic trip-ends for the RITS capacity expansion is anticipated to be 6 to 12 additional employee arrivals/ departures during AM peak and PM peak hours.

The RITS capacity expansion pursuant to this TPR also varies from the UP 12-01 project in the following additional aspects:

- 1) The design of the RITS Facility with capacity expansion pursuant to this TPR includes additional controls for odor, stormwater pollution prevention, and facility cleaning (See Sections 5.4, 5.6.1, 5.6.2, 5.7.1 and 5.7.2 of this TPR) which were not included as mitigations for the UP 12-01 project, or which were identified only as future contingency measures within the UP 12-01 project description;
- 2) The design of the RITS Facility with capacity expansion pursuant to this TPR includes operational and engineered controls for scavenging birds (see TPR Section 5.8), as well as other considerations relevant to the Sutter County Airport *Overflight Zone* (see TPR

Section 5.9 and Appendix C), which were not included with the UP 12-01 project, or which were identified as contingency/ future measures within the UP 12-01 project description; and

- 3) The street frontage exposures for the RITS Facility with capacity expansion pursuant to this TPR include construction of uniform frontage fencing for screening of ground operations which were not included with the UP 12-01 project, together with landscape plans including replacement of trees in conflict with underground utilities and planting of new street shade trees/ landscaping (see TPR Section 2.7.3), in order to provide aesthetic exposures from public street view.

Additional review under CEQA is pending evaluation by the City of Yuba City Development Services Department of the appropriate environmental review process for modification of Use Permit No. UP 12-01 for the capacity expansion of the RITS as described within this TPR.

TRANSFER/ PROCESSING REPORT

Recycling Industries' Large Volume Transfer Station

140 Epley Drive

Yuba City, California

4.0 OPERATIONS PLAN

Information concerning Facility hours of operation, site access and internal traffic flow, customer intake & load screening, customer tipping, continuous load-check programs, materials processing, material storage, management & frequency of removal of materials, operations equipment, equipment maintenance, Facility housekeeping, and Facility power/ emergency power and Facility communications are provided in the following sections, together with Facility capacities for customer intake & tipping, materials processing, and materials storage. Assumptions and calculations for these and other Facility capacities are provided as stipulated by 14 CCR.

4.1 HOURS OF OPERATIONS

Hours of operation for Facility intake and tipping, and site operations shall be as follows:

- | | |
|------------------|--|
| Monday - Friday: | Intake and tipping: 7:00 AM to 5:00 PM (all customers);
Other outdoor site operations: 6:30 AM to 9:00 PM; and
Other activities within buildings: Up to 24 hours/ day. |
| Saturday: | Intake and tipping: 7:00 AM to 5:00 PM (all customers);
Other outdoor site operations 6:30 AM to 9:00 PM; and
Other activities within buildings: Up to 24 hours/ day. |
| Sunday: | Intake and tipping: 8:00 AM to 5:00 PM (all customers). |

Customer intake and tipping for the Facility may occur during the hours for "*Intake and tipping*", regardless of the limits of seasonal daylight, as intake and tipping facilities are to be illuminated.

"*Other outdoor site operations*" shall include materials handling activities, general maintenance of outdoor plant and equipment, housekeeping, sweeping, litter pick up, and similar outdoor activities. "*Other outdoor site operations*" may occur during the above hours, providing that the involved operations may be safely conducted given seasonal limits of daylight and with available fixed lighting and/ or equipment lights for the activity.

"*Other activities within buildings*" includes any activity within any building which will not result in rancorous noise at the Site property boundaries (in compliance with the noise provisions of the Yuba City Municipal Code). "*Other activities within buildings*" may include cleaning, maintenance of plant and equipment within buildings, housekeeping activities within buildings, and similar tasks which are best accomplished outside of the hours of other Facility operations.

4.2 SITE SECURITY AND ACCESS

The Site is currently secured along north frontage on Epley Drive and east road frontage on Putman Avenue, with existing gates as illustrated on Figure 4A. The west property lines are secured by a combination of 6-foot height corrugated metal fencing (common property lines with APN 54-083-011) and 6-foot height chain link fencing (common property lines with APN 54-083-019), as called-out on Figure 4A. The south line of the 3-acre site is currently secured by 6-foot height chain link fencing.

Fencing on common property lines with APN 54-083-011 and APN 54-083-019 is unchanged with the Facility capacity expansion (the common west fenceline with APN 54-083-019 extends along the west line of APN 54-083-015). The south line of the expanded 4-acre Facility is secured by existing 6-foot height chain link fencing installed on the south line of APN 54-083-015 from the common property line with APN 54-083-19, extending east to the west line of the PUE on Putman Avenue.

The southerly 132 feet of the Putman Avenue frontage (APN 54-083-15) currently has no fencing. This interval of road frontage will be secured concurrent with construction of new “*Building No. 6*” for the capacity expansion, in the manner illustrated on Figure 4B and summarized below.

Building No. 1 currently has open landscape on both the Epley Drive frontage (north) and on the Putman Avenue frontage (east) with perimeter security fencing extending to both the northwest corner and the southeast corner of this building. These open frontages for *Building No. 1* will remain unchanged. Similar to *Building No. 1*, *Building No. 6* will have open landscape on the Putman Avenue frontage (east), with perimeter security fencing extending to both the northeast corner and the southeast corner of this building, as illustrated on Figure 4B.

The Putman Avenue frontage of the Facility is proposed to be provided with newly installed 6-foot height vinyl-slatted chain link fence, with uniform materials and with uniform 3-foot setback from the PUE, extending from the southeast corner of *Building No. 1* to the northeast corner of *Building No. 6* as noted on Figure 4B. As also noted on Figure 4B, the existing northerly driveway of APN 54-083-23 onto Putman Avenue (“*Drive No. 3*” on Figure 4A) will be converted to a walk gate (for employee access from street parking) concurrent with this fence replacement on the Putman Avenue frontage.

As also noted on Figure 4B, the existing southerly driveway of APN 54-083-23 onto Putman Avenue (“*Drive No. 4*”) will become an emergency responder access gate. *Drive No. 4* has a fire hydrant located across Putman Avenue, and this access gate is located side-wind from most seasonally-varying prevailing winds at the Facility. *Gate No. 4* will be fitted with Knox keying for responder entry.

One new gate provides ingress from Epley Drive (“*Gate No. 1*”, an improvement with capacity expansion) near the northwest corner of the Site as illustrated on Figure 4B. All traffic will enter the Site via *Gate No. 1*, including Recycling Center customers, self-haul transfer station

customers franchise collection trucks, transfer fleet trucks, recycled materials shipment trucks, as well as employees not using on-street parking.

This single point of ingress for the Facility is designed with approximately 65 feet clear throat (no cross traffic) inside of *Gate No. 1*. Egress by *Gate No. 1* is limited to employees, company vehicles not requiring outbound weighing, together with customers with rejected loads.

The 2nd gate on Epley Drive ("*Gate No. 2*" = existing) currently provides all public customer ingress and egress from the Facility, as illustrated on Figure 4A. With capacity expansion, "*Gate No. 2*" will be modified to an 18-foot width conforming driveway, and will be an egress-only driveway (see Figure 4B). All public transfer station customers will exit the Site via the outbound scale/ cashiering and *Gate No. 2*. Similarly, all Recycling Center customers will exit the Facility by *Gate No. 2*.

Franchise collection vehicles (with established tare weights), and the solid waste transfer fleet (weighed at destination) are separated from public customers to the extent practicable by egressing these vehicles from *Building No. 6* onto Putman Avenue via *Drive No. 5* (existing with no modifications – for recycling collection trucks) and new *Drive No. 6* (ST11 standard with 30 foot width) for MSW collection trucks and MSW transfer fleet, as illustrated on Figure 4B. The primary purpose of this routing for these trucks is to minimize operation of large trucks in proximity to public customers for safety purposes. Since these vehicles also have established tare weight or are weighed at their destination, this egress route further reduces traffic volume over the outbound scale and increases overall traffic flow efficiency within the Facility.

4.3 INTERNAL TRAFFIC FLOW AND TRAFFIC STACKING PROVISIONS

Attention is directed to Figure 4B, and to the directional arrows that delineate internal traffic circulation. Internal traffic circulation has been revised such that heavy truck and tractor-trailer traffic is in minimal proximity to smaller vehicles, and such that traffic crosses at locations that will have clear sight distance not impaired by material storage. Internal circulation is also devised such that intake traffic does not impede customer traffic flow or egress, and such that clear routes for emergency responders will be maintained throughout the Site.

Customers with smaller loads consisting exclusively of recyclable materials for which the customer is paid (California Redemption Value beverage containers and similar) are managed at the Recycling Center building. Traffic for the Recycling Center (*Building No. 3*) turns left after entry by *Drive No. 1*, and thence turns into the parking area for Recycling Center customers as illustrated on Figure 4B. Recycling Center traffic routing is thus separated from transfer station customers immediately following ingress, with the exception of common egress via *Gate No. 2*.

Employee traffic, and company vehicle traffic not requiring inbound weighing (including MSW transfer fleet trucks), bears left following entry from *Gate No. 1*, into the traffic aisle of the new employee parking area illustrated on Figure 4B. The traffic aisle to the east of employee parking area is designed for 2-way traffic. Employees departing the Facility, and other company vehicles exiting the Facility (which do not require outbound weighing) will use this traffic aisle for egress

via *Gate No. 1*. Customers with loads that are rejected at the intake control point (see Section 4.5.1 below) will also be directed into this traffic aisle to exit the Facility by *Gate No. 1*.

All other inbound traffic proceeds straight (southerly) to the transfer station intake control point. In excess of 600 lineal feet of 12-foot width paved traffic lanes (clear of cross-traffic paths) are provided for customers de-tarp, and for internal traffic stacking prior to the transfer station intake control point. Internal traffic stacking as provided does not impede emergency response access or disrupt other traffic flows within the Facility.

All franchise haul vehicles and self-haul customers with weighed loads (fee-by-weight customers) are directed over the inbound scale by posted informational signage. Customers with loads that are fee-per-item (such as tires and white goods), and minimum fee loads (small self-haul loads which may not be within scale precision limits) will be directed by informational signage into the scale bypass intake lane illustrated on Figure 4B. The posting areas for signage directing customers to the appropriate intake routing, as well as signs outlining accepted materials & excluded materials, rules and protocols for site use, and tipping fees are summarized in Section 4.4, and in Sections 5.2, 5.2.1 and 5.2.2 of this TPR.

Subsequent to intake over the inbound scale (see Section 4.5.1 below), MSW franchise collection vehicles proceed east, along the south line of the Facility, where these vehicles may queue as necessary, awaiting availability of the MSW tipping area. MSW transfer fleet semi-combos also queue here, awaiting available load-out slot within the south end of the transfer station building. Internal queuing space for franchise collection tipping and for transfer fleet awaiting entry for loading is provided for one transfer semi-combo and for two franchise collection trucks prior to entry to *Building No. 6*. Post-intake queuing in this area does not disrupt other traffic flows.

MSW franchise and transfer fleet vehicles proceed through the west roll up door and into the south end of the transfer station building. MSW collection vehicles are tipped, and MSW transfer vehicles are loaded, within the south end of the transfer station building. Since these vehicles have established tare weights (franchise collection vehicles), or are weighed at their destination (MSW transfer fleet), these trucks directly exit the Facility through the east door on the south end of the transfer station building.

Similarly, franchise collection vehicles carrying recyclables enter the transfer station building through the west door on the north end of the building, discharge their load, and directly exit the transfer station building via the east door on the north end of the building. In the unlikely event of concurrent arrival of franchise collection vehicles carrying recyclables, post-intake stacking is provided along the south line of the Site as detailed above.

Roll-up doors on the west side of the transfer station for entry of these vehicles, and roll-up doors on the east side of the building for exit of these vehicles are closed following truck entry/ exit, and remain closed at all other times. By this internal traffic routing, larger franchise collection vehicles and transfer fleet trucks are segregated from public/ self-haul customer traffic (smaller vehicles) to the greatest extent practicable.

Attention is directed to Section 4.5.2 of this TPR for a detailed discussion of estimated customer intake composition. Attention is further directed to Section 4.5.3 for additional discussion of estimated customer intake traffic volumes for year 2030 (the planning horizon considered for capacity expansion pursuant to this TPR), together with detailed discussion of estimated traffic rates for year 2030, including estimates for unusual customer loading, estimates for periods of customer “surges”, as well as estimated traffic rates for customer surge periods occurring during days of unusual customer loading (such as may occur following the Christmas holiday) and which is the basis of Facility traffic capacity calculations.

Intake provisions for all customer classes are adequate based on the assumptions presented herein. Exceeding internal stacking capacity is unlikely for planned operations.

4.4 INTAKE SIGNAGE

A sign identifying the Facility and providing normal hours of operation & Operator contact/emergency contact phone number is to be posted at the ingress gate (*Gate No. 1*), with content as detailed in Section 5.2.1 of this TPR.

A sign posted just inside *Gate No. 1* provides information on materials accepted at the Recycling Center, and directs these customers for a left turn movement to Recycling Center parking. Another sign posted just inside *Gate No. 1* (see Section 5.2.2 below) summarizes materials accepted at the transfer station as well as materials that are prohibited at the transfer station, and provides information on customer de-tarp requirement, as well as requirements for customer identification of load origin (see Section 5.2.3 below).

Signage posted just prior to the intake control point (see Figure 4B) summarizes load screening/load-check requirements as well as customer safety rules and other terms-of-use as detailed in Section 5.2.2 of this TPR. Additional signage at this location (also detailed in Section 5.2.2 below) sets forth tipping fees/ materials acceptance fees, with cost basis for weight-based charges, minimum load charge, and per-item fees (for white goods and tires, etc.).

Additional internal signage is posted to direct customers into the appropriate de-tarp/ queueing lanes, along ingress routes, and thence to the appropriate tipping or materials management areas.

Attention is directed to Section 5.2.1 and Section 5.2.2 of this TPR for detailed content of mandatory signage per 14 CCR Section 17409.4 (b) requirements. Signs will be provided in English language, with all or some portions of signage information provided in other languages, or with use of graphics that transcend languages, at the discretion of the Operator.

4.5 CUSTOMER INTAKE AND TRAFFIC VOLUMES

Protocol for customer intake load screening, criteria for load rejection, customer visit record generation (load & material types, basis for fees, and customer origin information), the derivation of metrics for estimated customer intake composition/ traffic counts for the various customer classes, estimated average daily traffic counts, and estimations for unusual loading and

traffic surges used in calculation of provisions for traffic stacking and customer tipping, are presented below.

Facility records for customer origin and customer traffic count, together with customer weight/ volume records are to be maintained by the Operator as set forth in Section 8.2 of this TPR. Should actual average monthly traffic composition or average daily traffic counts pursuant to these records vary substantially from the assumptions set forth herein, this TPR must be amended/ updated accordingly.

4.5.1 Intake Procedure and Initial Load Screening

Signage requiring de-tarp of customer loads is posted as set forth in Section 4.4 above. Public customers are required to remove tarps/ load covers for the purpose of visual load screening inspection prior to the Facility intake control point for load acceptance evaluation and fee determination. Franchise debris box customers (roll-offs) are also required to de-tarp prior to the Facility intake control point for load screening.

Elevated high-resolution video cameras with pan, tilt and zoom capabilities are to be provided above both the scale intake lane and the scale bypass intake lane of the transfer station intake control point. Prior to greeting the customer, the Operator's intake personnel may use these video screening tools for a preliminary assessment of these customers' loads. Intake staff will thence greet the customer and query the customer concerning the contents of their load, and conduct a visual inspection of load contents, prior to accepting the load.

Public self-haul (residential and commercial customers will also be queried as to the origin of the load (Yuba City, Unincorporated Sutter County, etc.). Customer origin information will be entered (for each customer intake), together with vehicle gross weight (for scale loads), or material type for minimum fee loads, and/or unit fee charge items (white goods, tires) into the customer's visit intake record for cashiering and records for Facility reporting.

Public/ self-haul customer loads that, based upon visual screening inspection, or based upon query of the customer, do not meet the Operator's acceptance criteria will be rejected. RI shall have the right to reject any incoming load, for any reason. The reasons for load rejection may include, but shall not be limited to:

- ♦ The presence of any quantity of hazardous waste, potentially hazardous waste, designated waste & universal waste, regulated medical waste, or other *Prohibited Materials* in the customers load;
- ♦ The presence of animal carcass(es) in the customers load; and
- ♦ Loads containing significant quantities of putrescent wastes that are in an advanced stage of decomposition, and similar loads that are judged by intake staff to be beyond the Operator's capability for odor control, or beyond other controls of the station.

Public customers with rejected loads will be advised of the location of an alternate facility where their load may be accepted (see Section 5.2.4 below), and will be instructed to exit the Facility. The route of egress for customers with rejected loads will be as described in Section 4.3 above, with egress by *Gate No. 1*.

Franchise debris box loads will be subject to the de-tarp and intake load screening procedures as described above. Since debris box content may be highly variable based on load source, RITS intake staff will assign tipping location for these loads based upon the results of initial screening (see Section 4.6.4 below). All franchise debris box loads are further subjected to the Facility's continuous load-check program procedures upon tipping.

Other franchise-haul waste loads (residential curbside MSW and commercial waste) are within packer trucks and cannot be screened at intake. Rather, these franchise-haul loads will be subjected to more intensive load-check (2-stage load-check) upon tipping of each load (see Section 4.6.3 below). Franchise haul comingled recyclable loads (blue can curbside collection) are also within packer trucks, and are also be subjected to load-check upon tipping (see Section 4.6.5 below).

4.5.2 Customer Intake Composition

Attention is directed to Table 1, which provides various metrics on estimated customer intake for all classes of customers, based on publically-available long-range planning documents prepared for RWMA (TetraTech/ BAS, 2013) for operations which are consistent with business plans as communicated by Recycling Industries. Notes pertaining to derivation of these vehicle count and payload estimates are provided on page 2 of Table 1.

Notable in the Operator's business plans are limitations for the management of source-separated greenwaste and food wastes. The RITS will accept yard and garden trimmings from self-haul customers, and RI intends to segregate these waste materials from mixed loads (within franchise debris box intake as well as within mixed loads from public/ self-haul customers) for diversion to a regional greenwaste/ compost facility. However, franchise curbside collection of residential yardwaste and food scraps will be delivered *directly* to a regional greenwaste/ compost facility by RI's solid waste franchise collection partner. Similarly, commercial organic wastes subject to Mandatory Commercial Organics Recycling pursuant to AB 1839 (PRC Division 30, Chapter 12.9) will also be delivered *directly* to a regional compost processing facility. These franchise collection greenwaste and commercial food waste streams will not be accepted at the RITS.

Given the data & parameter presented in Table 1 and associated assumptions provided within Table 1 notes, customer intake composition at the RITS in year 2020 is anticipated as follows:

- ♦ Source-Separated Self-Haul Recycling Customers are anticipated to constitute approximately 41.1 percent of total Facility intake (to both the Recycling Center and transfer station source-separated recycling area) by vehicle count and approximately 15.2 percent of total Facility intake by weight;
- ♦ Public/ Commercial Self-haul Transfer Station Customers are anticipated to constitute approximately 43.0 percent of Facility customer intake by vehicle count and approximately 16.8 percent of total Facility intake by weight;
- ♦ Franchise Commercial Collection Transfer Station Customers are anticipated to constitute approximately 4.1 percent of Facility customer intake by vehicle count and approximately 24.8 percent of total Facility intake by weight;

- Franchise Residential MSW Collection (grey can) Transfer Station Customers are anticipated to constitute approximately 3.3 percent of Facility customer intake by vehicle count and approximately 16.7 percent of total Facility intake by weight;
- Franchise Debris Box Transfer Station Customers are anticipated to constitute approximately 5.5 percent of Facility customer intake by vehicle count and approximately 14.8 percent of total Facility intake by weight; and
- Franchise Residential Comingled Recycle (blue can) Collection Transfer Station Customers are anticipated to constitute approximately 2.3 percent of total Facility intake by vehicle count and approximately 11.7 percent of total Facility intake by weight.

As summarized by customer class for year 2020 intake estimates:

- Public self-haul customers (residential and commercial) for both the Recycling Center and the transfer station are anticipated to constitute approximately 85 percent of Facility intake by vehicle count and approximately 32 percent of total Facility intake by weight; and
- Franchise collection traffic for all materials types is anticipated to constitute approximately 15 percent of Facility intake by vehicle count and approximately 68 percent of total Facility intake by weight.

Table 1 provides growth projections for these customer classes in 5-year increments from 2020 through year 2030. Table 1 also provides estimates for outbound shipment of recycled/beneficial use materials for this planning horizon. Table 1 further provides estimates for transfer of MSW destined for land disposal/ ADC destined for beneficial use as cover at land disposal facilities, similarly providing growth projections for this outbound materials traffic through the year 2030. Average outbound shipments of recycled materials to markets and shipment to beneficial uses are estimated at approximately 5 trucks per day through 2030. Average outbound shipments of MSW/ ADC to land disposal facilities are estimated to range from 7 trucks per day (2020) to 8 trucks per day in 2030.

Intake for the Facility during 2020 is estimated to average 40 TPD for the Recycling Center together with transfer station recycling areas for source separated materials, and 220 TPD for the transfer station, with the transfer station intake estimated to consist of 43 TPD from self-haul customers and 177 TPD from franchise collection traffic.

Intake for the Facility during 2030 is estimated to average 46 TPD for the Recycling Center together with transfer station source separated recycling areas, and 254 TPD for the transfer station, with the transfer station intake estimated to consist of 50 TPD from self-haul customers and 204 TPD from franchise collection traffic.

4.5.3 Traffic Intake Rates

Attention is directed to Table 2 which provides estimated average daily traffic volumes by customer class for year 2030, together with corresponding estimated hourly traffic rates for customer intake, estimated hourly traffic rates for the various tipping/ unloading/ customer servicing areas, and estimated hourly traffic rates for outbound weighing/ cashiering, also for

year 2030. Notes pertaining to derivation of these vehicle count and traffic rate estimates are provided on page 2 of Table 2.

Traffic intake capacity must be adequate for unusual loadings in order to contain any traffic stacking to the lanes internal to the Site which are intended for this purpose. Similarly, post-intake customer servicing capacities (tipping and unloading, through outbound weighing/cashiering) and subordinate Facility capacities must be adequate to accommodate unusual customer loadings. For the purposes of Facility capacity calculations, *unusual loading* is assumed to be 120% of average daily loading. This would equate to 360 TPD as an unusual intake loading for year 2030. Unusual loadings are estimated for the various customer classes for averaged hourly customer distribution throughout the operating day in Table 2, together with corresponding traffic loadings to the Facility functional areas (intake, tipping/unloading areas, cashiering, etc.).

Facility traffic capacities must also accommodate short duration surges in customer intake during the operating day in order to provide adequate capacities during periods of high concurrent customer arrivals. For this purpose, *surge customer arrival rates* are estimated as being equal to 200% of hourly customer traffic averaged over the operating day. Corresponding traffic loadings to the Facility functional areas are tabulated within Table 2 as “*Surge Traffic*” estimates, which are based upon average facility loading (300 TPD for year 2030).

Finally, Table 2 provides “*Peak-Surge*” tabulation, which estimates high concurrent customer arrivals (surge traffic) occurring during a day of unusual total loading to the Facility (360 TPD). *Surge, and Peak-Surge hourly intake rates*, estimated for the various customer classes as calculated and presented within Table 2, range as follows:

- ♦ For Recycling Center customers, 13 to 16 vehicles;
- ♦ For other self-haul customers with recycled materials, 3 to 4 vehicles;
- ♦ For self-haul customers with waste/ mixed materials , 18 to 21 vehicles;
- ♦ For franchise residential curbside waste collection trucks, < 2 to 2 vehicles;
- ♦ For franchise commercial waste collection trucks, < 2 to 2 vehicles;
- ♦ For franchise debris box waste collection trucks, 2 to 3 vehicles; and
- ♦ For franchise curbside co-mingle recycle collection trucks, < 1 to > 1 vehicles.

Corresponding traffic loadings to the various Facility functional areas are also calculated and presented within Table 2 for *Surge and Peak-Surge hourly intake rates*, and are estimated to range for year 2030 as follows:

- ♦ Driveway (Gate 1) Ingress Traffic, 42 to 52 vehicles;
- ♦ Recycling Center traffic, 13 to 16 vehicles;
- ♦ Transfer Station Intake (scale and scale bypass), 27 to 34 vehicles;
- ♦ Transfer Station Public Customer Recycling Areas, 3 to 4 vehicles;
- ♦ Transfer Station Public Waste Tipping, 18 to 21 vehicles;

- Transfer Station Franchise Debris Box Tipping, 2 to 3 vehicles;
- Transfer Station Franchise Residential/ Commercial Waste Tipping, 3 to 4 vehicles;
- Curbside Collection Recyclables Tipping, < 1 to 1 vehicles; and
- Cashiering/ Outbound Scale Traffic, 22 to 26 vehicles.

The high end of these hourly traffic rate ranges (Peak-Surge = 240% of average hourly traffic loading) are utilized for evaluation of intake traffic stacking adequacy, evaluation of the adequacy of tipping/ customer servicing provisions for the various customer classes, and utilized for evaluation of the adequacy outbound scale/ cashiering capacity.

4.5.4 Customer Intake Traffic for Facility Design

At the projected average Facility loading of 300 tons per day (year 2030), an average of 66 Recycling Center customers and an estimated 141 transfer station customer intakes per day are estimated for the transfer station. The corresponding daily customer intake count is adjusted by an unusual loading factor of 1.20 to calculate an estimated maximum daily intake traffic volume of 79 Recycling Center customers and an estimated 169 transfer station customer intakes per day (plus employees, MSW/ADC shipments, and shipments to recycled materials/ beneficial use markets per Table 1/ Table2). This unusual loading customer intake count is considered in the various customer capacities calculated under Section 4.13 of this TPR, and should be used for conditioning the SWFP (at 169 daily customer intakes for the transfer station) for capacity expansion pursuant to this TPR.

Unusual loading customer intake count is used herein a station design parameter, and should not be used as a typical or peak daily intake traffic count for purposes of the Yuba City Development Services. Estimated customer counts, together with estimated traffic counts for MSW/ ADC transfer, recycled materials/ beneficial use materials shipments, together with employees are provided for this purpose within Table 1, in 5-year increments up to the year 2030 planning horizon considered by this TPR.

4.5.5 Provisions for Unusual Traffic Loadings

Attention is directed to Section 4.13.2 and Section 4.13.3 below, wherein it is calculated that the estimated year 2030 Peak-Surge traffic loading rate of 34 customers per hour to the transfer station may be accommodated as a continuous traffic flow by intake provisions (as well as by customer servicing provisions) proposed for capacity expansion pursuant to this TPR for all customer classes, given the assumptions for the estimated composition of these various customer classes, as detailed in Table 1 and Table 2.

The provisions for traffic loadings to the Facility are adequate for reasonably anticipatable unusual traffic loadings. The traffic stacking provisions depicted on Figure 4B are estimated to be necessary only as a load cover removal area, and for traffic stacking resulting from a disruption in customer intake processing or a total disruption of other customer servicing areas (tipping, cashiering, etc.) of up to 30 minutes duration during a Peak-Surge 2030 traffic conditions, and 1 hour or more during average intake traffic conditions.

Once permitted capacity of the Facility has been reached during an operating day, either by daily permit tonnage or by daily intake customer count, a barricade shall be placed across *Gate No. 1* stating that “*Facility Is Closed For the Day*”. Public customers will be excluded for the remainder of the operating day, and only franchise haulers shall be permitted to use the transfer station.

4.6 CUSTOMER TIPPING AND UNLOADING

All public customers with loads that include MSW, all franchise residential & commercial waste collection vehicles, and all franchise debris box vehicles will tip within the transfer station building as described within Section 4.6.1, Section 4.6.3, and Section 4.6.4 of this TPR, respectively. All franchise recyclables collection vehicles will tip within the transfer station building as described within Section 4.6.5 below.

Public customers with loads consisting exclusively of clean yard and garden trimmings, clean wood wastes, CDI materials, carpet and padding, tires, white goods, scrap metals, and e-waste, **without** MSW within their load, will unload within the areas described within Section 4.6.2 below.

4.6.1 Public Customer Waste Tipping

Following intake load screening described in Section 4.5.1 above, incoming public customers will be assigned to one of the 6 public tipping station locations depicted on Figure 4B. Public customers will be released from the intake control queuing only when there is an attendant/ tipping spotter ready to greet them at an assigned tipping location. All public customer tipping will be attended by RI tipping spotters as part of the continuous load-check program (see Section 5.10 of this TPR and see Appendix G).

The public customer waste tipping area is distant from areas of franchise vehicle tipping within Building No. 6, and is distant from MSW transfer load-out areas. Signs will be posted in the public tipping area reminding customers of smoking prohibition, that children and pets are required to remain within vehicles, and that salvaging of materials is prohibited, together with other terms-of-use detailed in Section 5.2.2 below. Spotter attendants for the load-check program will enforce these terms-of-use, and will control public customer access to the tipping floor to that area designated and delineated (by pavement marking) for public tipping. No railings, chains, posts or similar devices will be provided for isolation of the public customer waste tipping area.

4.6.2 Other Public Customer Tipping and Unloading

Other materials will be unloaded/ tipped by public customers at the materials management areas illustrated on Figure 4B. This tipping and unloading will be performed by public customers with loads consisting of:

- ♦ Tires;
- ♦ White Goods;

- ♦ Scrap Metals;
- ♦ Mattresses and boxsprings;
- ♦ Rolled carpet and rolled padding;
- ♦ Yard and garden trimmings; and
- ♦ Clean wood waste.

This tipping and unloading will be assisted by RITS staff as needed, and will be exempted from load check if the customers' loads meet all requirements for exemption from continuous load-check as determined by RITS intake staff, and detailed within Appendix G, Section G.4.3.

4.6.3 Franchise Waste Tipping

Franchise residential and commercial waste collection vehicles (packer trucks) tip within the south end of the transfer station building, as illustrated on Figure 4B. Franchise collection tipping for residential curbside waste and commercial waste is attended by an RITS spotter, who observes the franchise load as it is being tipped/ ejected, pursuant to the continuous load-check program referenced from Section 5.10 of this TPR. An additional 2nd stage of continuous load-check is mandatory for this intake stream, which includes spreading of materials on the tipping floor, and examination for Prohibited Materials by a spotter following the load spreading.

In the event that particular commercial franchise collection routes are determined to be proportionately high in recyclable content, vehicles from these routes may instead be tipped within the north end of the transfer station building, within an area maintained separate from comingled recyclables tipping.

4.6.4 Franchise Debris Box Tipping

Franchise debris box vehicles either tip within the south end of the transfer station building as depicted for franchise MSW collection traffic on Figure 4B, or within the north end of the transfer station building as depicted for recyclables collection traffic on Figure 4B. The tipping location for franchise debris box intake is assigned by the Customer Intake Lead, based upon initial screening of the particular debris box load. In the event that a debris box load appears to contain proportionately high content of recyclables, the load may be tipped within the north end of the transfer station building.

Franchise collection tipping for debris boxes is attended by an RITS spotter, who observes the load contents as it is being dumped, pursuant to the continuous load-check program referenced from Section 5.10 of this TPR. The additional 2nd stage of continuous load-check (spreading of materials into a thin layer atop the tipping floor and inspection for Prohibited Materials by a spotter following spreading) is provided for this intake stream on a load-by-load basis, dependent on composition of debris box content.

4.6.5 Franchise Recyclables Tipping

Franchise vehicles carrying co-mingled recyclables (blue cans) tip within the north end of the transfer station building as illustrated on Figure 4B. Franchise collection tipping for residential comingled recyclables is attended by an RITS spotter, who observes the franchise collection recyclables load as it is being ejected, pursuant to the continuous load-check program referenced from Section 5.10 of this TPR. The additional 2nd stage of continuous load-check is provided for this intake stream on a load-by-load basis, depending on evaluation of observations during the tipping process.

4.7 MATERIALS PROCESSING

Recyclable materials will be recovered via manual and mechanical processing. Material processing operations will initially be conducted at the Facility using labor, assisted by light equipment. The Operator plans to supplement this processing in the future with equipment yet to be decided by the Operator, to potentially include elevated belt with picking stations and other equipment. Any such changes in material processing methods will be reflected in amendment to this TPR. Until that time, labor with light wheel loaders and skid steer loaders will be used.

4.8 MATERIALS STORAGE AND MANAGEMENT

Facility storage areas for MSW, mixed recyclable materials, and sorted recycled materials are described in Section 4.8.1, Section 4.8.2, and Section 4.8.3 below, respectively, together with management protocols for these materials. Facility storage areas for TWW, e-waste, and lead-acid batteries are described in Section 4.8.4, Section 4.8.6 and Section 4.8.6 below, respectively, together with management protocols for these special materials.

4.8.1 MSW Storage and Management

Temporary storage of MSW awaiting loading for transport to land disposal will be limited to floor area within the southwest of the transfer station building. Intake loads received from franchise MSW collection are tipped within *Building No. 6* to the east of this MSW load-out area, and loads from public self-haul customers are tipped within *Building No. 6* to the north of this MSW load-out area. Residual materials remaining after sorting activities within *Building No. 6* are consolidated into the southwest floor area.

MSW which may be incidental to CDI, wood wastes, yard and garden trimmings, and other recyclable materials managed in other areas of the Facility shall be removed from these recyclable materials as they received during the operating day, thence moved to the MSW load-out area (within forklift bin or loader bucket). Containers used for this purpose are dumped within *Building No. 6* at the end of the operating day.

MSW destined for landfill disposal, together with reject materials not suitable for recycling markets, is to be loaded from the tipping floor of *Building No. 6* into transfer trailers on a continuous basis during the operating day, as intake arrives and materials are sorted at the

Facility. Equipment and operators dedicated to the MSW load-out function will provide an average capacity of 500 TPD as discussed in Section 4.13.7 of this TPR.

Daily operations protocol objective is that all MSW materials will be cleared from the tipping floor by end of the operating day. MSW materials which may remain on the tipping floor at the end of regular shift (17:00) due to circumstances such as late arrival of customers, maintenance of outload equipment, or factors beyond the Operator's control, will be consolidated into as small of a floor area as practicable (to facilitate floor cleaning) just prior to the end of the regular shift.

MSW materials remaining on the tipping floor at the end of regular shift will be loaded into transfer trailers by either:

- ♦ Overtime labor from the regular shift; or
- ♦ By the maintenance/ cleaning shift (overnight); or
- ♦ As first task by the next regular shift (commencing at 07:00 the following morning).

14 CCR Section 17410.1 requires that solid wastes be removed from transfer/ processing facilities within 48 hours of receipt, or at an alternate frequency approved by the EA. The stated purpose of this stipulation is to prevent the propagation or attraction of flies, rodents or other vectors. More frequent removal of wastes than as stipulated by this State Minimum Standard also serves to control odors.

Given the protocols described above, removal frequency for these materials will normally be within the range of 4 hours to 18 hours, and time from intake to removal should typically not exceed 24 hours.

While the Operator does not seek an alternate to the State 48-hour waste removal frequency standard, it is the intent of Recycling Industries to routinely exceed this minimum standard for MSW transfer operations at this Facility. Specifically, it is the goal of the Operator to have all residential curbside franchise collection waste and all commercial franchise collection wastes sorted, and either shipped to land disposal or loaded into transfer trailers (containerized) during the same operating day as these wastes are received. MSW transfer priority will be given to these franchise intake materials, and other intake materials that contain putrescent wastes.

With the exception of temporary/ contingency storage detailed in Section 4.13.7 of this TPR, MSW awaiting transport to land disposal will be limited to storage within transfer trailers. Transfer trailers shall be covered upon completion of loading. Attention is directed to Section 4.13.7 below, where estimated temporary/ contingency storage capacity for the MSW load-out area is discussed, together with the maximum on-site storage of containerized MSW within transfer trailers awaiting shipment to land disposal.

The MSW management operational strategy described above to intended to control odor (see Section 5.4 below), and as a control for the propagation/ attraction of flies, rodents and other vectors (see Section 5.5 below).

4.8.2 Mixed Recyclables Materials Storage and Management

Mixed recyclable materials awaiting sorting will be stored in areas as follows:

- ♦ Comingled Recyclables - Within the northeast end of the transfer station building; and
- ♦ CDI Materials - Within the northwest end of the transfer station building.

Other areas of non-waste materials stored at the facility will consist of sorted materials that are ready for preparation for shipment to markets as detailed below.

4.8.3 Sorted Recycled Materials Storage & Management

Recycled materials awaiting shipment to markets will be stored in areas as follows:

- 1) Baled Recycled Materials - Stored within or adjacent to *Building No. 5*, or within *Building No. 1* (both provisioned with ESFR fire protection for warehouse occupancy). Baled recycled materials may also be loaded directly into vans or cargo containers for shipment to markets. Baled recycled materials include aluminum, plastics, and OCC/ other fibers.
- 2) Recycled Materials Awaiting Baling - Stored adjacent to the baler feed conveyor (open storage within binwalls). Typically, aluminum and plastics are staged for baling to the west of the baler feed pit, and OCC and fiber are staged for baling to the east of the baler feed pit.

These materials are pushed into the baler feed pit throughout the operating day for baling, thence moved to baled materials storage or into vans or cargo containers for shipment.

- 3) Glass - Stored outdoors within roll-off containers (typically 40-yard) located south of the Recycling Center building and/ or north of relocated *Building No. 2*. Smaller forklift tip bins (typically 3-yard) are located immediately south of the Recycling Center building and within other areas where segregated recycled glass is generated. Glass is consolidated into the larger roll-off containers periodically.

When the larger consolidation containers are at capacity, recycled glass is shipped to market.

- 4) Ferrous Metals and White Goods - Stored outdoors within roll-off containers (typically 50-yard to 60 yard) to the west of relocated *Building No. 2*. Ferrous metals and white goods are unloaded in this area by customers, thence consolidated into roll-off containers during the operating day as needed to maintain a neat and organized operation. Forklift tip bins (typically 3-yard) are provided for smaller ferrous materials at this location and within other areas, including *Building No. 6*, where ferrous metals are segregated. Tip bins are consolidated into the larger roll-off containers periodically when at or near capacity.

When the larger consolidation containers are at capacity, ferrous metals are shipped to markets.

- 5) Tires - Stored within a metal container (van) within which they are to be transported to market, typically located as depicted on Figure 4B. Tires will be loaded directly into this container during periods of rain, and may be temporarily stored outside the container during other periods, with consolidation of tires into the container being a daily housekeeping task.

When this container is nearing capacity, the tire recycler is mobilized to swap the full container for an empty container.

- 6) Mattresses and Boxsprings - Stored within the van (trailer) in which they are transported to market, typically located as depicted on Figure 4B. Mattresses will be loaded directly into this container during periods of rain, and may be temporarily stored outside the container during other periods. Consolidation of mattresses and boxsprings into the container is also a housekeeping task prosecuted throughout the operating day. Mattresses and boxsprings received within *Building No. 6* are periodically moved to this container as necessary during the operating day.

When this container is nearing capacity, the mattress recycler is mobilized to swap the full container for an empty container.

- 7) Yard and Garden Trimmings - Stored outdoors in an open pile, which is consolidated as a housekeeping task throughout the operating day, following the removal of incidental materials. Incidental materials are removed and placed in equipment buckets or forklift tip bin, and moved into the transfer station throughout the operating day. This open storage is consolidated throughout the operating day to maintain a neat and organized management area. Forklift tip bins are provided for yard and garden trimmings segregated within other areas, including *Building No. 6*, with these bins consolidated into open storage periodically.

When the open storage area for yard and garden trimmings is nearing capacity, these materials are loaded into roll-off containers (typically 50-yard to 60-yard+) or into transfer trailers (100 to 120 yards) for transport to a compost facility.

- 8) Wood Waste - Stored outdoors in an open pile, which is consolidated as a housekeeping task throughout the operating day, following the removal of incidental materials in a manner identical to that described for yard and garden trimmings above. Forklift tip bins are similarly provided for wood wastes segregated within other areas, with these bins consolidated into the wood wastes open storage periodically.

When the open storage area for wood waste is nearing capacity, these materials are also loaded into roll-off containers (typically 50-yard to 60-yard+) or into transfer trailers (100 to 120 yards) for transport to beneficial use markets.

4.8.4 Treated Wood Waste Storage & Management

TWW shall be stored in a protected location west of relocated *Building No. 2*, by a method as outlined in 22 CCR Section 67386.6(a), and shall be removed from the Facility at a minimum frequency of once each 90 days. Disposal of TWW generated by the RITS may be by self-transport to an AMS-approved facility, accompanied by a bill of lading specific to the TWW materials, or may be by a contracted hauler.

The TWW bill of lading, together with the weight tag from the AMS-approved facility, will be placed in the Facility General Daily Operating Record (see Section 8.1.1 of this TPR) for reference by regulatory agencies with jurisdictional authority to examine such records.

In the event that more than 10,000 pounds of TWW is generated within a calendar year at this Facility (accepted from customers and generated from the continuous load-check program), the requirements to furnish written notice to DTSC (per 22 CCR Section 67386.9) will be satisfied within 30 days of reaching this threshold. Such DTSC notification will also be placed in the Facility General Daily Operating Record described within Section 8.1.1 of this TPR.

Stored TWW is included in the materials which are to be provided cover (protection from precipitation) as described in Section 5.6.1 below. TWW shall be covered with a secured tarp at all times when precipitation is occurring or rain is forecast.

4.8.5 E-Waste Storage & Management

E-wastes are consolidated into Gaylord containers, as sorted by type, upon acceptance. An acceptance location is planned to be continued within the Recycling Center building (existing operations), with e-waste acceptance and consolidation also occurring at the west end of relocated *Building No. 2* with Facility expansion pursuant to this TPR. E-waste that is segregated during load-check will be managed together with e-waste consolidation within relocated *Building No. 2*.

Following consolidation and pending shipment, these consolidated e-wastes will be moved to temporary storage within *Building No. 1*. E-wastes are among the materials which are provided cover (protection from precipitation) as described in Section 5.6.1 below. E-wastes shall be consolidated and shall be stored within buildings to this end.

4.8.6 Lead-acid Batteries Storage & Management

Lead-acid batteries are to be accepted near the west end of relocated *Building No. 2* with Facility expansion pursuant to this TPR. Lead-acid batteries which are segregated during load-check, that are in-tact and not leaking, are managed together with lead-acid batteries accepted from the public. All lead acid batteries that are cracked or leaking are placed in a covered containment tub and stored within the load-check program storage locker for corrosive acids.

Lead-acid batteries are also among the materials which are provided cover (protection from precipitation) as described in Section 5.6.1 below. Lead-acid batteries are also provided with containment below their shipping pallet (also see Section 5.6.1).

4.9 PROHIBITED MATERIALS STORAGE AND MANAGEMENT

Attention is directed to Section 5.10 of this TPR which broadly summarizes the Facility load-check program for Prohibited Materials, and to Appendix G, which details this load-check program.

Hazardous wastes and suspected hazardous wastes which are segregated by trained staff as a result of the load-check program are stored within lockers specifically suited for this purpose. Exceptions to the storage locker requirement are limited to the following materials:

- ♦ E-waste;
- ♦ Treated Wood Waste; and
- ♦ Lead-acid Batteries (in-tact/ not leaking).

Electronic wastes discovered during the load-check program shall be managed together with other e-wastes received from public customers by under the Facility's Covered Electronic Waste Collector registration (see Section 3.8.2 above), and shall be a separate class of materials for Facility records. Electronic wastes shall be stored and managed as described in Section 4.8.5 above.

Treated wood wastes discovered during the load-check program shall be managed as described in Section 4.8.4 above, and shall be tracked as a distinct class of materials for Facility records in accordance with DTSC requirements.

In-tact lead-acid batteries discovered during the load-check program shall be managed together with other lead-acid batteries received from public customers as described in Section 4.8.6 above, and shall be tracked as a distinct class of materials for Facility records.

Other hazardous wastes and suspected hazardous shall be temporarily stored within storage lockers. Four such storage lockers which are UL-listed for this application, and have integral secondary containment for the maximum volume of liquids which may be stored within the lockers are to be provided within the area delineated on Figure 4B for the following material classes:

- ♦ Flammable and Combustible Materials;
- ♦ Acidic Corrosive Materials;
- ♦ Base Corrosive and Reactive Materials; and
- ♦ Poisons and other regulated wastes (not flammable, corrosive, or reactive).

Other Prohibited Materials as may be anticipated to be discovered during load-check may be stored together with specific primary classes of load-check wastes are detailed within Appendix G. These other prohibited materials include: Sharps and regulated medical wastes; Asbestos containing wastes; and In-tact smoke detectors.

A daily log shall be maintained specific to load-check materials storage, recording the date, and description and approximate quantity of materials placed into temporary storage. This daily log will be organized by class of material (flammable, corrosive, reactive and poisons) and other wastes stored together with these primary hazard classes (Sharps and regulated medical wastes, etc.).

These load check materials shall be removed as hazardous and/ or regulated medical waste and/or universal waste upon the accumulation of 81 gallons or 660 pounds of all load check program materials, or alternately at a minimum frequency of once each 90 days.

These materials will be removed by an industrial services vendor qualified to package and licensed to transport these various classes of load-check program wastes. Copy of the manifests from the industrial services vendor for load-check materials removal shall be maintained within the Facility General Daily Operating Record.

If the Operator qualifies as a CESG, and the Operator elects to self-transport certain load-check program wastes as a CESQG, this TPR shall be amended to reflect this operational change. The regional hazardous waste management facility is located at 134 Burns Drive, approximately 800 feet south of the load-check program storage lockers upon the Project Site. This facility accepts hazardous wastes in quantity of up to 27 gallons or 220 pounds monthly from businesses, on an appointment basis.

Pyrophoric and water-reactive materials, explosives, munitions, poison gasses, any material producing fumes or vapors, and *all other materials suspected to be beyond the capabilities of staff training and protective equipment* to safely handle shall *not* be placed into the load-check storage lockers. All such materials beyond internal training personal protective equipment capabilities shall be segregated and managed by the hazardous materials service vendor identified in Appendix G, and removed from the Facility by this vendor at the time of service.

4.10 OPERATIONS EQUIPMENT, MAINTENANCE, AND STORAGE

Information concerning Facility operations equipment, operations equipment maintenance, and storage within the Facility are provided in the following sections.

4.10.1 Operations Equipment

The following equipment will typically be available for daily Facility operations:

- ♦ One material handler (diesel powered) with hydraulic grapple attachment;
- ♦ One rubber-tired wheel loader (diesel powered) with 5 to 7 yard bucket;
- ♦ One skid-steer loader (diesel powered) with 3/4 to 1.5 yard bucket;
- ♦ One rubber-tired tractor/ loader (diesel powered) with 1/2 to 3/4 yard bucket;
- ♦ Three forklifts (propane or diesel powered) with 5,000 pound typical capacity;
- ♦ Eight to 12 forklift tip bins with 2 to 3 yard typical capacity, to transport sorted recyclable materials to various storage locations within the Facility, and to transport incidental wastes segregated from outdoor storage to transfer station load-out;
- ♦ Sufficient roll-off containers (30 to 50 yard typical capacity) to contain recovered recycled materials and to facilitate removal at the frequency specified herein.
- ♦ One yard-purpose roll-off hoist truck;

- ♦ Over-the-road roll-off hoist trucks, dispatched from the Operator's fleet as needed;
- ♦ Over-the-road semi-tractors dispatched from the Operator's fleet as needed; and
- ♦ MSW transfer trailers, with 120 to 130 yard typical capacity, dispatched from the Operator's fleet as needed, with 3 trailers dedicated to operations at this Facility.

All over-the-road transfer trailers are fitted with load covers to prevent fly-away. All diesel powered equipment engines (other than over-the-road semi tractors and hoist trucks) used in Facility operations and subject to ARB jurisdiction will be registered pursuant to the ARB PERP program, as detailed in Section 3.3 of this TPR, prior to use at the Facility.

In the event of necessity for repair or major maintenance of equipment such as loaders and similar common operations equipment, rental replacement is readily available from local vendors, or from other Recycling Industries operations.

4.10.2 Equipment Storage & Maintenance

Small materials handling equipment will be normally be parked/ stored in the area so designated for this purpose on Figure 4B. Routine maintenance of this equipment (such as change-out of belts, hoses and routine grease lubrication, etc.) may be performed in the area designated for equipment parking, or at the location where the equipment is stationed. Major maintenance of all materials handling equipment will be performed at off-site shop locations.

"Hot work" (i.e. welding) may also be performed within the small materials handling equipment parking area. Hot work restrictions for the Facility are set forth in Section F.4.2 of Appendix F.

Over-the-road trucks and other vehicles are fueled at off-site locations. Off-road equipment fueling upon the Site is primarily performed by a service vendor. The Operator is considering on-site storage of diesel fuel for off-road equipment, with this matter still to be decided at the time of preparation of this TPR. On-site fuel storage would be limited to one fixed storage tank for off-road diesel, within a double containment tank of 1,000 gallon maximum capacity, which would be located to the south of the existing propane tank illustrated on Figure 4A and Figure 4B. Truck-mounted transfer tanks may also be used for fueling equipment, such that equipment that is used primarily in one location need not be moved for fueling. Additional information on the types and typical/ maximum quantities of stored fuels, flammable gasses, liquefied flammable gases, and flammable & combustible liquids is discussed in Section F.3.1 of Appendix F.

Equipment washdown activities may be performed at the Facility for purposes including control of residue on items of equipment that are used to handle MSW materials (for vector, pathogen and odor control). This equipment cleaning will be conducted within *Building No. 6* in a manner such that all washdown water is directed to the floor drains within this building (see Section 5.7.2 below).

Washdown shall be conducted with heated plain water for purposes of control of odor and pathogens. No washdown using surfactants, nor equipment washdown for the purpose of removal of oil or grease, is to be performed at the Facility.

Washdown of transfer fleet vehicles is conducted on a schedule as needed to control nuisance conditions. Washdown of transfer fleet vehicles occurs at an off-site location where this activity is allowable.

4.11 LITTER CONTROL, SWEEPING, AND HOUSEKEEPING

Information concerning litter control & housekeeping matters for the Facility are provided in the following sections. These activities occur at a frequency as the Operator determines is needed to maintain a clean and safe environment for customers and staff, and at a frequency as the Operator determines is needed to maintain good relations with the owners or occupants of neighboring properties, except for scheduled or minimum-frequency activities specified below.

4.11.1 On-site Litter Control and Sweeping

On-site litter patrol and cleanup will be at minimum frequency of once daily, and shall include:

- ♦ Facility fencelines (interior and exterior);
- ♦ Internal customer travel routes;
- ♦ All customer and employee parking areas;
- ♦ All frontage landscapes and building frontage areas;
- ♦ All interior planter and landscape areas; and
- ♦ Any other areas where litter may accumulate due to prevailing winds during the day.

All other areas of the Facility shall receive litter patrol and cleanup on a minimum weekly frequency or a more frequent basis as may be deemed necessary by the Operator in order to minimize off-site migration of litter.

The driveway approach pavement surfaces outside the Epley Drive and Putman Avenue gates shall be swept on a daily basis, unless the Operator determines that accumulation of materials for a particular operating day does warrant this sweeping frequency. The pavement surface inside the Epley Drive gates shall be swept weekly, or more frequently as needed to prevent materials from being tracked off-site, and to prevent road grit from accumulating and becoming an airborne nuisance.

Floor surfaces for traffic paths through *Building No. 6* (interior to *Gate No. 5* and *Gate No. 6*) are to be cleaned at a minimum frequency of once daily, as detailed in Section 5.7.2 below.

Other pavement surfaces of interior roads shall be swept at a frequency as needed to prevent materials from being tracked off-site, to minimize road grit from becoming an airborne nuisance, and to maintain clear delineation of pavement markings. Pavement surfaces of interior roads shall be maintained on a continuous basis to be free of debris that could be deleterious to vehicles or to the safety of users.

4.11.2 Off-site Litter Control

Off-site Litter patrol and cleanup shall include:

- ♦ Fencelines and landscape frontage setbacks of adjacent properties (daily frequency);
- ♦ Any off-site areas where significant litter may have accumulated due to migration from the Facility caused by winds during the day (daily frequency);
- ♦ Off-site areas where significant litter may be present due to failure of customers to properly cover their load while on-route to the Facility (same-day or next business day litter control response);
- ♦ Off-site areas where litter has been reported by an owner or occupant of a neighboring property to be of a concern and is alleged to be caused by failure of customers to properly cover their load while on-route to the Facility (same-day or next business day litter control response);
- ♦ Roadway, gutters, frontages and fencelines on Epley Drive from Garden Highway to Putman Avenue (weekly control, or a more frequent basis as indicated by visual inspection);
- ♦ Roadway, gutters, frontages and fencelines on Burns Drive from Garden Highway to Putman Avenue (weekly control, or a more frequent basis as indicated by visual inspection);
- ♦ Roadway, gutters, frontages and fencelines on Putman Avenue from Epley Drive to Burns Drive (weekly control, or a more frequent basis as indicated by visual inspection); and
- ♦ Roadway, gutters, frontages and fencelines on Garden Highway from Lincoln Road to Bogue Road (weekly control, or a more frequent basis as indicated by visual inspection).

4.11.3 Facility Housekeeping

Piles of materials stored outdoors shall be maintained in an orderly condition, such that material separation aisles are maintained at the minimum widths set forth for fire countermeasures (see Appendix F, Section F.5.5) are maintained. Clear paths for customer traffic circulation and potential access by the local fire agency shall be maintained at all times, as illustrated on Figure 4B.

Outdoor materials storage area shall be organized throughout the operating day, as well as at the end of each operating day. To the extent practicable, clean wood waste, greenwaste, and sorted recycled materials managed outdoors shall be placed into containers for transport to market during the operating day, as well as at the end of each operating day. Un-containerized wood waste, greenwaste, inerts, and similar materials shall be consolidated into neat piles within the storage areas described in Section 4.8.3 of this TPR, not to exceed the dimensions and volumes specified within Section 4.13.6 of this TPR, with each pile of these materials separated by aisles as specified therein to prevent intermixing of material types.

Ferrous metals, white goods, and refrigerated appliances that have undergone Freon recovery shall also be containerized for transport to markets throughout the operating day, as well as at the end of the operating day.

This housekeeping organization protocol also includes containerization of those materials planned to be stored within units for transportation to markets as detailed in Section 5.6.1 of this TPR (tires, carpet & padding, mattresses & boxsprings), together with organization of other materials planned to be stored under cover and/ or within containment as detailed in Section 5.6.1 of this TPR (lead acid batteries, refrigerated appliances undergoing Freon recovery, and e-wastes).

A storage area for miscellaneous equipment not in active service (including equipment awaiting disposition) is delineated on Figure 4B, to the north of relocated *Building No. 2* and adjacent to the fire lane for *Gate No. 4*. To the extent practicable, all equipment which is not in active or frequent use for operations shall be arranged in this designated storage area.

Any materials recovered under Recycling Industries' allowance for re-purposing salvage (see Section 5.11.2 below) shall be neatly organized, maintained in a quantity and configuration that does not create a housekeeping nuisance, and frequently removed from the Site to the community service organization or other entity that will re-purpose them.

4.11.4 Facility Cleaning

The Facility cleaning programs are considered to be a Facility control, and are detailed in Section 5.7.2 below.

4.12 FACILITY POWER, LIGHTING, AND COMMUNICATIONS

Information concerning existing and planned electric service, provisions for emergency power, and Facility communications equipment is provided in the following sections.

4.12.1 Electric Service

The Project Site is served by grid-connected electric service from PG&E. Switch gear and the main panel for the existing Facility plant are located near the northwest corner of *Building No. 1*, with a sub-panels located within *Building No. 1*, *Building No. 3*, and *Building No. 4*.

New electric service will be required for the transfer station building (*Building No. 6*), for the inbound scale/ weighmaster station (*Building No. 7*), and for relocated *Building No. 2*. Transformer, switchgear, main panel and subpanels for these services will be located and connected as detailed within the improvement plans for these new/ relocated buildings.

12 KV underground electric is available for this purpose within the PUE on the west side of Putman Avenue. Adequate supply for anticipated electric loads is available from the PG&E distribution facilities located within the PUE adjoining *Building No. 6* frontage. An existing service switch vault is located to the east of relocated *Building No. 2*, and an existing junction

vault is located to the south of *Building No. 6* for this purpose (see Figure 4B). New electric service will be installed at a location determined by PG&E.

4.12.2 Emergency Electric Power

As the Facility will serve public customers and franchise solid waste collection needs of Yuba City, emergency electric power will be used in critical functions (weighing, cashiering, records generation, certain lighting, etc.) to ensure continuous intake and customer processing during the days and hours of scheduled operations.

Emergency electric power is required for certain circuits in *Building No. 3* and *Building No. 7* as described below. *Building No. 3* (Cashiering/ Scale) and *Building No. 7* (Customer Intake/ Scale) are to be provided with electric generators installed in dedicated service for those circuits necessary for uninterrupted operations of critical functions.

Building No. 6 (the transfer station) is to be provisioned with generator transfer switch and emergency power connection, such that if grid power failure occurs at times when electric power is required from emergency sources (for example, a power failure outside of daylight hours necessitating adequate illumination for safe unloading by public customers, or resulting in inadequate illumination for effective load-check), backup power can be quickly provided. Customer and employee activity will be suspended until an on-site portable emergency generator (or another generator) is deployed and energized for powering critical functions of *Building No. 6*, including:

- ♦ Exterior lighting required for safe illumination of employee and customer activities;
- ♦ Interior lighting required for safe illumination per ANSI A11.1-1965 R1970;
- ♦ Lighting as required for effective continuous load-check programs;
- ♦ Video monitoring systems for customer tipping areas and video datalink systems;
- ♦ The audible bird-scare system (see TPR Section 5.8);
- ♦ Odor sequestration system feed and pressurization pumps (see TPR Section 5.4);
- ♦ Electric drives and actuators for certain building doors; and
- ♦ Other critical mechanical systems.

These are the minimum components of *Building No. 6* that shall be provided with transfer switch circuits, so that basic transfer station control systems may be resume following a power failure, and lighting may be available for safe illumination of customer and employee activity areas as needed. Other electric components of the transfer station building may be included in the backup electric connection/ transfer provision at the discretion of the Operator.

A generator will be installed in dedicated service for powering critical functions of the weighmaster station (*Building No. 7*), including:

- ♦ Interior lighting;
- ♦ Exterior lighting as required for customer/ employee safety and for load screening;

- ♦ Scale system, including load cells, customer displays and customer record input links;
- ♦ Video systems for load screening;
- ♦ Communications systems for attended customer tipping space assignment; and
- ♦ Datalink systems for customer data transfer to cashiering in *Building No. 3*.

These are the minimum components of *Building No. 7* that shall be provided with emergency electric power so that basic transfer station operations may continue uninterrupted during a power outage of up to several hours in duration.

A 2nd generator will be installed in dedicated service for powering critical functions within the Recycling Center (*Building No. 3*) relating to transfer station operations, including:

- ♦ Interior lighting;
- ♦ Scale system, including load cells, customer displays, and customer record links;
- ♦ Datalink systems for customer data transfer from the inbound scale (*Building No. 7*); and
- ♦ Cashiering systems, including customer transaction systems (credit card authorization, etc.).

These are the minimum components of *Building No. 3* that shall be provided with emergency electric power so that basic transfer station operations may continue uninterrupted during a power outage of several hours in duration.

It is recommended that a portable generator be available at the Facility as a contingency emergency power source for use as a temporary/ backup generator in the event of failure of one of the dedicated service generators described above.

4.12.3 Lighting

Illumination within buildings is provided by grid electric power, with emergency electric power provided as detailed in Section 4.12.2 above. The transfer station building is to be provided with translucent panels near the roofline to provide some interior illumination during daylight hours. Parking areas, as well as exterior areas of public and employee use are illuminated at intensities that meet or exceed Yuba City standards for illumination levels for these purposes, with controls that meet California State energy conservation standards.

Lighting details are to be provided within improvement plans for *Building No. 6* and *Building No. 7*, as well as the associated site and parking improvements detailed on Figure 4B. Illumination levels for interior spaces will be matched to the tasks and uses within buildings, and will meet or exceed relevant standards (29 CFR 1926.56, ANSI A11.1-1965 R1970). Illumination levels which exceed the relevant standards are to be provided for the following areas:

- ♦ Exterior lighting for customer intake (both scale lane and scale bypass lane);
- ♦ Lighting for outdoors recycled materials receiving areas (metals & white goods, batteries, tires, wood waste, and yard & garden trimmings);
- ♦ Exterior lighting for the public customer tipping area;

- ♦ Interior lighting above the public customer tipping area (for load-check);
- ♦ Lighting above the north tipping area within *Building No. 6* (for load-check); and
- ♦ Lighting above the south tipping area within *Building No. 6* (for load-check).

Lighting provided in accord with these improvement plans will meet relevant standards set by Title 24 of the California Code of Regulations.

4.12.4 Communications Equipment

Communications by two-way radio or by “push to talk” cellular service/ cellular data application is available for use by the following Facility personnel:

- ♦ The Facility Manager;
- ♦ The Operations Manager;
- ♦ The Customer Intake Lead;
- ♦ The Lead Worker;
- ♦ The Cashier;
- ♦ All transfer station tipping spotters; and
- ♦ All laborers having responsibilities which include traffic control & logistics.

This equipment is used to enable communication of logistics for operation of the Facility in the manner set forth within this TPR (assignment of tipping stations for customers, ensuring that all customers’ unloading is attended by a tipping spotter for load-check, etc.) and similar operations communications.

This equipment also enables near-instantaneous communication for incidents such as fire emergency, hot load response, and response to injury. The communications system further assists during the management of incidents potential requiring evacuation of customers and employees.

4.13 FACILITY CAPACITY

Information concerning Facility intake capacity, Transfer station tipping capacities, and Facility processing capacity, as well as certain estimates upon which capacities are based are provided in the following sections, with additional supporting calculations presented in Appendix H. The Recycling Center capacity is considered separately from capacities for the transfer station.

4.13.1 Recycling Center Intake Capacity

Ingress to the RITS is devised such that Recycling Center customers (customers with smaller loads consisting exclusively of CRV beverage containers and other recyclable materials for which the customer is paid, or which are accepted within the Recycling Center building with

no fee) are removed from customer intake traffic flow prior to transfer station queueing (See Section 4.3 of this TPR and see Figure 4B).

These customers are provided dedicated parking north of *Building No.3* (the Recycling Center) and these customers share egress via *Gate No. 2* together with transfer station customers. Recycling Center customers are included within “*Self-Haul Recycle*” customer traffic in Table 1, with an associated average daily traffic count estimate of 72 vehicles per day (2020) and 83 vehicles per day (2030). With capacity expansion pursuant to this TPR, approximately 20% of self-haul recycle customers will be processed through transfer station intake, and 80% of self-haul recycle customers will continue to use the Recycling Center. Corresponding average daily traffic count for the Recycling Center will be 58 vehicles per day (2020) and 66 vehicles per day (2030).

Attention is directed to Table 2, and in particular to the “Peak-Surge” hourly traffic rate estimates (see Section 4.5.3 above) for self-haul recycle customers for year 2030. Total Peak-Surge hourly rate for 2030 for all self-haul recycle customer is estimated to total 20 customers. Total self-haul recycle customers are allocated in Table 2 as 80% (16 Peak-Surge customer arrivals) using the Recycling Center (for materials as described above) and 20% (4 Peak-Surge customer arrivals) using the transfer station (for source-separated recycled materials loads consisting of white goods & ferrous metals, tires, lead-acid batteries, etc.).

The Recycling Center has very efficient customer servicing, together with efficient cashiering, using systems refined by Recycling Industries over 8 years of operations at this location. The Operator estimates a Recycling Center capacity of greater than 20 customers per hour (established by the Operator through direct operations experience at this location). The Recycling Center will operate at up to approximately 80 percent of its capacity for projected Peak-Surge future customer use considered within this TPR (through year 2030).

To some extent, Recycling Industries also has the ability to limit the volume of customers using the Recycling Center at this Facility through incentivizing these Recycling Center customers to instead use the RI recycling facility located at 389 Wilbur Avenue in Yuba City (located approximately 1.5 miles north of the Site). Recycling Center use at the Epley Drive location can be reduced through differential payment for non-CRV materials, and by other incentives for customers to instead use the Wilbur Avenue location. If Recycling Center traffic increases to volumes which exceed estimates provided within this TPR, the Operator has this method to reduce Recycling Center customer use at the Epley Drive Facility.

4.13.2 Transfer Station Traffic Stacking Capacity

Over 600 lineal feet of paved 12-foot width lanes are provided prior to the transfer station intake control point for customer de-tarp and for internal traffic stacking, in a configuration that does not disrupt Recycling Center traffic flow, or the traffic flow of employee vehicles and company vehicles using the traffic aisle to the east of the employee parking area (including transfer fleet vehicles and all other company vehicles not requiring scale weight). Net concurrent provision for de-tarp and stacking prior to the transfer station intake control should accommodate 15 concurrently arriving/ queued customer vehicles (see Appendix H assumptions & calculation).

Peak-Surge customer intake traffic to the transfer station for year 2030, is estimated to potentially total 34 transfer station intake customers per hour with concurrent condition of unusual customer loading (360 TPD) *and* a customer surge volume of 200% of averaged hourly station volume (a condition which *might* occur in the days following the Christmas holiday - see Section 4.5.3 above). Customer intake capacity through the scale lane and the scale bypass lane is discussed in Section 4.13.3 below, and accommodates this 34 customer per hour Peak-Surge traffic rate, at approximately 92% of estimated intake capacity. No “downstream” customer servicing process (tipping, outbound cashiering, etc.)

The internal traffic stacking provided with Facility design for capacity expansion primarily accommodates potential intake disruption (for example, a customer with Prohibited Materials in their load who insists they are OK), or disruption of customer servicing in “downstream” customer processes (for example, clearing a load-check discovery of Prohibited Materials from a tipping area), and similar disruptions. The internal traffic stacking provision will accommodate such a potential disruption for up to about 30 minutes during Peak-Surge conditions, and for 1 hour or more during average traffic intake. Exceeding the capacity of internal traffic stacking as provided prior to transfer station intake control is unlikely.

The internal traffic stacking provision also allows customers to remove tarps/ load covers prior to transfer station intake control.

In the event that additional customer traffic stacking capacity is desirable during an unanticipated Peak-Surge condition, public customers may be advanced by intake staff from holding at the transfer station intake control point, and into secondary queueing space to the west of Building No. 6, for stacking prior to assignment to tipping (as is described in Section 4.5.3 as being standard protocol for franchise customers).

4.13.3 Transfer Station Intake Capacity

Transfer Station intake capacity is governed by intake transaction and intake load screening time, and is constrained by available tipping capacity (with a load-check spotter). Customer intake rates must be greater than customer arrival rates as buffered by traffic stacking capacity available prior to the intake control point. Tipping/ unloading provisions for this Facility meet or exceed estimated capacity requirements (see Section 4.13.4 below) and should not constrain Facility intake capacity.

Attention is directed to Section 4.13.1 above, which discusses traffic flow just inside *Gate No. 1* (the single ingress point for all Facility customers) which separates incoming Recycling Center customers from incoming transfer station customers in advance of the lanes provided for transfer station intake traffic stacking. Attention is further directed to Section 4.5.2 and Section 4.5.3 of this TPR for estimates of customer intake composition, and for estimates of customer intake rates, respectively, as well as Table 1 and Table 2.

Customer intake for the RITS is provided with a scale-bypass lane (see Figure 4B), such that customers with loads consisting exclusively of fee-per-item materials (tires, white goods, etc.) and customers with small loads of certain materials (yard trimmings and wood waste, etc.) that may be reliably approximated from volume to weight (see Section 8.3 of this TPR)

may bypass the scale lane/ scale queuing and proceed through intake using the scale-bypass lane.

During periods of high customer arrival rates, the Operator will staff a 2nd position within *Building No. 7* for intake of scale-bypass loads. Since tires, white goods, yard and garden trimmings and wood waste are all managed in areas other than within the transfer station building, this scale bypass intake does not detract from the Customer Intake Lead's responsibility to ensure that customers tipping within the transfer station building are assigned to an open tipping slot attended by a spotter for the purposes of continuous load-check.

Customer intake efficiency is to be aided by elevated high resolution video cameras for both the scale intake lane and the scale bypass intake lane, as detailed in Section 4.5.1 above. These cameras provide a "bird's eye view" of the customer's load composition, allowing intake staff an overview of the customer's load contents prior to greeting the customer and performing a detailed examination for load screening.

With the procedures and efficiencies described above, public/ self-haul customer intake time is estimated to range from less than 1 minute to approximately 4 minutes, and to average 2.5 minutes. This average intake time estimate includes the time required to pre-screen the customer's load by camera, to greet the customer and conduct visual examination of load contents/ conduct initial load screening for potential Prohibited Materials, querying the customer concerning common Prohibited Materials, establishing the origin of the customer's load, generating an intake record for the customer, and advising the customer of the basis of charges for the load. Other assumptions, and other tools to be used by the Operator to aid in customer intake process efficiency, are detailed in Appendix H.

Franchise hauler truck intake is limited to Yuba City origin, consisting of both packer trucks and debris box (roll-off) vehicles. Packer truck intake is detailed in the following paragraph. Roll-off truck intake procedure is similar to that described above for public/ self-haul customers, with the exception of load origin survey (franchise is exclusive to Yuba City), and querying the driver concerning potential Prohibited Materials (of which the driver has no knowledge). Other assumptions for franchise debris box load intake are presented in Appendix H, together with intake time which is estimated to average 2.5 minutes per debris box vehicle.

Franchise hauler packer truck vehicles cannot be screened at intake (these loads are instead subjected to more intensive 2-stage load-check during and following tipping). Franchise packer intake is accordingly limited to weighing, generating an intake tag for the franchise truck number, printing an intake record for the driver, and advising the driver of tipping space availability, or alternately if they must queue on the south line of the facility (see TPR Section 4.6.3) awaiting tipping availability. Total time for franchise packer truck intake (residential waste, commercial waste, and curbside comingled recyclables) is estimated at 1 minute or less.

Attention is directed to Appendix H, where calculations are provided for intake assumptions for the various customer classes summarized above, for the estimated customer class mix enumerated for this intake in Table 1, and for the estimated resulting customer Peak-Surge hourly intake rate capacity requirement of 34 vehicle mix of the various customer classes as

enumerated in Table 2. With these calculations also accounting for vehicles allowed to use the scale bypass lane and those vehicles which are mandatory weight loads, transfer station intake operates at approximately 93% of capacity for year 2030 Peak-Surge intake rate of 34 vehicles per hour.

Customer intake provisions are adequate for estimated Peak-Surge (concurrent unusual loading with customer traffic surge) beyond year 2030 based upon the assumptions and the Operator's customer intake procedures presented.

4.13.4 Transfer Station Tipping Capacities

Public/ Self-Haul Tipping Capacity

Six tipping stations/ slots are accommodated within the public/ self-haul customer tipping area on the west face of *Building No. 6*, as depicted on Figure 4B. Assuming an average unloading time (with load-check by Facility staff) of 15 minutes for public customers, capacity of the 6 public tipping stations/ slots is 24 public/ self-haul customers per hour.

Attention is directed to Appendix H and to Table 2. With the assumptions and calculations presented in Table 2, capacity for tipping of 18 public customers per hour is estimated to be required for surge traffic, and capacity for tipping of 21 public customers per hour is estimated to be required for Peak-Surge traffic (for year 2030 estimates). Tipping provisions for public/ self-haul customers are adequate under the assumptions and calculations presented within this TPR, with year 2030 Peak-Surge tip area use estimated as 87.5% of public/ self-haul customer tipping capacity.

Franchise Waste Collection Tipping Capacity

The tipping area for franchise residential waste collection and franchise commercial waste collection vehicles within the south end of *Building No. 6* accommodates one franchise collection vehicle unloading. Up to 2 franchise collection vehicles (of all types) may be concurrently queued prior to entry into the tipping lane through *Building No. 6* (following intake) along the south property line of the Facility, within the truck queuing provision depicted on Figure 4B. Franchise residential waste tipping is configured as a “drive-through” tipping lane, and this tipping space is available to the next franchise collection vehicle immediately following completion of load-check and exit of the prior vehicle. The south drive through lane of *Building No. 6* is configured as 24-foot width, allowing transfer trailer loading to occur in the southwest concurrent with collection truck tipping occurring in the southeast.

Attention is directed to Appendix H and to Table 2. Assuming an average unloading time (together with load-check) of 15 minutes for the franchise wastes tipping area, 4 such vehicles per hour may be accommodated by these tipping provisions. With the assumptions and calculations presented in Table 2, capacity for tipping of 4 franchise residential and commercial waste collection vehicles per hour is estimated to be required for year 2030 Peak-Surge estimates. As noted in Appendix H, Peak-Surge arrival of 4 vehicles per hour is unlikely for this customer class (Peak-Surge assumptions result in an overly-conservative hourly intake rate for franchise residential waste collection and franchise commercial waste collection vehicles).

Regardless, tipping provisions for franchise residential MSW and for franchise commercial waste customers are adequate under the assumptions and calculations presented within this TPR for this customer class, with this tipping provision operating at 75% of capacity for estimated year 2030 Surge traffic arrival rate, and operating at 100% of capacity for year 2030 estimated Peak-Surge traffic arrival rate.

Internal stacking for these vehicles is provided following intake, as a contingency for potential disruptions in this tipping are (situations such as Prohibited Materials removal as a result of load-check programs), as described in Section 4.3 above.

Franchise Comingled Recyclables and Debris Box Tipping Capacity

Two classes of franchise customers will tip within the north end of the transfer station building. Curbside comingled recyclables franchise collection vehicles will tip to the southeast of the drive-through lane, and franchise debris box vehicles will tip to the southwest of this lane. The tipping area within the north end of *Building No. 6* accommodates one franchise curbside/ comingled recyclables collection vehicle unloading in the northeast, with one franchise debris box vehicle concurrently tipping within the northwest. This tipping is also configured as a “drive-through” tipping lane, and tipping space is available to the next franchise collection vehicle(s) immediately following completion of load-check and exit of the prior vehicle.

Assuming an average unloading time (together with load-check) of 15 minutes for either type of franchise vehicles tipping within this area, up to 4 curbside comingled recyclables vehicles per hour and up to 4 franchise debris box vehicles per hour may be accommodated by these tipping provisions.

Attention is directed to Appendix H and to Table 2. With the assumptions and calculations presented, capacity for tipping of 1 franchise curbside recyclable vehicle per hour is required for both Surge and Peak-Surge year 2030 traffic loading rates. Debris box collection vehicle tipping requirements are estimated to be 3 vehicles per hour for year 2030 Surge traffic and tipping of 4 franchise debris box collection vehicles per hour is estimated to be required for year 2030 Peak-Surge conditions.

Tipping provisions for franchise recyclables collection vehicles are adequate under the assumptions and calculations presented within this TPR, with this tipping provision operating at 25% of capacity for estimated year 2030 Peak-Surge traffic arrival rate

Tipping provisions for franchise debris box vehicles are adequate under the assumptions and calculations presented within this TPR with this tipping provision operating at 75% of capacity for estimated year 2030 Surge traffic arrival rate, and operating at 100% of capacity for year 2030 estimated Peak-Surge traffic arrival rate.

Internal stacking for either of these franchise vehicle types is similarly provided following intake, with capacity for stacking 2 franchise collection vehicles (of any type) along the south line of the facility as a contingency for potential disruptions in these tipping areas (Prohibited Materials removal as a result of load-check programs, etc.). This post-intake internal stacking is described in Section 4.3 above.

4.13.5 Recyclables Processing Capacity

The Operator has not yet decided mechanical recyclables processing for this Facility, and accordingly, recyclables processing capacities for mechanized lines (picking station conveyors, disc screens and other fiber separation machinery, mechanized small ferrous separation, etc.) cannot be precisely calculated at this time. Primarily, it is comingled recyclables that will need to be processed with such machinery. RI's management has both the experience and resources to affect efficient mechanical recyclables processing for this Facility.

Attention is directed to Appendix H, wherein it is estimated that mechanical recyclables processing for this Facility should have an approximate capacity 75 tons per day. This capacity estimate exceeds the estimate of approximately 35 tons per day intake of comingled recyclables from Yuba City residential curbside (blue can) programs through the planning horizon considered by this TPR, and should be adequate for all recyclable materials requiring mechanical processing.

Larger recyclable materials will be segregated from the tipping floor by labor, assisted light equipment. Materials separated in this manner include wood waste, yard and garden trimmings, larger ferrous, tires, large OCC, and similar materials from the Building No. 6 tipping floor. This processing is accomplished by dedicated laborers, with additional provided by tipping spotters who are not actively load-checking.

Floor-sort processing is the most effective method for certain loads, including public/ self-haul, most franchise debris box loads, and certain franchise commercial waste loads tipped within Building No. 6. As calculated within Appendix H, production rate for recycled material segregation by floor-sort assisted by light equipment is estimated to be 5.4 tons per full-time equivalent laborer (during an 8-hour shift). For the range of 3 to 6 full-time labor equivalents estimated to be allocated to this task within an operating day, a resultant average capacity of 16 to 32 tons per day of recycled materials are to be recovered by this method at the Facility.

4.13.6 Recycled and Recyclable Materials Storage Capacities

Recycled materials awaiting transport to market and beneficial use, and the areas where these various materials are stored is detailed in Section 4.8.3 above. Storage capacities for the various materials storages are calculated within Appendix H. Estimated recycled materials storage capacities at this site are as follows:

- 1) Baled Recycled Materials - Stored within and adjacent to *Building No. 5*, and within a portion of *Building No. 1*: Calculated within Appendix H, with a net combine floor area of 4,940 SF, and a corresponding combined effective baled materials storage average of 515 tons.
- 2) Recycled Materials Awaiting Baling - Stored adjacent to the baler feed conveyor as loose materials within binwalls: Calculated within Appendix H and estimated to average:

- ♦ Plastics – 109 cubic yards = 2 tons;
 - ♦ Aluminum – 109 cubic yards = 3 tons;
 - ♦ OCC – 109 cubic yards = 4 tons; and
 - ♦ Paper – 109 cubic yards = 14 tons;
- 3) Glass - Stored outdoors within roll-off containers (typically 40-yard) located as described in Section 4.8.3 above: Calculated within Appendix H, based on container allocation (weight limited), and estimated as 24 tons for planned allocation of three to 40-yard roll-offs (being filled – swapped with an empty roll-off when full).
 - 4) Ferrous Metals and White Goods - Stored outdoors within roll-off containers (typically 50-yard) to the west of relocated *Building No. 2*, with limited adjacent open storage of certain white goods and refrigerated appliances. Calculated within Appendix H, based on container allocation (weight limited), and estimated as 15 tons for planned allocation of two roll-off consolidation containers and limited open storage.
 - 5) Tires - Stored within a metal container (van) within which they are to be transported to market. Storage is limited to less than 500 tires so stored at the Facility at any time.
 - 6) Mattresses and Boxsprings - Stored within the van (trailer) in which they are transported to market. Storage is limited by van capacity of approximately 125 cubic yards.
 - 7) Wood Waste - Stored outdoors in an open pile, also consolidated throughout the operating day, and periodically loaded for transport to markets. Calculated within Appendix H at a capacity of 250 cubic yards open storage, and a corresponding open storage weight of 50 tons (at consolidated open piled materials density of 400 pounds/ cubic yard).
 - 8) Yard and Garden Trimmings - Stored outdoors in an open pile, consolidated throughout the operating day, and periodically loaded for transport to market. Calculated within Appendix H at a capacity of 250 cubic yards open storage, and a corresponding open storage weight of 40 dry tons (at consolidated open-piled materials density of 325 pounds/ cubic yard).

Recycled materials storage capacity for either wood waste or yard and garden trimmings may also include 1 filled container of material (typically a 120 to 130 yard semi-trailer with an associated in-vehicle weight of 21 (yard and garden trimmings) to 23 tons (woodwaste).

Attention is directed to Appendix H for calculations and estimates of storage capacity for comingled recyclable materials (awaiting mechanical processing) and for calculations and estimates of storage capacity for mixed waste/ recyclable materials (awaiting floor sort processing). A storage area for comingled recyclable materials awaiting mechanical processing is delineated on Figure 4B within the northeast quadrant of *Building No. 6*, and provides an estimated 440 cubic yards of temporary piled storage for these materials. A storage area for mixed waste and recyclable materials awaiting floor sort processing is delineated on Figure 4B within the west portion of *Building No. 6*, and provides an estimated 410 cubic yards of temporary piled storage for these materials.

4.13.7 MSW Load-out Capacity and Storage Capacity

As an ongoing process throughout the operating day within the transfer station building, tipped materials are subjected to continuous load-check, recyclable materials are segregated and containerized, and residual materials are consolidated within the MSW load-out area. Loading of MSW transfer fleet trailers is also a continuous process, with a production capacity of approximately 50 tons per hour, or 500 tons per 10-hour operating day (see Appendix H).

Average MSW throughput requiring consolidation into the MSW load-out area, thence loading into transfer trailers (see Table 1) is estimated to be 159 tons per operating day (2020) and estimated to grow to 183 tons per operating day (2030). Required future average MSW load-out capacity (2030) accordingly averages 18.3 tons per hour for a 10-hour operating day. Assuming a peak/ unusual daily loading of 120 percent of estimated average daily loading, 220 TPD or 22 tons per hour (about 1 semi-trailer average per hour) is required for load-out capacity. Load-out capacity for MSW transfer is more than twice the estimated peak hourly-averaged requirement.

Surges in MSW intake during the operating day, together with prudent contingency for circumstances such as unscheduled maintenance of the load-out equipment (necessitating procurement of temporary rental equipment for MSW load-out), or delays in MSW transfer fleet return from land disposal (requiring the Operator to mobilize transfer semi-combos and drivers from fleet based at other operations), require a temporary storage area for MSW awaiting load-out.

A temporary storage capacity for these surges and contingencies is provided adjacent to the MSW load-out area within *Building No.6*, and totals 1,000 square feet holding up to 260 cubic yards, with an estimated weight equivalency of up to 47 tons (see Appendix H for calculations). Attention is directed to Section 4.8.1 of this TPR. The daily operational objective for MSW materials management is to clear this temporary storage area and load these materials into transfer trailers, such that no MSW material awaiting load-out remains in open storage overnight. Accordingly this MSW storage provision is intended as a buffer for loading variations and as a contingency for unusual loadings required to be quantified and delineated per the stipulations of 14 CCR.

4.13.8 Provisions for Unusual Materials Loadings

Recycling Industries employs trained staff in other regional operations, and can mobilize skilled and trained laborers, skilled equipment operators, and additional truck drivers to the RITS on a same-day basis in order to accommodate peak loadings and unusual loadings. Recycling Industries also maintains an over-the-road truck fleet as well as materials handling equipment in other regional operations, and can mobilize trucks, trailers, containers and equipment to this Facility to accommodate peak loadings and unusual loadings, as needed.

Recycling Industries also processes comingled recyclables at other regional operations. RI's closest operation in north Sacramento has a capacity to process approximately 30 tons per

hour of comingled recyclables, efficiently separating glass, various types of plastics, aluminum, bimetal cans, OCC and various grades of fiber (paper) with mechanized systems into market-ready recycled materials. The Operator can transfer mixed recyclable from the RITS to this Sacramento plant on a same-day basis, in order to accommodate peak loadings and unusual loadings to the Yuba City Facility.

TRANSFER/ PROCESSING REPORT

Recycling Industries' Large Volume Transfer Station

140 Epley Drive

Yuba City, California

5.0 FACILITY CONTROLS

Information concerning Facility access controls, signage controls, nuisance dust controls, noise controls, odor controls, vector controls, controls for protection of stormwater and for containment of Contact Water, controls for scavenging birds, controls for airport proximity, as well as description of the Facility's continuous load-check program, are provided in the following sections.

5.1 FACILITY ACCESS CONTROLS

The site is currently secured on Epley Drive and Putman Avenue street frontage exposures and along adjoining property lines, with 5 access gates, as detailed on Section 4.2 of this TPR. With capacity expansion pursuant to this TPR, the Facility will be secured on Epley Drive and Putman Avenue street frontage exposures and adjoining property lines, with 4 access gates (1 ingress, 3 egress) a manually-operated emergency responder access gate, as well as a walk gate for use of employees using street parking. Facility access security with capacity expansion pursuant to this TPR is also detailed within Section 4.2 of this TPR

Ingress to the Facility shall be limited to the northwest gate on Epley Drive (*Gate No. 1* as depicted on Figure 4B). *Gate No. 1* shall be secured at all times when the Facility is closed to public customers. A gate to the adjoining property to the west (Hilo Erectors) is not in use and is permanently locked. *Gate No. 2* onto Epley Drive provides egress for all Recycling Center customers and all transfer station public customers. *Drive No. 5* and *Drive No. 6* provide egress for franchise collection and MSW traffic, and the roll doors (gates) associated with these egress-only driveways are maintained closed at all times when a vehicle is not exiting. *Drive No. 4/ Gate No. 4* is designated as an emergency responder access, and is to be signed and pavement striped as a fire lane as detailed in Section 4.2 above.

The Facility is continuously staffed during all hours when it is open to public customers. The Facility is equipped with intrusion detection alarms, fire alarms, and a closed circuit video surveillance system with remote access to surveillance video feeds. Unauthorized entry detected by the alarm system is relayed to a security services vendor, who has the ability to monitor the video feeds and thence notify Facility emergency contact staff, as well as to mobilize Yuba City police (or Yuba City Fire Department) responders, with details of the alarm detection.

The video surveillance system will be expanded/ upgraded with capacity expansion pursuant to this TPR such that elevated cameras (high-resolution zoom/ pan/ tilt cameras) monitor intake load initial screening over the inbound scale and the scale bypass lane.

All Facility gates and all customer traffic and tipping areas similarly are to have continuous video coverage (with high-resolution zoom/ pan/ tilt cameras), and this video surveillance system may be remotely accessed by the security services vendor and by certain facility staff.

5.2 FACILITY SIGNAGE

Signage is intended to provide customers with information for Facility emergency contacts, the materials which are acceptance and which are not accepted by the Facility, and the customer safety rules for Facility use. Additional signage provides provided the schedule of charges/ fees for the Facility, and informs customers of their options for the lawful management of Prohibited Materials.

Attention is directed to Section 4.4 above, and to the summary content of minimal facility signs described below. This signage is intended to satisfy regulatory mandates pursuant to 14 CCR Section 17409.4 (b) and 14 CCR Section 18809.1.

5.2.1 Facility Contact Information Sign

A sign identifying the Facility name and address, Operator's business name, Operator's contact telephone number, hours of operation, and a brief summary of the materials that are and are not accepted by the Facility is to be posted at the fence adjacent to the ingress lane of *Gate No. 1* (see Figure 4B).

5.2.2 Facility Terms of Use Sign

A *Terms-of-Use sign* for the Facility will be posted inside *Gate No. 1*, with a duplicate posting provided just prior to transfer station intake control at the inbound scale. The Terms-of-Use sign informs customers of the following:

- 1) Public customers must remove any tarp or cover from their load before proceeding to scales/ customer intake;
- 2) All loads will be visually screened prior to acceptance, and RI reserves the right to refuse to accept the customer's load based upon this inspection;
- 3) Hazardous wastes and medical wastes are prohibited (listing common examples such as household cleaners, paint, fuel, etc.);
- 4) The customer's load will be subject to the Facility's continuous load-check program during & after tipping, and the customer will be responsible for the costs of lawful management/ disposal of prohibited wastes discovered in their load;
- 5) Smoking is prohibited at all times during the customer's visit;
- 6) Customers must remain in their vehicle at all times other than to remove their load cover and to unload their materials;
- 7) Children and animals must remain in the customer's vehicle at ALL times; and
- 8) Scavenging of any materials is prohibited.

5.2.3 Load Origin Sign

A sign will be posted at the location delineated on Figure 4B which advises customers that they must disclose the geographic origin of their load (Yuba City, unincorporated Sutter County, etc.) in accord with the requirements of State law, pursuant to the requirements of 14 CCR Chapter 9, Article 9.2, Section 18809.1. This sign will contain one of the variants for wording suggested by this regulation.

5.2.4 Alternative Facilities Sign

A sign will be posted prior to the transfer station intake control point together with the *Terms-of-Use sign* at the location depicted on Figure 4B, which advises customers that certain hazardous wastes are accepted at the regional household/ CESQG hazardous waste facility, located at 134 Burns Drive. This sign shall also provide day(s) and hours of operation of this facility and provide a contact phone number/ website address for further information about regional hazardous waste services for the public.

This sign also informs customers that if they do not agree with all terms of use of this Facility, that their load may be taken to an alternate solid waste transfer station. Posted information shall include the address and phone number for the Recology Yuba-Sutter Transfer Station in Marysville.

5.3 NUISANCE CONTROLS

Potential nuisances from solid waste and recycled materials management activities at the Facility are reasonably anticipated to include fugitive dust, litter, and noise. Litter control is detailed within Section 4.11.1 and 4.11.2 of this TPR for on-site and off-site litter control programs, respectively. Potential nuisance odor conditions, as well as engineered controls and operational response protocols to any nuisance odor conditions which may occur, are detailed in Section 5.4 of this TPR. Fugitive dust control and noise control provisions are discussed in Section 5.3.1 and Section 5.3.2 below.

5.3.1 Fugitive Dust Control

Fugitive dust is the primary nuisance condition potentially occurring from operations at the Facility. Fugitive dust has not been a nuisance condition with prior operations, and should not become a nuisance condition at the Facility for operations as described within this TPR, with the operational controls for fugitive dust described below.

Potential nuisance dust from PCC and AC paved traffic paths and materials management areas at the Facility is controlled by wet sweeping of these paved areas when necessary. The condition of traffic and operations surfaces is assessed each morning, and thence periodically throughout the day, with surface sweeping conducted as warranted. Wetting of vehicular traffic areas and areas of operations using water tender spray to temporarily suppress dust generation (without abatement of the source) is not a standard practice for this Facility.

The Facility does not plan to utilize chipping, grinding or screening equipment during the course of day-to-day operations. If these types of processing equipment are included in future Facility operations (for example, using a contractor with portable equipment registered pursuant to the ARB PERP program), the contracted equipment shall include integral water sprays on material conveyors, screens, etc., and materials for these processes shall be wetted prior to chipping/ grinding, or screening to minimize fugitive dust generation.

Wetting of wood wastes, yard and garden trimming materials, and CDI materials, contained in outdoor stockpiles, will be conducted prior to consolidation of these materials, as warranted to minimize fugitive dust generation from this materials handling activity. Wetting may also occur as needed for this purpose during outload of these materials for transport to markets.

Fugitive dust generation from materials handling activities within Building No. 6 are controlled by the misting system associated with odor control detailed in Section 5.4 below. At times when odor control is not needed, odor neutralizing agent feed into this system can be suspended, and the misting system instead used for suppression of the generation of fugitive dust.

5.3.2 Noise Control

Potential noise nuisance from equipment operation is controlled through use of equipment which has engine covers, exhaust systems, and shrouds designed by the equipment manufacturer to reduce equipment noise generation at the source. Potential noise nuisance is further controlled limiting equipment operation to those hours (see Section 4.1 above) which are allowable for the Facility zoning (See Section 2.4 above), and which are otherwise appropriate in consideration of neighboring land uses in the vicinity of the Project Site.

As a design control for potential noise nuisance from operations, Facility layout has been devised with adequate distance between noise sources from operations to property lines, in order to attenuate noise intensity. Most noise sources at the Facility emanate from portable operations equipment (in particular, mandatory back-up warning horns for materials handling equipment). Equipment source noise should be attenuated to 65 dB or less at the Project Site property lines given layout of operations areas, and the layout of buildings within which equipment will be operated in closer proximity to property lines.

5.4 ODOR CONTROLS

Odor control at the Facility will be accomplished through the following operational protocols and design provisions:

- ♦ Limiting MSW intake to MSW transfer to land disposal to as short of a time as practicable (exceeding State Minimum Standards whenever possible);
- ♦ Containerizing and covering MSW and non-recyclable materials awaiting transfer to land disposal on a continuous basis, to the maximum extent practicable;
- ♦ Daily cleaning of floor surfaces within the transfer station building;

- ♦ Scheduled cleaning of the Operator's MSW transfer equipment (material handling buckets);
- ♦ Scheduled cleaning of containers (transfer fleet trailers, etc.) and requiring periodic scheduled cleaning of franchise collection vehicles by RI's collection services partner (for control of odor during transit);
- ♦ Exclusion of certain materials for which anticipated odor generation potentially exceeds the capacity of Facility odor controls; and
- ♦ Integrating an odor counteraction (neutralizing) system within mechanical design of the transfer station building.

MSW materials management protocols are detailed within Section 4.8.1, and are intended to minimize potential odor generation as well as vector harborage and food source.

Daily cleaning of floor surfaces within the transfer station building, as detailed within Section 5.7.2 below, together with scheduled cleaning of transfer equipment buckets and transfer containers (also see Section 5.7.2) further serves to minimize odors.

Certain wastes which are otherwise not prohibited for acceptance at the RITS will not be accepted by the Operator as an additional control for odor. These materials include animal carcasses, and loads consisting primarily of manure, dewatered sewage sludge, or biosolids. The Operator will reserve the right to reject any incoming load for reasons including determination that the material is beyond the operational controls or the design controls of the Facility to abate odor nuisance.

In addition to the operational odor controls described above, the transfer station building will be designed with an odor neutralization system integral to the building's mechanical systems. Odor neutralization differs from "odor masking" in that odor masking only causes a temporary "pleasant smell" by introducing a fragrance compound (usually a synthetic volatile organic compound) that overpowers olfactory senses. Odor neutralization works through counteraction (sequestration), targeting specific classes of molecules responsible for objectionable odors.

In this application, an odor neutralization system utilizing atomized mist containing a non-toxic neutralization agent, primarily counteracting reduced sulfur compounds (including sulfides and mercaptans), and odiferous nitrogen compounds (including amines), will be integrated within the building's mechanical system and operated at times when odors are judged by the Operator to be a potential nuisance for customers or for neighboring land uses.

Counteracting agent dosing for the misting system will be adjusted according to the level of potentially objectionable odor conditions. At times when odor control is not needed, counteracting agent feed into this system can be suspended, and the misting system instead used to suppress the generation of fugitive dust as described in Section 5.3.1.

Nuisance odors are anticipated to be adequately controlled through operational controls as described above, for materials managed in areas other than within the transfer station building.

5.5 VECTOR CONTROLS

Rodents and flies represent the potential vectors of concern for this facility. The primary control measures for these vectors is containerization and removal frequency of materials that could provide a food source for attraction or propagation of these vectors, and/ or could provide harborage for these vectors. Containerization and removal frequency of waste materials for vector control is commensurate with the protocols summarized above in Section 5.4 for odor control, and is described in additional detail below.

MSW destined for landfill disposal is to be loaded from the tipping floor of the transfer station into transfer trailers as described in Section 4.8.1 of this TPR. MSW, together with reject materials from recyclables segregation processes, destined for landfill disposal will be removed from the Facility at a minimum frequency of once every 48 hours as stipulated by 14 CCR. Given the operating protocols described in Section 4.8.1, removal frequency for MSW materials from the time of intake should typically not exceed 18 - 24 hours.

Wood wastes and clean yard and garden trimmings, stockpiled or loaded for transport to other facilities for processing for beneficial use, will not provide a food source or harborage for vectors. These materials will be removed from the Project Site at a lesser frequency, constrained by available storage space. Storage space available for these materials is extremely limited at this Facility, and time-frames from intake to shipment will be short in duration.

Segregated recycled materials (metals, glass, plastics, OCC and fiber, e-waste etc.) also do not provide food source, and as properly stored, do not provide harborage for vectors. Segregated recycled materials will also be removed from the Project Site at a lesser frequency as governed by accumulation of sufficient quantity for transport to materials markets. Similarly, storage space for these recycled materials is very limited, and time-frames from accumulation to shipment will also be necessarily short.

Rodent extermination and fly control programs will be implemented for operations at the Project Site through the services of a licensed exterminator at the frequencies specified in Section 5.5.1 below. Internal traffic areas, outdoor operations/ storage area surfaces, and surface water drainage conveyances will be designed and maintained for positive surface water drainage, with other mosquito control measures as described in Section 5.5.2 below

5.5.1 Rodent and Fly Control

Rodent extermination and fly control programs will be implemented for the Facility through the services of a licensed exterminator on an as-needed basis. Exterminator inspection shall be weekly, or at an alternate frequency as recommended by the licensed exterminator, or as ordered by Facility staff upon observation of a vector population condition. Rodent and fly control shall be accomplished by those methods as recommended by the licensed exterminator.

Records of licensed exterminator inspections and remedies shall be placed in the Facility General Daily Operating Record (see Section 8.1.1 of this TPR).

5.5.2 Mosquito Control

All traffic areas and operations and storage areas are to be paved, providing positive surface water drainage to conveyances. Ponding of water will not occur for pavement surfaces maintained as properly designed. No stormwater detention is proposed for this Facility, and no habitat for mosquito breeding will be present within any water detention sources.

Stored materials awaiting shipment to markets which could accumulate precipitation/ water and provide habitat for mosquito propagation (including tires) are to be managed as covered materials storage, as detailed in Section 5.6.1 below.

Mosquito control inspections will be conducted daily during the wet season by the Operations Manager or their designee. If mosquito larvae are observed during these inspections, the observation, the corresponding remedy, and the results of any follow-up observation(s) shall be noted within the Daily Operating Record (see Section 8.1.1 of this TPR).

5.6 STORMWATER PROTECTION CONTROLS

Operations protocols and design provisions intended to control conditions deleterious to the quality of stormwater runoff include cover and containment for certain materials and operations, and maintaining stormwater protection controls and BMPs implemented pursuant to the SWPPP developed for the Facility (see Section 3.5 above). These stormwater protection controls are detailed in following.

5.6.1 Cover and Containment For Certain Materials and Operations

Certain materials are to be managed as covered and/or contained operations as controls for stormwater protection. These operations include management of MSW within the enclosed transfer station building, as detailed within TPR Section 5.7.1, below to contain contact water.

Other materials to be managed as covered and/ or contained materials or operations include the following:

- 1) E-waste. E-waste may be accepted at either the Recycling Center Building (*Building No. 3*) or at the special materials acceptance area to the west of relocated *Building No. 2*. At either/ both of these locations, e-wastes will be consolidated into storage units (typically "Gaylord" bulk boxes) by class type required for market acceptance, with temporary storage within the building(s). E-waste may also be removed during load-check from customer tipping in *Building No. 6* and consolidated as described in this paragraph.

When the storage unit for an e-waste class is full, it will be transferred to warehouse storage (typically *Building No. 1*) pending accumulation of adequate quantity of materials for shipment to markets.

- 2) Lead-acid Batteries. Lead-acid Batteries are to be accepted at the special materials acceptance area to the west of relocated *Building No. 2*. Undamaged batteries will be stacked upon pallets atop containment skids. These pallets will be protected from weather by a portable 3-sided building (shed), with a roof cover to exclude precipitation. Damaged lead-acid batteries will be placed in containment and managed together with load-check materials as described in the following item.

The battery shed will accommodate up to 4 pallet containment skids. When ½ of the pallets are at capacity, a battery recycler will be mobilized to transport these materials to market.

- 3) Load-check Program Materials. Load-check program wastes, as removed during load-check from customer tipping in *Building No. 6* will be temporarily stored in containment lockers located to the west of relocated *Building No. 2*. Summary of the Facility load-check program is referenced from Section 5.10 of this TPR, with load-check program protocols detailed in Appendix G.
- 4) Refrigerated Appliances. Freon recovery operations for refrigerated appliances will be based from the west end of *Building No. 2*, with Freon recovery equipment and recovered Freon secured within this building. Associated refrigerated appliance handling tasks such as compressor oil draining will be conducted within *Building No. 2*, as an activity protected from precipitation.
- 5) Tires. Tires are to be stored within the covered transport units within which they will be removed from the Site for transport to market. If received during a period of no precipitation, tires may be temporarily placed outside of the transport unit during the operating day, but will be placed within the transport unit by the end of the operating day.

The transport unit for tires will be covered and lockable. Tire storage by these protocols is primarily intended to mitigate fire hazards and to minimize the potential of mosquito breeding within stored tires awaiting shipment to market.

Carpet, carpet padding, and mattresses will be temporarily stored in a similar manner and by similar protocols as described above for tires.

5.6.2 Stormwater Protection and BMPs Maintenance

Only those materials that do not provide harborage or food source for vectors, which do not generate MSW *Contact Water* (see Section 5.7.1 below) and which further produce stormwater runoff with characteristics which are within the capability of Facility BMPs for stormwater pollution protection, will be managed upon uncovered areas. Outdoor tipping/sorting and storage areas are illustrated on Figure 4B and include:

- ♦ Construction, demolition and inert debris waste (sorted and unsorted);
- ♦ Segregated inert materials (cured PCC, cured AC, brick & mortar, etc.);
- ♦ Ferrous metals and white goods (major appliances);
- ♦ Clean yard and garden trimmings; and
- ♦ Wood wastes (sorted and unsorted).

Drain inlets and BMPs for the stormwater management system shall be inspected pursuant to the plan set forth within the SWPPP detailed on Section 3.5 of this TPR. Minimally, drain inlets, drain inlet protections, and other BMPs shall be inspected and maintained:

- 1) Immediately prior to the seasonal first-flush storm;
- 2) Prior to all forecast significant storm events during the wet season; and
- 3) Following each significant precipitation event.

Drain inlets and BMPs for the stormwater management system shall further be inspected and maintained on a minimum quarterly basis during the dry season (targeted for inspection during June and during September).

Inspection and maintenance shall include a check for integrity, efficacy and/ or operability of BMPs and stormwater protection controls as set forth within the Facility's SWPP.

5.6.3 Oil Leaks and Drips

Oil drips from customer vehicles and from operations equipment shall be cleaned upon discovery using sorbent pads or sorbent powder, with the sorbent managed as oily waste generated by the Facility. If the oil drip or spill presents a slipping hazard, the area of the hazard shall be isolated with safety cones and slip hazard warning signs until the cleanup is complete and the area no longer presents a hazard for customers or employees.

5.7 OTHER ENVIRONMENTAL CONTROLS

Other environmental controls for this Facility include containment of Contact Water, scheduled periodic cleaning of floor surfaces within the transfer station building, scheduled periodic cleaning of equipment buckets & attachments used to handle MSW materials, and scheduled periodic cleaning of containers/ trailers used to transport MSW materials. These controls, together with the pre-treatment systems planned for Contact Water and cleaning water discharge to sanitary sewer, as well as miscellaneous environmental controls such as program to clean oil and lubricant leaks from pavement surfaces, are detailed below.

5.7.1 Contact Water

Generation of "*Contact Water*" (runoff from precipitation which has come into contact with MSW materials) is minimized through management of all MSW materials within an enclosed building (*Building No. 6*). The floor surface of *Building No. 6* is to be designed to have a mild slope towards the north-south axis (center) of this building. Floor drains, as described in Sections 5.72 and 5.73 below, will be located at the low points of the building floor, and will collect liquids from the interior floor of this building for sanitary sewer discharge, following pre-treatment as detailed in Section 5.7.3 below.

Accordingly, precipitation that may fall upon floor surfaces within the transfer station building when roll-up doors are opened, or when public customers are unloading within the public tipping area during wet weather, will be directed away from public users. Any liquid

incidental to MSW received within the transfer station building (from rain-saturated wastes, greases and fats within the MSW, etc.) will flow towards the center of the building and away from both public users, and away from surfaces exterior to the building (which drain to stormwater conveyances).

Materials managed in other area of the facility are materials that do not generate *Contact Water*, or are managed under cover (e-waste, lead-acid batteries) or are within storage lockers (load-check program wastes) and/or transport containers (tires, carpet & mattresses, etc.) as described in Section 5.6.1 of this TPR.

5.7.2 Cleaning

Cleaning of vehicle paths through *Building No. 6* and adjacent floor area shall be conducted as a daily task for all operating days during which the transfer station building has had traffic tipping and exiting via either *Gate No. 5* or *Gate No. 6*. Transfer station floor cleaning shall be conducted as maintenance shift (night shift) task using high-pressure, high-temperature plain water to remove residues from floor surfaces. A non-corrosive sanitizing agent may be added to the plain water at the discretion of the Operator.

Cleaning of the transfer station floor shall follow completion of loading any MSW materials which may be remaining on the tipping floor at the end of regular shift (into transfer fleet trailers), and following daily housekeeping activities within the transfer station building (consolidation of other materials stored for processing on the next operating day). This loading and housekeeping for materials remaining on the tipping floor will be performed either overtime from the regular shift, or by the maintenance shift as described in Section 4.8.1 and Section 5.4 above. Additional adjoining floor areas of the transfer station building shall be concurrently cleaned as needed, at the discretion of the Operator.

Cleaning of equipment buckets & attachments used to handle MSW materials will be also conducted within *Building No. 6* by the maintenance shift, using the methods described above. Materials handling buckets and attachments shall be cleaned at a frequency such that residues from materials are not a significant source of odor, and do not provide a food source for vectors. Cleaning frequency for these items may range from daily, to a minimum frequency of once weekly, at the discretion of the Operator and based upon necessity.

Cleaning of containers for MSW shall be also conducted within *Building No. 6* by the maintenance shift, using the methods described above. Containers shall be also cleaned at a frequency such that residues from MSW materials are not a significant source of odor, and do not provide a food source for vectors. Cleaning frequency for containers may also range from daily to a minimum frequency of once weekly, at the discretion of the Operator, and based upon necessity.

Cleaning of floors within *Building No. 6*, and other cleaning conducted within *Building No. 6* will be for the purposes described above, and will not include cleaning of equipment engines for degreasing, etc. All cleaning water will be directed into the floor drains of *Building No. 6*, with pre-treatment as described in Section 5.7.3 below, prior to discharge to sanitary sewer.

Volume of cleaning water is anticipated to range from 300 gallons to 700 gallons daily and to average 500 gallons daily, 6 days per week (3,000 gallons average weekly), totaling about 0.15 MGY.

5.7.3 Sanitary Sewer Pre-Treatment

The floor drains within the transfer station building are to be constructed with pre-treatment units integral with the drain grates. These pre-treatment units are to include grit removal, separation and removal of oils, and a trash rack for removal of deleterious materials, prior to discharge to sanitary sewer. Cut-sheets for these sand-oil separator units with trash rack will be submitted to YCDPW wastewater planning as a component of improvement plans submittal for construction of *Building No. 6*.

These sand-oil separators shall be installed as approved and conditioned by YCDPW wastewater planning during improvement plan review and comment. The trash racks and sediment buckets of these units will typically be cleaned on a daily basis. Reservoirs for separated oils are typically checked for level on a daily basis, with the separated materials managed by pumping into transport drums which will be managed by service vendor.

5.8 BIRD CONTROL

Scavenging birds may become a nuisance at facilities that manage MSW unless measures for their exclusion/ control are integrated onto facility design. Controls are further required to prevent habituation of scavenging birds.

The primary operational control for exclusion/ control of scavenging birds for the RITS will be limiting access to potential food sources at the Facility. These controls will include the following standard operations practices:

- ♦ Limiting tipping and processing of all MSW to operations occurring within an enclosed building (*Building No. 6*); and
- ♦ Limiting outdoor tipping, sorting and storage of other materials to recyclables with low content of incidental wastes (typically 1% or less as weight percentage).

The secondary control for scavenging birds for the RITS will be roosting access limitation. This control will minimally include the following:

- ♦ Installation of bird netting to exclude roosting species from Facility building overhangs.

Additionally, the Operator will implement habituation controls for scavenging bird species, by installing a “scare system” for this facility. This scare system shall be sonic (audible) and operated only as needed during those hours set forth for “Other outdoor site operations” within Section 4.1 above.

The audible scare system shall consist of a central unit capable of playing recorded distress calls of common potential scavenging bird species, together with calls of local predatory bird species. These calls will be played in a randomized manner with respect to the various bird species,

randomized with respect to locations from which these calls are broadcast, and with randomized volume. At least 4 remote speakers shall be provided, each directed toward the center of the Facility (directed away from property lines).

These audible scare systems have proven efficacy in applications at airport facilities, and in combination with the operational controls described above, should be adequate to control the attraction and habituation of scavenging birds. Other measures, including installation of spike strips to exclude birds from beams and ledges, and anti-habituation feed bait (not containing poisons) may be considered by the Operator as recommended by a bird control specialist.

The following bird control methods shall *not* be attempted at the Facility due to proximity to the Approach-Departure Zone of the Sutter County Airport:

- ♦ Any strobe-light scare system where the emitted light is visible outside of a building;
- ♦ Any reflective surface scare system or reflective surface device; and
- ♦ Laser devices, unless used by a bird control specialist with specific experience in use of laser devices for bird control within airport proximity areas.

5.9 CONTROLS FOR AIRPORT PROXIMITY

The Sutter County Airport is located to the north-northeast of the Site as illustrated on Figure 2A and Figure 2B. The runway of the Sutter County Airport is approximately 0.55 miles distant at closest approach from the northeast corner of the Facility.

All of the parcels which comprise the Facility are within the “*Overflight Zone*” of the Sutter County Airport, as established by the Airport Land Use Commission (“ALUC”) within the Sutter County Airport Comprehensive Land Use Plan (Airport Land Use Commission, 1994). Attention is directed to Section 3.10 of this TPR for information concerning ALUC, and for information concerning the 1994 Comprehensive Land Use Plan (“CLUP”), as well as to Appendix C which contains a map of all CLUP zones for the Sutter County Airport.

Yuba City has codified the 1994 CLUP into Zoning Ordinance (Title 8, Chapter 5, Article 36 of the Yuba City Municipal Code), defining an Airport Influence (AI) Combining District within the *Overflight Zones* of the Sutter County Airport pursuant to the 1994 CLUP. All parcels comprising the Project Site (APN 54-083-014, APN 54-083-015 and APN 54-083-023) are within the CLUP *Overflight Zone*, and subject to the AI Combining District requirements of the Yuba City Zoning Code.

Parcels within this AI Combining District are subject to the land use requirements and restrictions of the 1994 CLUP. Applicable land use requirement(s) and restriction(s) of the 1994 CLUP are:

- ♦ Land Use Compatibility for Safety. The Land Use Compatibility for Safety Table of the 1994 CLUP (pages 33 to 36) lists a variety of land uses, and establishes the compatibility of each such land use with the various airport safety zones. “Recycling and Transfer Stations” are listed as a compatible land use for the “Overflight Zone”, subject to Safety

Table Footnote 6. Safety Table Footnote 6 reads “*Uses compatible only if they do not result in a possibility that a water area may cause ground fog or result in a bird hazard.*”

“Recycling and Transfer Stations” is further footnoted for all Safety Zones with Safety Table Footnote 7. Safety Table Footnote 7 reads “*Household hazardous waste facilities operated as part of an integrated waste management program and resulting in only temporary storage of materials is allowed*”.

As discussed within Section 2.9 of this TPR, no water areas (detention basins) are included or planned with stormwater drainage improvements for the Facility. No ponded water will result at the Facility with properly designed, constructed, and maintained pavement surface and drainage conveyances. The existing stormwater conveyance infrastructure into which the Facility stormwater discharges is adequate in capacity for the Facility and surrounding parcels.

Bird hazard is accordingly not posed with open water surfaces. Bird hazard is otherwise specifically controlled as detailed in Section 5.8 above through management of MSW within the enclosed transfer station building, and through additional operational controls & anti-habitation controls for birds as described therein.

A discussion of use-density metrics and calculation of use-density estimates for the Facility is provided within Appendix C. These use-density metrics are applicable to evaluation of compatibility of land uses within the more restrictive *Approach-Departure Zone* of the Sutter County Airport. All parcels which comprise the Facility are within the less restrictive *Overflight Zone* of the Airport, and ***are not within the more restrictive Approach-Departure Zone*** to which these use-density compatibility standards of the CLUP apply.

Average use-density for the Facility (measured in persons per acre per hour average) is estimated to be 40 percent of compatible use-density (25 persons per acre per hour average) for the more restrictive *Approach-Departure Zone* as calculated for the planning horizon considered in this TPR (2030). Customer surge estimates result in a maximum use-density which is under 35 percent of compatible maximum use-density (50 persons per acre at any time) for the more restrictive *Approach-Departure Zone* as calculated for the planning horizon considered in this TPR (2030).

Accordingly Facility use-density metrics do not exceed or approach the average hourly limit, or the maximum limit, set by the CLUP for the more restrictive *Approach-Departure Zone*.

5.10 LOAD-CHECK PROGRAMS

In addition to continuous load screening upon intake (see Section 4.4.1 of this TPR), customer tipping will be attended by Facility personnel, with continuous load-checks for all public customer loads tipped at the transfer station (see Section 4.6.1 above) and all franchise hauler loads (see Section 4.6.3 Section 4.6.4 Section 4.6.5 above). A secondary load-check occurs following spreading of tipped/ ejected franchise intake loads.

The load-check program for this Facility is provided in Appendix G. Since the load-check program for the Facility will be continuous, no separate random individual customer load-check program will be conducted.

The Operator will consent to random physical sampling of incoming loads, as may be reasonably requested by any agency with jurisdictional authority, to verify that the materials accepted at this Facility are in accord with those permitted to be accepted, and that Prohibited Materials (including hazardous wastes and regulated medical wastes) are being effectively excluded from Facility operations, and are being lawfully managed.

5.11 PROHIBITIONS ON SCAVENGING AND SALVAGE

Public customers and all franchise vehicle drivers are strictly prohibited from any scavenging or salvage from the transfer station building tipping floor or other areas of the Facility.

Scavenging or salvage by RITS employees shall be subject to the prohibitions and allowances described within Section 5.11.1 and Section 5.11.2 of this TPR, respectively.

5.11.1 Specific Prohibitions on Scavenging

Scavenging of ANY materials removed as hazardous or potentially hazardous material during the continuous load-check program is prohibited in all circumstances. These materials shall be labeled, logged, and temporarily stored by class pursuant to procedures detailed within Appendix G, or removed from the Site by the Hazardous Materials Response vendor as detailed within Appendix G.

Scavenging of ANY food or beverage product is prohibited in all circumstances. All food and beverage materials received at the RITS shall be treated as MSW and shall be managed as MSW regardless of apparent condition.

Scavenging of ANY consumer or medical products is prohibited in all circumstances. This prohibition includes shoes, clothing, bedding, cosmetics, packaged syringes, and all similar items, regardless of apparent condition. All such items received by the RITS shall be treated as MSW and shall be managed as MSW regardless of apparent condition.

Scavenging of ANY mattresses or boxsprings is prohibited in all circumstances. All mattresses and boxsprings received by the RITS shall be managed for shipment to recycling markets as described in this TPR regardless of apparent condition.

Scavenging of ANY tires is prohibited in all circumstances. All tires received by the RITS shall be managed for shipment to recycling markets as described in this TPR regardless of apparent condition.

5.11.2 Special Allowances for Salvaging

Certain items may be salvaged by RITS personnel with explicit permission of the Facility Manager. Examples of such special allowances for salvage may include, but not be limited to:

- ♦ Salvage of discarded building material or hardware in readily usable condition, for purposes including donation to Habitat for Humanity or a similar service organization who can re-purpose these materials;
- ♦ Salvage of discarded bicycles for donation to Bicycle Recycle Project, Geared Up, Cycles 4 Hope or a similar service organization who can re-purpose these items; and
- ♦ Salvage of similar discarded items readily suitable for re-purposing at an off-site location, as approved by the Facility Manager.

All items so salvaged shall be removed from the Facility within a reasonable timeframe and shall not be allowed to become a housekeeping nuisance.

Salvage by RITS employees is otherwise limited to segregation of recyclable materials from comingled materials or mixed wastes for the purpose of generating recycled materials for shipment to markets by Recycling Industries.

TRANSFER/ PROCESSING REPORT

Recycling Industries' Large Volume Transfer Station

140 Epley Drive

Yuba City, California

6.0 FACILITY SAFETY

Information concerning Facility fire & life safety, management of hot loads, provisions for protection of users, locations of first aid stations, and general information on the Operator's employee safety program is provided in the following sections. *The information presented below and elsewhere within this TPR shall not be used as a reference or guide to establish safe work practices* for the Operator or the Operator's employees. This TPR should not be relied upon in lieu of the Operator's standard protocols and the Operator's employee training programs for emergency response protocols at this Facility.

6.1 FIRE AND LIFE SAFETY

The Yuba City Fire Department is the local agency with fire and life safety responsibility for the Facility vicinity. The Yuba City Fire Department is mobilized by calling 911.

YCFD Station No. 3 is located at 795 Lincoln Road, to the west of the Site. Yuba City Fire Department Station No. 3 is continually staffed by 3 firefighters (typically including an incident commander), with other fire and life safety resources mobilized by the first-response incident command as they deem necessary.

Equipment normally stationed at YCFD Station No. 3 is detailed in Appendix F, together with response route to the Facility. Estimated response time from YCFD Station No. 3 to the Facility is approximately 2 minutes following dispatch. If YCFD Station No. 3 resources are committed to another response, Emergency Services (911) will dispatch other fire and life safety resources for incident response.

Recycling Industries' staff response to *all* fire, medical or life safety emergency incidents will be to dial 911, to briefly and concisely describe the incident to the 911 operator per the operator's direction for detail, and to allow the 911 dispatch center to allocate the appropriate resources.

Attention is directed to Appendix F for the Fire Prevention and Fire Countermeasure summary which includes detailed descriptions the Operator's fire prevention protocols, as well as the fire countermeasures for this Facility. One of the purposes of Appendix F is to familiarize fire prevention and planning personnel from YCFD with Facility access, stored materials configuration and clear aisles, and other fire safety provisions as described within this TPR.

Any differing or additional fire safety measures required by YCFD or the jurisdictionally assigned Fire Marshall pursuant to authorities under Title 24, Part 9 of the California Code of

Regulations (The California Fire Code) and applicable local amendments thereto will be made by the Operator pursuant to the schedule stipulated by the jurisdictional fire authorities. This TPR will be amended to reflect any such differing or additional fire and life safety measures as may be required by the jurisdictional fire authority.

6.2 HOT LOAD MANAGEMENT

A reasonably anticipated occurrence at the Facility is what is commonly termed a “*hot load*”. In this context, a “hot load” is a container of combustible material (solid waste or recycled materials), into which a source of ignition (such as a burning cigarette) has entered, usually prior to pick up of the load. Drivers will often not detect evidence of ignition source when the load is picked-up, and frequently there will no detection of signs of combustion during transit. The first detection of an ignition (smoke or flame) is thus first noticed upon arrival of the load at its destination.

Pursuant to 14 CCR 17407.1 (a), a safe area for isolation of hot loads must be established.

The “Hot Load Isolation Area” must be isolated from unloading, transfer, or processing areas, (and stored materials), distant from structures on adjacent properties (and distant from structures within the Facility) and other fire hazard areas. The Hot Load Isolation Area must also be in an area which is both readily accessible by emergency responders and proximate to water supply for fire suppression.

The area so designated for Hot Load Isolation is the road bulb at the intersection of Epley Drive and Putman Avenue. This area is not proximate to structures, is isolated from stored materials both at the Facility and upon other parcels, is proximate to water supply for fire suppression, and provides an accessible paved area free of vegetation for incident management.

A specific protocol for hot load incident management is provided within Section F.5.6 of Appendix F. Recycling Industries’ operational staff for this Facility will be trained in hot load isolation protocol upon commencement of work at this Facility.

6.3 PROTECTION OF USERS

Protection of users is accomplished by separation of customers from elevated potential hazards at the Facility. This is accomplished by:

- ♦ Separating, to the extent practicable, self-haul public customer traffic (smaller vehicles) from franchise collection truck and MSW transfer truck traffic (see Section 4.3 above);
- ♦ Providing a designated tipping area for self-haul public customers and excluding public customers from separate franchise collection tipping (see Section 4.6.1 above);
- ♦ Providing physical separation of areas accessible by public customers from areas of high heavy equipment activity and exposure to close proximity noise from this heavy equipment;

- ♦ Prohibiting scavenging and salvage by any customer (see Section 5.11 above); and
- ♦ Posting and enforcing Facility terms-of-use requiring that customers must remain in their vehicles at all times other than for de-tarp and unloading (see Section 5.2.2 above).

The operational controls, layout and engineered controls devised for this Facility also minimizes public customer exposure to Contact Water. Attention is directed to Section 5.7.1 of this TPR, which describes Contact Water management for the transfer station building.

Franchise collection intake tipping represents the lowest level of protection of users. Franchise collection vehicles tipping within the transfer station building may be in the immediate vicinity of large materials handling equipment operation. As is standard practice for this industry, the Operator expects that RI's franchise collection partner drivers are cognizant of the hazards present at solid waste tipping destinations, and they are adequately trained by their employer in safe practices associated with working with MSW materials as well as working in close proximity to materials handling equipment at solid waste management facilities.

6.4 MAINTENANCE OF FACILITY CONDITION

Recycling Industries executes preventative maintenance programs for Facility plant and site improvements. In addition to these preventative maintenance programs, Recycling Industries conducts broad inspections on a minimum monthly basis for plant and equipment as required pursuant to Title 8 CCR (Cal/OSHA) and analogous Federal occupational health and safety programs, together with associated General Industrial Safety Orders. The scope of these programs, and the records maintained pursuant to these programs, are kept for inspection by California Department of Industrial Relations personnel. These programs and records may be made available for examination by the LEA, upon their request.

Recycling Industries further implements a maintenance condition reporting program. Employees are encouraged to bring any deteriorating conditions of site or facility plant to the attention of management for maintenance scheduling. Common examples of items of routine maintenance pertinent to preserving conditions for public customer use of this Facility include:

- ♦ Repair of damaged pavement surfaces that pose a trip hazard or cause water ponding;
- ♦ Excessive wear of lane delineation or other pavement traffic markings;
- ♦ Excessive wear of safety zone and customer exclusion zone pavement markings;
- ♦ Excessive wear of anti-slip surface coatings; and
- ♦ Repair or replacement of sanitation fixtures and restroom supply dispensers.

Urgency/ immediate maintenance items pertinent to maintaining safe conditions for customer use at this Facility include:

- ♦ Repair of damaged railings;
- ♦ Repair of damaged access limitations to restricted areas for protection of users; and

- ♦ Replacement of lighting.

6.5 EMPLOYEE SAFETY

The Operator's Illness and Injury Prevention Program (hereinafter "*IIPP*") is a separate document from this TPR, with copy of the IIPP in effect at the time of preparation of this TPR provided within Appendix I for convenience of reference. The Operator's employee health and safety policies and employee health and safety programs which are required by these policies, or otherwise required by law, are separate and distinct from TPR document content, and subject to the limitation provided in Section 1.4 of this TPR. In the event of conflict between this TPR and the Operator's IIPP, the Operator's IIPP shall govern.

RI's current IIPP shall be made available to available to the representative of any agency with jurisdictional authority to examine the IIPP, upon presentation of credentials from that representative, during normal business hours.

In accordance with 14 CCR Section 17408.7, the LEA shall be recognized as an agency with jurisdictional authority, and the current IIPP will be made available to the LEA as set forth in the preceding paragraph upon request.

6.6 FIRST AID STATIONS

Two primary first aid stations shall be established as follows:

- ♦ Within *Building No. 1*, at the location established by the Operator; and
- ♦ Within relocated *Building No. 2*, adjacent to a walk door, and proximate to the both the load-check program corrosives storage lockers and the lead acid-battery acceptance and management area (within "*10-second rule*" distance of both, and otherwise meeting path of travel requirements of OSHA and the below-referenced standards).

Primary first aid stations differ from secondary first aid stations (see below) in that primary first aid stations shall include an emergency eyewash and drench shower conforming to American National Standards Institute (hereinafter "*ANSI*") Standard Z358 (01-2014, as may be amended), providing the 15-minute irrigation period, at pressure and flowrate range, and within the tepid water temperature range required.

Secondary first aid stations shall be established at the following locations:

- ♦ Within the Recycling Center (*Building No. 3*);
- ♦ Within the Transfer Station Building (*Building No. 6*); and
- ♦ Within the Weighmaster Station Building (*Building No. 7*).

Additional locations for secondary first aid stations may be decided by the Operator. The secondary first aid stations shall primarily serve as proximity convenience stations. In lieu of drench shower and 15-minute eyewash flow (provided at the primary first aid stations), these

first aid stations shall contain disposable eyewash apparatus and a minimum of 1000 ml sterile ophthalmic solution in no fewer than 2 separate containers (500 ml per container) at each station.

First aid stations shall be identified by signage conforming to ANSI Standard Z535, located both exterior to the building structure entry point where the first aid station is located, as well as adjacent to the first aid station itself. First aid station supplies shall be replenished as soon as practicable following their use and checked for complete inventory upon a minimum monthly basis, or at a more frequent basis if required by the Operator's current IIPP.

6.7 EMERGENCY ASSEMBLY AREA

In the event of fire or other emergency condition that requires evacuation of the Facility, an emergency assembly area shall be designated within the Operator's IIPP that is usually upwind or sidewind of generally prevailing wind directions at the Site.

Prevailing wind is generally from the south-southeast during spring and summer seasons, from the south-southwest during Delta-breeze occurrence (see Section 2.8.2 above), and from the north-northwest during fall and winter seasons. Winds from the west and from the west-southwest are uncommon during any time of the year (see Appendix B, Attachment B-2).

A location for the emergency assembly area for this Facility that is normally side-wind would include locations to the east. The recommended normally-designated location for the Operator's emergency assembly area is accordingly on the east side of Putman Avenue, south of the intersection of Putman Avenue and Epley Drive.

Following any evacuation of the Facility for an emergency condition, RI's supervisory personnel shall take a "head count" at the emergency assembly area. RI will communicate any missing personnel, or suspected missing customers to the incident commander for fire and life safety agency response as the first communication with incident responders upon their arrival. Alternately, RI's supervisory personnel shall report to the incident commander that all RI staff, and all customers known to be within the Facility, are accounted for.

TRANSFER/ PROCESSING REPORT

Recycling Industries' Large Volume Transfer Station

140 Epley Drive

Yuba City, California

7.0 FACILITY OPERATOR, MANAGEMENT, STAFFING & TRAINING

Information concerning the land owner, the Operator, the identity & qualifications of operations management personnel, information on Facility staffing, together with mandatory training programs for Facility staff is provided in the following sections.

7.1 LAND OWNER

Contact information and address for Service of Process for the land owner is as follows:

Kuhnen Family Limited Partnership & David W. Kuhnen Family Trust.
3300 Power Inn Road
Sacramento, California 95826

Legal notices mailed to:

c/o Recycling Industries
4741 Watt Avenue
North Highlands, California 95660

Attention: David Kuhnen

Phone: 916-452-3961

7.2 OPERATOR

Contact information and address for Service of Process for the Operator is as follows:

Recycling Industries, Inc.
4741 Watt Avenue
North Highlands, California 95660

Attention: David Kuhnen, Chief Financial Officer

Phone: 916-452-3961

7.3 FACILITY MANAGEMENT

Facility management and key operations staff consists of the following five titles:

- 1) General Manager;
- 2) Facility Manager;

- 3) Operations Manager;
- 4) Customer Intake Lead; and
- 5) Lead Worker.

The responsibilities and cross-training provided for these position titles are detailed below.

7.3.1 General Manager

The General Manager has responsibilities that primarily involve the fiscal management and longer-term planning for the Facility, together with developing and maintaining efficient systems for customer intake, cashiering, materials management, and the various Facility reporting systems.

The General Manager, in conjunction with Recycling Industries' President, is also responsible for capital improvements planning and financing, permitting matters, for administration of contracts and agreements, and for maintaining viable markets for disposition of recycled materials.

While the General Manager is not normally present at the Facility during operating hours, the General Manager is reachable by phone during all days and hours of operation. The General Manager resides in Yuba City, and is available as an after-hours emergency contact.

Mr. David Kuhnen serves as General Manager for Recycling Industries, Inc. David Kuhnen also serves as the Chief Financial Officer for Recycling Industries, Inc. Resume for Mr. Kuhnen is provided in Appendix J.

The General Manager reports to Recycling Industries' President and Chief Executive Officer.

7.3.2 Facility Manager

The Facility Manager has responsibility to facilitate adequate staffing for Facility intake processing, initial load screening, traffic management, spotters for tipping & load-check, cashiering functions, together with equipment operators, laborers and truck drivers.

The Facility Manager has responsibility to ensure that all Facility staff has been properly trained for their assigned operations and administrative duties, and that RI's health and safety programs and RI's IIPP are implemented for operations at this Facility. The Facility Manager also has responsibility for coordinating transportation logistics and for the day-to-day business matters of this Facility.

The Facility Manager further has primary responsibility for ensuring that the Facility is operated and maintained in accord with the terms and conditions of all permits and requirements of agencies with jurisdictional authority, including the Facility records enumerated within Section 8.1 of this TPR.

The Facility Manager will normally be present at the Facility, and will otherwise be reachable by phone during all days and hours of operation. The Facility Manager resides in Yuba City, and is available as an after-hours emergency contact.

The Facility Manager shall be the primary contact for all agencies with jurisdictional authority over operations at the Facility, and shall be the contact requested by agency representatives at the time of Facility inspections.

Mr. David Flores serves as the Facility Manager for Recycling Industries. Resume for Mr. Flores is provided in Appendix J.

The Facility Manager reports to Recycling Industries' General Manager.

7.3.3 Operations Manager

The Operations Manager has overall responsibility for ensuring that daily operations of this Facility are conducted in a manner that protects the health and safety of customers and employees, provides for protection of users, and protects environmental health.

The Operations Manager has responsibility and authority to maintain daily operations within compliance with programs and requirements set forth within this TPR and all conditions the associated SWFP. The Operations Manager will be familiar with all contents this TPR and all conditions of the SWFP, and will have full authority from the Facility Manager to prosecute operations in the manner described and/ or conditioned within these documents.

The Operations Manager's duties include coordinating Facility activities such that intake materials are received, sorted, loaded, and containerized in a manner consistent with this Facility's operations plan. The Operations Manager's duties further include ensuring that materials are removed from the Facility at the minimum frequencies as specified herein, and that materials storage is managed such that volumes of various stored materials do not exceed permitted, allowable or available capacities.

The Operations Manager's tasks include assuming lead responsibility for cleaning, sweeping, odor control, vector control and bird control programs, for the Freon recovery program, responsibility for lawful and proper management of load-check program wastes, and for Facility housekeeping programs as described within this TPR. The Operations Manager shall also be responsible for scheduling and supervising routine maintenance activities for plant and equipment, and for maintaining stormwater BMPs and otherwise complying with the Facility's SWPPP programs.

The Operations Manager is trained for these duties, and cross-trained to perform all duties of the Customer Intake Manager and the Lead Worker.

Resume for the Operations Manager is not available at this time, as hiring for this position has not been completed.

The Operations Manager reports to the Facility Manager.

7.3.4 Customer Intake Lead

The Customer Intake Lead has primary responsibility for initial load screening program, for rejecting certain customer loads as allowed pursuant this TPR, for communicating charges to customers, for assignment of vehicles to tipping stations, for control of queuing, and for assignment of spotter staff to ensure that all public customer and franchise tipping is attended for load check. The Customer Intake Lead is a licensed weighmaster (Division 5, Chapter 7 California Business and Professions Code) or an authorized deputy weighmaster for Recycling Industries, Inc.

The Customer Intake Lead will further have responsibility for customer intake record entry, maintenance of records concerning rejected loads, and shall have primary responsibility for preparing daily traffic count ledgers.

The Customer Intake Lead is trained for these duties, and cross-trained to perform the all duties of the Operations Manager and the Lead Worker. In the absence of both the Facility Manager and the Operations Manager, the Customer Intake Lead will have responsibility and full authority to perform all job functions of the Operations Manager. In the absence of the Lead Worker, the Customer Intake Lead will have responsibility to perform the functions of this position.

The Customer Intake Lead reports directly to the Facility Manager.

Staffing for the Customer Intake Lead is variable.

7.3.5 Lead Worker

The Lead Worker has primary responsibility for coordinating operations for tipping, and sorting operations at the Facility, as well as operations for loading recycled materials for shipment to markets and loading waste for transfer to land disposal.

The Lead Worker will be the first-line supervisor of all equipment operators and laborers. The Lead Worker will report directly to the Operations Manager, and in the absence of the Operations Manager, will report to the Facility Manager.

The Lead Worker is trained for their duties as described and cross-trained to perform the all duties of the Customer Intake Lead.

Staffing for the Lead Worker is variable.

7.4 FACILITY STAFFING

The minimal personnel required to effectively manage the Facility operation, provide for protection of users, maintain operational and environmental controls, and respond to emergency incidents for an intake of up to 100 tons per day of solid waste materials transfer station (in addition to Recycling Center intake/ operations) is as follows:

- ♦ Facility Manager (1) or alternately the Operations Manager;

- ♦ Operations Manager (1) or alternately the Facility Manager;
- ♦ Customer Intake Lead (1);
- ♦ Lead Worker (1);
- ♦ Cashier (1); and
- ♦ Spotters/ Laborers/ Skilled Equipment Operators (3 for minimum staffing).

This minimum operations shift staffing level (7 - 8 personnel) is estimated by the Operator to be adequate to provide the following functions for Facility operations for transfer station intake of up to 100 tons per day (without Yuba City franchise intake):

- ♦ Customer intake and initial load screening;
- ♦ Continuously attended tipping with spotters for the load-check program;
- ♦ Recyclable materials sorting and MSW transfer load-out;
- ♦ Recycled materials management and preparation for shipment to markets;
- ♦ Cashiering; and
- ♦ Litter control, sweeping, general housekeeping, odor control program tasks, vector control program tasks, and environmental/ other controls program tasks.

An additional maintenance shift (night shift) staffing level (2 personnel) is estimated by the Operator to be adequate to provide the following functions for Facility operations (for all levels of operations through year 2030 planning horizon):

- ♦ Housekeeping within the transfer station building and other Facility buildings;
- ♦ Containerization of MSW which may be remaining on the tipping floor at the end of regular operations shift (within *Building No. 6*);
- ♦ Cleaning (within *Building No. 6*); and
- ♦ Light maintenance of plant and equipment as required within Facility buildings.

Additional laborers/ equipment operators, and truck drivers based from the Yuba City Facility will be staffed by RI following RI's successful competition as a partner in the Yuba City solid waste franchise solicitation. Facility staffing estimated by the Operator for year 2020 average daily intake estimate of 260 TPD (with franchise collection intake and including Recycling Center intake/ staffing) is 16 full-time equivalent personnel for operations-shift.

The 8 additional full-time equivalent load-checker/ laborers, skilled equipment operators and truck drivers are estimated by the Operator to be required to process the year 2020 average Facility with franchise collection. Approximately 2 additional full-time equivalent load-checker/ laborers/ equipment operators are anticipated to be required for operations-shift to account for growth of Facility intake tonnage over 5-year incremental planning horizons. Facility operations-shift staffing is estimated by the Operator to be 18 full time equivalent personnel in 2025 (277 TPD average including Recycling Center intake), and estimated to be 20 full time equivalent personnel in 2020 (300 TPD average including Recycling Center intake).

Recycling Industries currently employs approximately 80 trained staff in other regional operations, and can mobilize skilled and trained laborers, skilled equipment operators, and additional truck drivers to the RITS on a same-day basis in order to accommodate peak loadings and unusual loadings.

RI staff shall be present and available to service customers and conduct load screening and load-check at all times that the Facility is open to any customer.

7.5 TRAINING

Mandatory training programs for station operation and management personnel on issues concerning safety, health, environmental controls, and emergency procedures are described below. These represent the minimum training programs for Recycling Industries at this Facility.

7.5.1 Basic Employee Training and Cross-training

Upon initial employment, and periodically thereafter as deemed necessary by the Facility Manager or Operations Manager, Facility personnel will be briefed on their duties and responsibilities for their assigned position, and trained to execute these tasks.

Where personnel will be expected to perform in another capacity in the event of absence of another position, supplemental cross-training for the duties and responsibilities of the position in which the employee will be expected to act will be provided.

Personnel training records for training and cross-training for general duties and tasks will be maintained as set forth in Section 8.1.3 of this TPR.

7.5.2 Health and Safety Training

Health and safety training is provided to all Recycling Industries personnel upon commencement of employment, in accord with the Operator's IIPP.

New staff are provided a copy of RI's Employee Handbook and IIPP, and trained to be familiar with IIPP content applicable to their duties. Focus is made on workplace hazard recognition, safe work practices and protocols, mandatory lockout/ tagout procedures, and emergency incident procedures.

Supplemental health and safety training is provided to individual employees for any specific duties (such as specialty equipment operation) that the employee is expected to perform, with additional supplemental health and safety training provided based upon the Facility Manager's assessment of the individual employee's recognition of the importance of safe work procedures and history of the employee's demonstration of adherence to Recycling Industries' health and safety programs.

Health and safety refresher training meetings are scheduled on a monthly basis, or at an alternate frequency determined by the Facility Manager. Employee attendance of these

refresher training meetings is mandatory and documented. A special health and safety meeting is held as soon as practicable after any incident involving an employee which results in injury or property damage.

Personnel training records for general health and safety training will be maintained as set forth in Section 8.1.3 of this TPR.

7.5.3 Waste Recognition and Handling Protocols Training

Waste recognition and waste handling protocols training is provided to all Facility operations personnel upon commencement of employment for Recycling Industries, and includes the following training elements:

- ♦ Initial intake waste screening procedures & load rejection criteria;
- ♦ Identification of *Acceptable Materials* as detailed within Appendix G, Section G.2.1, *Unacceptable Materials* as detailed within Appendix G, Section G.2.2, and *Prohibited Materials* as detailed within Appendix G, Section G.2.3; and
- ♦ Continuous load-check program procedures, and *Prohibited Materials* management protocols, with content as detailed within Appendix G, Section G.7.1.

Personnel training records for waste recognition and handling protocols training will be maintained as set forth in Section 8.1.3 below.

7.5.4 Treated Woodwaste Handling and Management Training

All RI operations staff are trained in recognition/ identification of TWW materials as a component of training programs described in Section 7.5.3 above. TWW may be reasonably anticipated to be commonly encountered in public customer loads and in franchise loads delivered to the RITS. Handling and storage requirements for TWW are less restrictive than handling and storage requirements for certain other hazardous waste materials as described in Section 7.5.5 below.

All RITS staff who observe tipping (spotters) and who sort materials (laborers) are provided training for handling and storing TWW, which minimally includes:

- ♦ Procedures for segregating TWW;
- ♦ Safe handling practices for TWW;
- ♦ Proper methods for labeling TWW, as set forth within 22 CCR Section 67386.5; and
- ♦ Proper methods for temporary storage of TWW as set forth within 22 CCR Section 67386.6(a).

All RITS operations staff who have received this 4-point training are authorized to handle TWW at this Facility, and to place TWW into temporary storage.

Certain RITS management and key operations staff (The Facility Manager, the Operations Manager, The Customer Intake Lead and the Lead Worker - see Section 7.3 above) are provided supplemental training for managing TWW, which includes:

- ♦ Time limitation for accumulating temporarily stored TWW, as set forth within 22 CCR Section 67386.6;
- ♦ Applicable requirements of the California Occupational Safety and Health Act of 1973 (Chapter 1, Part 1, Division iv. 5 (commencing with § 6300) of the Labor Code), including rules, regulations, and orders pertinent to TWW;
- ♦ Requirements of the alternative management standards (hereinafter "AMS") for TWW;
- ♦ Proper methods of disposition of TWW at an AMS facility, including preparation of a bill of lading specific to the TWW materials transported to the AMS facility; and
- ♦ Required Facility records to be filed within the General Daily Operating Record for TWW management, as set forth within Section 8.1.1 of the TPR.

Personnel training records for TWW handling and management training will be maintained as set forth in Section 8.1.3 below.

7.5.5 Hazardous Waste Operations Training

Hazardous waste operations (also known as "HazWoper") training will be provided by Recycling Industries to certain Facility operations management personnel pursuant to the requirements of Title 29 Code of Federal Regulations (hereinafter "29 CFR"), Part 1910.120 and analogous California regulations promulgated within Title 8 CCR, which require such training, together with annual refresher certification and medical clearances, as prerequisite to handling certain hazardous waste materials, regulated medical wastes and unknown materials as may be discovered during the continuous load-check program, as detailed within Appendix G.

Recycling Industries' operations personnel who have completed this training, who are current in their annual refresher certification, and who are current in medical clearances, are the only personnel authorized to don personal protective equipment, to segregate and containerize Prohibited Wastes, and to move Prohibited Wastes to temporary storage. Trained staff are also the only personnel authorized to perform tasks for containment and/ or clean-up of spills of certain hazardous & potentially hazardous waste materials.

Recycling Industries' operations personnel who have not completed this training, and staff with an annual refresher certification or medical clearance which has lapsed, are *only authorized to isolate the area of Prohibited Waste* discovery during the continuous load-check program.

Specific exceptions to the paragraphs above are for TWW (see Section 7.5.4 above), and for e-waste materials.

Personnel training records for HazWopper training, together with annual refresher certifications and medical clearances, will be maintained as set forth in Section 8.1.3 below.

If **any doubt** exists as to whether a material discovered during load-check, or as detected within waste materials at any other time, is within the personal protective equipment capabilities of staff who **have** been trained pursuant to 29 CFR Part 1910.120 and who **are** current in refresher certification and medical clearances, such staff will be further “trained” on the limitations of their HazWoper training. Specifically, such staff shall be instructed ***not to attempt to isolate, move, containerize or otherwise manage certain materials, including the following:***

- ♦ Explosives and munitions;
- ♦ Highly reactive materials (tetraphosphorus, pyrophoric materials [iron sulfide, metal hydrides, etc.]), and water/ moisture reactive materials such as calcium carbide;
- ♦ Materials for which an air-purifying respirator is or may be ineffective (all materials containing or potentially producing poisonous gasses and requiring self-contained breathing apparatus [including chlorine gas]);
- ♦ Any material marked “radioactive” or with the radioactive symbol (with the specific exception of in-tact smoke detector devices); and
- ♦ Materials producing visible fumes or vapors or materials exhibiting other unstable characteristics.

The registered/ licensed vendor contracted by Recycling Industries for emergency services response, as described in Appendix G, Section G.5.6, is the only entity authorized to handle these and similar materials which may be beyond the personal protective equipment and capabilities of RITS staff.

7.5.6 Chemical Storage Training

Recycling Industries staff that have completed HazWopper training as prerequisite to managing certain load-check program materials will further receive supplemental training in fundamental chemical storage standards and practices.

This training will include topics such as the “*below eye-level*” rule, container and ventilation standards, protocols for using tubs and similar temporary secondary containment devices, as well as common chemical class and chemical substance incompatibility standards (such as physical separation of stored corrosive acids from stored corrosive bases, etc.).

The purpose of this training is not to gain specialty expertise in chemical storage, but rather to attempt to avoid incidents resulting from common errors and avoidable safety and storage hazards as may be posed by materials reasonably anticipated to be potentially encountered during the load-check program. This training shall be a classroom course taught by an appropriately qualified instructor, or this training may be provided through an on-site program taught by a Certified Industrial Hygienist or a qualified industrial chemist using a curriculum such as University of California laboratory guidelines.

Personnel training records for chemical storage training will be maintained as set forth in Section 8.1.3 below.

TRANSFER/ PROCESSING REPORT

Recycling Industries' Large Volume Transfer Station
140 Epley Drive
Yuba City, California

8.0 FACILITY RECORDS AND REPORTING

Information concerning records maintained for those activities at the Facility which are subject of this TPR, together with a summary of Disposal Reporting Requirements for Stations is provided in the following sections.

8.1 OPERATING RECORDS

Facility operating records shall include:

- 1) The General Daily Operating Record;
- 2) Staff Training and Instruction Records; and
- 3) A Site Incident Log.

These operating records shall be maintained in a secure location at the Facility, and shall be made available to the representative of any agency with jurisdictional authority to examine the record(s), upon presentation of credentials from that representative, during normal business hours. These records shall be maintained on-site and made available for inspection for a period of 3 years. The minimum required records for this Facility are described in the Sections below.

8.1.1 General Daily Operating Record

A *General Daily Operating Record* will be maintained by the Operator, and will include the daily clock time that the Facility is opened to customers, the daily clock time that the Facility is closed to customers, a general description of housekeeping activities performed during the operating day (sweeping, litter patrol, etc.), a general description of cleaning activities performed during the operating day, routine maintenance of plant & equipment performed during the operating day (equipment service, pavement and drainage maintenance etc.), as well as records of routine agency inspections, staff activities for odor/ vector/ bird control, and periodic outside vendor services for the Facility, including, but not limited to the following:

- ♦ Approvals and determinations made by the LEA, and other requirements stipulated by the LEA, as authorized pursuant to 14 CCR;
- ♦ Agency inspection records (RWQCB, LEA, FRAQMD, local fire agency, etc.);
- ♦ Activities for odor control performed by staff;
- ♦ Inspections & remedies for vector control activities performed by staff;

- ♦ Inspections & remedies for vector control provided by licensed exterminators;
- ♦ Bird control activities performed by staff;
- ♦ Remedies provided by bird control specialists; and
- ♦ Load rejection count for the operating day (for customers with Unacceptable Materials and customers with Prohibited Materials).

Facility Use and Weight & Volume records shall be maintained as a separate ledger from the General Daily Operating Record, as detailed in Section 8.2 below.

8.1.2 Staff Training and Instruction Records

Staff Training and Instruction Records will be maintained as a discrete record set by the Operator for their employees at this Facility, and will include the date(s), time(s), duration, subject(s) and other pertinent details of instruction and training provided to the employee(s) concerning:

- ♦ Training for safe work practices;
- ♦ Training for various subjects within the Operator's Illness and Injury Prevention Plan;
- ♦ Training for personal protective equipment use (if required by the employee's duties);
- ♦ Training for Prohibited Wastes recognition and handling/ management;
- ♦ Training for Treated Wood Waste recognition and handling/ management;
- ♦ Training concerning customer load acceptance criteria and Unacceptable Materials;
- ♦ Training for odor control and odor mitigation response;
- ♦ Training for unusual incident and emergency incident response;
- ♦ Training for making entry into the Site Incident Log (if required as part of the employee's duties);
- ♦ Training for maintaining the General Daily Operating Record (if required as part of the employee's duties);
- ♦ Training for compliance with record and reporting requirements of the Disposal Reporting System (for the Customer Intake Lead and others whose duties include "gatehouse attendant", as well as those who are cross-trained for these duties).

8.1.3 Site Incident Log

A Site Incident Log will be maintained as a separate ledger record by the Operator for this Facility, and will include the date, time, and pertinent details of any unusual or non-routine incident that occurs at the Facility, including, but not limited to, the following:

- 1) Any Nuisance Condition Complaint Received from the Public, including complaints concerning litter, fugitive dust, odor, or noise, allegedly resulting from Facility operation, including all details for complaint-type entries as specified following this list;

- 2) Any Complaint Received from the Public Claiming Adverse Health or Environmental Effects alleged to be attributed to Facility operations, including all details for complaint-type entries as specified following this list;
- 3) Damage to a Vehicle or to Other Property of a Customer that has allegedly resulted from a condition of the Facility or from Facility operations;
- 4) Any Physical Injury to the Public that allegedly has resulted from a condition of the Facility or from Facility operation, as well as any "Serious Injury" to the public that occurs at the Facility, regardless of cause. Serious Injury shall mean "*any injury that that requires inpatient hospitalization for a period in excess of 24 hours, or in which a member of the public suffers a loss of any member of the body, or suffers any degree of permanent disfigurement*";
- 5) Any Fire Incident, including all incidents involving stored materials, hot loads, temporary or permanent structures, all equipment fires, all electrical fires, and all vehicle fires;
- 6) All Incidents Involving the Discovery of Prohibited Waste in a Public Customer's Load, including date and time of the discovery, the identity (or suspected identity) of the customer (if known), a description of the type and quantity of materials involved, a summary of response to the discovery, and summary of disposition of the Prohibited Waste materials; and
- 7) All Incidents Involving the Discovery of Prohibited Waste in a Franchise Haul Load, including date and time of the discovery, the identity of the vehicle which tipped the load (if known), a description of the type and quantity of materials involved, a narrative summary of response to the discovery, and summary of disposition of the Prohibited Waste materials.

Complaint entries to the Site Incident Log shall include (if and as known) the name, address, and telephone number of the person or persons making the complaint, all communications by the Operator with the LEA concerning the complaint, as well as any and all actions taken to remedy conditions which may have given rise to the complaint, and all actions taken to otherwise respond to the complaint.

The only personnel authorized to make entries in the Site Incident Log will be the General Manager, the Facility Manager, the Operations Manager, the Customer Intake Lead, and the Lead Worker.

8.2 STATION USE AND WEIGHT/ VOLUME RECORDS

Facility use and weight/ volume records shall include:

- 1) Daily Traffic Count Records including daily intake count by customer class, daily MSW shipment count to land disposal, daily ADC shipment count to destination landfills, and counts of daily materials shipments to recycling markets & beneficial use;

- 2) Daily Tonnage Records for Customer Intake received at the Facility for each operating day, by weight (using the Site scales/ established tare weights), by weight as converted from volume for minimum fee loads and very small loads, and by weight as estimated from unit count for unit-fee items;
- 3) Daily Residual Solid Waste and ADC Tonnage Records for MSW as transferred to land disposal during each operating day and ADC shipments to destination landfills during each operating day, by weight (using the receiving facility scales);
- 4) Daily Shipped Product Tonnage Records for Recycled and Beneficial Use Materials as shipped to markets during each operating day (by weight, using the Site scales);
- 5) E-Waste Accumulation & Removal Records, including copies of manifests and/ or bills of lading for these items, as a discrete material (by weight, using the Site scales);
- 6) Treated Wood Waste Accumulation & Removal Records, including copies of manifests and/ or bills of lading for this waste, as a discrete material (by weight, using the Site scales);
- 7) Lead-Acid Battery Accumulation & Removal Records, including copies of manifests and/ or bills of lading for these items, as a discrete material (by weight, using the Site scales); and
- 8) Prohibited Materials Accumulation & Removal Records, including copies of manifests and/ or bills of lading for load-check program wastes; and
- 9) Customer Origin Records for public/ self-haul customer intake count and weight as required by 14 CCR Section 18809.6(a).

Summary reports of items 1) through 8) above, shall be generated on a monthly basis (covering the proceeding calendar month) to accompany the Station Use and Weight & Volume Records, and made available to the LEA for inspection as may be requested. Quarterly summary reports for the Disposal Reporting System (hereinafter also “DRS” - see Section 8.4 below) will be generated from that portion of the data for the items enumerated above that are required for mandatory reporting in accord with 14 CCR, Chapter 9, Article 9.2, Section 18809.9(a) through Section 18809.9(c).

Copies of quarterly DRS reposting by the Operator per above, together with the annual DRS report by the Facility (as required by 14 CCR Section 18809(e)) shall also be maintained at a secure location at the Project Site, and made available for inspection by the LEA as may be requested.

Summary reports may be generated on a more frequent basis (i.e. weekly) if decided by the Operator, thence compiled into the monthly, quarterly and annual reporting described above.

8.3 WEIGHING AND UNIT CONVERSION FACTORS

One scale is currently installed at the Facility. A 2nd scale is to be added with facility capacity expansion pursuant to this TPR, at the location illustrated on Figure 4B. This 2nd scale will serve an inbound scale. The existing scale will serve as the outbound scale, with datalink from customer intake (inbound scale) provided to the cashier (outbound scale). Weighing operations at this facility are superintended by a licensed weighmaster (Division 5, Chapter 7 California Business and Professions Code) or by their authorized deputy weighmaster.

All franchise customer intake loads (all compacted loads) and most uncompacted customer loads are weighed at the Site, with exceptions for public customers with unit-fee loads, minimum fee loads, and small loads of certain materials that may approach the accuracy limits of the scales, as detailed below. All public/ self-haul customer vehicles that are weighed at intake (gross weight) over the inbound scale are thence weighed after unloading (tare weight) at the outbound scale for net weight of load and weight-based fee collection by the cashier.

Certain vehicles (including franchise collection trucks) have established tare (empty) weight and will enter the facility via *Gate No. 1* and proceed over the inbound scale for gross weight (tare + net [payload] weight), thence directly exit the Site by either *Gate No. 5* or *Gate No. 6*.

Outbound loads are weighed at the Site, unless using the scales of the destination facility. MSW transfer fleet trucks (destined for landfill) and loads of ADC (also destined for landfill) are weighed at their destination and do not use the scales at the Site. Pursuant to the stipulation of 14 CCR Section 18809.2 (f), all other outbound loads (loads of recycled materials and loads of materials destined for beneficial use) are weighed at the Site, unless the Operator submits an application to implement an alternative weighing system as required by 14 CCR 18809.2(i), and unless and until the alternative weighing system application is approved by CalRecycle

Inbound loads using the scale bypass lane (see Section 4.5.1 and Section 4.13.2 above) are not weighed. Rather, customers with unit-fee items, customers with minimum fee mixed waste loads, and customers with very small loads of clean yard and garden trimmings or wood waste (up to 1 cubic yard), have an intake record generated based upon the type(s) and quantity of such material(s) in their load. When Facility reporting is generated from these intake records, unit conversion factors or volumetric conversion factors are used to approximate weight of these customers' load.

For the purposes of Facility reporting and for agency inspection of records, the unit conversion factors provided in Table 3 will be used for the following common unit-fee item classes:

- ♦ Tires;
- ♦ Lead acid batteries;
- ♦ White goods; and
- ♦ Mattresses & boxsprings.

For the purposes of Facility DRS reporting (see Section 8.4 below) and records for agency inspection, the following conversion factors will be used to convert small load volume intake (<

1 cubic yard) to weight for certain classes of materials that may be directed through the scale-bypass lane as follows:

Yard and Garden Trimmings:

- ♦ 250 pounds/ cubic yard (in-vehicle density, w/ moisture) for public/ self-haul customers.

Loose Wood Waste And Wood Products Waste:

- ♦ 300 pounds/ loose cubic yard (in-vehicle density, with moisture).

Mixed Residential Solid Waste (in cans or for minimum fee loads only):

- ♦ 1.4 pounds per gallon container capacity (waste in cans/ containers only); or
- ♦ 280 pounds/ loose cubic yard (in-vehicle density, average moisture).

Other conversion factors that are consistent with the U.S. EPA *Volume to Weight Conversion Factors* (U.S. EPA, 2016) may be used by the Operator to supplement or replace the conversion factors above. The Operator may also elect to develop data based on statistically representative samples of vehicles, and/ or trailers, and/or loads as received at this Facility, for each specific load type and vehicle type, as stipulated by 14 CCR Section 18809.2(d)(1), for use as volumetric conversion factors for loads of up to 12 cubic yards uncompacted volume after commencing operations pursuant to the TPR.

All uncompacted loads of 12 cubic yards and greater, and all compacted loads regardless of volume must be weighed, pursuant to the requirements of 14 CCR Section 18809.2(c).

8.4 DISPOSAL REPORTING SYSTEM

The RITS is subject to applicable recordkeeping and reporting requirements of the Disposal Reporting System, pursuant to regulations promulgated within 14 CCR, Chapter 9, Article 9.2, Section 18809 et seq. (for Stations), as may be amended.

Attention is directed to Appendix A, page A-21 et seq., which recites these regulations as were operative as of the date of certification of this TPR, together with reference to the corresponding sections of this TPR which address the various requirements of the Disposal Reporting System (“DRS”) relevant to elements of this TPR. These requirements include items such as mandatory signage, weighing, unit weight conversion factors, volumetric conversion factors, and the load origin survey requirements of the DRS regulations.

The Operator is subject to DRS reporting requirements of 14 CCR Section 18809.9 (see Appendix A, pages A-34 to A-38), including quarterly reporting, and the annual report stipulated by 14 CCR Section 18809.9(e). Station Use and Weight/ Volume records gathered by the Operator pursuant to this TPR (See Section 8.2 above) will allow these reports to be generated from Facility records by the Operator with all required elements.

The Customer Intake Lead (weighmaster or deputy weighmaster), cashiers, and other RITS staff who are cross-trained for the duties of these position, as well as all staff who may have duties of “gatehouse attendant” or who are otherwise involved in maintaining records and generating reports for the Disposal Reporting System shall be trained in accord with the requirements of 14 CCR Section 18809.3.

Records relating to the Disposal Reporting System must be retained for 3 years pursuant to the requirement of 14 CCR Section 18809.4(a)(4).

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Recycling Industries' Large Volume Transfer Station

140 Epley Drive

Yuba City, California

9.0 REFERENCES

- Airport Land Use Commission. 1994. *Sutter County Airport Comprehensive Land Use Plan*. Sacramento Area Council of Governments Publication SACOG-94-017. April 1994.
- California Department of Finance, Demographic Research Unit. 2017. *City/County/State Population Estimates with Annual Percent Change: January 1, 2016 and 2017*. California Department of Finance Publication E-1. 01 May 2017.
- Federal Emergency Management Agency, National Flood Insurance Program. 2008. *Flood Insurance Rate Map, Sutter County, California (Unincorporated Areas)*. Community-Panel No. 060394-0605-E. Federal Insurance Administration, United States Department of Housing and Urban Development. Map Revised 02 December 2008.
- FEMA - See Federal Emergency Management Agency.
- M.H.M., Inc. 1979. *Subdivision Map of Garden Highway Industrial Park*. Surveys Book 12, Page 123, Sutter County Official Records. May 1979.
- Recycling Industries. 2014. *Transfer Processing Report for Recycling Industries' Transfer Station, 140 Epley Drive, Yuba City, CA*. November 2014.
- Recycling Industries. 2015. *Stormwater Pollution Prevention Plan for Recycling Industries (Yuba City)*. 26 June 2015, as amended.
- TetraTech/ BAS. 2013. *Final: Transfer Station, Material Recovery Facility and Fleet Storage and Maintenance Facility Feasibility Study*. December 2013.
- U.S. EPA. 2016. *Volume to Weight Conversion Factors*. United States Environmental Protection Agency, Office of Resource Conservation and Recovery. April 2016.
- Yuba City Department of Public Works. 1980. *Garden Highway Industrial Park Utility Layout*. As-Built, 06 March 1981 (7 sheets).
- Yuba Development Services Department-A. *Title 8, Yuba City Municipal Code (Zoning Code), Chapter 5, Article 21 (Industrial District(M-2)), Section 8-5.2101 through Section 8-5.2103, inclusive*. Retrieved online via Coded Systems website (clerkshq.com), 30 May 2017.
- Yuba Development Services Department-A. *Title 8, Yuba City Municipal Code (Zoning Code), Chapter 5, Article 21 (Industrial District(M-2)), Section 8-5.2101 through Section 8-5.2103, inclusive*. Retrieved online via Coded Systems website (clerkshq.com), 30 May 2017.

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Recycling Industries' Large Volume Transfer Station

140 Epley Drive

Yuba City, California

10.0 DISTRIBUTION

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**Recycling Industries' Large Volume Transfer Station
140 Epley Drive
Yuba City, California**

TABLES

TABLE 1. Estimated Intake Composition By Customer Class
Recycling Industries' Large Volume Transfer Station

Customer/ Traffic Description	Vehicle Type	Average Payload (tons)	Year 2020		Year 2025		Year 2030	
			Daily Average TPD	Daily Average VPD	Daily Average TPD	Daily Average VPD	Daily Average TPD	Daily Average VPD
Inbound Vehicles								
Franchise Residential Curbside Waste	Side Load Packer Truck	7.50	43.3	5.8	46.1	6.1	49.9	6.7
Franchise Commercial Waste	Front Load Packer Truck	9.00	64.5	7.2	68.8	7.6	74.3	8.3
Franchise Debris Box Waste	Roll-Off Truck	4.00	38.6	9.7	41.2	10.3	44.6	11.2
Self-haul Mixed Waste	Pickups and Small Trailers	0.55	41.4	75.3	44.2	80.3	47.8	86.9
Self-haul Construction & Demo Debris	Pickups and Small Trucks	2.00	2.2	1.1	2.4	1.2	2.6	1.3
Franchise Residential Curbside Recycle	Side Load Packer Truck	7.50	30.3	4.0	32.4	4.3	34.9	4.7
Franchise Curbside Greenwaste	<i>Directly to Composting Facility</i>	NA	-	-	-	-	-	-
Commercial/ Agricultural Greenwaste	<i>Not Accepted</i>	NA	-	-	-	-	-	-
Self-Haul Recycle (Recycling Center + TS)	Passenger Vehicles/ Pickups	0.55	39.6	72.0	42.2	76.7	45.6	82.9
	TOTAL TONS PER DAY		260		277		300	
	Subtotal Vehicles Per Day			175		187		202
Outbound Vehicles								
MSW and ADC Transfer to Landfill	Semi-Trailer	23.00	159	6.9	169	7.3	183	8.0
Recyclables Outbound (average)	Semi-Trailer	22.00	101	4.6	108	4.9	117	5.3
	TOTAL TONS PER DAY		260		277		300	
	Subtotal Vehicles Per Day			12		12		13
Employee Vehicles								
Single Shift Employees (07:00 to 17:00)	Passenger Vehicle	-	-	16	-	18	-	20
Maintenance Shift (17:00 to 02:00)	Passenger Vehicle	-	-	2	-	2	-	2
	Subtotal Vehicles Per Day			18		20		22
	TOTAL VEHICLES PER DAY			205		219		237

TPD = tons per day; VPD = average vehicles per day. Franchise = 5-day intake basis (Mon - Fri), Self haul = 6-days per week intake (Mon - Sat).

TABLE 1. Estimated intake Composition By Customer Class
Recycling Industries' Large Volume Transfer Station

TABLE 1 Notes:

TetraTech/ BAS (12/2013) = "Final: Transfer Station, Material Recovery Facility and Fleet Storage and Maintenance Facility Feasibility Study"

Regional Disposal and Recycling Tonnages by Sector are sourced from TetraTech/ BAS (12/2013), Table 5, as adjusted for ADC (Table 7).
Yuba City Disposal and Recycling Tonnages by Sector are sourced from TetraTech/ BAS (12/2013), Table 5, as adjusted for ADC (Table 7).

Yuba City Self-haul characterization is further based upon data presented in TetraTech/ BAS (12/2013), Table 10B and 10C.
Disposal and Recyclables generation growth are sourced from TetraTech/ BAS (12/2013), Table 6.

TetraTech/ BAS Table 6 is based in part upon California Department of Finance Interim Projections of Populations: 2015 - 2050 (07 May 2012)

All Yuba City residents and businesses are assumed to use the RITS facility for self-haul, a conservative assumption, since a portion of these self-haul customers (Yuba City residents and businesses) may continue to use the Recology Transfer Station, particularly those who are north of the Highway 20 corridor (and east of the Highway 99 corridor) as a pattern of habit.

The RITS does not currently plan to operate on Sundays (factored into tonnage and traffic projections in this Table).

This will result in a customer loss to other facilities of certain self-haul customers whom would otherwise only use the RITS on Sundays.

Franchise tonnage and traffic occurs Monday through Friday (as with current franchise routing and schedules).

Accordingly franchise collection traffic which is absent on Saturdays:

<u>YEAR</u>	<u>TPD</u>	<u>VPD</u>
2020	176.7	26.7 Franchise collection traffic absent Saturday.
2025	188.5	28.3 Franchise collection traffic absent Saturday.
2030	203.7	30.9 Franchise collection traffic absent Saturday.

Self-haul tonnage and traffic occurs Monday through Saturday.

Estimated higher self-haul intake on Saturdays = 135% average daily (Additional self-haul traffic estimated on Saturday):

<u>YEAR</u>	<u>TPD</u>	<u>VPD</u>
2020	15.3	26.4 Additional Saturday self-haul mixed waste.
2025	16.3	28.1 Additional Saturday self-haul mixed waste.
2030	17.6	30.4 Additional Saturday self-haul mixed waste.

TABLE 2. Facility Traffic Loading Estimates

Recycling Industries' Large Volume Transfer Station

Customer/ Traffic Description	Average Payload (tons)	Year 2030			Unusual Loading			Surge Traffic			Peak-Surge Traffic		
		Daily Average TPD	Daily Average VPD	Daily Estimate TPH	Daily Estimate VPH	Surge Estimate TPH	Surge Estimate VPH	Peak-Surge TPH	Peak-Surge VPH	Peak-Surge TPH	Peak-Surge VPH	Peak-Surge TPH	Peak-Surge VPH
Inbound Traffic													
Franchise Residential Curbside Waste	7.50	49.9	6.7	6.0	0.8	10.0	1.3	12.0	1.6				
Franchise Commercial Waste	9.00	74.3	8.3	8.9	1.0	14.9	1.7	17.8	2.0				
Franchise Debris Box Waste	4.00	44.6	11.2	5.4	1.3	8.9	2.2	10.7	2.7				
Self-haul Mixed Waste	0.55	47.8	86.9	5.7	10.4	9.6	17.4	11.5	20.9				
Self-haul Construction & Demo Debris	2.00	2.6	1.3	0.3	0.2	0.5	0.3	0.6	0.3				
Franchise Residential Curbside Recycle	7.50	34.9	4.7	4.2	0.6	7.0	0.9	8.4	1.1				
Self-Haul Recycle (Transfer Station = 20%)	0.55	9.1	16.6	1.1	2.0	1.8	3.3	2.2	4.0				
Self-Haul Recycle (Recycling Center = 80%)	0.55	36.5	66.3	4.4	8.0	7.3	13.3	8.8	15.9				
TOTALS		300	202	36	24	60	40	72	49				
Outbound Traffic													
MSW and ADC Transfer to Landfill	23.00	183	8.0	22.0	1.0	36	1.6	43	1.9				
Recyclables Outbound	22.00	117	5.3	14.0	0.6	17	0.8	20	0.9				
TOTALS		300	13	36	2	53	2	63	3				
Traffic Loading to Facility Functional Areas													
Intake via Gate No. 1 (All Facility Traffic)			215		26		42		52				
Recycle Center (Self-haul To Recycle Center)			66		8		13		16				
MSW and ADC Transfer Intake Bypass			8		1		2		2				
Intake to TS (Scale lane and scale bypass lane)			141		17		27		34				
Transfer Station Recycle Areas Traffic (Note 1)			17		2		3		4				
Transfer Station Public Tipping Traffic			88		11		18		21				
Franchise Residential/ Commercial Tipping			15		2		3		4				
Franchise Debris Box Tipping Traffic			11		1		2		3				
Franchise Recyclables Tipping Traffic			1		1		1		1				
Outbound Scale/ Cashier (Note 2, Note 3)			110		14		22		26				

TPD = tons/ day; VPD = vehicles/ day, TPH = tons/ hour; VPH = vehicles/ hour. Franchise = 5-day intake basis (Mon - Fri), Self haul = 6-days per week intake (Mon - Sat).

TABLE 2. Facility Traffic Loading Estimates
Recycling Industries' Large Volume Transfer Station

TABLE 2 Notes:

- 1) Transfer Station Recycle Areas Traffic includes customers with loads consisting of woodwaste, yard and garden trimmings, white goods, ferrous metals, tires, lead acid batteries, and mattresses & boxsprings, alone or in combination.
Transfer Station Recycle Areas Traffic does not include customers with loads containing any mixed wastes.
Loads containing mixed wastes are counted under Transfer Station Public Tipping Traffic (self-haul residential and commercial)
- 2) Outbound Scale/ Cashier traffic includes all public customer tipping and all Transfer Station Recycle Areas Traffic.
Outbound Scale/ Cashier traffic count/ traffic rates also includes all Outbound Recyclables Traffic.
Some Outbound Recyclables vehicles are weighed at destination (bypass the outbound scale), and traffic count/ rate contributions are conservative.
- 3) All transfer fleet vehicles are weighed at their destination and bypass both the inbound scale and the outbound scale.
Franchise customer vehicles have established tare weight and bypass the outbound scale.
Some Outbound Recyclables vehicles are weighed at destination (bypass the outbound scale), and traffic count/ rate contributions are conservative.

TABLE 3. Unit Weight Conversion Factors
Recycling Industries' Large Volume Transfer Station

Material Class and Item Description	Unit Measure	Unit Weight (pounds)
TIRES		
Passenger vehicle tires (13 to 15 inches)	each	22
Small truck tires (16 to 17 inches)	each	30
Larger truck tires (18 to 21 inches)	each	50
Very large truck tires (22 to 25 inches)	each	120
Agricultural and equipment tires	Note 1)	---
All tires with rims	Note 1)	---
LEAD-ACID BATTERIES		
Passenger vehicle and light truck batteries	each	35
Commercial truck and equipment batteries	each	50
Unusual/ very small/ very large LA batteries	Note 1)	---
WHITE GOODS		
Clothes Washer	each	150
Clothes Dryer	each	125
Dishwasher	each	125
Free Standing Stove (average)	each	150
Wall Oven (average)	each	120
Chest Freezer (small)	each	100
Chest Freezer (large)	each	160
Refrigerator/ Freezer (small)	each	200
Refrigerator/ Freezer (standard)	each	300
Refrigerator/ Freezer (large)	each	400
Heat Pump/ AC - Condenser Unit (small residential)	each	200
Heat Pump/ AC - Condenser Unit (large residential)	each	260
Heat Pump/ AC - Condenser Unit (commercial/ other)	Note 1)	---
Window Air Conditioner (small $\leq$ 6000 BTU)	each	40
Window Air Conditioner (average = 6001 to 9999 BTU)	each	65
Window Air Conditioner (large > 10,000 BTU)	each	100
MATTRESSES AND BOXSPRINGS		
Average Mattress (all sizes)	each	120
Average Boxspring (all sizes)	each	70
Latex and Memory Foam Mattresses	Note 1)	---

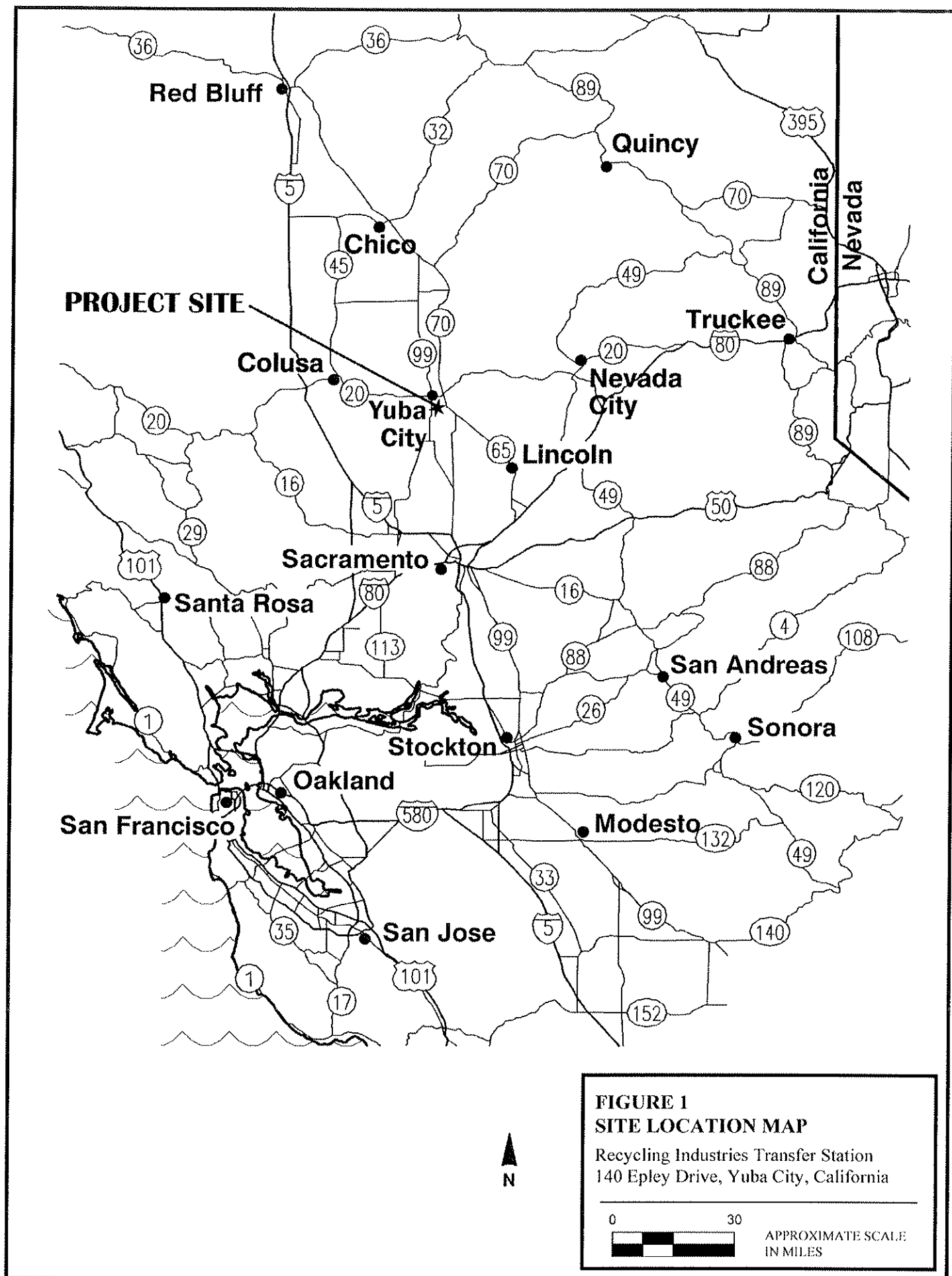
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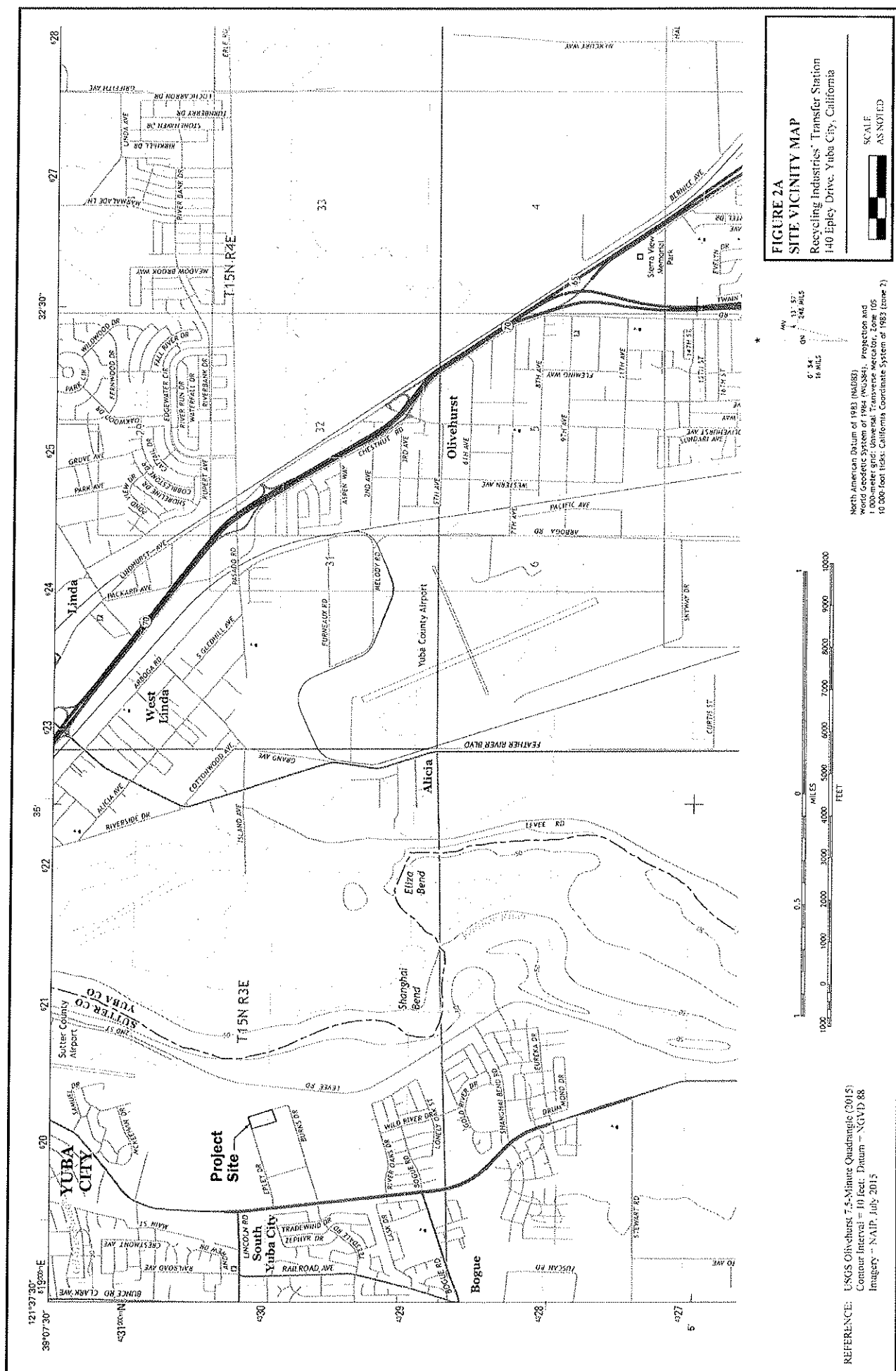
1) Weighmaster estimate, or scale weight

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**Recycling Industries' Large Volume Transfer Station
140 Epley Drive
Yuba City, California**

FIGURES





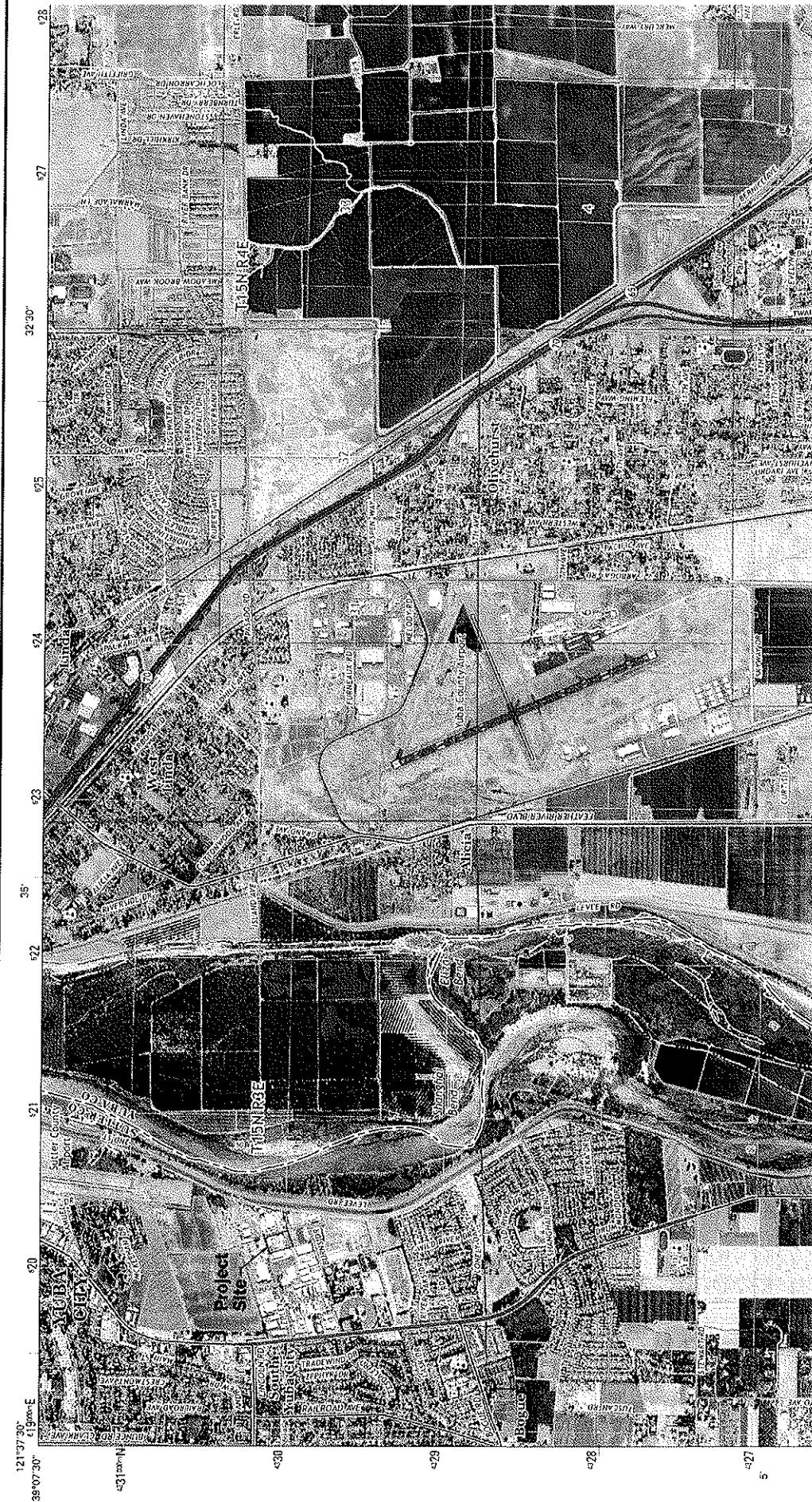


FIGURE 2B
SITE VICINITY MAP WITH IMAGE

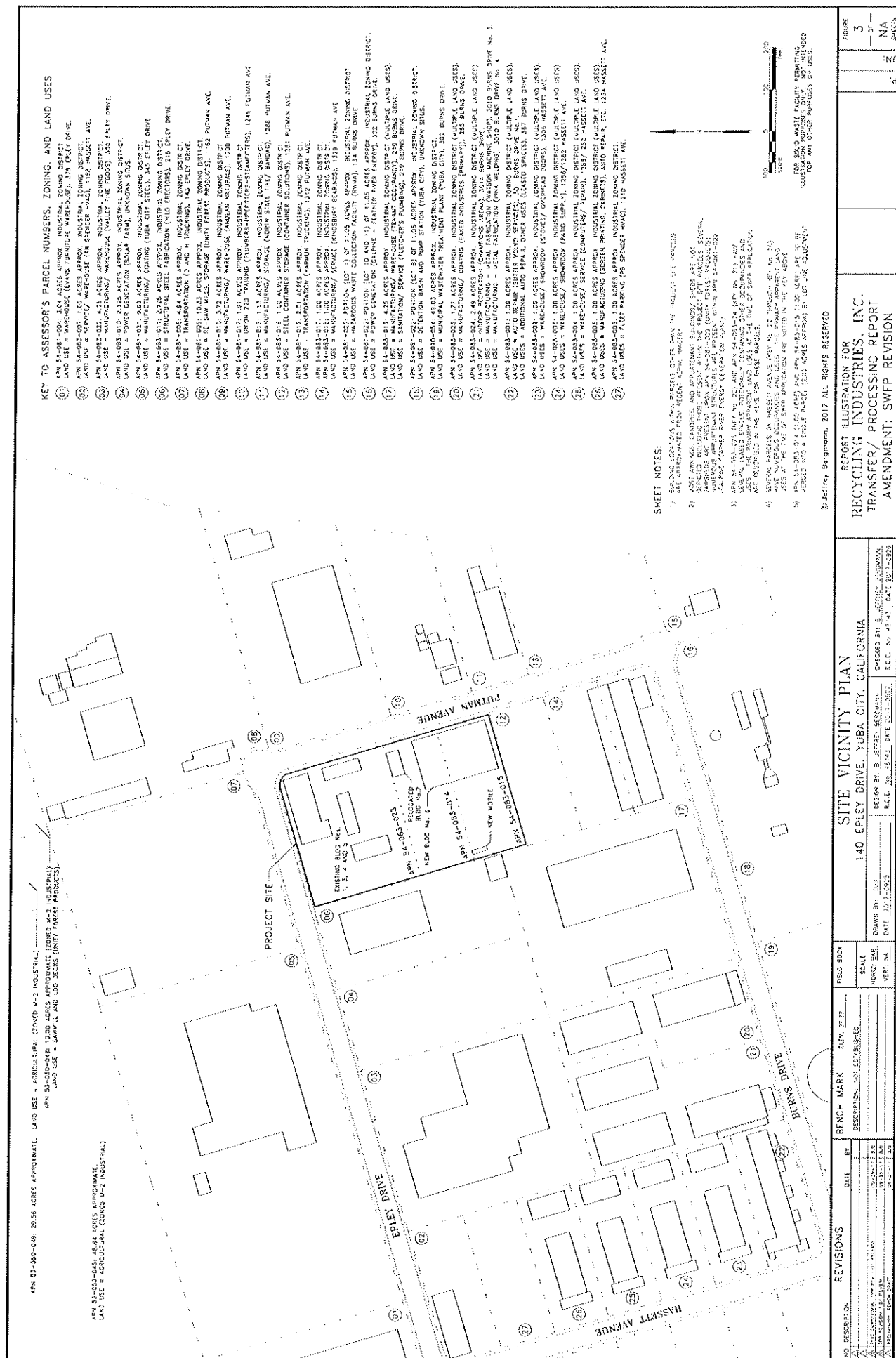
Recycling Industries' Transfer Station
 140 Epley Drive, Yuba City, California



SCALE
 AS NOTED

North American Datum of 1983 (NAD83)
 World Geodetic System of 1984 (WGS84) - Projection and
 10,000-foot scale. Contour interval is 10 feet. US
 10,000-foot 1983 California Coordinate System of 1983 (zone 2)

REFERENCE: USGS Olivehurst 7.5 Minute Quadrangle (2015)
 Contour Interval - 10 feet, Datum - NAD83
 Imagery - NAIP, July 2015



[illegible]

ALL FEATURES ARE:

- (1) = NEW FEATURE
- (2) = EXISTING FEATURE
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FEATURE

1. CHAIN LINK FENCE
2. COMBINATION WIRE FENCE
3. RANGULAR POWER BLENDED
4. SCRAMPTER GUN NINE
5. EAST OR COORDINATE EASTING
6. ELECTRIC OR ELECTRICAL
7. ELECTRIC RAIL TRANSFERENCE
8. FIVE GUNNANT
9. FEET OR FOOT
10. FEET OF FOOT
11. INTERNAL
12. LOT LINE ACQUISITION
13. LOT LINE ACQUISITION

1. WATER IN CONCRETE CURING
2. PORTLAND CEMENT CONCRETE REPAIRING
3. CONCRETE REPAIRING
4. ELECTRICAL UTILITY POLE
5. UTILITY POLE
6. UTILITY POLES EMBARKMENT
7. UTILITY POLES EMBARKMENT
8. UTILITY POLES EMBARKMENT
9. UTILITY POLES EMBARKMENT
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[illegible][illegible]

140 EPLEY DRIVE, YUBA CITY, CALIFORNIA

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TRANSFER/ PROCESSING REPORT

**Recycling Industries' Large Volume Transfer Station
140 Epley Drive
Yuba City, California**

APPENDICES

TRANSFER/ PROCESSING REPORT

**Recycling Industries' Large Volume Transfer Station
140 Epley Drive
Yuba City, California**

APPENDIX A

INDEX FOR SWFP APPLICATION COMPLETENESS EVALUATION

TRANSFER/ PROCESSING REPORT

RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION 140 EPLEY DRIVE YUBA CITY, CALIFORNIA

APPENDIX A

INDEX FOR SWFP APPLICATION COMPLETENESS EVALUATION

This Appendix is intended to assist the Local Enforcement Agency and Cal Recycle by providing an index to the TPR and supporting documents for content required pursuant to Title 14 of the California Code of Regulations (CCR), and the Public Resources Code (PRC), with purpose to assist in determination of a complete Solid Waste Facilities Permit application pursuant to PRC Section 44008(b).

In order of enumeration herein, the pertinent regulations promulgated pursuant to PRC Division 30 applicable to this solid waste facility are:

- 1) 14 CCR Chapter 3, Article 1. General;
- 2) 14 CCR Chapter 3, Article 2. Purpose & Intent;
- 3) 14 CCR Chapter 3, Article 6.0. Transfer/Processing Operations & Facilities Regulatory Requirements;
- 4) 14 CCR Chapter 3, Article 6.1. Siting & Design;
- 5) 14 CCR Chapter 3, Article 6.2. Operating Standards;
- 6) 14 CCR Chapter 3, Article 6.3. Record Keeping Requirements;
- 7) 14 CCR Chapter 3, Article 6.3.5. Additional Operating Requirements for Facilities Only; and
- 8) 14 CCR Chapter 9, Article 9.2. Disposal Reporting System.

Additionally, this Appendix provides an index to the TPR and supporting documents for content required pursuant PRC Division 31 applicable to this solid waste facility as follows:

- 1) Public Resources Code (PRC) Division 31. Section 50001: Waste Management Facilities.

In some cases the description of a particular regulation or statute may be summarized for brevity. Please refer to the actual regulation or statute referenced below for full content and for any changes adopted subsequent to the certification date of the Transfer Processing Report ("TPR").

14 CCR Chapter 3 (Minimum Standards for Solid Waste Handling and Disposal): Article 1. General

Section 17200. Authority

The regulations contained herein are promulgated pursuant to Public Resources Code (PRC) sections 43020 and 43021 and Health and Safety Code section 4520. No provision in Chapter 3 shall be construed as a limitation or restriction upon the Board's right to exercise discretion which is vested in it by law. Nor shall any provision be construed to limit or restrict counties and cities from promulgating enactments which are as strict as or stricter than the regulations contained in this chapter. However, no city or county may promulgate enactments which are inconsistent with the provisions of this chapter. Any reference in this chapter to an enforcement agency shall be deemed to mean the enforcement agency created pursuant to Public Resources Code sections 43200-43219.

Acknowledged.

Section 17201. Compliance With Laws and Regulations

Nothing in these standards shall be construed as relieving an owner, operator, or designer from the obligation of obtaining all required permits, licenses, or other clearances, and complying with all orders, laws, regulations, or other requirements of other approval, regulatory or enforcement agencies, such as, but not limited to, the Department, local health entities, water and air quality control boards, local land use authorities, fire authorities, etc.

Acknowledged.

14 CCR Chapter 3: Article 2. Purpose & Intent

Section 17202. Purpose

The purpose of these regulations is to promote the health, safety and welfare of the people of the State of California, and to protect the environment by establishing minimum standards for the handling of solid wastes.

Acknowledged.

Section 17203. Intent

By adopting these standards, the Board hereby sets forth performance standards for solid waste handling activities which are of state concern, as required by Public Resources Code section 43021, and sets forth minimum substantive requirements for operators' submission of information concerning individual solid waste facilities.

Acknowledged.

Section 17204. Intent of Standards

These standards are generally intended to describe required levels of performance rather than detailed requirements. Wherever possible, operators and designers shall be permitted flexibility in meeting the objectives set by the standards. Where the term "adequate" or the phrase "as approved by the enforcement agency" is used, the operator will propose a method, physical improvement, or other appropriate means to comply with a standard. The enforcement agency may thereupon accept, modify, reject, or replace the operator's proposal, and shall incorporate the means of compliance into the operator's permit, if applicable and appropriate.

Acknowledged.

Section 17205. Health Related Standards.

These regulations contain both Health related standards and standards related to Solid Waste Management. The Health Standards are designated by the letter "H". When a Solid Waste Management Standard also is included in a section, it is identified by the letters "SWM". In all other cases the standards are Solid Waste Management Standards.

Acknowledged.

14 CCR Chapter 3, Article 6.0. Transfer/Processing Operations & Facilities Regulatory Requirements

Section 17400. Authority and Scope

- (a) Articles 6.0, 6.1, 6.2, 6.3, and 6.35 set forth permitting requirements and minimum operating standards for operations and

Acknowledged.

facilities that receive, store, handle, recover, transfer, or process solid waste which are subject to the requirements of these Articles. The regulatory tier requirements of sections 17403 through 17403.9 are not applicable to operations and facilities that are subject to regulations elsewhere in this Chapter, including but not limited to, Article 5.6 (commencing at section 17360); and in Chapter 3.1 (commencing with section 17850). Activities placed within the excluded tier in other parts of this Division, may still be subject to these regulatory requirements.

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| <p>(b) These Articles are adopted pursuant to and for the purpose of implementing the California Integrated Waste Management Act of 1989 (Act) commencing with section 40000 of the Public Resources Code, as amended. These regulations should be read together with the Act.</p> | <p>Acknowledged.</p> |
| <p>(c) These Articles implement those provisions of the Act relating to receipt, storage, handling, recovery, transfer, or processing of solid waste. Nothing in these Articles limits or restricts the power of any federal, state, or local agency to enforce any provision of law that it is authorized or required to enforce or administer, nor to limit or restrict cities and counties from promulgating laws which are as strict or stricter than the regulations contained in these Articles. However, no city or county may promulgate laws which are inconsistent with the provisions of these Articles.</p> | <p>Acknowledged.</p> |
| <p>(d) No provision in these Articles shall be construed as relieving any owner, operator, or designee from obtaining all required permits, licenses, or other clearances and complying with all orders, laws, regulations, reports, or other requirements of other regulatory or enforcement agencies, including but not limited to, local health agencies, regional water quality control boards, Department of Toxic Substances Control, California Department of Industrial Relations, Division of Occupational Safety</p> | <p>TPR Section 3.1 (Local Planning Agency);</p> <p>TPR Section 3.2 (Local Fire Agency);</p> <p>TPR Section 3.3 (Air Quality Management District);</p> <p>TPR Section 3.4 (Publicly Owned Treatment Works);</p> <p>TPR Section 3.5 (Stormwater Programs);</p> <p>TPR Section 3.6 (Certified Unified Program Agency);</p> <p>TPR Section 3.7 (Dept. of Toxic Substances Control);</p> |

and Health, air quality management districts or air pollution control districts, local land use authorities, and fire authorities.

TPR Section 3.8 (Dept. of Resources Recovery and Recycling).

- (e) No provision in these Articles is intended to require the owner or operator of an operation to comply with the Enforcement Agency Notification requirements, or the owner or operator of a facility to obtain a tiered permit in accordance with Title 27, Division 2, Subdivision 1, Chapter 4, Subchapter 3, Articles 2.0, 3.0 and 3.1 of the California Code of Regulations (commencing with section 21570) et seq. and Title 14, Division 7, Chapter 5.0, Article 3.0, (commencing with section 18100); if that owner or operator already has a valid full solid waste facility permit and, that permit authorizes the transfer/processing operation or facility.

Acknowledged.

- (f) Notwithstanding subsection (a) of this section, if a Chipping and Grinding Operation or Facility, as defined in section 17852(k) of this Division, handles material that fails to meet the definition of green material due to contamination as set forth in section 17852(u) of this Division, the operation or facility:

Not Applicable.

- (1) shall be subject to these regulatory requirements,

Not Applicable.

- (2) shall not be considered to be a recycling center as set forth in subsections (c) or (d) of section 17402.5, and

Not Applicable.

- (3) shall not qualify as an excluded operation as set forth in section 17403.1.

Not Applicable.

Section 17402. Definitions.

[Sections (a)(1) – (33), inclusive.]

Applicable.

Section 17402.5. Definitions and Related Provisions Regarding Activities That Are Not Subject to the Transfer/Processing Regulatory Requirements.

[Sections (a) – (d), inclusive.]

Acknowledged.

Section 17403.0. Regulatory Tiers Requirements for Transfer/Processing Operations & Facilities.

Sections 17403.1 through 17403.7 set forth the regulatory tier requirements (Title 14, Division 7, Chapter 5.0, Article 3.0, commencing with section 18100 or Title 27, Division 2, Subdivision 1, Chapter 4, Subchapter 3, Articles 2, 3 and 3.1 of the California Code of Regulations (commencing with section 21570) that apply to specified types of transfer/processing operations and facilities. These requirements are summarized in Table 1.

This TPR is in support of a Full SWFP for a Large Volume Transfer Station per 14 CCR Section 17403.7.

[See Table 1 within 14 CCR 17403.0]

Section 17403.1. Excluded Operations.

[Sections (a) – (b), inclusive.]

Not Applicable.

Section 17403.2. Sealed Container Transfer Operations.

[Section inclusive.]

Not Applicable.

Section 17403.3. Limited Volume Transfer Operations.

[Section inclusive.]

Not Applicable.

Section 17403.3.1. Glass Container Processing Operations.

[Section inclusive.]

Not Applicable.

Section 17403.4. Direct Transfer Facility.

[Section inclusive.]

Not Applicable.

Section 17403.5. Emergency Transfer/Processing Operations.

[Sections (a) – (c), inclusive.]

Not Applicable.

Section 17403.6. Medium Volume Transfer/Processing Facilities.

All medium volume transfer/processing facilities subject to this Article shall comply with the Registration Permit requirements set forth in Title 14, Division 7, Chapter 5.0, Article 3.0 of the California Code of Regulations (commencing with section 18104). These facilities shall be inspected monthly by the EA in accordance with PRC section 43218.

Not Applicable.

Section 17403.7. Large Volume Transfer/Processing Facilities.

All large volume transfer/processing facilities subject to Articles 6.0 through 6.35 shall obtain a Full Solid Waste Facilities Permit, in accordance with the procedures set forth in Title 27, Division 2, Subdivision 1, Chapter 4, Subchapter 3, Articles 2, 3, and 3.1 of the California Code of Regulations (commencing with section 21570). The Transfer/Processing Report required by section 18221.6 shall constitute the Report of Facility Information required by section 21570(f)(2) of Title 27. These facilities shall be inspected monthly by the EA in accordance with PRC section 43218.

Applicable.

This TPR is in support of a Full SWFP for a Large Volume Transfer Station.

Section 17403.8. Facility Plan.

Each operator of a Medium Volume Transfer/Processing Facility, as defined in section 17402(a)(11), or a Direct Transfer Facility, as defined in section 17402(a)(3), shall file with the EA a "Facility Plan" or "Plan" (as specified in section 18221.5). The information contained in the Plan shall be reviewed by the EA to determine whether it is complete and correct as defined in Title 14, Division 7, Chapter 5.0, Article 3.0, section 18101.

Not Applicable.

Section 17403.8. Transfer/ Processing Report.

(a) Each operator of a Large Volume Transfer/Processing facility, as defined in section 17402(a)(8), shall file with the EA a "Transfer/Processing Report" or "Report" (as specified in section 18221.6). The Transfer/Processing Report will be used in place of the Report of Station Information (RSI) after March 5, 1999. Any operator of an existing facility who submits an application package to the EA, pursuant to Title 27, section 21570, which proposes to change the facility's operations, or to change the solid waste facility permit shall do one of the following:

Facility is currently permitted as a Large Volume Transfer Station (SWFP No. 51-AA-0008) with a prior permit concurrence date of 27 March 2015.

- (1) submit the updated information as an amendment to the existing RSI or in the form of the Transfer/Processing Report; or;

Acknowledged.

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| (2) submit a complete Transfer/Processing Report as described in section 18221.6. | This is the required TPR. |
| (b) After March 5, 1999, any operator of a new facility that submits an application package to the EA pursuant to Title 27, section 21570, shall submit a complete Transfer/Processing Report pursuant to section 18221.6 | This is the required TPR. |
| (c) These requirements do not apply to those facilities which have filed an RSI and an application for a solid waste facility permit prior to March 5, 1999. In the event the EA determines the application package for the RSI first submitted prior to March 5, 1999 to be incomplete, additional information requested shall be submitted as part of the RSI and/or application for a solid waste facility permit, as appropriate. | Not Applicable. |

Section 17405. Applicability of State Minimum Standards.

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| (a) Articles 6.0, 6.1, 6.2, and 6.3 of this Chapter set forth the minimum standards that apply to all transfer/processing operations and facilities, direct transfer facilities, sealed container operations, limited volume transfer operations, glass container processing operations, and emergency transfer/processing operations, except as noted in section 17400(a). | Acknowledged. |
| (b) Article 6.35 of this Chapter sets forth additional minimum standards that will apply only to transfer/processing facilities. | Applicable. |
| (c) Approvals, determinations and other requirements that the EA is authorized to make in Articles 6.0, 6.2, 6.3, and 6.35 shall be provided in writing by the EA to the operator. The operator shall place a copy of these approvals in addition to those records identified in sections 17414 and 17414.1 in the operating record. | Acknowledged. |
| (d) Some of the standards contained in Articles 6.0, 6.1, 6.2, 6.3, and 6.35 of this Chapter allow the EA to approve an alternative method of compliance with the standard. These provisions are not intended to allow | Acknowledged. |

the EA to change the particular standard, but are intended to allow the EA flexibility to approve, in advance, an alternative method of meeting the existing standard. For facilities that require a full solid waste facility permit, the EA may choose to include the approved method as a term and condition of the solid waste facility permit, rather than in the manner authorized by subdivision (c) of this section. If the method is included in the solid waste facility permit, a change to the method may require a revision to the solid waste facility permit in accordance with the procedures set forth in Title 27, Division 2, Subdivision 1, Chapter 4, Subchapter 3, Articles 2, 3, and 3.1 (commencing with section 21570).

14 CCR Chapter 3, Article 6.1. Siting & Design Standards

Section 17406.1. Siting On Landfills.

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| (a) Operations and facilities or portions thereof, located atop fully or partially closed solid waste landfills shall meet postclosure land use requirements pursuant to Title 27, California Code of Regulations, section 21190. | Facility is not located atop a closed solid waste landfill. |
| (b) Operations and facilities or portions thereof, located on intermediate cover on a solid waste landfill shall locate operations areas on foundation substrate that is stabilized, either by natural or mechanical compaction, to minimize differential settlement, ponding, soil liquefaction, or failure of pads or structural foundations. | Facility is not located atop a closed solid waste landfill. |
| (c) Operations and facilities or portions thereof, located on intermediate cover on a solid waste landfill shall be operated in a manner not to interfere with the operations of the landfill or with the closure or postclosure maintenance of the landfill. | Facility is not located atop a closed solid waste landfill. |

Section 17866. General Design Requirements.

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| (a) The design of a new operation or facility shall utilize expert advice, as appropriate, from persons competent in engineering, | TPR Page x (Registered Professional's Certification). |
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architecture, landscape design, traffic engineering, air quality control, and design of structures.

- (b) The design shall be based on appropriate data regarding the expected service area, anticipated nature and quantity of wastes to be received, climatological factors, physical settings, adjacent land use (existing and planned), types and number of vehicles anticipated to enter the operation or facility, adequate off-street parking facilities for transfer vehicles, drainage control, the hours of operation and other pertinent information. If the operation or facility is to be used by the general public, the design shall take account of safety features that may be needed to accommodate such public use.
- (c) The operation or facility shall be designed in such a manner as to restrict the unloading area to as small an area as practicable, provide adequate control of windblown material, minimize the propagation or attraction of flies, rodents or other vectors and the creation of nuisances by reason of solid wastes being handled at the operation. Other factors which shall be taken into consideration are: dust control, noise control, public safety, and other pertinent matters related to the protection of public health at the operation or facility.
- TPR Section 2.3 (Facility Service Area), TPR Section 2.5 (Facility Vicinity Zoning and Land Uses), TPR Section 2.7.3 (Other Site Improvements), TPR Section 2.8.2 (Wind Characterization), TPR Section 2.8.3 (Precipitation, Evaporation and Water Balance), TPR Section 2.9 (Stormwater Drainage), TPR Section 4.3 (Internal Traffic Flow and Traffic Stacking Provisions), TPR Section 4.13.x (Facility Capacities), TPR Section 6.3 (Protection of Users), TPR Table 1 (Estimated Intake Composition by Customer Class), TPR Table 2 (Facility Traffic Loading Estimates), TPR Appendix B (Climatological Information), TPR Appendix H (Facility Capacity Estimates and Calculations).
- Acknowledged . All Design Criteria Included in the TPR.
- TPR Section 5.3.1 (Fugitive Dust Control), TPR Section 5.3.2 (Noise Control), TPR Section 5.4 (Odor Controls), TPR Section 5.5 (Vector Controls), TPR Section 5.5.1 (Rodent and Fly Control), TPR Section 5.5.2 (Mosquito Control), TPR Section 5.6.1 (Cover and Containment for Certain Materials & Operations), TPR Section 5.7 (Other Environmental Controls), TPR Section 5.7.1 (Contact Water), PR Section 5.7.2 (Cleaning), TPR Section 5.8 (Bird Controls), TPR Section 5.9 (Controls for Airport Proximity), TPR Section 6.3 (Protection of Users).

14 CCR Chapter 3, Article 6.2. Operating Standards

Section 17407.1. Burning Wastes and Open Burning.

- (a) If burning wastes are received at an operation or facility, they shall be separated from other wastes and deposited in a safe area, spread, and extinguished. A safe area is defined as being away from unloading, transfer, or processing areas, structures on adjacent properties and other fire hazard areas.
- (b) Open burning of solid waste, except for the infrequent burning of agricultural wastes,
- TPR Section 6.2 (Hot Load Management).
- No open burning is proposed for any materials.

silvicultural wastes, landclearing debris, diseased trees, or debris from emergency clean-up operations, or any other wastes as approved by local regulatory agencies, approved by the EA, local air district, and local fire department, is prohibited at all operations and facilities.

Section 17407.2. Cleaning.

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| (a) Operations, facilities, and their equipment, boxes, bins, pits and other types of containers shall be cleaned using the following schedule, or at a lesser frequency approved by the EA, in order to prevent the propagation or attraction of flies, rodents, or other vectors: | TPR Section 5.7.2 (Cleaning). |
| (1) all operations and facilities shall be cleaned each operating day of all loose materials and litter. | TPR Section 4.11.1 (On-site Litter Control and Sweeping), TPR Section 4.11.3 (Facility Housekeeping). |
| (2) all operations or facilities that operate 24 hours per day must clean the operations or facilities at least once every 24 hours. | Not Applicable. |
| (b) The entrance and exit shall be cleaned at a frequency which prevents the tracking or off-site migration of waste materials. | TPR Section 4.11.1 (On-site Litter Control and Sweeping), TPR Section 4.11.2 (Off site Litter Control), TPR Section 5.7.2 (Cleaning). |

Section 17407.3. Drainage Control.

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| (a) Drainage at all operations and facilities shall be controlled to: | |
| (1) minimize the creation of contact water; | TPR Section 5.7.1 (Contact Water). |
| (2) prevent to the greatest extent possible given existing weather conditions, the uncontrolled off-site migration of contact water; | TPR Section 5.7.1 (Contact Water). |
| (3) protect the integrity of roads and structures; | TPR Section 2.9 (Stormwater Drainage). |
| (4) protect the public health; and; | TPR Section 5.6.1 (Cover and Containment For Certain Materials and Operations). |
| (5) prevent safety hazards and interference with operations. | TPR Section 2.9 (Stormwater Drainage), TPR Section 5.7.2 (Cleaning). |

Section 17407.4. Dust Control.

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| (a) The operator shall take adequate measures to minimize the creation, emission, or accumulation of excessive dust and particulates, and prevent other safety hazards to the public caused by obscured visibility. The operator shall minimize the unnecessary handling of wastes during processing to prevent the creation of excessive dust. Measures to control dust include, but are not limited to: reduced processing, periodic sweeping and cleaning, misting systems or ventilation control. One or more of the following may be an indication that dust is excessive: | TPR Section 4.11.1 (On-site Litter Control and Sweeping), TPR Section 5.3.1 (Fugitive Dust Control). |
| (1) safety hazards due to obscured visibility;
or | Acknowledged. |
| (2) irritation of the eyes; or | Acknowledged. |
| (3) hampered breathing; | Acknowledged. |
| (4) migration of dust off-site. | Acknowledged. |

Section 17407.5. Hazardous, Liquid, and Special Wastes.

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| (a) An operation or facility shall not intentionally accept or store hazardous wastes, including batteries, oil, paint, and special wastes, unless it has been approved to handle the particular waste by the appropriate regulatory agencies. Such approvals shall be placed in the operating record. | Hazardous wastes are prohibited from intentional acceptance at this facility, as are oil, paint, antifreeze and special wastes with the exception of "e-waste" (See TPR Section 3.8.2 and TPR Section 4.8.6), lead acid batteries (see TPR Section 4.8.7), and treated wood waste (see TPR Section 4.8.5). |
| (b) At operations and facilities where unauthorized hazardous wastes are discovered, control measures as are necessary to protect public health, safety and the environment, such as elimination or control of dusts, fumes, mists, vapors or gases shall be taken prior to isolation or removal from the operation or facility. | TPR Section 5.6.1 (Cover and Containment for Certain Materials and Operations), TPR Section 5.10 Load-check Programs, TPR Appendix G (Facility Load-check Program). |
| (c) Liquid wastes and sludges shall not be accepted or stored at an operation or facility unless the operator has written approval to accept such wastes from the appropriate agencies and the EA. The EA shall authorize acceptance of these wastes only if the operation, facility, and the transfer vehicles | TPR Section 1.3.2 (Unacceptable Materials).

Liquid wastes and sludges are not accepted by this Facility. Septage, sewage sludge and biosolids are not accepted at this Facility. Loads that are primarily manure are not accepted at this Facility. Animal carcasses are not accepted at this Facility. |

are properly equipped to handle such wastes in a manner to protect public health, safety, and the environment.

Section 17408.1. Litter Control.

Litter at operations and facilities shall be controlled, and routinely collected to prevent safety hazards, nuisances or similar problems and off-site migration to the greatest extent possible given existing weather conditions.

TPR Section 2.8.2 (Wind Characterization), TPR Section 4.11.1 (On-site Litter Control and Sweeping), TPR Section 4.11.2 (Off Site Litter Control).

Section 17408.2. Medical Wastes.

Medical waste, unless treated and deemed to be solid waste, which is regulated pursuant to the Medical Waste Management Act (commencing with section 117600 of the Health and Safety Code), shall not be accepted at an operation or facility, unless approved by the appropriate regulatory agency.

TPR Section 1.3.3 (Prohibited Materials).

Section 17408.3. Noise Control.

Noise shall be controlled to prevent health hazards and to prevent nuisance to nearby residents. Measures to control noise include but are not limited to: posting of warning signs that recommend or require hearing protection; separation by barriers that limit access to authorized personnel only; or, enclosures to reduce noise transmission. Compliance with specific provisions regarding noise control in a local land use approval, such as a conditional use permit or CEQA mitigation measures, shall be considered compliance with this standard.

TPR Section 5.3.2 (Noise Control), TPR Section 6.3 (Protection of Users), TPR Section 6.5 (Employee Safety), TPR Section 7.5.2 (Health and Safety Training), TPR Appendix I (Recycling Industries' Illness and Injury Prevention Program).

Section 17408.4. Non-Salvagable Items.

Drugs, cosmetics, foods, beverages, hazardous wastes, poisons, medical wastes, syringes, needles, pesticides and other materials capable of causing public health or safety problems shall not be salvaged at operations or facilities unless approved by the local health agency and the EA.

TPR Section 5.11.1 (Prohibitions on Salvage).

Section 17408.5. Nuisance Control.

Each operation and facility shall be conducted and

TPR Section 5.3 (Nuisance Controls).

maintained to prevent the creation of a nuisance. Compliance with specific provisions regarding nuisance control in a local land use approval, such as a conditional use permit or CEQA mitigation measures, shall be considered compliance with this standard.

Section 17408.6. Maintenance Program.

All aspects of the operation or facility shall be maintained in a state of good repair. The operator shall implement a preventative maintenance program to monitor and promptly repair or correct deteriorated or defective conditions.

TPR Section 6.4 (Maintenance of Facility Condition).

Section 17408.7. Personnel Health and Safety.

The Injury, Illness, and Prevention Program (IIPP) shall be available for review by local and state inspectors during normal business hours. Nothing in this section is intended to make the EA responsible for enforcing the IIPP.

TPR Section 6.5 (Employee Health and Safety), TPR Appendix I (Recycling Industries' Injury, Illness, and Prevention Program)

Section 17408.8. Protection of Users.

An operation or facility shall be designed, constructed, operated, and maintained so that contact between the public and solid wastes is minimized. This may be accomplished through the use of railings, curbs, grates, fences, and/or spotters.

TPR Section 4.6.1 (Public Customer Waste Tipping), TPR Section 6.3 (Protection of Users).

Section 17409.1. Roads.

All on-site roads and driveways shall be designed and maintained to minimize the generation of dust and tracking of soil onto adjacent public roads. Such roads shall be kept in safe condition and maintained to allow vehicles utilizing the operation or facility to have reasonable all-weather access to the site.

TPR Section 2.7.3 (Other Site Improvements), TPR Section 4.11.1 (On-site Litter Control and Sweeping), TPR Section 5.7.2 (Cleaning), TPR Section 6.4 (Maintenance of Facility Condition).

Section 17409.2. Sanitary Facilities.

The operator shall maintain all sanitary and hand-washing facilities in a reasonably clean and adequately supplied condition.

TPR Section 2.7.7 (Site Sanitary Facilities).

Section 17409.3. Scavenging and Salvaging.

Each operation or facility shall meet the following requirements:

- (a) scavenging shall be prohibited;
- (b) salvaging of materials, such as metal, paper, glass and cardboard is permitted as an integral part of the operation, subject to conditions established by the EA, the local land use authority, or other approving agencies.
- (c) salvaging activities shall be conducted in a planned and controlled manner and not interfere with other aspects of site operation. Activities shall be conducted so as not to interfere with expeditious entry and exit of vehicles delivering waste to the transfer or processing operation or facility. Salvaging activities conducted at a transfer/processing operation or facility shall be confined to specified, clearly identified areas of the operation or facility, and controlled to prevent health, safety or nuisance problems;
- (d) storage of materials salvaged from solid wastes shall be ancillary to the activities of the operation or facility unless such storage is planned as an integral part of the operation. Materials salvaged on-site shall be stored away from other activity areas in specified, clearly identifiable areas as noted in the Facility Plan or Transfer/Processing Report. They shall be arranged to minimize risk of fire, health and safety hazard, vector harborage, or other hazard or nuisance, and limited to a specified volume and/or duration as described in the Enforcement Agency Notification, Facility Plan, or Transfer/Processing Report.

TPR Section 4.6.1 (Public Customer Waste Tipping), TPR Section 5.2.2 (Facility Terms of Use Sign), TPR Section 5.11.1 (Specific Prohibitions on Scavenging).

TPR Section 4.7 (Materials Processing), TPR Section 5.11.2 (Specific Allowances for Salvaging)., Salvaging of materials for shipment to recycled materials markets is integral to Facility operations.

TPR Section 4.3 (Internal Traffic Flow and Traffic Stacking Provisions), TPR Section 4.7 (Materials Processing), TPR Section 4.13.4 (Recyclables Processing Capacity), TPR Section 4.13.5 (Recycled Materials Storage Capacity), TPR Section 5.11.2 (Specific Allowances for Salvaging), Figure 4B.

Salvaging of materials for recycled materials markets and beneficial use diversion is an integral part of this operation.

TPR Section 4.8.2 (Mixed Recyclables Storage and Management), TPR Section 4.8.3 (Sorted Recycled Materials Storage and Management), TPR Section 4.8.4 (Miscellaneous Materials Storage and Management), TPR Section 5.5.1 (Rodent and Fly Control), TPR Section 5.5.2 (Mosquito Control), TPR Section 5.6.1 (Cover and Containment for Certain Materials and Operations), TPR Figure 4B. TPR Appendix F (Facility Fire Prevention and Fire Countermeasures Summary).

Salvaging of materials for shipment to recycled materials markets and shipment to beneficial use diversion is an integral part of this operation.

Section 17409.4. Signs.

- (a) For operations or facilities not open to the public, each point of access from a public road shall be posted with an easily visible

Not applicable.

sign indicating the operation or facility name and location of nearest public operation or facility.

- (b) If the operation or facility is open to the public, there shall be an easily visible sign at all public entrances indicating the name of the operator, the operator's telephone number, schedule of charges, hours of operation, and a listing of the general types of materials which either (1) WILL be accepted, or (2) WILL NOT be accepted.

TPR Section 4.4 (Intake Signage), TPR Section 5.2.1 (Facility Contact Information Sign). TPR Section 5.2.2 (Facility Terms of Use Sign).

Section 17409.5. Loadchecking.

- (a) The operator of an attended operation or facility shall implement a load checking program to prevent the acceptance of waste which is prohibited by this Article. This program must include at a minimum:

TPR Section 5.10 (Load-check Programs), TPR Appendix G (Facility Load-check Program).

- (1) the number of random loadchecks to be performed;

A continuous load-check program will be implemented for this Facility, in lieu of random load-checks.

- (2) a location for the storage of prohibited wastes removed during the load checking process that is separately secured or isolated;

TPR Section 4.8.5 (Treated Wood Waste Storage and Management), TPR Section 4.8.6 (E-Waste Storage and Management), TPR Section 4.8.7 (Lead-acid Batteries Storage and Management), TPR Section 4.9 (Prohibited Materials Storage and Management), TPR Section 5.6.1 (Cover and Containment for Certain Materials and Operations), TPR Appendix G (Facility Load-check Program).

- (3) records of loadchecks and the training of personnel in the recognition, proper handling, and disposition of prohibited waste. A copy of the loadchecking program and copies of the loadchecking records for the last year shall be maintained in the operating record and be available for review by the appropriate regulatory agencies.

TPR Section 7.5.3 (Waste Recognition and Handling Protocols Training), TPR Section 7.5.4 (Treated Wood Waste Handling and Management Training), TPR Section 7.5.5 (Hazardous Waste Operations Training), TPR Section 7.5.6 (Chemical Storage Training), TPR Section 8.1.2 (Staff Training and Instruction Records), TPR Section 8.1.3 (Site Incident Log), TPR Appendix G (Facility Load-check Program).

Section 17409.6. Parking.

Adequate off-street parking area(s) shall be provided, if necessary, for transfer vehicles. Compliance with specific provisions regarding adequacy of off-street parking in a local land use approval, such as a conditional use permit or CEQA mitigation measures, shall be considered

TPR Section 2.7.3 (Other Site Improvements).

compliance with this standard.

Section 17410.1. Solid Waste Removal.

(a) All solid wastes shall be removed at the following frequencies or at an alternate frequency approved by the EA, in order to prevent the propagation or attraction of flies, rodents or other vectors:

(1) operations shall remove solid wastes accepted at the site within 7 days from the date of receipt:

Not Applicable.

(2) facilities shall remove solid waste accepted at the site within 48 hours from the time of receipt.

TPR Section 4.8.1 (MSW Storage and Management).

Section 17410.2. Supervision and Personnel.

The operator shall provide adequate supervision and a sufficient number of qualified personnel to ensure proper operation of the site in compliance with all applicable laws, regulations, permit conditions and other requirements. The operator shall notify the EA in writing of the name, address and telephone number of the operator or other person responsible for the operation. A copy of the written notification shall be placed in the operating record.

TPR Section 7.2 (Operator), TPR Section 7.3 (Facility Management), TPR Section 7.4 (Facility Staffing).

Section 17410.3. Training.

Personnel assigned to the operation or facility shall be adequately trained in subjects pertinent to site solid waste operations and maintenance, hazardous materials recognition and screening, use of mechanized equipment, environmental controls, emergency procedures and the requirements of this Article. A record of such training history shall be maintained and made available for inspection.

TPR Section 7.5.1 (Basic Employee Training and Cross-Training), TPR Section 7.5.2 (Health and Safety Training), TPR Section 7.5.3 (Waste Recognition and Handling Protocols Training), TPR Section 7.5.4 (Treated Wood Waste Handling and Management Training), TPR Section 7.5.5 (Hazardous Waste Operations Training), TPR Section 7.5.6 (Chemical Storage Training), TPR Section 8.1.2 (Staff Training and Instruction Records).

Section 17410.4. Vector, Bird and Animal Control.

The operator shall take adequate steps to control or prevent the propagation, harborage and attraction of flies, rodents, or other vectors, and animals, and to minimize bird attraction.

TPR Section 4.8.1 (MSW Storage and Management), TPR Section 5.5 (Vector Controls), TPR Section 5.5.1 (Rodent and Fly Control), TPR Section 5.5.2 (Mosquito Control), TPR Section 5.7.2 (Cleaning), TPR Section 5.8 (Bird Controls).

14 CCR Chapter 3, Article 6.3. Record Keeping Requirements

Section 17414. Record Keeping Requirements.

Each operator shall meet the following requirements:

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| (a) each operator shall maintain records of incoming weights or volumes and outgoing salvage or residual weights or volumes in a form and manner approved by the EA. Such records shall be: submitted to the EA or CIWMB upon request; be adequate for overall planning and control purposes; and, be as current and accurate as practicable; | TPR Section 8.2 (Station Use and Weight & Volume Records), TPR Section 8.3 (Weighing and Unit Conversion Factors). |
| (b) all records required by this Article shall be kept by the operator in one location and accessible for three (3) years and shall be available for inspection by the EA and other duly authorized regulatory agencies during normal working hours; | TPR Section 8.1 (Operating Records). |
| (c) the operator shall submit copies of specified records to the EA upon request or at a frequency approved by the EA; | TPR Section 8.1 (Operating Records). |
| (d) the operator shall maintain a daily log book or file of special occurrences encountered during operations and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures. Special occurrences shall include but are not limited to: fires, injury and property damage, accidents, explosions, receipt or rejection of prohibited wastes, lack of sufficient number of personnel pursuant to section 17410.2, flooding, earthquake damage and other unusual occurrences. In addition, the operator shall notify the EA by telephone within 24 hours of all incidents requiring the implementation of emergency procedures, unless the EA determines that a less immediate form of notification will be sufficient to protect public health and safety and the environment; | TPR Section 8.1.3 (Site Incident Log). |
| (e) the operator shall record any written public | TPR Section 8.1.3 (Site Incident Log). |

complaints received by the operator, including:

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| (1) the nature of the complaint, | TPR Section 8.1.3 (Site Incident Log). |
| (2) the date the complaint was received, | TPR Section 8.1.3 (Site Incident Log). |
| (3) if available, the name, address, and telephone number of the person or persons making the complaint, and | TPR Section 8.1.3 (Site Incident Log). |
| (4) any actions taken to respond to the complaint. | TPR Section 8.1.3 (Site Incident Log). |
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(f) the operator shall maintain a copy of the written notification to the EA and local health agency of the name, address and telephone number of the operator or other person(s) responsible for the operations as required by section 17410.2. | |
| (g) the operator shall maintain records of employee training as required by section 17410.3; | TPR Section 8.1.2 (Staff Training and Instruction Records). |
| (h) all transfer/processing operations and facilities shall maintain records as required by section 18809 et seq. | TPR Section 8.2 (Facility Use and Weight and Volume Records). |

Section 17414.1. Documentation of Enforcement Agency Approvals, Determinations, and Requirements.

Approvals, determinations, and other requirements the EA is authorized to make under this Subchapter shall be provided in writing to the operator and placed in the operating record by the operator.	TPR Section 8.1.1 (General Daily Operating Record).
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14 CCR Chapter 3, Article 6.3.5. Additional Operating Requirements for Facilities Only.

Section 17415.1. Communications Equipment.

Each facility shall have adequate communication equipment available to site personnel to allow quick response to emergencies.	TPR Section 4.12.4 (Communications Equipment).
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Section 17415.2. Fire Fighting Equipment.

Each Facility shall have fire suppression equipment continuously available, properly maintained and located as required by the local	TPR Section 6.1 (Fire and Life Safety), TPR Appendix F (Facility Fire Prevention and Fire Countermeasures Summary).
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fire authority.

Section 17416.1. Housekeeping.

The operator shall provide adequate housekeeping for the maintenance of facility equipment and shall minimize accumulations of fuel drums, inoperable equipment, parts, tires, scrap, and similar items.

TPR Section 4.11.3 (Facility Housekeeping).

Section 17416.2. Lighting.

The facility and/or equipment shall be equipped with adequate lighting, either through natural or artificial means, to ensure the ability to monitor incoming loads, effectiveness of operations, and public health, safety and the environment.

TPR Section 4.1 (Hours of Operations), TPR Section 4.12.3 (Lighting).

Section 17416.3. Equipment.

Equipment shall be adequate in type, capacity and number, and sufficiently maintained to allow the facility to meet all requirements of Articles 6.3 and 6.35 of these standards.

TPR Section 4.10.1 (Operations Equipment), TPR Section 4.10.2 (Equipment Maintenance & Storage), TPR Section 6.4 (Maintenance of Facility Condition).

Section 17418.1. Site Security.

The facility shall be designed to discourage unauthorized access by persons and vehicles through the use of either a perimeter barrier or topographic constraints.

TPR Section 4.2 (Site Security and Access).

Section 17418.2. Site Attendant.

A facility open to the public shall have an attendant present during public operating hours or the facility shall be inspected by the operator on a regularly scheduled basis as approved by the EA to ensure that it meets all of the requirements of Articles 6.2, 6.3 and 6.35.

TPR Section 7.4 (Facility Staffing).

Section 17418.3. Traffic Control.

(a) Traffic flow through the facility shall be controlled to prevent the following.

- (1) interference with or creation of a safety hazard on adjacent public streets or roads,

TPR Section 4.3 (Internal Traffic Flow and Traffic Stacking Provisions), TPR Section 4.13.2 Transfer Station Intake Capacity).

- (2) on-site safety hazards, and
- (3) interference with operations.

TPR Section 4.3 (Internal Traffic Flow and Traffic Stacking Provisions), TPR Section 6.3 (Protection of Users).

TPR Section 4.3 (Internal Traffic Flow and Traffic Stacking Provisions).

Section 17419.1. Visual Screening.

The facility shall have appropriate treatment of areas open to public view to create and maintain an aesthetically acceptable appearance as approved by the local land use authority, or if none exist, in consultation with the EA. Compliance with specific provisions regarding visual screening in a local land use approval, such as a conditional use permit, or CEQA mitigation measures shall be considered compliance with this standard.

TPR Section 2.7.3 (Other Site Improvements), TPR Section 3.11 (California Environmental Quality Act).

Section 17419.2. Water Supply.

A safe and adequate water supply for drinking and emergency use (i.e.: first aid) shall be available.

TPR Section 2.7.5 (Site Water Supply).

14 CCR Chapter 9, Article 9.2. Disposal Reporting System.

Section 18809. Disposal Reporting Requirements for a Station.

- (a) Sections 18809.1 through 18809.11 establish the requirements for a station as follows:

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| (1) Signage at a Station: Section 18809.1 | See Section 18809.1 Below. |
| (2) Scales and Weighing Requirements at a Station: Section 18809.2 | See Section 18809.2 Below. |
| (3) Training Requirements for a Station: Section 18809.3 | See Section 18809.3 Below. |
| (4) Hauler Records: Retention, Access, and Investigations: Section 18809.4 | See Section 18809.4 Below. |
| (5) Identifying Jurisdiction of Origin: Section 18809.5 | See Section 18809.5 Below. |
| (6) Frequency of Origin Surveys: Section 18809.6 | See Section 18809.6 Below. |

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| (7) Determining Origin of Waste at a Station: Section 18809.7 | See Section 18809.7 Below. |
| (8) Applicability of Alternative Reporting Systems: Section 18809.8 | See Section 18809.8 Below. |
| (9) Station Disposal Reports: Content, Timing, and Distribution: Section 18809.9 | See Section 18809.9 Below. |
| (10) Disposal Reporting Due Dates for a Station | See Section 18809.10 Below. |
| (11) Non-compliance. | See Section 18809.11 Below. |

Section 18809.1. Signage at a Station.

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| (a) An operator may post a sign regarding the collection of waste origin information during the origin survey period specified in section 18809.6(a) or (b). | |
| (b) The sign may include the following: | |
| (1) "State law requires information on where your waste is from. Be prepared to provide it to the attendant." or | See Subsection (3) below. |
| (2) "Be prepared to tell the attendant where your waste is from." or | See Subsection (3) below. |
| (3) Other wording reasonably similar to the wording in subsection (1) or (2). | TPR Section 5.2.3 (Load Origin Sign). |
| (c) The sign may be translated into additional languages, including but not limited to Spanish. | TPR Section 4.4 (Intake Signage). |

Section 18809.2. Scales and Weighing Requirements at a Station.

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| (a) A station shall be equipped with scales if both of the following criteria apply: | |
| (1) the station accepts an annual average of more than 100 tons per operating day or an annual average volume of more than 400 cubic yards of solid waste per operating day, and | See Subsection (b). |
| (2) the station operates more than 52 days per year. | See Subsection (b). |
| (b) A station located in a rural city or rural | Station is located within a Rural City per PRC 40183(a) |

county, as set forth in sections 40183 and 40184 of the Public Resources Code, shall be equipped with scales if both of the following criteria apply:

- (1) the station accepts an annual average of more than 200 tons per operating day or an annual average volume of more than 800 cubic yards of solid waste per operating day, and
- (2) the station operates more than 52 days per year.

(c) An operator of a station equipped with scales shall weigh every uncompacted load of solid waste greater than 12 cubic yards. An operator shall also weigh every compacted load of waste. For each uncompacted load less than or equal to 12 cubic yards that is not weighed, an operator shall use volumetric conversion factors to estimate weight as described in subsection (d). If a station's scales are inoperable for a period of time, the operator shall estimate the weight of solid waste using volumetric conversion factors as described in subsection (d) until the scales are back in operation.

(d) For all solid waste that a station operator is allowed to not weigh with scales, the operator shall use reasonable, volumetric conversion factors to estimate the weight of the waste. Volumetric conversion factors used at a station shall meet the following guidelines:

- (1) A volumetric conversion factor for a given vehicle and/or trailer type and/or load type (e.g. C&D debris/inert debris load) shall be derived from the average of actual weight data collected for the vehicle and/or trailer type and/or load type during a seven-day minimum weighing period conducted at least every five years. The operator shall determine individual volumetric conversion factors for all the types of vehicles and/or trailers that haul waste to the station and/or the types of loads

since it is located within a County/ rural regional agency which annually disposes of no more than 200,000 tons of solid waste (PRC 40184(a)).

Criteria Applies to Amended SWFP. Operator has a single scale for existing LVTs SWFP (100 TPD) and intends inbound/ outbound scales for amended SWFP. This TPR assumes inbound and outbound scales in the configuration presented on TPR Figure 4B.

Criteria Applies.

Applicable. See Section 8.3. Unit conversion factors are provided in Table 3 for customers who have unit-fee items and will use the scale bypass lane. Volumetric conversion is proposed for small loads. Uncompacted loads larger than 12 cubic yards will be consistently weighed.

In the event of a period of inoperability for the inbound scale, traffic flow is devised such that compacted loads may use the outbound scale, thence re-enter the facility as a weighed load.

TPR Section 8.3 (Station Use and Weight/ Volume Records).

Acknowledged. The Operator may develop the data based on statistically representative sample of vehicles, and/ or trailers, and/or loads for load types as stipulated (see TPR Section 8.3) after commencing operations pursuant to the TPR.

The Operator proposes to use unit weight conversion factors for items accepted at per-unit fee (tires, lead-acid batteries, white goods and mattresses & boxsprings). See TPR Section 8.3 and TPR Table 3.

The Operator also proposes to use the volumetric conversion factors provided within TPR Section 8.3 in lieu of statistically representative samples for the

hauled to the station. The weight data for each vehicle and/or trailer type and/or load type shall be based on a statistically representative sample of vehicles and/or trailers and/or loads.	purposes stated within Section 8.3 (minimum fee loads/ very small loads near the accuracy limits of the scales). See volume-to weight conversion factors referenced from TPR Section 8.3 (Station Use and Weight/ Volume Records).
(2) All volumetric conversion factors for each vehicle and/or trailer type and/or load type and a description of the method used to determine the conversion factors shall be included in the station's annual report of disposal reporting methods as set forth in 18809.9(e).	Acknowledged.
(3) All volumetric conversion factors and supporting calculations and documentation shall be made available for Board staff review upon request pursuant to section 18809.4.	Acknowledged.
(4) If the Board determines that volumetric conversion factors are not reasonable or adequately supported, the Board may require the operator to collect new weight data to establish new volumetric conversion factors.	Acknowledged.
(e) An operator of a station not required to have scales as set forth in subsection (a) or (b) shall estimate the weight of every load of solid waste using reasonable and documented volumetric conversion factors for each type of vehicle and/or trailer that hauls waste to the station and/or each type of load (e.g. C&D debris/inert debris load) hauled to the station. The operator shall identify all volumetric conversion factors for each vehicle and/or trailer type and/or load type and include a description of the method used to determine the conversion factors in the station's annual report of disposal reporting methods as set forth in section 18809.9(e). The operator shall make all documentation of volumetric conversion factors available for review by Board staff upon request. If the Board determines that volumetric conversion factors are not reasonable or adequately supported, the Board may require the operator to establish new volumetric conversion factors.	Not Applicable.

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| <p>(f) An operator is not to required weigh waste if the waste will be weighed at destination landfills and/or transformation facilities. If an operator determines the weight of waste by using scales at destination landfills and/or transformation facilities, the operator shall notify the agency in which the station is located in the annual report of disposal reporting methods as set forth in 18809.9(e)(7). An operator shall maintain a record of the weights obtained at all destination landfills and/or transformation facilities pursuant to section 18809.4.</p> | <p>Applies to MSW transfer shipments to land disposal and ADC shipments to “destination landfills”.</p> <p>Certain shipments of recycled materials and materials shipped for beneficial use, which are otherwise weighed at destination facilities, may be included in a future request by the Operator pursuant to Section 18809.2(i) for an alternative weighing system for these shipments.</p> <p>Per Operator’s records and reporting for the Disposal Reporting System (TPR Section 8.4).</p> |
| <p>(g) An operator of a station required to have scales as set forth in subsection (a) or (b) may request an exemption from the requirement to obtain scales if the station operator can demonstrate that circumstances exist that make compliance with this requirement a hardship. An operator shall submit a request for an exemption to the Board as set forth in subsections (i) through (l). An operator shall submit a request for an exemption no later than 150 days after January 1, 2006. If a station becomes subject to the scales requirement as set forth in subsection (a) or (b) after January 1, 2006, an operator shall submit the request for an exemption within 150 days.</p> | <p>No exemption to the scales requirement is requested.</p> |
| <p>(h) An operator of a station required to have scales as set forth in subsection (a) or (b) may submit a request to implement an alternative weighing system (for example, using off-site scales). An alternative weighing system must meet the minimum weighing requirements of this section. Weighing of waste at destination landfills and/or transformation facilities pursuant to subsection (f) does not require Board approval as an alternative weighing system. An operator shall submit a request for an exemption to the Board as set forth in subsections (i) through (l).</p> | <p>TPR Section 8.3 (Station Use and Weight/ Volume Records).</p> <p>MSW transfer shipments to land disposal, and ADC shipments to “destination landfills” are proposed to be weighed at their destination, and are not subject to Board approval for alternative weighing system per the provisions of this Section.</p> |
| <p>(i) A station operator's request for an exemption from obtaining scales or request to implement an alternative weighing</p> | <p>Operator reserves the right to request an alternative weighing system (AWS) in the future for certain loads shipped to recycling or beneficial use which are</p> |

system shall include the following minimum information:	weighed (and measured/ paid) using the scales at the destination facility.
(1) station name,	Per Operator's reserved right to request a future AWS.
(2) station Solid Waste Information System (SWIS) number,	Per Operator's reserved right to request a future AWS.
(3) station address,	Per Operator's reserved right to request a future AWS.
(4) operator name,	Per Operator's reserved right to request a future AWS.
(5) operator mailing address,	Per Operator's reserved right to request a future AWS.
(6) operator telephone number,	Per Operator's reserved right to request a future AWS.
(7) operator email address, if available,	Per Operator's reserved right to request a future AWS.
(8) justification for the proposed exemption or alternative weighing system, such as a lack of electric utilities at the site, geographic remoteness of the site, space constraints at the site, or use of off-site scales,	Per Operator's reserved right to request a future AWS.
(9) annual average weight (or annual average volume) of solid waste accepted per day of operation, and	Per Operator's reserved right to request a future AWS.
(10) volumetric conversion factors to be used to estimate weight.	Per Operator's reserved right to request a future AWS.
(j) Prior to submitting a request for an exemption from the scales requirement or a request to implement an alternative weighing system, an operator shall provide at least a 30-day notice of the proposed request to, and accept and respond to comments from applicable parties including:	
(1) haulers that dispose of waste at the station,	Per Operator's reserved right to request a future AWS.
(2) the agency in which the station is located,	Per Operator's reserved right to request a future AWS.
(3) jurisdictions that dispose of waste at the station, and	Per Operator's reserved right to request a future AWS.
(4) the Local Task Force established pursuant to section 18761 of this Division.	Per Operator's reserved right to request a future AWS.
(k) An operator shall send a request for an exemption from the scales requirement or a request to implement an alternative	Per Operator's reserved right to request a future AWS.

weighing system to Board staff for review. The operator shall also send documentation showing that applicable parties were notified and include a copy of the responses to comments received on the request.

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| (l) Within 30 working days from receipt of a request, Board staff shall inform the operator, in writing, that the request is complete and accepted for filing, or that the request is deficient and what specific information is still required. Board staff shall approve or disapprove the request within 60 working days from the date the request is deemed complete. The operator may appeal the Board staff determination to the Board. | Acknowledged. |
| (m) If subsequent to an approval of an exemption from the scales requirement or a request to implement an alternative weighing system, the Board determines a station no longer meets the criteria of this section, the Board may rescind the approval. | Acknowledged. |
| (n) Nothing in this Article shall prevent an operator from weighing more loads than the minimum required by this section as part of its operation. Nothing in this Article shall prevent an agency from requiring an operator to obtain scales or requiring an operator to weigh more loads than the minimum required by this section, based upon its own authority to impose requirements on that operator. | Acknowledged. |
| (o) A station required to have scales as set forth in subsection (a) or (b), that has not requested and received a Board exemption from this requirement or has not received approval of an alternative weighing system, shall be required to obtain and begin operating the scales by January 1, 2007. | TPR Section 8.3 (Station Use and Weight/ Volume Records). |
| (p) If a station becomes subject to the scales requirement as set forth in subsection (a) or (b) subsequent to January 1, 2006, the operator shall obtain and begin operating the scales by January 1 of the year following the year the station became subject to the requirement. The operator may submit a request for an exemption from the scales | Acknowledged. |

requirement or a request to implement an alternative weighing system as set forth in subsections (g) through (l).

Section 18809.3. Training Requirements for a Station.

- (a) A station operator shall provide training on the disposal reporting system to each gatehouse attendant and disposal report preparer and to other employees who must comply with the requirements of this Article. Training for a gatehouse attendant and report preparer shall cover the content of this Article as it applies to the employees' job duties. TPR Section 8.4 (Disposal Reporting System).

Section 18809.4. Station Records: Retention, Access, and Investigations.

- (a) An operator shall prepare disposal reporting records and shall:
- (1) Include all information, methods, and calculations required by this Article. Acknowledged.
 - (2) Keep quarterly documentation that verifies jurisdiction of origin allocations reported to facilities and agencies pursuant to sections 18809.9(a) through (c). Acknowledged.
 - (3) Use a reasonable method to gather the information, such as locally required or facility specific reporting forms, electronic systems, or the optional paper or electronic reporting forms developed by the Board. Acknowledged.
 - (4) Maintain all records for three years in a usable format, such as on electronic media (computer files) or paper copies. TPR Section 8.4 (Disposal Reporting System).
 - (5) Allow representatives of involved jurisdictions, the agency, haulers, operators, districts, and the Board to inspect the records during normal business hours in a single location within California. Haulers and operators shall only be allowed to inspect records relating to their own operations. An operator is not required to provide records of a jurisdiction's disposal Acknowledged.

information for reporting years for which the Board has already completed the biennial review cycle for the applicable jurisdiction pursuant to section 41825 of the Public Resources Code.

(A) Upon a request to review records, the operator shall make the records promptly available for inspection. The operator shall respond to the request within ten days, but may indicate that additional time is necessary to make the records available due to time necessary to search for, collect and examine records to respond to the request. In no case shall the inspection be delayed more than an additional 14 days, unless agreed to by the requestor.

Acknowledged.

(B) If copies of specific records are requested, either in lieu of inspection or after inspection, the operator shall respond to the request for copies within ten days, but may indicate that additional time is necessary to make the copies due to time necessary to search for, collect, and examine records to respond to the request. In no case shall the copies be delayed more than an additional 14 days, unless agreed to by the requestor. The operator may charge a fee to cover the actual cost of copying. In no case shall the fee exceed ten cents per page, unless local public records act requirements establish another rate.

Acknowledged.

(C) If a hauler or operator believes that a records request includes information that has been labeled confidential or proprietary by the entity providing that information as defined in sections 17044 through 17046, the operator shall inform the Board. The Board shall use the

Acknowledged.

procedures set forth in section 17046 to determine which records, or parts of records, may be inspected.

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| (b) An operator shall respond to requests for clarification regarding their records within ten days. Requests must be specific and clearly stated in writing. | Acknowledged. |
| (c) The Board may investigate all information, methods, and calculations pursuant to this Article. If the Board determines that any information is inaccurate, the Board may require corrected information. | Acknowledged. |
| (d) If an operator that is a jurisdiction, fails to comply with this section, and that failure prevents the Board from accurately determining the jurisdiction's level of Source Reduction and Recycling Element implementation, the Board may initiate the process to issue a compliance order as set forth in section 41825 of the Public Resources Code. | Acknowledged. |

Section 18809.5. Identifying Jurisdiction of Origin.

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| (a) When required by this Article: | |
| (1) An operator shall identify a jurisdiction by providing its name and specifying whether it is a city, an unincorporated county, or a region. | TPR Section 4.5.1 (Intake Procedure and Initial Load Screening). |
| (2) If expressly allowed by the region, an operator may identify waste from a region formed pursuant to sections 40970 through 40975 of the Public Resources Code as originating in that region, without specifying the individual cities or unincorporated counties, unless otherwise required by the Board. | Not Applicable. |
| (3) An operator shall identify waste imported from outside California by specifying the state, country, or Indian country of origin. | Acknowledged (none anticipated). |
| (b) Nothing in this Article shall prevent an agency, district, or jurisdiction from enacting ordinances or other measures to ensure that | Acknowledged. |

operators and haulers provide additional jurisdiction of origin information.

Section 18809.6. Frequency of Origin Surveys.

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| (a) At all permitted stations, origin surveys shall be conducted continuously, each day of station operation, for every load, except as described in subsections (b), (c), and (d). | TPR Section 4.5.1 (Intake Procedure and Initial Load Screening). |
| (b) An operator of a station located in a rural city or county, as defined in sections 40183 and 40184 of the Public Resources Code, may conduct origin surveys as specified in subsection (a) or may conduct origin surveys during the following standard survey weeks each year: March 8 through March 14, June 8 through June 14, September 8 through September 14, and December 8 through December 14 (unless an agency has received Board approval to use alternative weeks pursuant to sections 18812.6[e] and [f]). During the standard origin survey weeks, every load of solid waste shall be surveyed to determine jurisdiction of origin. | Not Applicable. |
| (c) At all permitted stations, origin surveys of each uncompacted load of waste with a volume of 12 cubic yards or less may be conducted as specified in subsection (a) or may be conducted during the following standard survey weeks each year: March 8 through March 14, June 8 through June 14, September 8 through September 14, and December 8 through December 14 (unless an agency has received Board approval to use alternative weeks pursuant to sections 18812.6[e] and [f]). Daily origin surveys shall be conducted for all other loads as specified in subsection (a). | Not Applicable.

Origin survey is continuous. |
| (d) Origin surveys are not required if: | |
| (1) a facility is located in a Board-approved region, the region has authorized the operator to assign all waste tonnage to the region, and the Board does not otherwise require the region to assign waste to the individual cities or unincorporated counties of the region, or | Not Applicable. |

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| (2) a city or county in which a station is located authorizes the station operator to assign all waste tonnage to that city or county. | Acknowledged. |
| (e) Nothing in this Article shall prevent an operator from collecting additional information as part of its operation. Nothing in this Article shall prevent an agency from requiring an operator to conduct origin surveys more frequently or to collect additional information, based upon its own authority to impose requirements on that operator. | Acknowledged. |
- Section 18809.7. Determining Origin of Waste at a Station.**
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| (a) An operator shall determine the origin of all solid waste during the origin survey period set forth in section 18809.6. | TPR Section 4.5.1 (Intake Procedure and Initial Load Screening). Origin survey is continuous. |
| (b) When requested by a receiving operator, an operator who sends solid waste to another facility within California shall provide the receiving operator with the jurisdiction of origin for all material in each load delivered during the entire quarter that the receiving operator identifies as potential alternative daily cover, alternative intermediate cover, or other beneficial reuse material. The jurisdiction of origin information shall be based on actual daily tonnage. An operator shall also inform a receiving operator of the type or types of material being supplied. | Per Operator's records and reporting. |
| (c) When requested by a receiving operator, an operator who sends solid waste to another facility within California shall notify the operator of that facility of each load of C&D debris/inert debris delivered during the entire quarter. The operator shall also provide the jurisdiction of origin for each load, based on actual daily tonnage. | Per Operator's records and reporting. |
| (d) When requested by a receiving operator, an operator who sends solid waste to another facility within California shall notify the operator of that facility of each load of disaster waste delivered during the entire quarter. The operator shall also provide the | Per Operator's records and reporting. |

jurisdiction of origin for each load, based on actual daily tonnage.

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| (e) For all loads not delivered by public contract haulers, an operator shall obtain and maintain a record of the following information: | TPR Section 4.5.1 (Intake Procedure and Initial Load Screening). Origin survey is continuous. |
| (1) the jurisdiction of origin of the waste as set forth in 18809.5, and | TPR Section 4.5.1 (Intake Procedure and Initial Load Screening). Origin survey is continuous. |
| (2) other additional information that the operator has determined will ensure that information provided is accurate. | TPR Section 4.5.1 (Intake Procedure and Initial Load Screening). Origin survey is continuous. |
| (f) An operator shall collect jurisdiction of origin from public contract haulers. The public contract hauler shall provide the jurisdiction of origin as specified in section 18808.7(b). | Not Applicable. See TPR Section 2.3 (Facility Service Area). The economically viable service area of this Facility is protected by exclusive franchise for all solid wastes and is closed to public contract haulers. |
| (g) If a station accepts solid waste from only one jurisdiction, the operator shall assign the waste to that jurisdiction. | Not Applicable. See TPR Section 2.3 (Facility Service Area). |
| (h) If an attendant is not present during regular hours of operation, and one cannot be present to obtain jurisdiction of origin information during the survey period, and the operator does not receive origin information from the haulers delivering waste, then the operator shall assign the waste to the jurisdiction in which the station is located by labeling it as "no attendant host assigned" waste. An operator shall determine quarterly percentages of the total waste assigned to a host jurisdiction and report the percentage allocations to each facility to which waste was sent, pursuant to section 18809.9(b)(4). An operator shall also provide information on host assigned waste to a host jurisdiction if requested pursuant to section 18809.9(d). | Not Applicable.

An attendant is constantly present during all days and hours that this Facility allows intake. See TPR Section 7.4 (Facility Staffing). |
| (i) If a station accepts solid waste from more than one jurisdiction, the operator shall use the information on the jurisdictions of origin for all solid waste to estimate the percentage of waste from each jurisdiction. The percentage of waste from each jurisdiction shall be based on either the total tons accepted from each jurisdiction, the total tons of solid waste from each | Per Operator's records and reporting. |

jurisdiction after adjusting for diversion at the station, or the total tons from each jurisdiction based on a reasonable method used at the station to allocate waste.

- (j) If solid waste is delivered to the station and information on the jurisdiction of origin is not provided by the delivering hauler or operator during the survey period as specified in this Article, then the operator shall assign the waste percentage to the jurisdiction in which the station is located by labeling it as "host assigned" waste and send written notification to the agency regarding hauler or operator non-compliance as specified in section 18809.11. The operator shall determine quarterly percentages of the total waste assigned to a host jurisdiction and report the percentage allocations to each facility to which waste was sent, pursuant to section 18809.9(b)(4). The operator shall also provide information on host assigned waste to a host jurisdiction if requested pursuant to section 18809.9(d).
- Per Operator's records and reporting.

Section 18809.8. Applicability of Alternative Reporting Systems.

- (a) An agency may establish alternative requirements with which an operator must comply as set forth in section 18812.8.
- Acknowledged.

Section 18809.9. Station Disposal Reports: Content, Timing, and Distribution.

- (a) Each quarter, an operator who sends solid waste to another facility within California shall provide the operator of that facility with the percentage of waste assigned to each jurisdiction as determined pursuant to section 18809.7. The operator shall provide this information by the due dates in sections 18809.10(a) and (b).
- Per Operator's records and reporting.
- (b) An operator who sends waste to another facility in California shall send a quarterly notification to the agency in which the station is located and to each agency in which a receiving facility is located. An operator shall keep copies of the notification and all supporting documentation used to prepare the notification pursuant to the
- Per Operator's records and reporting.

record keeping requirements in section 18809.4. The operator shall send the notifications by the due dates in section 18809.10. The quarterly notification shall contain the following information:

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| (1) the station name and Solid Waste Information System (SWIS) number, | Per Operator's reporting. |
| (2) the reporting quarter and year, | Per Operator's reporting. |
| (3) the total tons of solid waste accepted at the station, | Per Operator's reporting. |
| (4) the percentage of solid waste from each jurisdiction (including host assigned waste, if applicable), based on either: | Per Operator's reporting. |
| (A) the total tons of solid waste accepted from each jurisdiction, | Per Operator's reporting. |
| (B) the total tons of solid waste from each jurisdiction after adjusting for diversion at the station, or | Per Operator's reporting. |
| (C) the total tons of solid waste from each jurisdiction determined using a reasonable method to allocate waste, | Per Operator's reporting. |
| (5) the name and Solid Waste Information System (SWIS) number of each facility in California to which waste was sent, | Per Operator's reporting. |
| (6) the total initial estimated tons of solid waste sent to each facility, | Per Operator's reporting. |
| (7) the total tons of each type of material identified for potential reuse as: | Per Operator's reporting. |
| (A) alternative daily cover, | Per Operator's reporting. |
| (B) alternative intermediate cover, and | Per Operator's reporting. |
| (C) other beneficial reuse, | Per Operator's reporting. |
| (8) the total tons of each type of material from each jurisdiction identified for potential reuse as: | Per Operator's reporting. |
| (A) alternative daily cover, and | Per Operator's reporting. |
| (B) alternative intermediate cover, | Per Operator's reporting. |
| (9) the total tons of other material accepted at the station and sent off-site for reuse, | Per Operator's reporting. |

recycling, or composting during the quarter, and	
(10) a brief summary of the methods used to determine the jurisdictions of origin.	Per Operator's reporting.
(c) For the entire quarter, an operator who exports waste from California shall provide the agency in which the station is located with the total tons of solid waste exported from each jurisdiction of origin during the quarter. For each jurisdiction allocation, an operator shall identify the name of the disposal site and the state, country, or Indian country to which the waste was sent. An operator shall provide this information by the due dates in section 18809.10.	Per Operator's reporting.
(d) Upon request by a jurisdiction, an operator shall provide all quarterly information pertaining to the jurisdiction by the due dates in section 18809.10. In lieu of sending quarterly information directly to a jurisdiction, an operator may electronically submit the quarterly disposal information to the Board using a format that would allow the Board to make the information available on its web site. In addition to the information in subsections (b) and (c), a jurisdiction may request:	Acknowledged.
(1) the total tons of each type of material identified as other potential beneficial reuse material (excluding alternative daily cover and alternative intermediate cover),	Acknowledged.
(2) the total tons of C&D debris/inert debris, and	Acknowledged.
(3) the total tons of disaster waste.	Acknowledged.
(e) An operator shall send an annual report on disposal reporting methods to the agency in which the station is located. An operator shall send the annual report by the due date in section 18809.10. An operator shall keep a copy of the annual report in the station's records pursuant to section 18809.4. The report shall cover each year beginning on January 1 and ending on December 31 and shall include the following:	TPR Section 8.2 (Station Use and Weight/ Volume Records), TPR Section 8.4 (Disposal Reporting System).

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| (1) station name and Solid Waste Information System (SWIS) number, | Per Operator's reporting. |
| (2) operator name, | Per Operator's reporting. |
| (3) operator mailing address, | Per Operator's reporting. |
| (4) operator telephone number, | Per Operator's reporting. |
| (5) operator email address, if available, | Per Operator's reporting. |
| (6) number and type of scales, if applicable, | Per Operator's reporting. |
| (7) notification of the use of scales at destination landfill(s) or transformation facility(ies) to weigh waste sent from the station, pursuant to section 18809.2(f), if applicable, | Per Operator's reporting. |
| (8) all volumetric conversion factors used for each vehicle and/or trailer type and/or load type and a description of the method used to determine the conversion factors pursuant to section 18809.2(d)(1) or (e), | Per Operator's reporting. |
| (9) the frequency of each type of origin survey, | Per Operator's reporting. |
| (10) the method(s) of determining jurisdiction of origin, including the questions gatehouse attendants ask haulers, | Per Operator's reporting. |
| (11) the method(s) used to verify origin information, if applicable, | Per Operator's reporting. |
| (12) the method(s) used to track C&D debris/inert debris loads, if applicable, | Per Operator's reporting. |
| (13) the method(s) used to track disaster waste loads, if applicable, | Per Operator's reporting. |
| (14) the method(s) of determining jurisdiction allocation amounts including: | Per Operator's reporting. |
| (A) a description of the method used to determine jurisdiction of origin allocation percentages as reported in subsection (b)(4), and | Per Operator's reporting. |
| (B) the percentage of annual tons of waste for each jurisdiction that were assigned based on survey | Per Operator's reporting. |

week data as allowed in sections 18809.6(b) and (c), and

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| (C) the percentage of the total tons of solid waste sent for disposal or transformation that were based on volumetric conversion factors rather than actual weight measurements, | Per Operator's reporting. |
| (15) any restrictions on which jurisdictions may use the station, | Per Operator's reporting. |
| (16) any differences in station tipping fees based on jurisdiction of origin, | Per Operator's reporting. |
| (17) a listing or description of the computer program(s) or method used to track waste tonnage and origin information, and | Per Operator's reporting. |
| (18) the days and hours of station operation, including all significant variations in the schedule during the reporting year. | Per Operator's reporting. |

Section 18809.10. Disposal Reporting Due Dates for a Station.

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| (a) An operator of a permitted station who sends waste to another permitted station in California shall send the operator of that facility the percentage of waste assigned to each jurisdiction for the quarter as set forth in section 18809.9(a). An operator shall send this information by April 30 for the first quarter, July 31 for the second quarter, October 31 for the third quarter, and January 31 for the fourth quarter of the previous year. | Per Operator's reporting. |
| (b) An operator of a permitted station who sends waste to a landfill or transformation facility in California shall send the operator of that facility the percentage of waste assigned to each jurisdiction for the quarter as set forth in section 18809.9(a). An operator shall send this information by May 15 for the first quarter, August 15 for the second quarter, November 15 for the third quarter, and February 15 for the fourth quarter of the previous year. | Per Operator's reporting. |
| (c) An operator of a permitted station shall send quarterly disposal information to | Per Operator's reporting. |

affected agencies as set forth in sections 18809.9(b) and (c). If requested by a jurisdiction, the operator shall also send the quarterly disposal information to the jurisdiction as described in section 18809.9(d). An operator shall send the report by June 15 for the first quarter, September 15 for the second quarter, December 15 for the third quarter, and March 15 for the fourth quarter of the previous year.

- (1) An operator of a permitted station who sends waste to another facility within California shall send a notification every quarter to the agency in which the station is located and to each agency in which a receiving facility is located as set forth in section 18809.9(b).

Per Operator's reporting.

- (2) If a station operator exports waste outside of California, the operator shall send a quarterly report on the amounts of exported waste to the agency in which the station is located as set forth in section 18809.9(c)

Per Operator's reporting.

- (d) An operator of a permitted station shall send an annual report on disposal reporting methods to the agency in which the station is located, as described in section 18809.9(e). An operator shall send this annual report by March 15 for the previous year. A station operator shall respond to requests for clarification regarding jurisdiction of origin allocations as specified in section 18809.4.

Per Operator's reporting.

Section 18809.11. Non-compliance.

- (a) A hauler or operator shall inform the agency if a hauler or operator fails to comply with this Article by not providing the operator with information required for the preparation of quarterly disposal reports. The hauler or operator shall send written information on specific allegations of non-compliance to the agency by June 15 for the first quarter, September 15 for the second quarter, December 15 for the third quarter, and March 15 for the fourth quarter of the

Acknowledged.

previous year.

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| (b) A hauler or operator may inform the agency of other non-compliance issues concerning a hauler or operator. The hauler or operator shall send written information on specific allegations to the agency. | Acknowledged. |
| (c) A hauler or operator may inform the Board if an agency fails to comply with this Article. A hauler or operator shall send written information on specific allegations of agency non-compliance to the Board. | Acknowledged. |
| (d) Allegations of non-compliance shall be handled in accordance with the process set forth in section 18804. | Acknowledged. |

Public Resources Code (PRC) Division 31.

50001: Waste Management Facilities.

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| (a) Except as provided by subdivision (b), after a countywide or regional agency integrated waste management plan has been approved by the Department of Resources Recycling and Recovery pursuant to Division 30 (commencing with Section 40000), a person shall not establish or expand a solid waste facility, as defined in Section 40194, in the county unless the solid waste facility meets one of the following criteria: | |
| (1) The solid waste facility is a disposal facility or a transformation facility, the location of which is identified in the countywide siting element or amendment to that element, which has been approved pursuant to Section 41721. | Not Applicable. |
| (2) The solid waste facility is a facility that is designed to recover for reuse or recycling at least 5 percent of the total volume of material received by the facility, and that is identified in the nondisposal facility element that has been approved pursuant to Section 41800 or is included in an update to that element. | Applicable.

TPR Section 3.8 (Regional Solid Waste Planning Agency), TPR Appendix E (Non-Disposal Facility Element of Regional Solid Waste Management Plan). |

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| <p>(b) Solid waste facilities other than those specified in paragraphs (1) and (2) of subdivision (a) shall not be required to comply with the requirements of this section.</p> | <p>Acknowledged.</p> |
| <p>(c) The person or agency proposing to establish a solid waste facility shall prepare and submit a site identification and description of the proposed facility to the task force established pursuant to Section 40950. Within 90 days after the site identification and description is submitted to the task force, the task force shall meet and comment on the proposed solid waste facility in writing. These comments shall include, but are not limited to, the relationship between the proposed solid waste facility and the implementation schedule requirements of Section 41780 and the regional impact of the facility. The task force shall transmit these comments to the person or public agency proposing establishment of the solid waste facility, to the county, and to all cities within the county. The comments shall become part of the official record of the proposed solid waste facility.</p> | <p>Acknowledged.</p> <p>Task Force Review & Comment was Not Required.</p> |
| <p>(d) The review and comment by the local task force shall not be required for an update to a nondisposal facility element.</p> | <p>Applicable.</p> |

TRANSFER/ PROCESSING REPORT

**Recycling Industries' Large Volume Transfer Station
140 Epley Drive
Yuba City, California**

APPENDIX B

Climatological Information

TRANSFER/ PROCESSING REPORT

RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION
140 EPLEY DRIVE
YUBA CITY, CALIFORNIA

APPENDIX B

CLIMATOLOGICAL INFORMATION

The climate of eastern Sutter County is characterized by hot, dry summers with mild winters. Snowfall is a rare occurrence. Potentially representative weather stations and a summary of potentially representative climatological conditions for the Site vicinity are presented below.

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TABLE B-1	REPRESENTATIVE MEAN MONTHLY TEMPERATURE DATA
TABLE B-2	REPRESENTATIVE MEAN MONTHLY PRECIPITATION DATA
TABLE B-3	PRECIPITATION DEPTHS FOR VARIOUS RETURN PERIODS
TABLE B-4	MONTHLY PAN EVAPORATION DATA AND WATER BALANCE

ATTACHMENT B-1 CLIMATOLOGIC DATA STATION DETAILS

ATTACHMENT B-2 WINDROSE DIAGRAMS

B.1 WEATHER STATIONS

Weather stations which are potentially representative of conditions at the Site are enumerated within Attachment B-1, together with discussion of proximity, elevation, reliable periods of record, and availability of data for these stations. Based on the evaluation provided in Attachment B-1, the following weather stations were selected for these associated climatological parameters:

- ♦ Yuba County Airport Station (National Weather Service ["NWS"] cooperative station No. 04-5388, aka "KMYV" or "MYV") was selected for temperature and wind data;
- ♦ Marysville Station (NWS cooperative station No. 04-5385-2) was selected for daily/ monthly/ annual precipitation data;
- ♦ Wheatland 2 NE Station (California Department of Water Resources ["DWR"] Station No. A00-9605-00 and NWS cooperative station number 04-9605) was selected for short-term and long-term precipitation depth-duration-frequency calculation based upon recording rain gauge data from this station; and
- ♦ The Yuba City 7W Station, (DWR station number A00-9871-02) was selected for evaporation data.

B.2 TEMPERATURE

The monthly mean daily, monthly mean minimum and monthly mean maximum temperature for a 30-year period from 1981 through 2010 for the Yuba County Airport Station are presented in Table B-1.

Monthly mean daily temperature ranges from a high of 77.3° Fahrenheit (F) during July to a low of 45.3° F in December. Monthly mean minimum temperatures range from 59.8° F during July to 36.9° F in December. Monthly mean maximum temperatures range from 94.8° F during July to 53.8° F in December.

B.3 MEAN MONTHLY AND MEAN ANNUAL PRECIPITATION

Precipitation data recorded at the Marysville Station for 55 years of the total 111-year period of record during 1897 through 2007 result in a mean annual precipitation of 20.87 inches (see associated table reference). Mean monthly precipitation data for the Marysville Station is presented in Table B-2.

The Western Region Climate Center (WRCC – see Attachment B-1) has censored this Station dataset such that only those years where there is complete daily record (which occurs during 55 years of 111 total years of this Station record) are used in calculation of mean annual precipitation. Data used in calculation of mean monthly precipitation is also censored by WRCC such that only those months where there is complete daily observation record (variable by month, from 87 to 95 years of this Station record) are used in calculation. Some data are accordingly included in the mean monthly precipitation calculation, which are not included in the mean annual precipitation calculation (due to missing observations during years, but not during particular months).

Accordingly, the sum of mean monthly precipitation (20.96 inches) does not equal the mean annual precipitation (20.87 inches).

On average, approximately 80 percent of normal annual precipitation occurs during the 6-month period of November through March. Monthly maximum precipitation and monthly minimum precipitation from the Marysville Station record are also presented in Table B-2.

Precipitation in the Project Site vicinity is not subject to orographic influence, nor other influences which could significantly alter precipitation depths at the Project Site in relation to the weather station chosen for this data source. Climate change could potentially alter future precipitation depths at the Project Site in relation to historic records (personal opinion of the registered professional).

B.4 TIME-DURATION PRECIPITATION FOR VARIOUS RETURN PERIODS

Short-term (less than 24-hour) and long-term (24-hour and greater) extrema event precipitation data are presented for various return periods within the sections below.

B.4.1 Short-Term Precipitation Depths

Short-term precipitation depths were calculated from the Wheatland 2 NE Station record, using a Pearson Type III distribution based on a 35 year period of record from 1940 through 1974 (DWR, 1986). Tabulation of short-term precipitation depths and corresponding hourly intensities for the Wheatland 2N Station are presented in Table B-3 for return periods ranging from 2 to 100 years, for durations including 5-, 10-, 15-, 30-, and 60-minutes, as well as for 3 hours, 6 hours and 12 hours.

These values should compare closely (for a similar or identical period of record) with values used for drainage design guidelines or standards for improvement plans by the City of Yuba City Department of Public Works, as the source dataset derived from Wheatland 2 NE Station data is the most reliable and potentially the most representative dataset for this purpose in the vicinity of Yuba City.

These short duration extrema precipitation depths and intensity relationships, or closely correlated extrema precipitation depths, should be used in design of drainage improvements for the Project Site. Calculations for the capacity of drainage systems is to be based upon runoff from 25-year return period storm events, unless otherwise required by the City of Yuba City.

B.4.2 Long-Term Precipitation Depths

Long-term precipitation depths were also calculated from the Wheatland 2 NE Station record, using a Pearson Type III distribution based on a 35 year period of record from 1940 through 1974 (DWR, 1986). 25-year return period (4% probability of occurrence within a given year) for 24-hour, 48 hour, and 72-hour precipitation depths were calculated as 3.45,

4.84, and 5.44 inches, respectively. 100-year return period (1% probability of occurrence within a given year) for 24-hour, 48 hour, and 72-hour precipitation depths were calculated as 4.16, 5.95, and 6.65 inches, respectively.

Long term precipitation depths for 24-hour, 48-hour and 72-hour durations are presented for a variety of other return periods within Table B-3. These long-duration extrema precipitation depths are suitable for use in evaluation of the adequacy of capacity of stormwater drainage detention for the Project Site.

B.5 EVAPORATION

Evaporation may vary significantly in response to micro-climate, ground cover, and localized wind patterns (DWR, 1986). Available data for evaporation in California with long-term record is generally limited to several agronomic research stations and some water reservoir stations. Local data often has a limited period of record. Evaporation stations are seldom indexed to ground cover/ station setting, and resultant microclimate conditions. Historic evaporation data may not represent changing atmospheric conditions injected by future climate change (including increased daily maximum temperatures, higher daily minimum temperatures, lower humidity and less overnight humidity recovery).

Available recent evaporation data from climatological data sources such Western Climate Data Center and the National Oceanographic and Atmospheric Administration ("NOAA") is subject to the above-described limitations for this region. Older datasets offer additional stations which may be more representative of local microclimate, balanced with the caveat of shorter periods of record.

The Yuba City 7W Station was the most potentially representative pan evaporation station for the Project Site given available datasets (with a longer period of record than the more proximate Marysville Station – See Attachment B-1 narrative).

Mean annual and mean monthly evaporation data recorded for the 6.5-year period of record from January 1960 through February 1967 (less 6 consecutive months from January 1961 through June 1961) at the Yuba City 7W Station are presented in Table B-4, and indicate an average annual Class A pan evaporation of 60.9 inches (DWR, 1979). A minimum monthly mean evaporation of 1.29 inches was reported during December, and a maximum mean monthly evaporation of 9.17 inches was reported during June.

B.6 WATER BALANCE

Average monthly water balance, based on the Class A Pan evaporation record presented in Section B-5 above, is provided in Table B-4. Net positive water balance occurs during the months of November through February, and totals 6.5 inches. Water balance deficits are encountered in all other months, as tabulated within Table B-4.

Net annual water balance deficit for the Project Site based on the data, source stations and periods of record presented in Table B-4 totals (minus) 39.9 inches.

B.7 PREVAILING WIND DIRECTIONS

Wind rose diagrams summarizing the frequency distributions of wind direction and speed were generated for the Yuba County Airport Station, and are provided in Attachment B-2. Attention is directed to Attachment B-1 of this Appendix for criteria for selection of this station for wind data representative of conditions at the Project Site.

These wind rose diagrams are generated from approximately 1-hour base duration observations for the period of record set forth within the Attachment B-1 narrative for this data. Wind roses are presented for annual resultant winds, as well as for resultant winds during each of 12 calendar months. The number of observations from the dataset used to generate each wind rose is provided upon the wind rose diagrams.

The aerometric trends based on wind records from the Yuba County Airport Station show a predominant wind direction from the south-southeast (towards the north-northwest) during the summer months, with such winds prevailing at approximately 90 to 95 percent frequency during the months of July and August. Approximately 5 to 10 percent frequency during the summer months are winds from the south-southwest ("*Delta Breeze*" winds), which typically occur primary during the afternoon and early evening, when cooler (denser) marine air flows from the North Bay area on a gradient towards less dense (daytime heated) air in the adjacent valley regions.

The Delta Breeze effect occurs during the afternoons and early evenings from mid-spring (April/ May) through early autumn (September), with a predominant direction from the south-southwest. An approximately 10 – 15% frequency of winds from the north-northwest occurs during May and June, and again during September as a diurnal variation in direction.

During the late autumn and winter months (October through March), wind direction and speed is influenced by cyclonic/ anticyclonic rotation from pressure gradients associated with storm events. This may be typified by periods of relatively strong (15 to 20 mph+) winds from the southeast as the low pressure of a storm system approaches the Project Site, typically with anti-cyclonic (counterclockwise = southeasterly winds) circulation around the center of the low pressure, followed by a period of winds from the northwest (cyclonic) after the low pressure of a storm system has moved past the region, also accompanied by periods of relatively strong winds. The location of the center of low pressure & its trajectory, the magnitude of the low pressure, and the associated pressure gradients to surrounding air masses, all influence the variable directions and wind speed of the cyclonic/ anticyclonic winds associated with storm events.

TABLE B-1. Representative Mean Monthly Temperature Data ¹

**Recycling Industries' Large Volume Transfer Station - 140 Epley Drive
Yuba City, California**

Month	Monthly Mean Daily Temperature	Monthly Mean Minimum Temperature	Monthly Mean Maximum Temperature
January	45.7	37.1	54.2
February	50.0	39.6	60.3
March	53.9	42.7	65.1
April	58.7	44.8	72.6
May	66.6	51.6	81.7
June	73.5	57.4	89.7
July	77.3	59.8	94.8
August	76.0	58.7	93.2
September	71.4	55.0	87.7
October	63.6	48.4	78.7
November	52.1	40.9	63.2
December	45.3	36.9	53.8

Temperatures reported in degrees Fahrenheit

Source: NOAA National Climate Data Center, Asheville, North Carolina
NCDC 30-year Climate Normals Dataset

¹ Yuba County Airport Station, NWS Cooperative Station No. 04-5388

Period of Record: 1981-2010 (30 years)

TABLE B-2. Representative Mean Monthly Precipitation Data

**Recycling Industries' Large Volume Transfer Station - 140 Epley Drive
Yuba City, California**

Month	Mean Monthly Total Precipitation ¹	Distribution (Percent of mean annual)	Monthly Min Total Precipitation ¹	Monthly Max Total Precipitation ¹
January	4.01	19.1	0.03	11.98
February	3.73	17.8	0.01	9.50
March	2.88	13.7	0.00	11.19
April	1.53	7.3	0.00	5.07
May	0.75	3.6	0.00	3.83
June	0.22	1.0	0.00	1.75
July	0.03	0.1	0.00	1.68
August	0.06	0.3	0.00	1.00
September	0.34	1.6	0.00	3.40
October	1.21	5.8	0.00	9.31
November	2.44	11.6	0.00	7.38
December	3.76	17.9	0.00	14.04
Mean Annual Precipitation ¹	20.87			

Precipitation data reported in inches

Source: NOAA Climatological Data Center, Asheville, North Carolina
as supplied through Desert Research Institute, University of Nevada, Reno

¹ Marysville Station, NWS Coop Station No. 04-5385-2.

Available Period of Record: 1897 – 2007.

Mean Annual Precipitation is calculated from 55 years containing fully populated observations for that year within the available station period of record. Mean Monthly Total Precipitation was calculated from months with fully populated observations during that month within the available station period of record, resulting in mean monthly precipitation being based on between 87 years to 95 years of the total station record, depending upon the data completeness for the month.

TABLE B-3. Representative Precipitation Data for Extrema Storm Events

**Recycling Industries' Large Volume Transfer Station - 140 Epley Drive
Yuba City, California**

Return Period	Event Duration		15-minute	30-minute	1-hour	3-hour	6-hour	12-hour	24-hour	48-hour	72-hour	Annual
	5-minute	10-minute										
10 years Equivalent Intensity	0.23	0.35	0.45	0.62	0.77	1.19	1.70	2.19	2.95	4.06	4.59	27.89
	2.76	2.10	1.80	1.24	0.77	0.40	0.28	0.18	---	---	---	---
20 years Equivalent Intensity	0.26	0.40	0.50	0.70	0.87	1.35	1.92	2.48	3.33	4.65	5.24	30.64
	3.00	2.40	2.00	1.40	0.87	0.45	0.32	0.21	---	---	---	---
25 years Equivalent Intensity	0.27	0.42	0.52	0.72	0.90	1.39	1.99	2.57	3.45	4.84	5.44	31.46
	3.24	2.52	2.08	1.44	0.90	0.46	0.33	0.22	---	---	---	---
50 years Equivalent Intensity	0.30	0.46	0.58	0.80	1.00	1.54	2.20	2.84	3.81	5.40	6.05	33.88
	3.60	2.76	2.32	1.60	1.00	0.51	0.37	0.24	---	---	---	---
100 years Equivalent Intensity	0.32	0.50	0.63	0.87	1.09	1.68	2.40	3.10	4.16	5.95	6.65	36.12
	3.84	3.00	2.52	1.74	1.09	0.56	0.40	0.26	---	---	---	---

All Precipitation Depths in Inches. Equivalent precipitation intensities calculated in inches per hour
Statistical Distribution = Pearson Type III. Coefficient of Determination = 0.991.

Station: Wheatland 2NE, DWR Station No. A00-9605-00

Period of Record: 1940 -- 1974 (35-year period of record), with 1-hour base duration measurements.

Source: Rainfall Depth-Duration-Frequency for California: February 1981 (revised November 1982); Short Duration-Frequency Microfiche Updated 08-1986
California Department of Water Resources, Division of Planning, California DWR Bulletin No. 195 (Volume 1 and Volume 2).

TABLE B-4. Monthly Pan Evaporation Data And Water Balance

**Recycling Industries' Large Volume Transfer Station - 140 Epley Drive
Yuba City, California**

Month	Mean Monthly Total Evaporation ¹	Mean Monthly Total Precipitation ²	Net Monthly Water Balance
January	1.54	4.01	2.47
February	2.64	3.73	1.09
March	3.78	2.88	-0.56
April	5.63	1.53	-4.10
May	7.56	0.75	-6.81
June	9.17	0.22	-8.95
July	9.09	0.03	-9.06
August	7.76	0.06	-7.70
September	6.18	0.34	-5.84
October	4.29	1.21	-3.08
November	1.97	2.44	0.47
December	1.29	3.76	2.47
Average Annual Evaporation ²	60.90	20.96	-39.94
Notes	6 Monthly Obsvs Missing		
Distance	10.0 miles		
Direction	West northwest		
Elevation	42 feet MSL		
Period of Record	6.5 years (01/60 - 02/67)		

Class A Pan evaporation data and precipitation reported in inches

Class A Pan evaporation period of record = 7 years, less 6 consecutive months,

Source: State of California, Department of Water Resources.
Evaporation from Water Surfaces in California. Bulletin 73-79.

¹ DWR station number A00 9871-02 (Yuba City 7W)

² NWS Coop Station No. 04-5385-2 (Marysville)

TRANSFER/ PROCESSING REPORT

RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION
140 EPLEY DRIVE
YUBA CITY, CALIFORNIA

APPENDIX B, ATTACHMENT B-1

CLIMATOLOGIC DATA STATION DETAILS

CLIMATOLOGIC DATA STATIONS DETAILS

The following weather stations are potentially representative of conditions at the Project Site based upon proximity, elevation, reliable periods of record, and availability of data.

- ♦ The Yuba County Airport Station, National Weather Service (hereinafter "NWS") cooperative station No. 04-5388 (aka "KMYV" or "MYV"), is located at latitude 39° 05' 02"N, longitude 121° 34' 11" W (39.0978 N, 121.5697 W), at an elevation of 62 feet (NAVD88), and is operated jointly by the Federal Aviation Administration (hereinafter "FAA") and NWS.

The Yuba County Airport Station is located approximately 2.4 miles east-southeast of the Project Site and has been in operation since 1947. As a joint FAA/ NWS Station, The Yuba County Airport Station is furnished with an Automated Surface Observing System (hereinafter "ASOS"). An ASOS system (and predecessor Automated Weather Observing Systems) generate sensor observations at a set time frequency (generally between 1 minute and 1 hour). The available NOAA ASOS database from the National Center for Environmental Information (hereinafter "NCEI") includes a 42-year period of record, from January 1973 through December 2015 for wind data from the Yuba County Airport Station. This dataset consists of hourly observations.

It is likely that temperature and wind data from the Yuba County Airport Station are most representative of Project Site conditions among available data sources, and this Station was chosen the data source for temperature and wind.

- ♦ The Marysville Station, NWS cooperative station No. 04-5385-2 is located at latitude 39° 08' 45" N, longitude 121° 35' 09" W (39.1458 N, 121.5858 W), at an elevation of 57 feet NAVD88, and is operated by the NWS. The Marysville Station is located approximately 2.7 miles northeast of the Site and has been in operation since 1897, with a nearly continuous record of temperature and daily precipitation data available beginning during 1917. Daily precipitation data is populated with 97.8 percent of possible observations during the 91-

year period of record between 01 February 1917 and 31 October 2007 (the date to which the station record extends on the Western Region Climate Center (hereinafter “WRCC”) of the Desert Research Institute of University Of Nevada Reno (hereafter “DRI”) online database at the time of original issuance of this document). WRCC maintains certain databases of the National Climate Data Center, Asheville, North Carolina (hereinafter “NCDC”) – now the NCEI.

It is unlikely that temperature data from the Marysville Station is representative of Project Site conditions due the urbanized setting of this station and classification as a Class 5 (poor accuracy environment) temperature sensing station. It is likely that daily precipitation data from the Marysville Station is most representative of Project Site conditions among available data sources (with a favorably long period of record), and this Station was chosen the data source for averaged precipitation.

- The Wheatland 2NE Station, DWR Station No. A00-9605-00 (NWS cooperative station number 04-9605), is located at latitude 39° 01' 40"N, longitude 121° 23' 27" W (39.0278 N, 121.3908 W), at an elevation of 105 feet mean sea level (MSL or NGVD29), and is operated by DWR. The Wheatland 2NE Station is located approximately 13.2 miles east-southeast of the Project Site and has been in operation since 1940.

Some of the Wheatland 2NE Station dataset has been merged in the NOAA/ NWS database with data from the Wheatland Station (NWS cooperative station number 04-9604), which is located at latitude 39° 01' 00"N, longitude 121° 26' 00" W (39.0167 N, 121.4333 W), at an elevation of 84 feet MSL. The NOAA/ NWS database lists the Wheatland 2NE Station as NWS 04-9604 and located at an elevation of 84 feet MSL. Other data sources (DWR, 1986), do not contain any merged data.

Recording rain gauge precipitation data from the Wheatland 2NE station was collected for 1-hour base duration intervals for a 33-year period of record of 07-1940 through 06-1980. Recording rain gauge precipitation data from this station has been collected for 15-minute base duration intervals for a 34-year period of record from 10-1980 through 2014. The Wheatland 2 NE Station has a 97 percent data completeness for the period of 1940 through 2000 (NOAA Atlas 14, Vol 6, Rev 2), and an unknown percentage of data completeness thereafter. The Wheatland 2NE station is used by the County of Yuba for storm drain design (County of Yuba, Department of Public Works, 1994).

It is likely that both long-duration and short-duration precipitation depths calculated for various frequencies from this Station's data record are representative of conditions at the Project Site. The Wheatland 2NE Station dataset as available through DWR (1986) has been selected (on the basis that this Station dataset has not been merged) for both long duration and short duration precipitation depth probability calculation. DWR (1986) uses a Pearson Type III Statistical distribution for these calculations.

- ♦ The Marysville Pan Station, California Department of Water Resources (DWR) station number A00-5385-00, was located at latitude 39° 08' 46" N, longitude 121° 35' 04" W (39.1461° N, 121.5844° W), at an elevation of 60 feet MSL. The Marysville Station was operated by NWS, collecting Class A Pan evaporation data during the period of November 1949 through June 1953. The Marysville Station was located approximately 2.7 miles northeast of the Site, at a potentially representative elevation. This station would have been located near the junction of Levee Road and Ramirez Street in Marysville, within or adjacent to an environment that would have been urbanized during this period of record.

It is likely that Class A pan evaporation data from this station is potentially representative of the evaporative conditions of the Project Site based upon proximity, elevation, and location within/ adjacent to an urban environment. However, the short period of record (43 months) is deleterious to the pan evaporation data record from this station.

- ♦ The Yuba City 7W Station, California Department of Water Resources (DWR) station number A00-9871-02, was located at latitude 39° 07' 42" N, longitude 121° 44' 54" W (39.1283° N, -121.7483° W), at an elevation of 42 feet MSL. The Yuba City 7W Station was operated by DWR during the period of January 1960 through February 1967 (with 6 missing monthly totals occurring between January and June 1961). The Yuba City 7W Station was located approximately 7.5 miles west-northwest of the Project Site. This station would have been located near the intersection of Franklin Road and Acala Avenue, just northwest of what is now the Sutter Bypass. This Station was chosen as the data source for evaporation.

The Yuba City 7W Station would have been located within or adjacent to an environment that was rural/ agricultural land use during the period of record. Class A Pan evaporation for the Yuba City 7W Station is likely less than what would be anticipated at the Project Site (a paved and urbanized setting) and likely results an overly-conservative water balance calculation. In the event that stormwater detention is proposed at this Site in the future, adjustment to water balance should be made to adjust for difference in environmental setting effecting evaporation.

TRANSFER/ PROCESSING REPORT

RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION
140 EPLEY DRIVE
YUBA CITY, CALIFORNIA

APPENDIX B, ATTACHMENT B-1 REFERENCES

DWR - See State of California, Department of Water Resources.

HDSC - See National Oceanographic and Atmospheric Administration, Office of Hydrologic Development, Hydrometeorological Design Studies Center.

National Oceanographic and Atmospheric Administration. Office of Hydrologic Development, Hydrometeorological Design Studies Center. 2014. *NOAA Atlas 14: Precipitation-Frequency Atlas of The United States*. Volume 6, Version 2.3. 2011, Revised 2014.

NOAA - See National Oceanographic and Atmospheric Administration.

State of California, Department of Water Resources. 1979. *Evaporation from Water Surfaces in California*. Bulletin 73A79. May 1979.

State of California, Department of Water Resources, Division of Planning. 1986. *Rainfall Depth-Duration-Frequency for California*. February, 1981 (2 volumes); Revised November, 1982; Long Duration-Frequency microfiche updated April, 1983; Short Duration-Frequency microfiche updated August, 1986.

University of Nevada Reno, Desert Research Institute. 2017. *Online Database*. Website = <http://www.wrcc.dri.edu>. Website provides station metadata and access to quality-controlled records from the National Oceanographic and Atmospheric Administration National Climate Data Center. Accessed 29 May 2017.

UNR - See University of Nevada Reno, Desert Research Institute.

WRCC - See University of Nevada Reno, Desert Research Institute.

TRANSFER/ PROCESSING REPORT

**RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION
140 EPLEY DRIVE
YUBA CITY, CALIFORNIA**

APPENDIX B, ATTACHMENT B-2

WINDROSE DIAGRAMS

ATTACHMENT B-2: SUMMARY OF CONTENTS

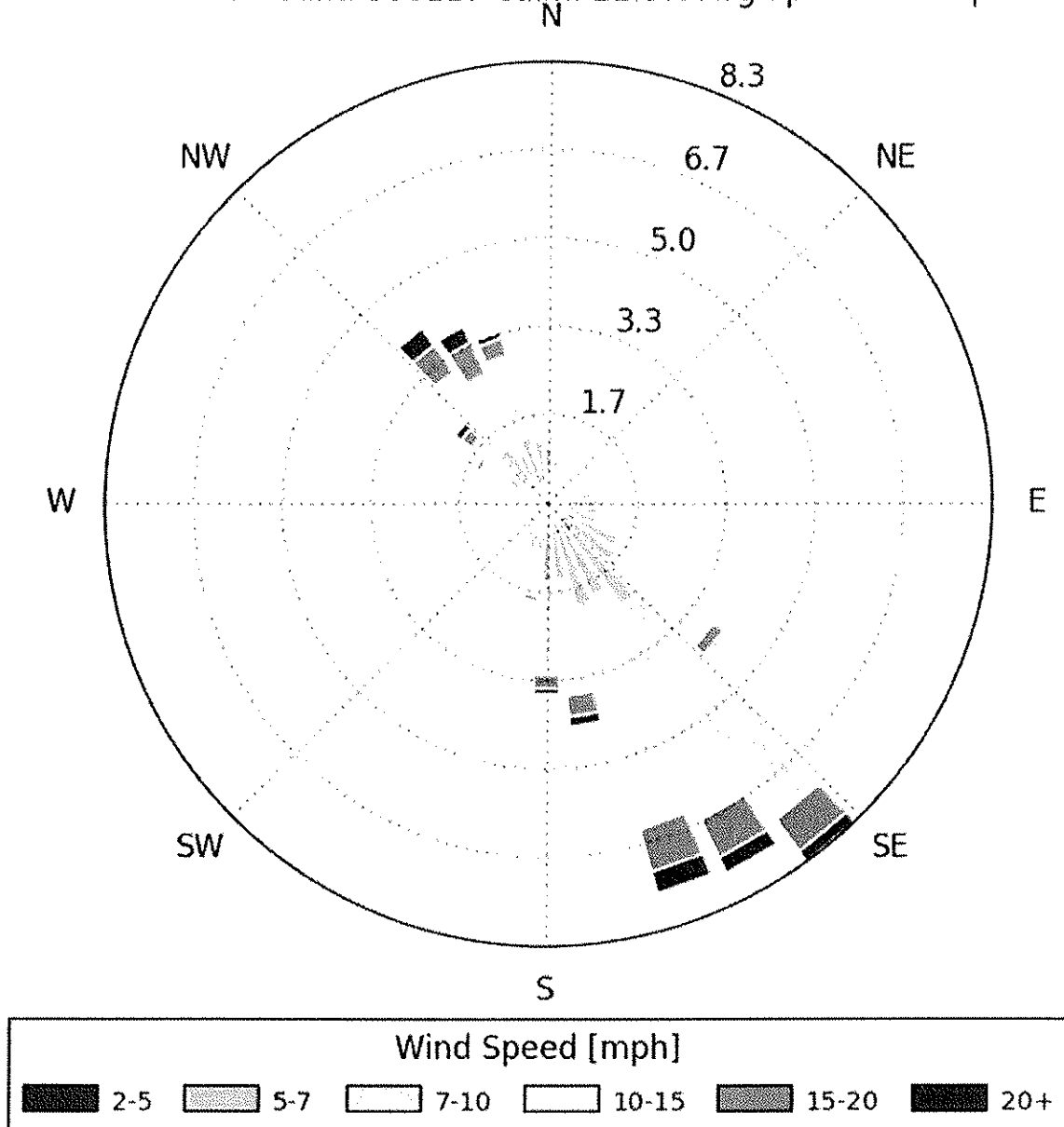
Yuba County Airport Station Windrose:	Annual Resultant Winds
Yuba County Airport Station Windrose:	January Resultant Winds
Yuba County Airport Station Windrose:	February Resultant Winds
Yuba County Airport Station Windrose:	March Resultant Winds
Yuba County Airport Station Windrose:	April Resultant Winds
Yuba County Airport Station Windrose:	May Resultant Winds
Yuba County Airport Station Windrose:	June Resultant Winds
Yuba County Airport Station Windrose:	July Resultant Winds
Yuba County Airport Station Windrose:	August Resultant Winds
Yuba County Airport Station Windrose:	September Resultant Winds
Yuba County Airport Station Windrose:	October Resultant Winds
Yuba County Airport Station Windrose:	November Resultant Winds
Yuba County Airport Station Windrose:	December Resultant Winds

[MYV] MARYSVILLE/YUBA CO.

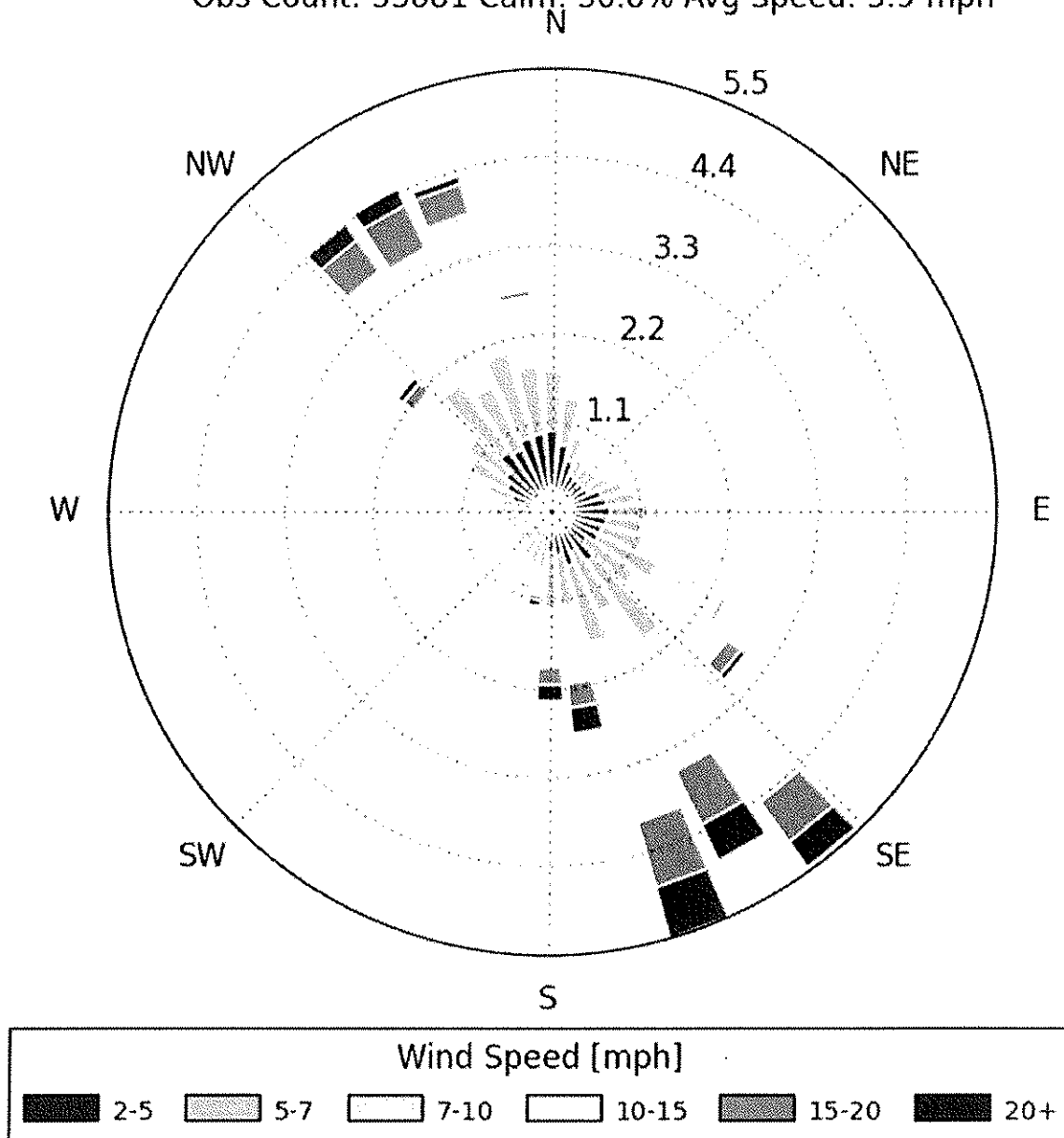
Windrose Plot [All Year]

Period of Record: 01 Jan 1973 - 01 Dec 2015

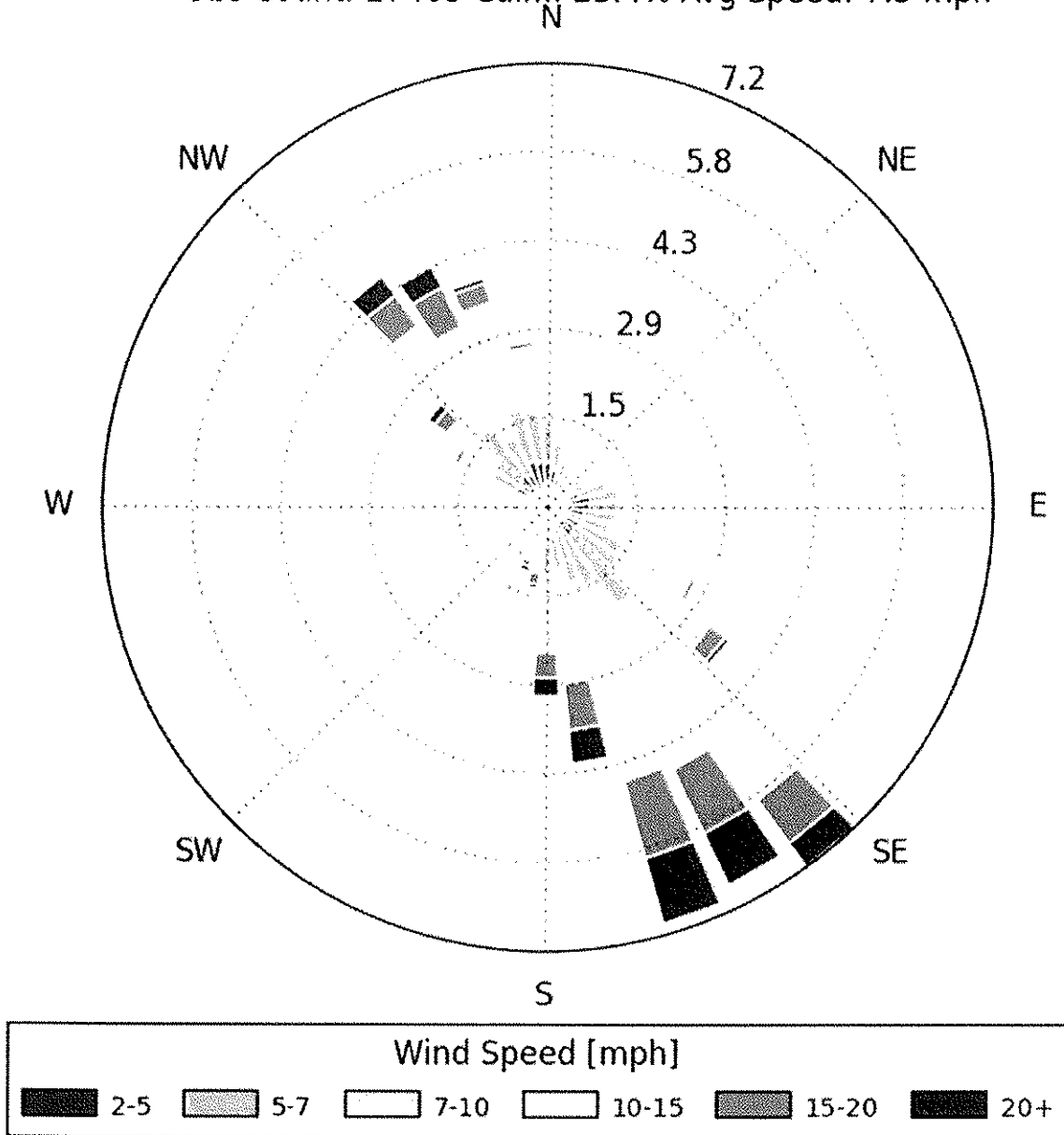
Obs Count: 338117 Calm: 22.8% Avg Speed: 7.1 mph



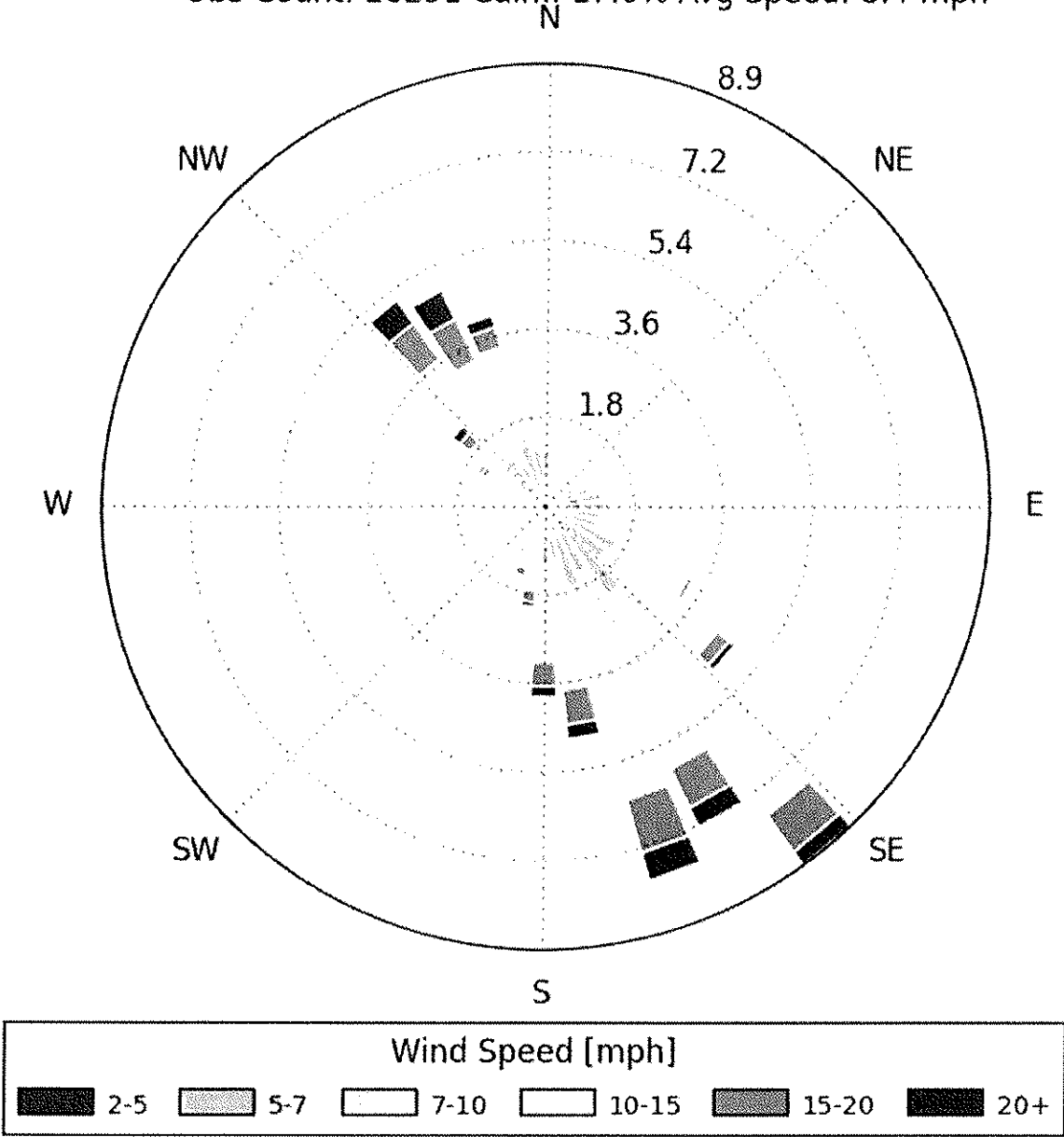
[MYV] MARYSVILLE/YUBA CO.
 Windrose Plot [Time Domain: Jan,]
 Period of Record: 01 Jan 1973 - 31 Jan 2015
 Obs Count: 33881 Calm: 30.8% Avg Speed: 5.9 mph



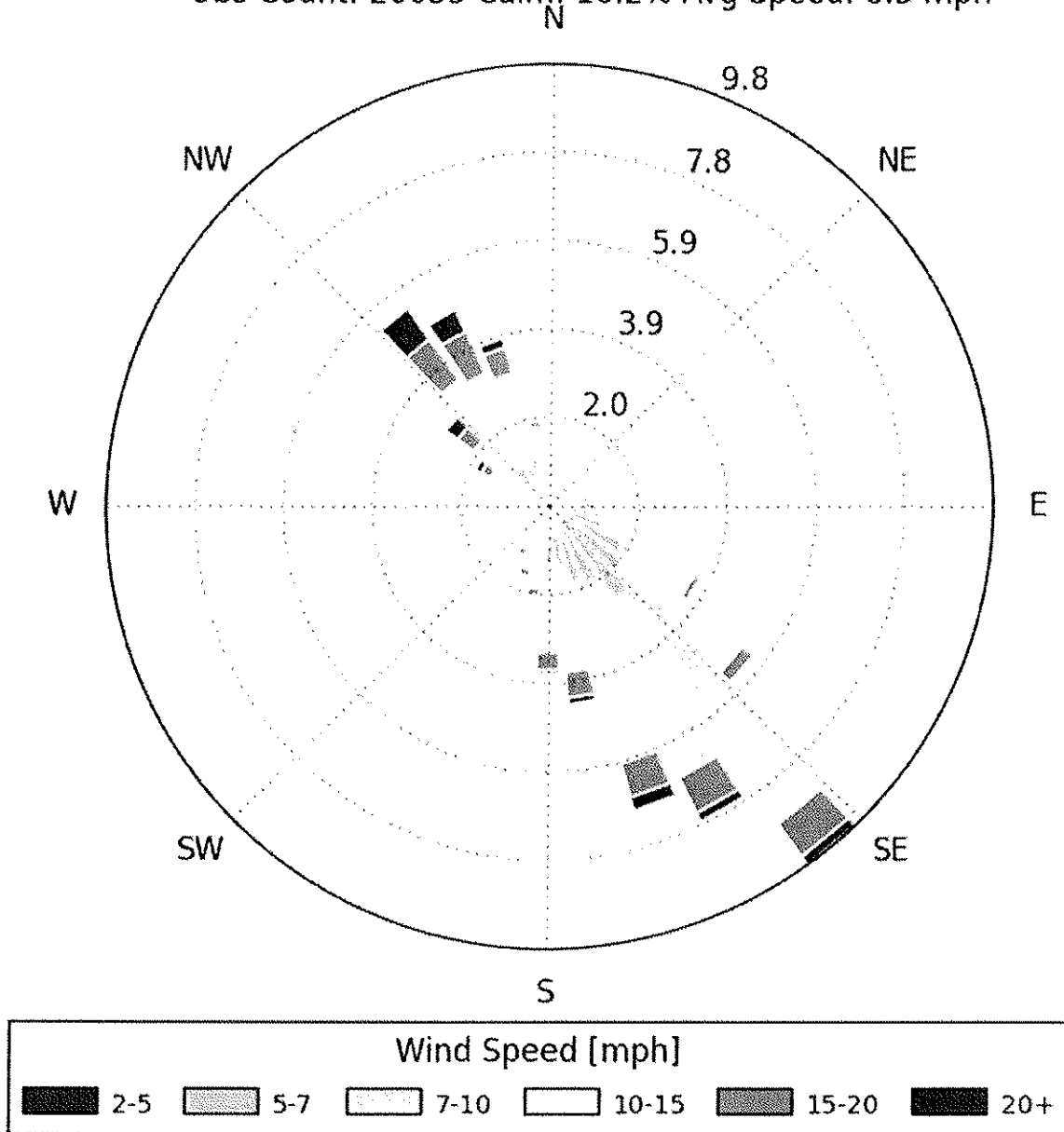
[MYV] MARYSVILLE/YUBA CO.
 Windrose Plot [Time Domain: Feb,]
 Period of Record: 01 Feb 1973 - 28 Feb 2015
 Obs Count: 27463 Calm: 23.4% Avg Speed: 7.5 mph



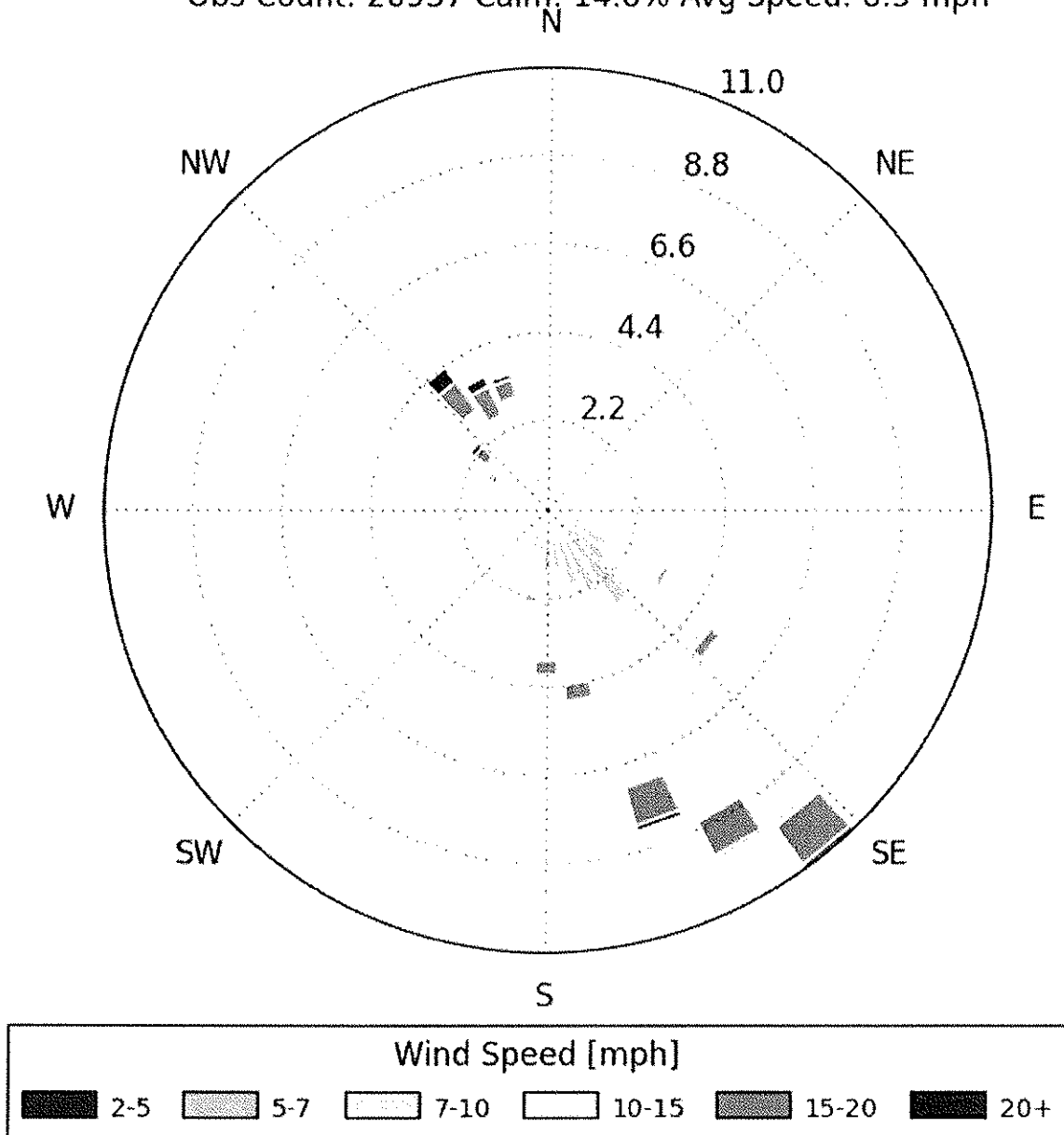
[MYV] MARYSVILLE/YUBA CO.
Windrose Plot [Time Domain: Mar,]
Period of Record: 01 Mar 1973 - 31 Mar 2015
Obs Count: 28291 Calm: 17.0% Avg Speed: 8.4 mph



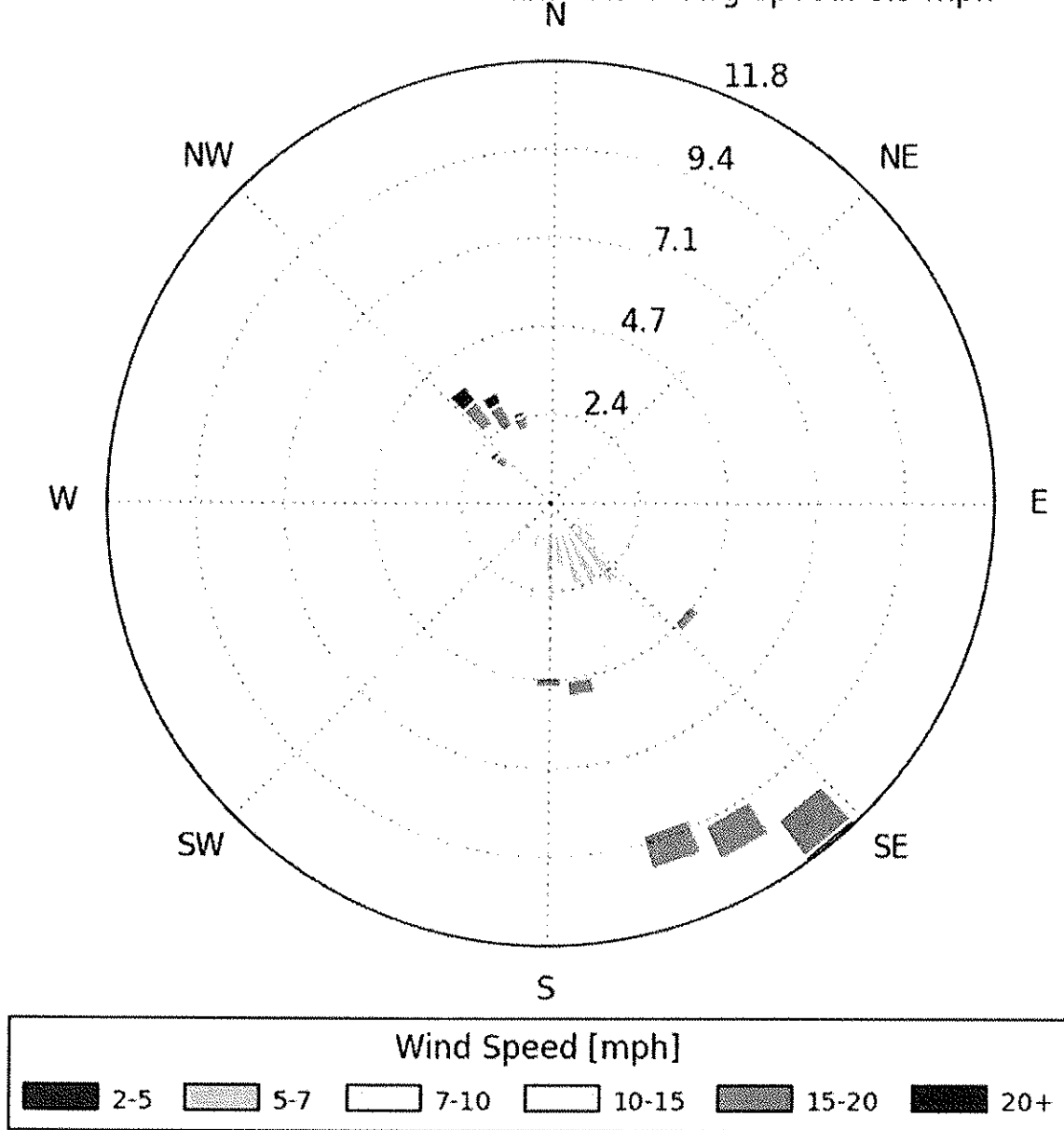
[MYV] MARYSVILLE/YUBA CO.
Windrose Plot [Time Domain: Apr,]
Period of Record: 01 Apr 1973 - 30 Apr 2015
Obs Count: 26633 Calm: 16.2% Avg Speed: 8.3 mph



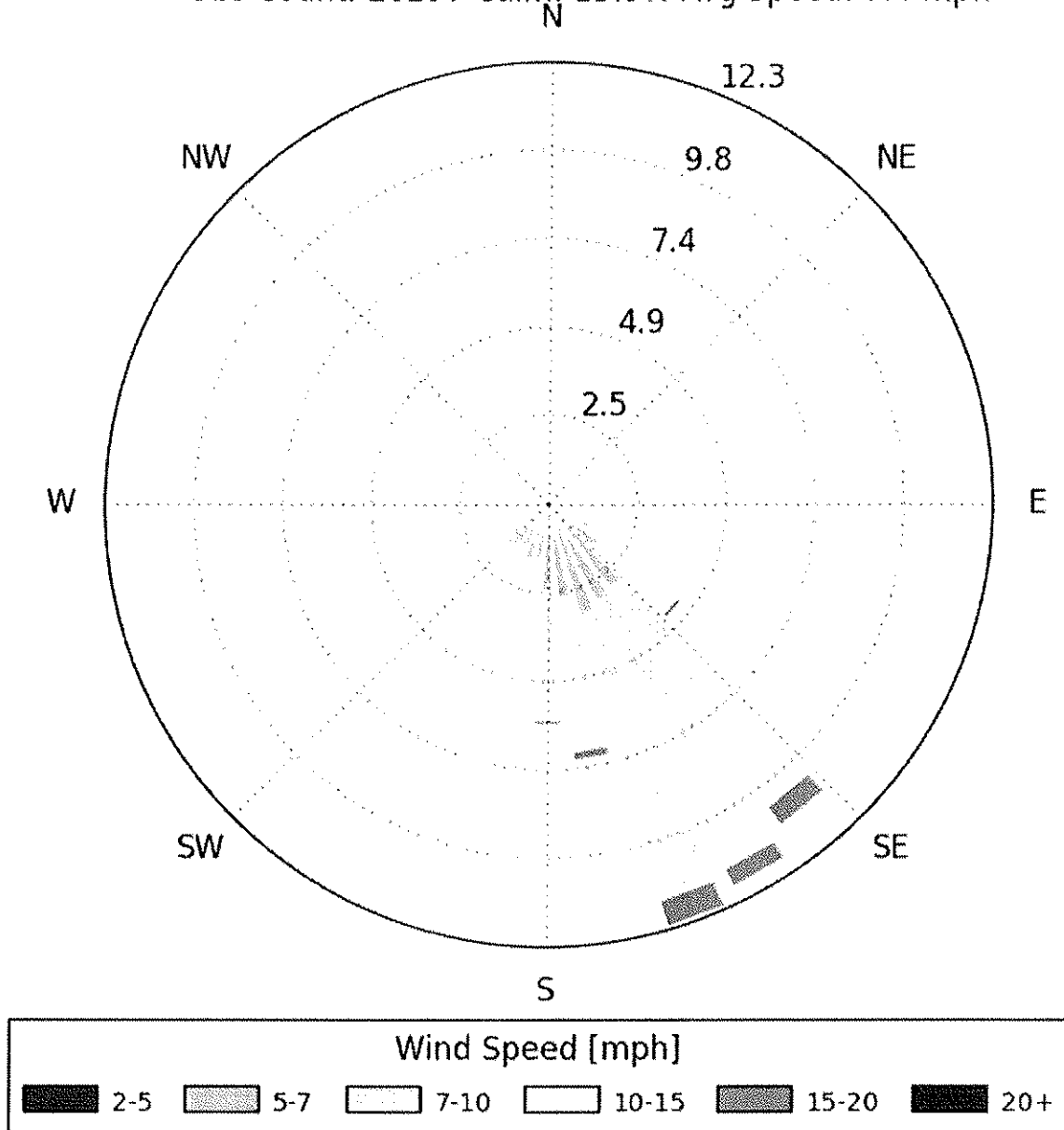
[MYV] MARYSVILLE/YUBA CO.
 Windrose Plot [Time Domain: May,]
 Period of Record: 01 May 1973 - 31 May 2015
 Obs Count: 26937 Calm: 14.8% Avg Speed: 8.3 mph



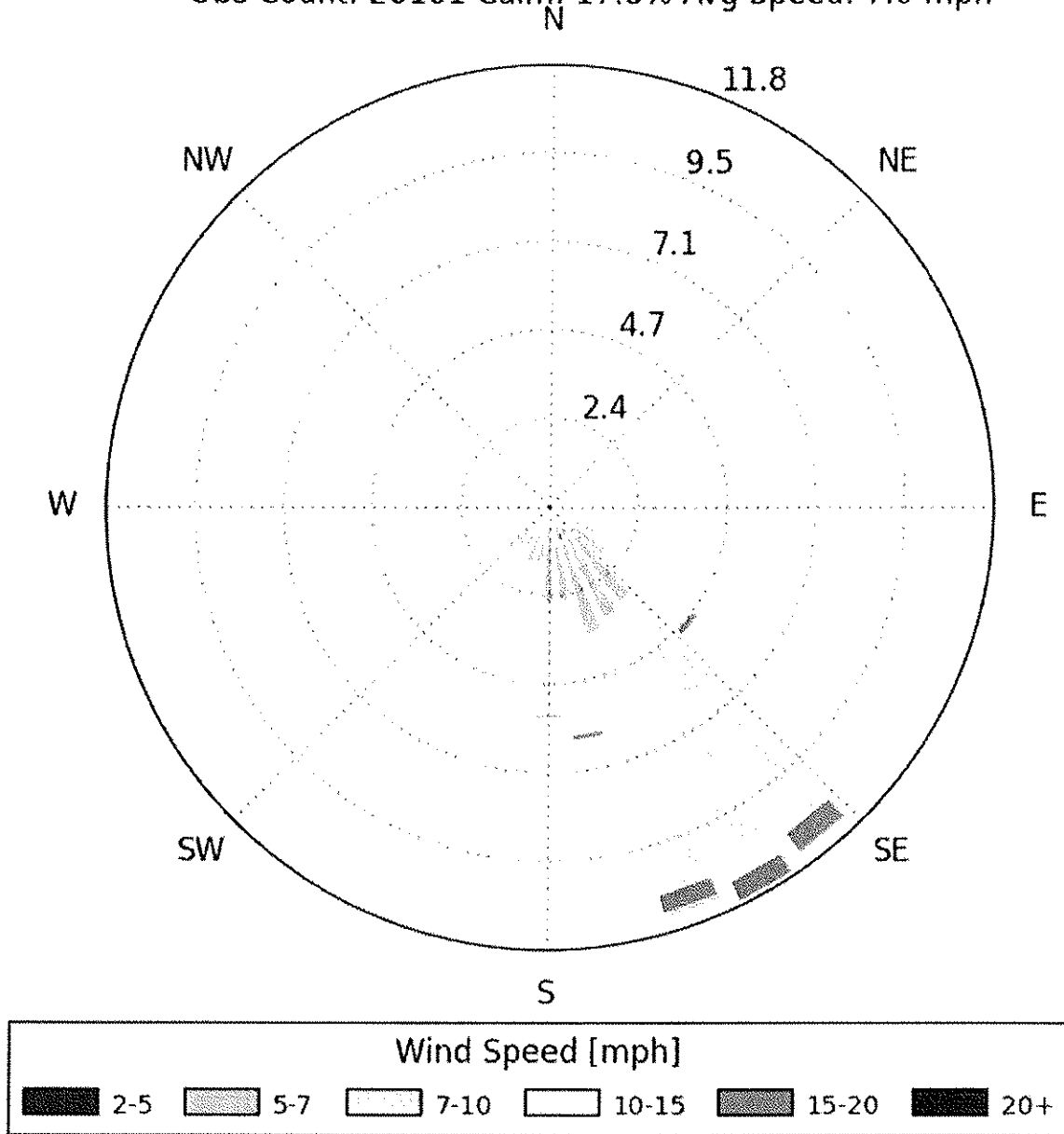
[MYV] MARYSVILLE/YUBA CO.
Windrose Plot [Time Domain: Jun,]
Period of Record: 01 Jun 1973 - 30 Jun 2015
Obs Count: 25633 Calm: 14.3% Avg Speed: 8.3 mph



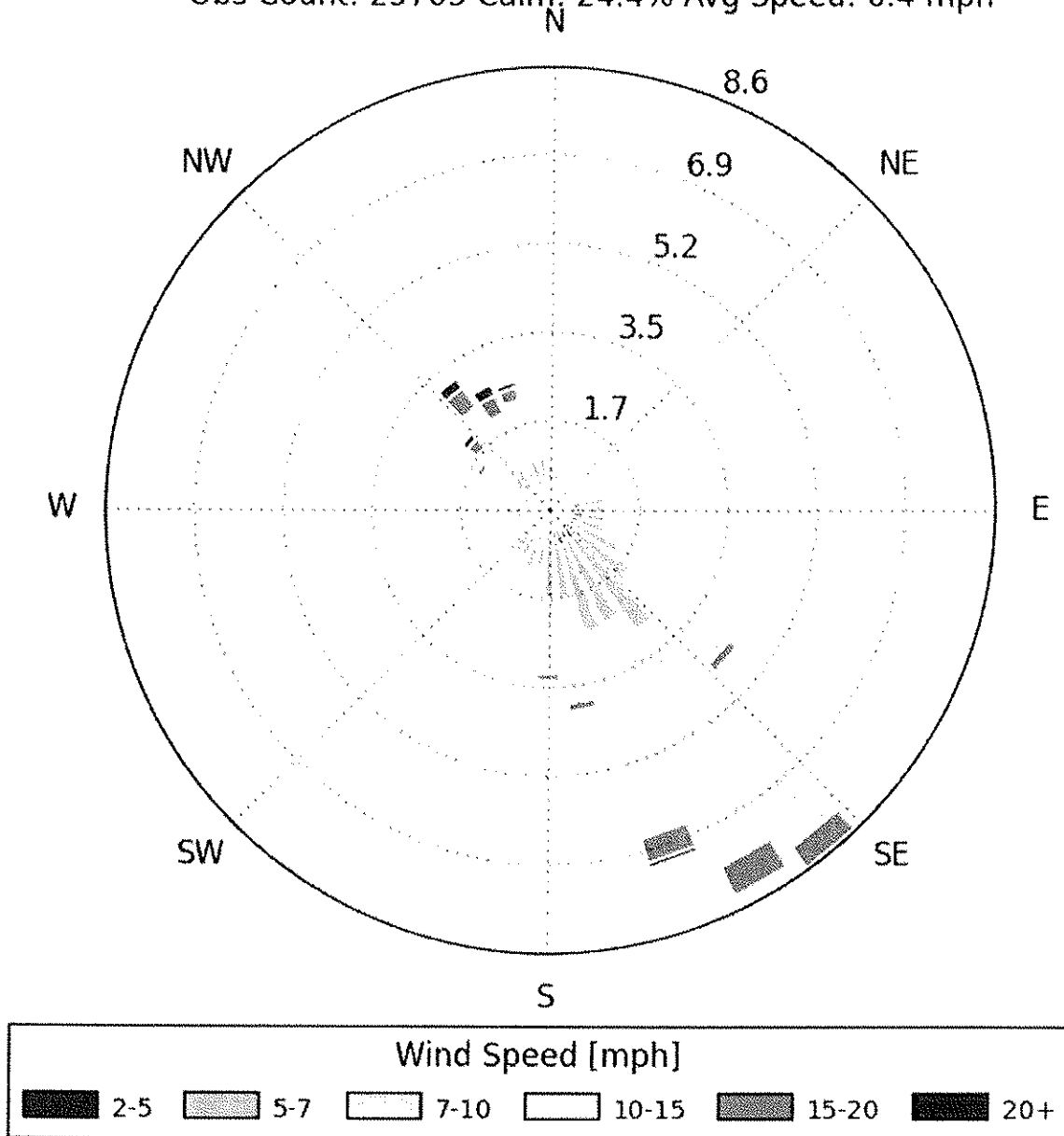
[MYV] MARYSVILLE/YUBA CO.
 Windrose Plot [Time Domain: Jul,]
 Period of Record: 01 Jul 1973 - 31 Jul 2015
 Obs Count: 26297 Calm: 15.9% Avg Speed: 7.4 mph



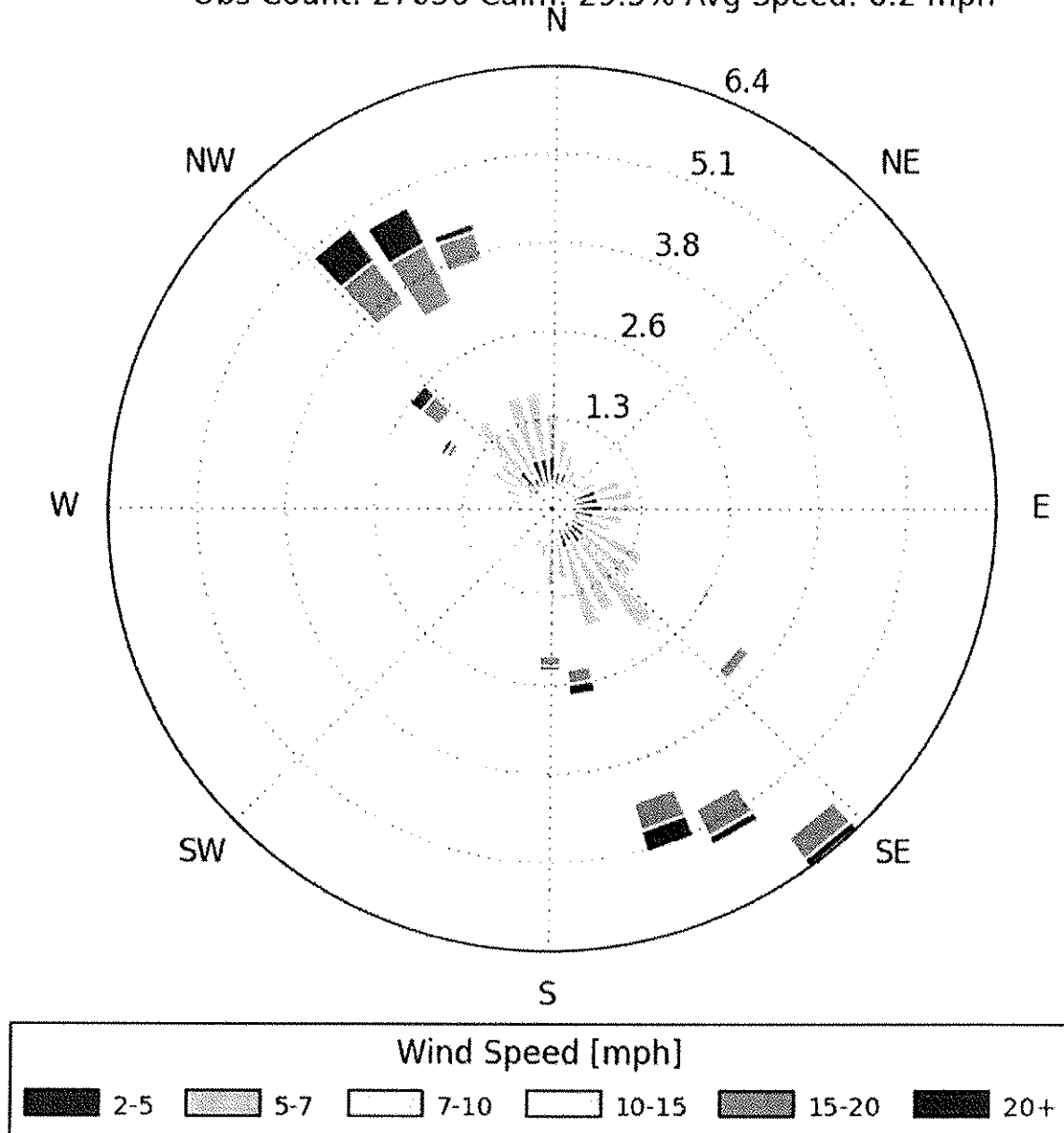
[MYV] MARYSVILLE/YUBA CO.
 Windrose Plot [Time Domain: Aug,]
 Period of Record: 01 Aug 1973 - 31 Aug 2015
 Obs Count: 26161 Calm: 17.8% Avg Speed: 7.0 mph



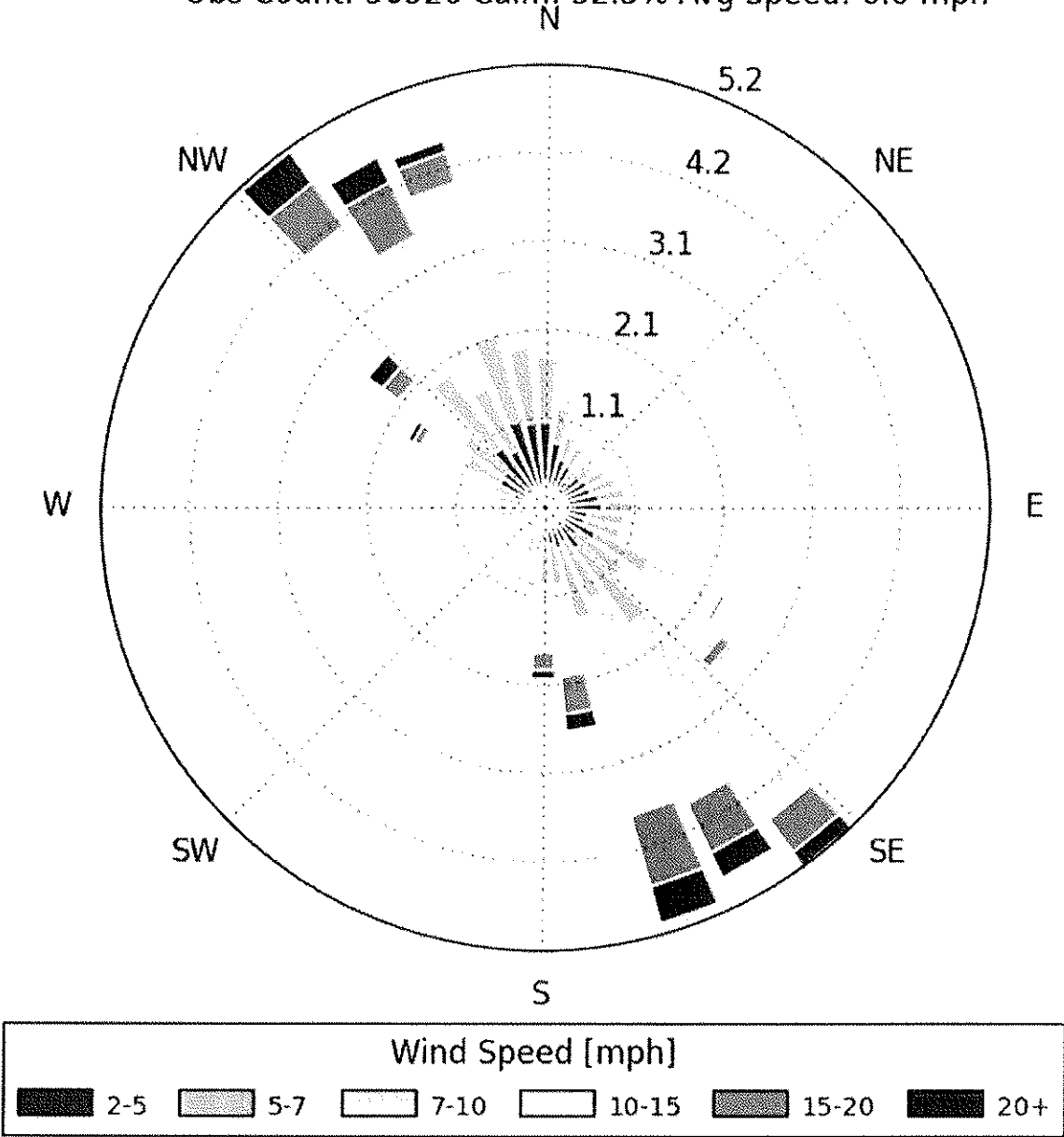
[MYV] MARYSVILLE/YUBA CO.
 Windrose Plot [Time Domain: Sep,]
 Period of Record: 01 Sep 1973 - 30 Sep 2015
 Obs Count: 25703 Calm: 24.4% Avg Speed: 6.4 mph



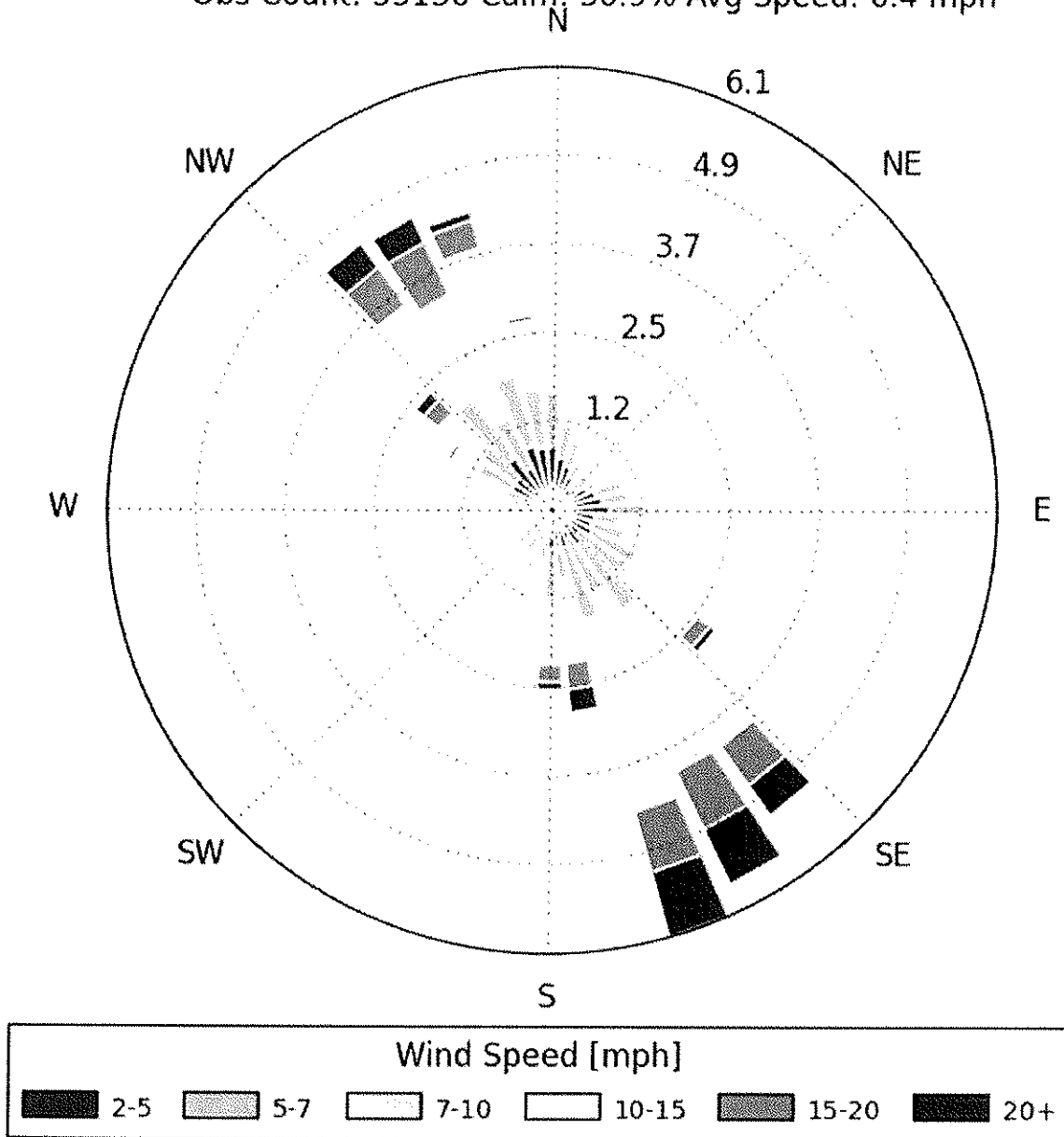
[MYV] MARYSVILLE/YUBA CO.
 Windrose Plot [Time Domain: Oct,]
 Period of Record: 01 Oct 1973 - 31 Oct 2015
 Obs Count: 27656 Calm: 29.5% Avg Speed: 6.2 mph



[MYV] MARYSVILLE/YUBA CO.
Windrose Plot [Time Domain: Nov,]
Period of Record: 01 Nov 1973 - 30 Nov 2015
Obs Count: 30326 Calm: 32.5% Avg Speed: 6.0 mph



[MYV] MARYSVILLE/YUBA CO.
 Windrose Plot [Time Domain: Dec,]
 Period of Record: 01 Dec 1973 - 01 Dec 2015
 Obs Count: 33136 Calm: 30.9% Avg Speed: 6.4 mph



TRANSFER/ PROCESSING REPORT

**Recycling Industries' Large Volume Transfer Station
140 Epley Drive
Yuba City, California**

APPENDIX C

Vicinity Zoning Information

TRANSFER/ PROCESSING REPORT

RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION 140 EPLEY DRIVE YUBA CITY, CALIFORNIA

APPENDIX C VICINITY ZONING INFORMATION

A zoning map (undated) furnished by Yuba City Development Services during May 2017 is provided in following. This map has been reformatted for presentation (size adapted to allow for document reproduction) but remains identical in content. Current zoning maps are available through Yuba City Development Services Department.

A Comprehensive Land Use Plan (CLUP) map for the Sutter County Airport, as furnished by Yuba City Development Services is also provided in following. This 2003 CLUP map was apparently produced by/ for Yuba City in support of City Ordinance codified within Title 8, Chapter 5, Article 36 of the Yuba City Municipal Code (Airport Influence Combining District).

The Clear Zone, Approach-Departure Zone, and Overflight Zones depicted on this 2003 map are in accordance with those established by the Airport Land Use Commission within the April 1994 CLUP. The CLUP map furnished by the City differs from the April 1994 map in that it includes updated parcel divisions within the various CLUP zones.

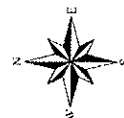
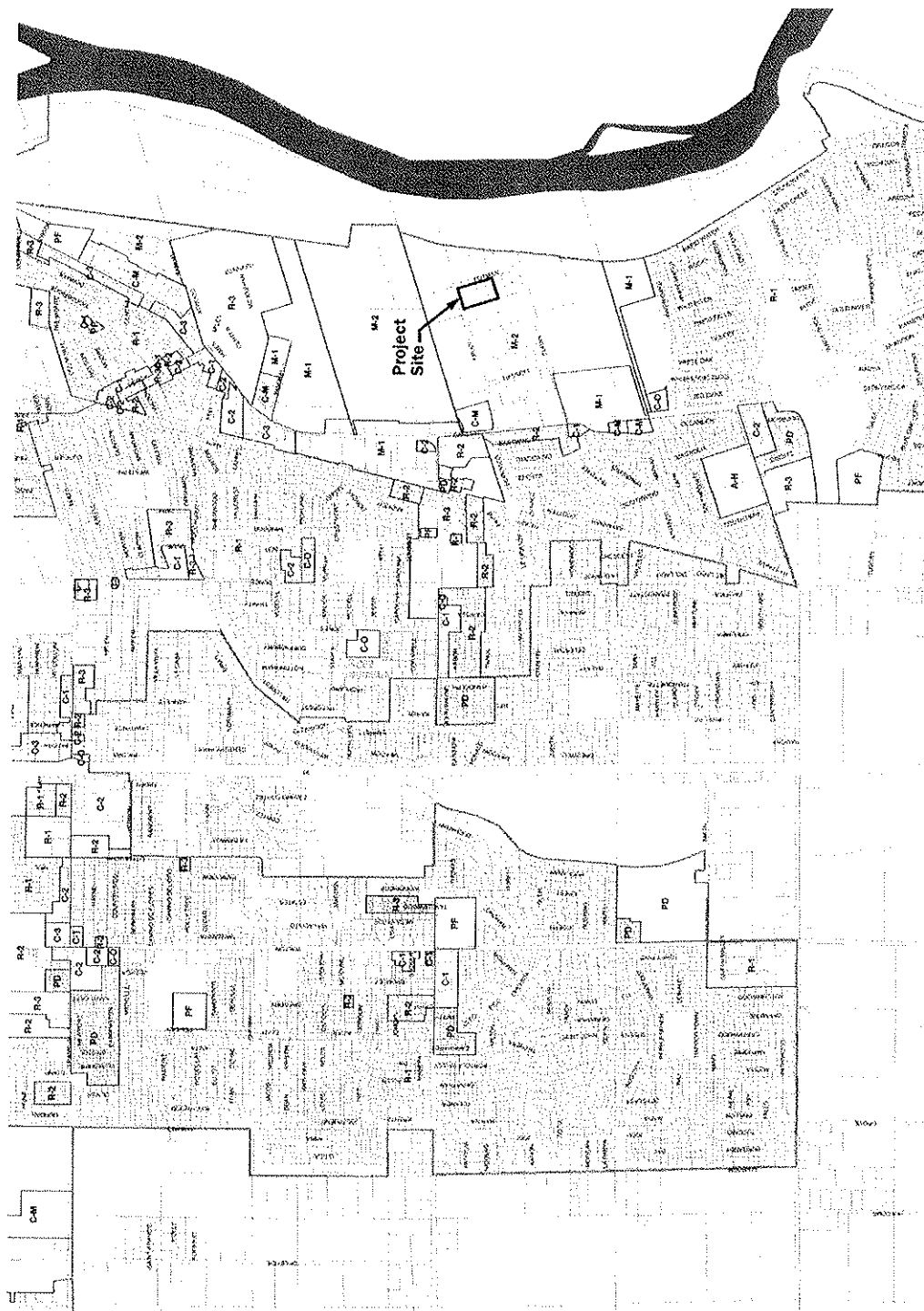
The April 1994 Airport Land Use Commission CLUP is available in its entirety as a PDF document from the Sacramento Area Council of Governments website (www.sacog.org/post/sutter-county).

SUMMARY OF CONTENTS

Vicinity Zoning Map (1 page).

Comprehensive Land Use Plan Map for the Sutter County Airport (09-2003, 1 page).

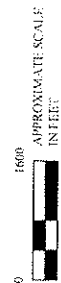
Facility Use-Density Estimate For Airport Approach-Departure Zones (2 pages).



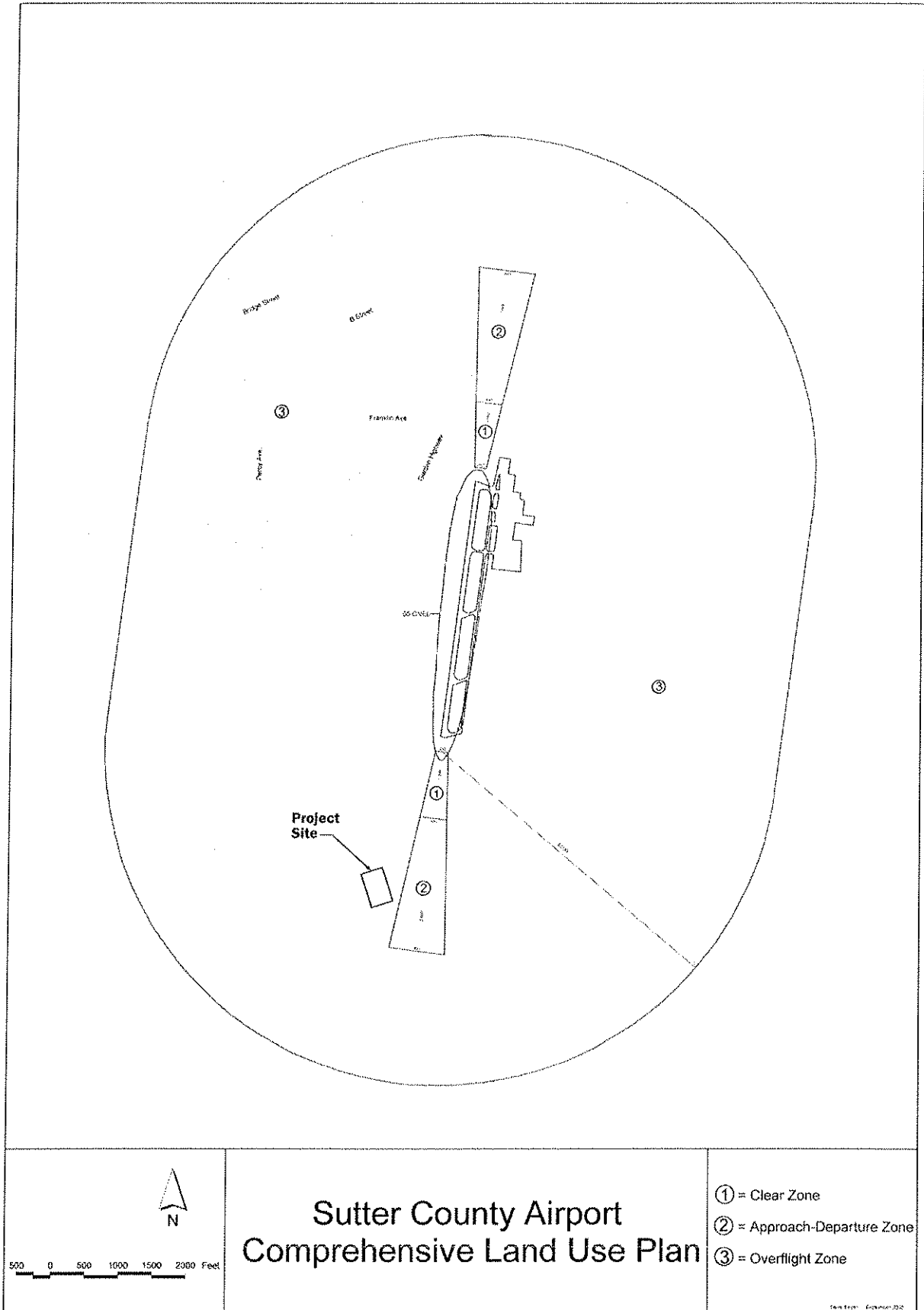
- Zoning
- Sphere Of Influence
- City Limits
- River

FIGURE C-1
VICINITY ZONING MAP

Recycling Industries' Transfer Station
 140 Epley Drive, Yuba City, California



REFERENCE: Adapted From: City of Yuba City Zoning Map
 Undated Map File Transmitted 2017-0524
 Source File Scale - 1" = 800 Feet



TRANSFER/ PROCESSING REPORT

RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION
140 EPLEY DRIVE
YUBA CITY, CALIFORNIA

APPENDIX C

FACILITY USE DENSITY ESTIMATE

The Recycling Industries Large Volume Transfer Station is located entirely within the "*Overflight Zone*" of the Sutter County Airport, and is **not** located within the "*Approach-Departure Zone*".

The Facility is accordingly not subject the use-density limitations within the more restrictive *Approach-Departure* Safety Zone of the Sutter County Airport CLUP (CLUP Safety Table, Footnote 2) for certain uses including land use for "Recycling and Transfer Stations". This footnote reads "*Uses compatible only if they do not result in a large concentration of people. A large concentration of people is defined as a gathering of individuals in an area that would result in an average of 25 persons per acre per hour during any 24-hour period ending at midnight, not to exceed 50 persons per acre at any time. (See Appendix A).*"

The use-density estimates below are provided for reference of those who may be enquiring about how estimated use-density for the Recycling Industries Large Volume Transfer Station (as located within the *Overflight Zone* and not subject to the use-density standards) compares to use-density standards for the more restrictive *Approach-Departure Zone* established by the CLUP.

Average use of the Facility is estimated at 177 customer & shipment vehicles per operating day (10 hours) for 2020, and 215 customer & shipment vehicles per 10 hour operating day for 2030, with 18 and 22 employees for 2020 and 2030, respectively. Conservatively assuming 1.5 average occupants per user vehicle, this equates to approximately 28 persons (2020) and 34 persons (2030) per hour (during a 10-hour operating day) occupying the 4-acre Site

For the per-acre use-density standard used within the CLUP, this equates to 7 persons per acre per hour average (2020) and 9 persons per acre per hour average (2030). These use-density metrics do not exceed the CLUP land use compatibility of 25 persons per acre per hour average during any 24-hour period.

Further assuming that a customer surge may result in concurrent presence of twice the average customer arrivals & shipments, the resultant use-density is 14 persons per acre (2020) and 17 persons per acre (2030). This is 28% and 34%, respectively, of the maximum of 50 persons per acre at any time for CLUP land use compatibility for the more restrictive *Approach-Departure Zone*.

Accordingly Facility use-density metrics do not exceed (or approach) the average hourly limit for the maximum limit set by the CLUP for the more restrictive *Approach-Departure Zone* (which is *NOT* the CLUP land use zone applicable to those parcels which comprise the Facility).

TRANSFER/ PROCESSING REPORT

**Recycling Industries' Large Volume Transfer Station
140 Epley Drive
Yuba City, California**

APPENDIX D

CEQA Documentation

TRANSFER/ PROCESSING REPORT

RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION
140 EPLEY DRIVE
YUBA CITY, CALIFORNIA

APPENDIX D

CEQA DOCUMENTATION

SUMMARY OF CONTENTS

Notice of Determination (for Mitigated Negative Declaration).

Endorsed/ Filed 28 July 2014 by the Sutter County Clerk.

(With California Department of Fish & Game Certificate), 2 pages.

Yuba City Planning Commission Public Hearing: 23 July 2014:

Mitigated Negative Declaration for Recycling Industries Transfer Station (EA 12-02); and

Use Permit for Recycling Industries Transfer Station (UP 12-01).

Yuba City Planning Commission Planning Commission Agenda (09 July 2014), 2 pages.

Mitigated Negative Declaration for Recycling Industries Transfer Station:

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

Document Details Report w/ Transmittal: SCH No. 2014052082 (26 June 2014), 2 pages.

Mitigated Negative Declaration for Recycling Industries Transfer Station:

Comment Letters from SCH Environmental Document Circulation,

California Department of Resources Recycling and Recovery (19 June 2014), 3 pages.

California Regional Water Quality Control Board Ventral Valley Region (18 June 2014), 4 pages.

EA 12-02: Initial Study and Mitigated Negative Declaration for

Recycling Industries Transfer Station: Use Permit UP 12-01.

City of Yuba City Community Development, Planning Division (23 May 2014), 33 pages.

FILED

JUL 28 2014

NOTICE OF DETERMINATION

To: Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

BOARD OF SUPERVISORS
DONNA M. JOHNSTON
Clerk of the Board
By *[Signature]*

From: City of Yuba City of Yuba City
1201 Civic Center Blvd.
Yuba City, CA 95993

☒ Sutter County Clerk

Project No.: EA 12-02

Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title:

Use Permit #UP 12-01
Recycling Industries Large Volume Transfer Station

State Clearinghouse Number
(If submitted to Clearinghouse)

Lead Agency
Contact Person:
Aaron Busch

Area Code/Telephone No.
(530) 822-4700

Project Location: Yuba City, Sutter County

Project Description: Use Permit for the conversion of their existing recycling center into a Large Volume Transfer Station which includes the construction of a new 25,000 square foot collection center building.

This is to advise that the Yuba City Planning Commission approved the above Use Permit at their July 23, 2014 meeting. At this meeting, the Planning Commission approved the above described project and has made the following determinations.

1. The project [/ / will / X/ will not] have a significant effect on the environment.
2. / / An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
/X/ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [/X/ were / / were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [/ / was / X / was not] adopted for this project.
5. A statement of Overriding Considerations [/ / was / X / was not] adopted for this project.
6. Findings [/ X / were / / were not] made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration/final EIR with comments and responses (as noted above) and record of project approval is available to the general public at the Yuba City Community Development Department, 1201 Civic Center Blvd., Yuba City, CA 95993.

[Signature]

Signature

7/28/14

Date

Acting Environmental Control Officer

Date received for filing and posting at OPR:



State of California—Natural Resources Agency
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
2014 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT#	51-2014-undefined
STATE CLEARING HOUSE # (if applicable)	

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY City of Yuba City			DATE 07/28/2014
COUNTY/STATE AGENCY OF FILING Sutter			DOCUMENT NUMBER EA 12-02
PROJECT TITLE Use Permit #UP 12-01 Recycling Industries Large Volume Transfer Station			
PROJECT APPLICANT NAME Recycling Industries			PHONE NUMBER (530) 822-4700
PROJECT APPLICANT ADDRESS 1201 Civic Center Blvd.	CITY Yuba City	STATE CA	ZIP CODE 95993
PROJECT APPLICANT (Check appropriate box): ☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity			

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	\$3,029.75	\$	0.00
☒ Mitigated/Negative Declaration (MND)(ND)	\$2,181.25	\$	2,181.25
☐ Application Fee Water Diversion (State Water Resources Control Board only)	\$850.00	\$	0.00
☐ Projects Subject to Certified Regulatory Programs (CRP)	\$1,030.25	\$	0.00
☒ County Administrative Fee	\$50.00	\$	50.00
☐ Project that is exempt from fees			
☐ Notice of Exemption (attach)			
☐ CDFW No Effect Determination (attach)			
☐ Other		\$	

PAYMENT METHOD:

☐ Cash ☐ Credit ☒ Check ☐ Other

TOTAL RECEIVED \$ 2,231.25

SIGNATURE 	PRINTED NAME AND TITLE Alicia Draves, Deputy Clerk of the Board
---------------	--

TO ADDRESS THE COMMISSION
PLEASE STEP TO THE ROSTRUM &
STATE YOUR NAME & ADDRESS

Regular Meeting
July 23, 2014 – 6:30 p.m.
City Hall Council Chambers
1201 Civic Center Boulevard

YUBA CITY PLANNING COMMISSION
AGENDA

Commissioner Preet Didbal (Chairman)
Commissioner Karm Bains (Vice Chairman)
Commissioner John Sanbrook
Commissioner Paul Basi (*Sutter County Representative*)

Commissioner George Parker
Commissioner Daria Ali
Commissioner Jana Shannon

Roll Call

Pledge of Allegiance

Appearance of Interested Citizens*

Correspondence: - None

Commission Consideration: - None

Public Hearing:

1. Use Permit for Recycling Industries Transfer Station. File #'s UP 12-01 and EA 12-02: Recycling Industries is proposing to expand their existing recycling facility located at 140 Epley Drive into a Large Volume Transfer Station that would receive 100 tons or less per day of additional mixed recyclables and solid waste. APN 54-083-023 & 54-083-014. Applicant/Owner: Dave Kuhnen, Recycling Industries

Commission Discussion: None

Other Business: None

Report on Actions of the City Council

Adjournment

Over

Persons dissatisfied with any decision of the Planning Commission may appeal such action to the City Council. Appeals, accompanied by a fee of \$681, must be filed with the City Clerk, 1201 Civic Center Boulevard, Yuba City, CA 95993 within 10 days of such action. If no appeal is filed within this time limit, the Planning Commission action becomes final. The exception to this is rezone requests. Please check with the Planning Division, 1201 Civic Center Boulevard, Yuba City for the procedure. Mailed notices of the Council hearings will be accomplished in the same manner as the Planning Commission hearings unless additional notice is deemed necessary.

If you require auxiliary aids or services (e.g., signing services) to make a presentation to the Planning Commission, the City will be glad to assist you. Please contact the City offices (530/822-4601) at least 72 hours in advance so such aids or services can be arranged. City Hall TDD: 530/822-4732.

*Members of the public may address the Planning Commission on items of interest that are within the City's jurisdiction whether or not such items of interest are on the agenda for this meeting. Members of the Commission will respond as best as they can to public comments but cannot take action or enter into a discussion on items not contained on the agenda. Public comment on public hearing agenda items will be permitted during the hearing.



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

RECEIVED

JUL 01 2014

Community Development

June 26, 2014

Aaron Busch
Yuba City
1201 Civic Center Boulevard
Yuba City, CA 95602

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) 323-8018 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

CLEAR

6/25/14

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RECEIVED

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

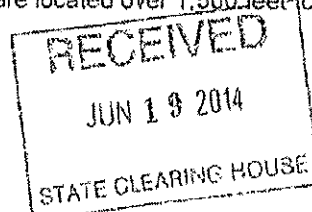
The City of Yuba City, Community Development Services Planning Division, acting as Lead Agency, has prepared and circulated an IS/MND in order to comply with CEQA and to provide information to, and solicit consultation with, Responsible Agencies in the approval of the proposed project.

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.



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?

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

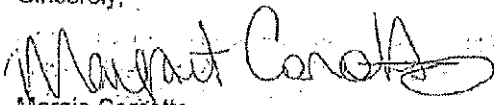
CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the environmental document and hopes that this comment letter will be useful to the Lead Agency in carrying out their responsibilities in the CEQA process.

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

E



Executive Director
State Water Resources Control Board

Matthew Rodriguez
Secretary
State Water Resources Control Board

Central Valley Regional Water Quality Control Board

18 June 2014

RECEIVED

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.

KARL E. LONGLEY S&D, P.E., DIR. | PAMELA C. CREEDON P.E., DCEE, EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

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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 (USACE). If a Section 404 permit is required by the USACE, 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 USACE 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

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

A handwritten signature in black ink, appearing to read "Trevor Cleak". The signature is stylized with a large, looped 'T' and a cursive 'Cleak'.

Trevor Cleak
Environmental Scientist

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



City of Yuba City
Development Services
Planning Division

1201 Civic Center Blvd. Yuba City, CA 95993 Phone (530) 822-4700

EA 12-2
Initial Study and Mitigated Negative Declaration for

Recycling Industries Transfer Station

Use Permit UP 12-01

Prepared for:

Yuba City Planning Commission
1201 Civic Center Blvd.
Yuba City, CA 95993

Prepared By:

City of Yuba City
Community Development
Planning Division
1201 Civic Center Blvd.
Yuba City, CA 95993

May 23, 2014



City of Yuba City
Development Services
Planning Division

1201 Civic Center Blvd. Yuba City, CA 95993 Phone (530) 822-4700

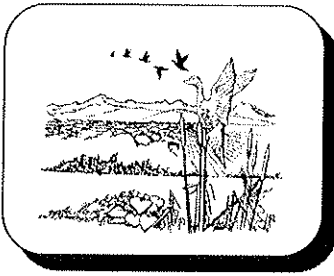
Introduction

This Initial Study has been prepared to identify and assess any anticipated environmental impacts resulting from the proposed construction of a Large Volume Transfer Station at 140 Epley Drive.

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Pub. Res. Code, Section 21000 *et seq.*) and the State CEQA Guidelines (Title 14 CCR §15000 *et seq.*). CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects.

The initial study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to use a previously prepared EIR and supplement that EIR, or prepare a subsequent EIR to analyze at hand. If the agency finds no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, a negative declaration shall be prepared. If in the course of the analysis, it is recognized that the project may have a significant impact on the environment, but that with specific recommended mitigation measures, these impacts shall be reduced to less than significant, a mitigated negative declaration shall be prepared.

In reviewing the site specific information provided for the above referenced project, the City of Yuba City Planning Division has analyzed the potential environmental impacts created by this project and a **mitigated negative declaration** has been prepared for this project.



City of Yuba City
Development Services
Planning Division

1201 Civic Center Blvd. Yuba City, CA 95993 Phone (530) 822-4700

Notice of Declaration

1. PROJECT TITLE:

Recycling Industries Transfer Station

2. LEAD AGENCY CONTACT PERSON:

Aaron Busch, Community Development Director

3. PROJECT LOCATION:

140 Epley Drive, Yuba City, CA

4. ASSESSORS PARCEL NUMBERS:

54-083-023, and 54-083-014

5. PROJECT APPLICANT:

Recycling Industries, Dave Kuhnen
140 Epley Drive
Yuba City, CA 95991

6. PROPERTY OWNER:

Recycling Industries, Dave Kuhnen
140 Epley Drive
Yuba City, CA 95991

7. GENERAL PLAN DESIGNATION:

Manufacturing, Processing and Warehousing

8. ZONING DESIGNATION:

M-2, Industrial

9. PROJECT DESCRIPTION:

In 2007 the applicant received City approval of a Use Permit (File UP 07-10) to relocate their existing recycling facility from its prior location in the 300 block of Wilbur Avenue to 140 Epley Drive. That proposal involved no expansion of use beyond that which previously existed at the applicant's prior location on Wilbur.

Now the applicant is proposing to expand the facility into a Large Volume Transfer Station. The Recycling Industries Transfer Station (RITS) would receive less than 100 tons 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. 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. Currently, the Yuba Sutter region has only one transfer station open to the public, which happens to be located in the northeast corner of the City of Marysville (Yuba County). However, over 60%¹ of the regions self-haul waste is generated within the City of Yuba City and the surrounding Sutter County area. Having a facility located in Yuba City will provide the public with closer access to discarding their residential and commercial recyclables and self-haul solid waste. The proposed facility will have the capability to recycle 50% - 80% of the material delivered, including self hauled waste. Recent data suggests that there is a tremendous opportunity to recycle more material generated out of self-haul deliveries by the public.² A facility in Yuba City will provide a closer alternative that will help increase recycling of material, reduce waste going to the landfills, reduce vehicle traffic on the bridges, and reduce carbon emissions. The proposed facility will also add needed back up capacity for the region in the event the only facility, located in Marysville, could not accept waste.

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, Sections 17402 and 17403. Given the request for 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 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 this environmental document.

In addition to the proposal being subject to compliance with the provisions of CCR Title 14

¹ City Council Workshop: Solid Waste Franchise, October 11, 2011; (City of Yuba City)

² Operations Review Recology Yuba Sutter, March 7, 2014; (Sloan Vazquez LLC)

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.

The design of the proposed facility includes the following major components:

- Administrative Offices
- Recyclable Receiving Area
- Sorting Equipment
- Two Ram Baler(s)
- Truck Scale
- Inventory Warehouse
- Loading Dock

The facility includes 25,000± square foot (sf.) in five existing buildings. The project would expand to construct a new 25,000± sf. receiving area with sorting and baling capabilities. The project Site Plan shows the location of the new building, receiving area, and new area to be paved as part of this operation plan.

Receiving Areas

The receiving tipping area will have four roll up doors that can be opened or closed when trucks are not on site. The tipping area will be large enough to dump six vehicles inside the building at the same time.

Inventory Storage Area for Recyclables

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.

Parking Areas

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. The parking areas are shown on the Site Plan. The facility has sufficient parking to accommodate employees and visitors to the facility. The facility design has set aside parking spaces for the company owned vehicles, employee vehicles, and visitor vehicles to minimize off-site parking. The facility will have a total of 53 parking spaces including 34 onsite spaces for vehicles and trucks and will utilize 19 spaces of off-site parking on the street.

The facility will be enclosed on all sides by a solid fence not to exceed six feet in height. The site will be used for the collection, sorting, and sales of recyclable material. The facility will accept recyclables and solid waste from source separated collection programs or self haul vehicles. The on-site stockpile of material will be less than 500 tons of recyclable material with residual solid waste material stored on-site no longer than two days.

10. SURROUNDING LAND USES:

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 the 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.



City of Yuba City
Development Services
Planning Division

1201 Civic Center Blvd. Yuba City, CA 95993 Phone (530) 822-4700

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☒ Aesthetics	Agricultural Resources	☒ Air Quality
Biological Resources	Cultural Resources	Geology/Soils
☒ Hazards & Hazardous Materials	Hydrology/Water Quality	Land Use/Planning
Mineral Resources	Noise	Population/Housing
Public Services	Recreation	Transportation/Traffic
Utilities/Service Systems	☒ Mandatory Findings of Significance	



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Determination

On the basis of this initial evaluation:

I find that the proposed project Could Not have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

- ✓ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.

Written comments shall be submitted no later than 30 days from posting date. Appeal of this determination must be made during the posting period.

Submit comments to:

Community Development
Planning Division
1201 Civic Center Blvd.
Yuba City, CA 95993

Initial Study Prepared by:

Aaron Busch, Community
Development Director
Yuba City Planning Division

Mitigation measures herein accepted by project applicant:

David Kuhnen
Recycling Industries

The public hearing for this item is scheduled for June 25, 2014, at 6:30 P.M. before the Planning Commission and will be held in the City Council Chambers located at 1201 Civic Center Blvd., Yuba City, California. The City Council will act on the project, upon receiving the recommendation of the Planning Commission.

Evaluation of Environmental Impacts:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analysis,” as described in (5) below, may be cross referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope and adequately analyzed in an earlier document pursuant to applicable

legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

- c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they addressed site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

Environmental Impacts and Discussion:

The following section presents the initial study checklist recommended by the California Environmental Quality Act (CEQA) to determine potential impacts of a project. Explanations of all answers are provided following each question and mitigation is recommended, as necessary.

I. AESTHETICS

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?		X		
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				X

Response to Questions:

- a) There are no officially designated scenic vistas in Yuba City; the project would therefore have no adverse effect on a scenic vista.
- b) There are no officially designated or eligible scenic highways in Sutter County by which this project would substantially damage a scenic resource.
- c) The 3 acre project site is currently developed with five buildings that total 25,000 square feet. The addition of the new transfer station facility will require the development of the southern undeveloped property. The proposed building will not degrade the existing visual quality of the site and the surroundings. Given the nature of the proposed use of the site as a transfer station however, concerns related to the collection, storage and distribution of recyclables and waste materials must be addressed. This includes the on-site storage of materials; and, the accumulation of debris on the property (both inside and outside of the perimeter fencing. According to the applicant and the information provided in the attached FPR, all materials brought to the facility will be unloaded inside the new building so that there is less opportunity for loose debris. Additionally, the RITS will require all loads brought to the facility to be covered with tarps which will further lessen the opportunity for loose materials on and off-site. In addition to the site being surrounded by an existing six foot high fence, there is also mature landscaping surrounding the site to screen the on-site materials from the surrounding public view.

Additional waste screening policies to meet or exceed State minimum standards are noted on pg. 26, 27, 36 (17407.5), and pg. 37 (17409.5) of the attached FPR.

- d) The project site is developed with City-approved lighting to provide lighting during the night time for safety purposes. The development of this project will not create a source of substantial light or glare that would adversely affect day or nighttime views in the area.

II. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?				X
c) Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural use?				X

Response to Questions:

- a-c) The property is currently zoned and developed with industrial development. The project site is not located on agricultural land, nor is it under a Williamson Act contract.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project?	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?		X		
b) Violate any air quality standards or contribute substantially to an existing or projected air quality violation?		X		
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X		
d) Expose sensitive receptors to substantial pollutant concentrations?		X		
e) Create objectionable odors affecting a substantial number of people?				X

Response to Questions:

a-c) The State of California and the federal government have established ambient air quality standards for numerous pollutants, which are referred to as Criteria Pollutants. These standards are categorized as primary standards, designed to safeguard public health, or as secondary standards, intended to protect crops and to mitigate such effects as visibility reduction, soiling, nuisance, and other forms of damage. Air quality is also regulated through emissions limits for individual sources of criteria pollutants, i.e., ozone (O₃), carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), suspended particulate matter (PM-10 and PM-2.5), and lead (Pb).

Pursuant to the California Clean Air Act of 1998, California has adopted air quality standards for the criteria air pollutants that are generally more stringent than the federal standards, particularly for ozone and PM-10 (particulate matter, less than 10 microns in diameter). Also, the State has adopted ambient air quality standards for some pollutants for which there are no corresponding national standards.

Under the California Clean Air Act and amendments to the Federal Clean Air Act, the United States Environmental Protection Agency (EPA) and the State Air Resources Board are required to classify Air Basins, or portions thereof, as either "attainment" or "non-attainment" for each criteria air pollutant, based on whether or not the national and state standards have been met. Yuba City is located in the Northern Sacramento Valley Air Basin (NSVAB). The NSVAB consists of the northern half of the Central Valley. Air quality monitoring has been conducted in the NSVAB for the last fifteen years and

the monitoring results have shown that the principal pollutants of the NSVAB, including Yuba City, are ozone and particulate matter. The Feather River Air Quality Management District (FRAQMD) was created in 1991 to administer local, state, and federal air quality management programs for Yuba and Sutter Counties.

It is estimated that this facility will reduce overall emissions generate in the region exceeding 309 tons per year of Carbon Dioxide equivalents.³ As a comparison, these Carbon Dioxide equivalents equate to the following:

1. Annual greenhouse gas emissions from 666,750 Miles/year driven by an average passenger vehicle
2. Carbon Dioxide emissions generated from 31,500 gallons of gasoline and from 300,789 pounds of burned coal.
3. Carbon sequestered by 7,180 tree seedlings grown for 10 years.

The region will not have a net increase in emissions from facility equipment.

Landfill gas emissions. The facility will decrease the amount of waste delivered to the Ostrom Road landfill (or other landfills) by approximately 10,000 tons per year.⁴ This amount of waste reduction would represent a potential emission reduction on landfill equipment of less than 2%. It is unlikely that this small reduction would actually reduce the equipment usage at the landfill.

- d) There are no sensitive receptors located in the vicinity of the project.
- e) Concerns regarding objectionable odors affecting a substantial amount of people are addressed through the design of the applicant operation plan and the requirements in the attached FPR. Potential odors associated with the operational activities are controlled within the confined tipping area and processing area of the enclosed building. In addition, other odor controls that may be implemented at the facility include: daily site inspections, cleaning the site daily of all loose material and litter, including cleaning boxes, bins, and containers on a regular basis. The facility will be swept daily. The largest component of the Odor Control plan will be that the material received will be clean and dry, mainly fiber material. The facility will not accept putrescent material or material containing over ten percent (10%) putrescent material. Odor control measures at the facility will include a misting system that can include a safe non-toxic odor neutralizing solution that can chemically reduce odors.

³ Greenhouse Gas Equivalencies Calculator (<http://www.epa.gov>)

⁴ Detailed Waste Composition: Overall Commercial Self-haul, Cal-Recycle, 2005

IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Response to Questions:

- a) There have been no special status species identified on the site or within the vicinity of the project site. According to the Yuba City General Plan EIR, the only designated special status vegetation species within Yuba City and its Sphere of Influence is the Hartweg's Golden Sunburst, a flowering plant that occurs primarily in the non-native grasslands and is threatened mostly by the conversion of habitat to urban uses. The habitat area for this particular species occurs at the extreme eastern boundary of the City's Planning Area at the confluence of the Feather and Yuba Rivers. This property does not fall within this area, and no adverse impacts to special status species will occur.
- b) As identified in the Yuba City General Plan EIR, there are no riparian habitats or any other sensitive natural communities within the vicinity of the project.
- c) There are no federally protected wetlands within the vicinity of the property.

- d) The proposed project will not interfere substantially with the movement of any native resident or migratory fish or wildlife corridors, or impede the use of native wildlife nursery sites. The project site is located in an urbanized area and thus experiences nominal wildlife movement.
- e) There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or any other approved local, regional, or state habitat conservation plans within the project vicinity.

V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				X
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?			X	
c) Directly or indirectly destroy unique paleontological resources or site or unique geologic features?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

Response to Questions:

- a) The proposed project will not cause a substantial adverse change in the significance of a historical resource. Staff performed a visual inspection of the project site and found no historical resources as defined by Section 15046.5 of the California Environmental Quality Act.
- b-d) There are no known resources located on the site. Because of the past ground disturbance, it is unlikely that any paleontological or archeological artifacts exist in the area. However, the following condition will be placed on the project:

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.

VI. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault?				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?				X
c) Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
d) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

Response to Questions:

- a-b) According to the Environmental Impact Report prepared for the City's General Plan, erosion, landslides, and mudflows are not considered to be a significant risk in the City limits or within the Urban Growth Boundary. No active earthquake faults are known to exist in Sutter County, although active faults in the region could produce motion in Yuba City. However, potentially active faults do exist in the Sutter Buttes. The faults are considered small and have not exhibited activity in recent history (last 200 years).

In the event of a major regional earthquake, fault rupture or seismic ground shaking could potentially injure people and cause collapse or structural damage to existing and proposed structures. Ground shaking could potentially expose people and property to seismic-related hazards, including localized liquefaction and ground failure. All new structures are required to adhere to current California Uniform Building Code (CUBC) standards. These standards require adequate design, construction and maintenance of structures to prevent exposure of people and structures to major geologic hazards. General Plan Implementing Policies 9.2-I-1 through 9.2-I-5 reduce impacts to less than significant. Many of these base requirements are also contained in the ENGEO, Inc.

report, including recommendations for site preparation/grading, foundation design, wall construction, etc.

- c) The extreme southwest corner of the Yuba City Growth Boundary is the only known area with expansive soils. The project site is not located within this area and therefore will not be impacted by the presence of expansive soils.
- d) The project will not require the use of septic tanks or alternative waste water disposal systems.

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X		
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			X	
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	

Response to Questions:

- a-b) Only non-hazardous municipal solid waste and recyclables will be accepted at the RITS. This includes municipal solid waste generated by the residential and commercial self haul customers and includes self-hauled solid waste. No designated, special, medical, liquid or hazardous wastes will be accepted. A Hazardous Waste Load Check Program has been implemented to enforce this policy as noted in the project FPR.

Furthermore, in accordance with Title 22 of the California Code of Regulations, a hazardous waste screening program will be developed and implemented at the facility to detect illegally collected liquid, hazardous and/or special wastes (infectious wastes, dead animals, and sludge). Any non-acceptable items will be returned to the customer. RI will provide a list of acceptable locations to properly dispose of non-accepted material.

Any undetected hazardous wastes that are found will be properly manifested and transported off-site to a permitted disposal facility in accordance with local, state, and federal laws. RI will use video surveillance cameras to identify and attempt to contact the responsible party for the unauthorized delivery of material.

- c) The proposed project will not result in hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- d) The project will not create a significant hazard to the public or the environment.
- e) The project is located within the sphere of influence of the Sutter County Airport. The Sutter County Department of Public Works reviewed the project and noted that the Sutter County Airport Comprehensive Land Use Plan limits the project's average density to no more than 25 people per acre per hour in a 24-hour period or no more than 50 people per acre at any time. The applicant has noted that the average concentration of people per hour is less than 25 people, and that there will never be more than 50 people per acre on the site. The project will be conditioned to ensure that this requirement is metproject is not located within the sphere of influence of the Sutter County Airport.
- f) There are no private airstrips located within City limits or the City's Urban Growth Boundary.
- g) The proposed project will not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

VIII. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in flooding on- or off-site?			X	
d) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted water?			X	
e) Otherwise substantially degrade water quality?			X	
f) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	
g) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
h) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	

Response to Questions:

- a) The proposed project will not violate any water quality or wastewater discharge requirements. The facility will not use water as part of the operation and will not discharge water off site as a byproduct of the operation. With the zero waste water operation, the facility will not have any industrial waste water discharge.
- b) The City has adequate water entitlements from the Feather River as well as treatment/distribution capacity to accommodate any need associated with the project. The proposed project will not deplete the groundwater or interfere with groundwater recharge.
- c) The proposed project will not substantially alter the existing drainage pattern of the site or the area.
- d) The proposed project will not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial

additional sources of polluted water. As noted above under item a), the site will involve use of Best Management Practices and site improvements to collect storm water runoff from the site and help reduce any off-site drainage from occurring.

- e) The proposed project involves no activities that would otherwise degrade water quality.
- f-h) According to the Federal Emergency Management Agency, the City is considered to be outside of the 100-year flood plain. It is classified as such because of an extensive series of levees and dams along the Feather and Yuba Rivers which protect the city from potential flooding. Local drainage improvements, principally the Gilsizer Slough, Live Oak Canal, and detention ponds provide storm water relief within the urban area.

IX. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Response to Questions:

- a) The project is located on a site zoned for the proposed type of development. The project will not physically divide an established community.
- b) The proposed project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. The property has the appropriate General Plan designation and Zoning classification to accommodate the proposed project.
- c) There are currently no habitat conservation plans or natural community conservations plans within City limits or the Urban Growth Boundary with which the proposed project would conflict.

X. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X

Response to Questions:

- a-b) The proposed project is not expected to impact mineral resources. The project site has no known mineral resource value nor is there opportunity for mineral resource extraction.

XI. NOISE

Would the project result in:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Response to Questions:

- a-c) The proposed project will generate more noise than that which is currently generated by the existing recycling facility. To mitigate any potential noise impacts, unloading and sorting operations are confined to the interior of the building and will be properly sound-proofed and/or muffled. Employees working inside the building are given ear protection as necessary. In addition, a Hearing Conservation Program may be implemented at the facility to periodically measure interior and exterior noise levels at the facility. Noise measurements will be taken by an independent noise consultant during the first full-year of operations, and as needed thereafter to monitor long-term noise levels.

The proposed project is not anticipated to generate noise beyond what was anticipated in the Yuba City General Plan EIR. The proposed project will be required to comply with all applicable noise regulations, including the General Plan Noise and Safety Element. The proposed project will not expose persons to ground borne vibration or ground borne noise levels.

- d) Short-term noise impacts can be expected resulting from site grading and construction activities associated with the new building. Construction-related noise impacts will be less than significant because adherence to City Noise Ordinance standards is required, limiting the hours of operation for construction and use of heavy machinery.

During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. 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.

- e-f) The project is located in an airport land use planning area. However, people working in the project area will not be exposed to excessive noise levels from the airport, as the project is located more than ½ mile from the airport runway. There are no private airstrips in Yuba City.

XII. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Response to Questions:

- a-c) This project will not adversely affect housing nor will it induce substantial population growth or result in the displacement of affordable housing units.

XIII. PUBLIC SERVICES

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?			X	
ii) Police protection?			X	
iii) Schools?				X
iv) Parks?				X
v) Other public facilities?				X

Response to Questions:

ai-ii) The project site is currently located in the City and currently has Police and Fire protection. The Yuba City Police Department received project plans and did not comment on the project. The Yuba City Fire Department received the plans and indicated that the project would require fire sprinklers. The project will not result in any additional need for police or fire protection.

aiii) This project will not result in any additional need for educational government services.

aiv-v) This project will not result in any additional need for parks or other public facilities.

XIV. RECREATION

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Response to Questions:

- a-b) The proposed project will not increase the use of existing parks such that substantial physical deterioration of the facilities would occur. The proposed project is an industrial project that will not result in impacts upon any existing or planned recreational facilities.

XV. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
c) Result in inadequate emergency access?			X	
d) Result in inadequate parking capacity?				X
e) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Response to Questions:

- a) The Yuba City Engineering Division reviewed the proposed project and determined that a project of this size would not warrant improvements beyond those which have already been constructed in the vicinity of the project. The project will be conditioned to prohibit trucks from stacking in the public right-of-way as they wait for access to the site..
- b) The proposed project will be required to comply with the "Yuba City Standard Details" which are the design standards for public improvements. The Standard Details are also compatible with the American Disabilities Act criteria. These criteria are implements to ensure safety and accessibility for handicapped peoples.
- c) The Fire Department has reviewed the project plans and has indicated that with the inclusion of a fire sprinkler system, there is adequate emergency access.
- d) The proposed project includes adequate parking per Article 61 of the Yuba City Zoning Regulations.
- e) The proposed project does not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Response to Questions:

- a-e) The City of Yuba City has adequate water entitlements and treatment/distribution capacity in its plants to serve the project.
- f-g) Recology, Inc. provides solid waste disposal for the area. There is adequate collection and landfill capacity to accommodate the proposed transfer station use. If Recology's Ostram Road Landfill is unable to receive solid waste, then five other landfills located within a 70 mile radius of the RITS are available to accommodate this project's solid waste disposal needs. In addition and noted the FPR, this project anticipates reducing the existing demands for solid waste disposal. The operator anticipates diverting at least 50% of the inbound solid waste delivered to its site.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

Does the Project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important example of the major periods of California history or prehistory?			X	
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)		X		
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

- a) The project site is in an urbanized area with little biological value. The proposed project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate an important example of the major periods of California history or prehistory.
- b) The project does not create a situation with limited individual but cumulatively considerable impacts.
- c) The proposed project would create no adverse impacts, either directly or indirectly, to residents in the project area.

TRANSFER/ PROCESSING REPORT

**Recycling Industries' Large Volume Transfer Station
140 Epley Drive
Yuba City, California**

APPENDIX E

**Non-Disposal Facility Element Of Regional
Integrated Waste Management Plan**

TRANSFER/ PROCESSING REPORT

RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION
140 EPLEY DRIVE
YUBA CITY, CALIFORNIA

APPENDIX E

NONDISPOSAL FACILITY ELEMENT OF REGIONAL INTEGRATED WASTE MANAGEMENT PLAN

Public Resources Code 50001(c) requires that:

(c) The person or agency proposing to establish a solid waste facility shall prepare and submit a site identification and description of the proposed facility to the task force established pursuant to Section 40950. Within 90 days after the site identification and description is submitted to the task force, the task force shall meet and comment on the proposed solid waste facility in writing. These comments shall include, but are not limited to, the relationship between the proposed solid waste facility and the implementation schedule requirements of Section 41780 and the regional impact of the facility. The task force shall transmit these comments to the person or public agency proposing establishment of the solid waste facility, to the county, and to all cities within the county. The comments shall become part of the official record of the proposed solid waste facility.

Public Resources Code 50001(d) exempts updates of the nondisposal facility element from review and comment by the local Task Force:

(d) The review and comment by the local task force shall not be required for an update to a nondisposal facility element.

The Yuba-Sutter Regional Waste Management Authority ("RWMA") serves as the legislatively-allowed body tasked with the legislatively-mandated development of the Source Reduction and Recycling Element ("SRRE") and the Nondisposal Facility Element ("NDFE") of the regional Integrated Waste Management Plan pursuant to California Public Resources Code Section 40950 et seq. and PRC 41730 et seq., respectively (collectively, portions of the California Integrated Waste Management Act or "AB 939").

The associated AB 939 task force is comprised (as of January 2015) of 5 members from Yuba and Sutter county government, City representatives from Yuba City (1) and Wheatland (1), one representative from Beale Air Force Base, and 2 representatives from the incumbent solid waste franchise hauler (Recology Yuba-Sutter).

RWMA has developed AB 939 planning documents including the SRRE & NDFE, together with regional recovery goals, objectives, and policies in accord with these documents. Ordinances have been adopted by the JPA member jurisdictions to further these regional recovery goals and objectives.

An update to the NDFE was prepared by RWMA during September 2014 which included operation of Recycling Industries' large volume transfer station at 140 Epley Drive in Yuba City, with a design capacity of 500 tons per day and a diversion rate exceeding 15 percent.

This September 2014 NDFE update includes all elements pertinent to operations described for Recycling Industries' Large Volume Transfer Station pursuant to the TPR for facility capacity expansion with amended SWFP. Accordingly, the NDFE update has been completed in the manner stipulated within Public Resources Code 50001.

Copy of distribution this NDFE update from RWMA to the AB 939 Task Force members (Including JPA member jurisdictions) is provided in following. Copy of transmittal of this NDFE update from RWMA to the California Department of Resources Recycling is also provided in following.

SUMMARY OF CONTENTS

September 2014 NDFE update for the RITS with RWMA member distribution (4 pages).

September 2014 NDFE update for the RITS: Cal-Recycle NDFE update transmittal (3 pages).

REGIONAL WASTE MANAGEMENT AUTHORITY

Serving Sutter County, Yuba County, Live Oak, Marysville, Wheatland and Yuba City

RECEIVED

OCT 02 2014

To: AB 939 Local Task Force Members (list attached)

From: Keith Martin, Administrator *KM*

Date: September 30, 2014

Re: Regional Waste Management Authority Nondisposal Facility Element Update

Enclosed for your information and files is an update to the Regional Waste Management Authority's Nondisposal Facility Element Amendment relative to the proposed Recycling Industries Transfer Station in Yuba City.

Pursuant to AB 341 (Chapter 4.5, Statutes of 2011, Chesbro, AB 341) this update is not subject to review or comment by the local task force nor CalRecycle. California Public Resources Code section 41734.5 specifies that copies of the updated information shall be provided to the local task force and that the local task force shall not be required to review and comment on the updates to the nondisposal facility elements.

Please feel free to contact me or Alyson Burleigh at 866-393-1338 if you have any questions.

Enclosure

cc. Jeff Donlevy, Recycling Industries, Inc.
Alyson Burleigh, Aurora Environmental, Inc.

**Regional Waste Management Authority
Nondisposal Facility Element Update
(Yuba and Sutter Counties and the Cities of Live Oak,
Marysville, Wheatland and Yuba City)**

California state statutes and regulations require that no new nondisposal facility or expansion of an existing facility be granted a solid waste facility permit unless the facility or expansion is included in the host jurisdiction's Nondisposal Facility Element (NDFE).

A nondisposal facility is defined as any solid waste facility required to obtain a state solid waste facility permit from the California Department of Resources Recycling and Recovery (CalRecycle) except a disposal facility or a transformation facility (PRC Section 40151). Facilities which recover for reuse or recycling at least 5 percent of the total volume of material received by the facility and transfer stations which recover less than 5 percent of the volume of materials received for reuse or recycling are required to be included in the NDFE (PRC Section 41733).

Per PRC Section 41735(a), once an NDFE has been adopted, a regional agency shall update all information required to be included in the NDFE, including new, or proposed, nondisposal facilities and copies of the updates are required to be provided to CalRecycle and the local task force. Local task forces are not required to review and comment on the updates as was previously required and the NDFE is not subject to approval by CalRecycle.

The original NDFE and prior amendments were prepared as a joint document for the Cities of Live Oak, Marysville, Wheatland and Yuba City and for the unincorporated areas of Yuba and Sutter Counties. These jurisdictions belong to the Regional Waste Management Authority, which was formed pursuant to a Joint Powers Agreement (JPA). The JPA currently vests the Authority with the power to prepare, adopt and submit on behalf of the member jurisdictions the Regional Integrated Waste Management Plan and related documents, including the NDFE.

The NDFE adopted in 1994, and subsequently amended in 2001 and 2008, is now being updated to include a new transfer station facility proposed by Recycling Industries. The table on the following page presents the location and facility information for this facility.

**Recycling Industries Transfer Station
Large Volume Transfer Station**

Name of Facility	Recycling Industries Transfer Station (RITS)
Type of Facility	Large Volume Transfer Station
Location of Facility	140 Epley Drive, Yuba City CA 95991
Facility Capacity	Design capacity of 500 tons per day
Anticipated Diversion Rate (not needed for transfer stations that recover less than five percent of the incoming material)	Exceeding 15%, it is anticipated that the self haul material will have a diversion rate exceeding 50%
Participating Jurisdictions	All local jurisdictions in the surrounding area can use the facility. The facility will track and report the origin of all waste delivered to the facility. Disposal and diversion will be reported and allocated based on material type delivered.

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September 2014 Update

REGIONAL WASTE MANAGEMENT AUTHORITY

Serving Sutter County, Yuba County, Live Oak, Marysville, Wheatland and Yuba City

September 30, 2014

RECEIVED

OCT 02 2014

Mr. Spencer Fine
Local Assistance and Market Development Branch
CalRecycle
P.O. Box 4025
Sacramento, California 95812-4025

Re: Regional Waste Management Authority Nondisposal Facility Element Update

Spencer
Dear Mr. Fine:

Enclosed is an update to the Regional Waste Management Authority's Nondisposal Facility Element Amendment for your information and files.

Please feel free to contact me or Alyson Burleigh at 866-393-1338 if you have any questions.

Sincerely,



Keith Martin
Administrator

Enclosure

cc. Jeff Donlevy, Recycling Industries, Inc.
Alyson Burleigh, Aurora Environmental, Inc.

**Regional Waste Management Authority
Nondisposal Facility Element Update
(Yuba and Sutter Counties and the Cities of Live Oak,
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TRANSFER/ PROCESSING REPORT

**Recycling Industries' Large Volume Transfer Station
140 Epley Drive
Yuba City, California**

APPENDIX F

Facility Fire Prevention And Fire Countermeasures Summary

TRANSFER/ PROCESSING REPORT

RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION
140 EPLEY DRIVE
YUBA CITY, CALIFORNIA

APPENDIX F

FACILITY FIRE PREVENTION AND FIRE COUNTERMEASURES SUMMARY

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TRANSFER/ PROCESSING REPORT

RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION
140 EPLEY DRIVE
YUBA CITY, CALIFORNIA

APPENDIX F

FACILITY FIRE PREVENTION AND FIRE COUNTERMEASURES SUMMARY

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ATTACHMENT F-1 Combustible Solids Storage Configurations and Quantities

F.1 INTRODUCTION

This Facility Fire Prevention and Fire Countermeasures summary has been prepared at the request of, and for the exclusive use of Recycling Industries, Inc. ("RI" or "Operator"), for RI's recycling and solid waste management operations ("Facility" or "RITS") located at 140 Epley Drive ("Site"), City of Yuba City, California. This Facility has operated as a "Recycling Center" since 2009, accepting source-separated recycled materials from public customers for processing and shipment to markets. This Facility is currently permitted as a "Large Volume Transfer Station" ("LVTS") for solid waste acceptance, recyclable materials recovery, and residual materials transfer to land disposal.

The activities associated with the recycling and solid waste operations at this location are described in detail within the Transfer/ Processing Report ("TPR") for this facility, as most recently updated and/ or amended. In summary, these activities consist of acceptance of source-separated recyclable materials, mixed/ co-mingled recyclable materials, construction and demolition debris, wood waste materials, yard and garden trimming materials (accepted only from self-haul customers), and solid wastes (some of which include recoverable recyclable material content), as accepted from both self-haul customers (residential and commercial sources) and franchise-licensed haulers.

Processing of these materials at this Facility is limited to sorting of recyclable materials from the intake acceptance streams into recycled materials commodity classes for shipment to markets. No chipping, grinding, shredding, or other transformation processes are currently proposed to be conducted at this Facility. Manufacturing operations are limited to densification (baling) of fiber, plastic, and aluminum recycled materials for shipment to markets.

Materials to be accepted at this location are typified as source-separated recyclable materials, recyclable materials segregated from mixed wastes, and solid waste materials including:

- ♦ California Redemption Value beverage containers, including aluminum, glass, and polyethylene terephthalate ("PETE") containers;
- ♦ Other Recycled Plastics material including high density polyethylene ("HDPE") and low density polyethylene ("LDPE");
- ♦ Recycled Fiber Materials including old corrugated cardboard ("OCC") and various paper fiber materials suitable for recycling;
- ♦ Yard and Garden Trimmings (vegetative yard wastes, trimmings and cuttings from trees and shrubs, vegetative waste from fire hazard reduction, etc.);
- ♦ Wood Wastes (dimensional lumber from construction activity, lumber mill and re-saw mill scraps, and similar waste/ scrap wood and wood products);
- ♦ Comingled Recyclable Materials from residential curbside collection programs (blue can), commercial collection programs, and public self-haul customers; and

- ♦ *Mixed Municipal Solid Waste* (“MSW”) materials from commercial collection, residential curbside collection, and public self-haul (commercial and residential customers), ranging from some containing little to no recyclable content to some containing significant recyclable content.

Other waste materials accepted from customers for recycling include: Tires, Carpet and padding; Mattresses; White goods (major appliances), lead acid batteries, and ferrous & other metals. A complete description of materials accepted at this location is provided within the TPR for this Facility.

Hazardous wastes, universal wastes, and regulated medical wastes are prohibited from acceptance at this location, with the following exceptions:

- ♦ Discarded electronic devices (“e-waste”) are accepted and consolidated for shipment to recycling markets;
- ♦ Lead-acid batteries are accepted for consolidation thence shipment to recycling markets; and
- ♦ Treated wood that has been removed from customers’ loads is managed and temporarily stored in compliance with requirements of the California Department of Toxic Substances Control, and is removed from the Site at least once each 90 days.

All other hazardous wastes, universal wastes and regulated medical wastes are prohibited from intentional acceptance at this Facility, however, such wastes may be discovered as co-disposed of together with other materials that are accepted at this Facility. RI conducts load screening in attempt to exclude these materials, and RI executes a continuous load-check program to remove such wastes prior to sending residual materials to landfill disposal. Hazardous wastes, universal wastes and regulated medical wastes removed through the load-check program are temporarily stored in UL-listed storage lockers located to the north of *Building No. 6* and west of relocated *Building No. 2* (see Section F.2.3 below). Estimated typical and maximum volumes of flammable and combustible liquids stored in these lockers is enumerated in Table F-1. These wastes are removed from the Site at least once each 90 days.

Used lubricating & hydraulic oils are temporarily stored at the Site in the typical and maximum volumes enumerated in Table F-1, and also removed from the Site at least once each 90 days. No other hazardous waste materials other than those enumerated above are stored on-site.

Purpose, intent, and scope of this Facility Fire Prevention and Fire Countermeasures summary are outlined in Section F.1.1, Section F.1.2, and Section F.1.3 below.

F.1.1 Purpose

The purposes of this Facility Fire Prevention and Fire Countermeasures summary are:

- 1) To provide a descriptive document that may be kept on file at the local fire agency, so that fire and life safety professionals may familiarize themselves with the quantity and configuration of combustible materials that may be stored at this Facility, the quantity and location of other combustible and flammable materials (i.e. motor fuel, lubricating and hydraulic oils) stored at the Site, the available access and internal circulation for response to incidents, and the on-site resources, such as operations equipment available at the Site in for fire responders' use in the event of fire incidents;
- 2) To provide demonstration of the Operator's compliance with Section 2808 of Title 24 of the California Code of Regulations ("24 CCR"), Part 9 ("*The California Fire Code*": 2013 Edition) including recycling facilities which are engaged in piled storage of yard wastes and wood debris (California Fire Code Article 28), as well as outdoor storage of loose combustible fibers (per 24 CCR Section 3704.1 reference to Article 28);
- 3) To provide demonstration of the Operator's compliance with 24 CCR Section 3705 for baled combustible fibers; and
- 4) To provide demonstration of the Operator's compliance 14 CCR Section 17409.3 and 17415.2, pertaining to Cal Recycle stipulations concerning materials storage and firefighting equipment, respectively.

F.1.2 Intent

The intents of this Facility Fire Prevention and Fire Countermeasures summary are:

- 1) To minimize the potential of ignition of flammable and combustible materials though certain restrictions on activities (such as smoking), and other operational controls (such as setting forth controls and restrictions for hot work);
- 2) To provide description of reasonable countermeasures for initial attack of small spot fires as may be ignited from engines, equipment operation and hot work and to provide protocols for attempted isolation of minor ignitions while the local fire agency is responding to the incident;
- 3) To establish protocols for reasonably anticipated special occurrence incidents such as "*hot loads*"; and
- 4) To provide description of fire agency access and fire suppression infrastructure so that upon arrival the local fire agency can be familiar with Facility and the resources available to discharge their fire and life safety duties upon assumption of incident command.

It is **NOT the intent** of this Facility Fire Prevention and Fire Countermeasures summary to provide protocols for Recycling Industries' operations staff to extinguish conflagrations at this Facility. Site operations staff may have the ability to attempt to control small spot fires ignited by reasonably anticipated sources while awaiting local fire agency response. Recycling Industries' operations staff does not have the depth of fire and life safety training nor the personal protective equipment to prosecute extinguishing a conflagration.

Nothing in this this Facility Fire Prevention and Fire Countermeasures summary is intended, nor shall it be construed, to supplement or to replace employee health and safety programs which are required by Recycling Industries' employee health and safety policies, or otherwise required by law. This Facility Fire Prevention and Fire Countermeasures summary should not be used as a reference or guide to establish safe practices for the Operator or the Operator's employees in response to a fire or any life safety incident. This Facility Fire Prevention and Fire Countermeasures summary should not be relied upon in lieu of the Operator's formal employee training in emergency response protocols at the Site.

F.1.3 Scope

This Facility Fire Prevention and Fire Countermeasures summary has been prepared for, and its applicability is limited to, the operations of Recycling Industries, as conducted at this particular facility, and is further limited to those operations as specifically identified in the associated TPR describing, among other things, the operations controls, and materials storage for operations at this Site.

The Operator has indicated that the activities described in the associated TPR are the appropriate scope of operations which RI wishes to conduct at this Facility at the present time. Other limitations of this document are provided in Section F.7 below.

This Facility Fire Prevention and Fire Countermeasures summary may be modified, or may be replaced in the future, to account for differing quantities and/ or a differing configuration of materials to be accepted and temporarily stored at the Site, inasmuch as these changes may be allowed by zoning and/ or land use entitlements for this property, and by other applicable regulations. This Facility Fire Prevention and Fire Countermeasures summary should be periodically updated as necessary to reflect any additions or deletions to flammable materials storage and combustible materials intake and storage for operations as described in the TPR, and as depicted on Figure 4B of the TPR.

Changes to the type or nature of industrial activities at the Site, or changes in the location within the Site where these activities are conducted, should be reviewed by a qualified professional to establish if they necessitate amendment or revision of this Facility Fire Prevention and Fire Countermeasures summary, and/ or the associated TPR document, prior to any such changes being implemented.

This Facility Fire Prevention and Fire Countermeasures summary must be updated or amended to incorporate pertinent changes in 24 CCR Part 9 (The California Fire Code). This Facility Fire Prevention and Fire Countermeasures summary must be updated or amended to include revised practices or other requirements, as may be reasonably requested by the local fire authority, pursuant to their jurisdictional authority.

F.2 SITE LOCATION, ACCESS & IMPROVEMENTS

A scale map of the Site vicinity is provided on Figure 2A and Figure 2B of the TPR. A vicinity plan for the Facility is presented on Figure 3 of the TPR. A detailed site plan is presented on Figure 4A of the TPR for existing conditions, and on Figure 4B of the TPR for conditions following completion of improvements for capacity expansion pursuant to the amended TPR. A narrative description of Site location, Facility access and designated emergency responder access, Facility building improvements (existing and proposed), is provided in following.

F.2.1 Site Location

The Site is located within the Garden Highway Industrial Park at the southwest corner of Epley Drive and Putman Avenue, approximately 0.55 miles south-southwest of the Sutter County Airport. The Site fronts Epley Drive on the north (330 feet frontage) and fronts Putman Avenue to the east (396 feet currently and 528 feet with expansion onto APN 54-083-15).

F.2.2 Site Access

Access to the Site is from Garden Highway, via either via Epley Drive, or alternately via Burns Drive thence north-northwest onto Putman Avenue.

An emergency responder access into the Site has been designated on the west side of Putman Avenue at a location that is side-wind of both late spring/ summer/ early autumn prevailing winds (typically from the SSW to SE) and late autumn/ winter/ early spring prevailing winds (typically from the NNW to NE). A fire hydrant is located on the east side of Putman Avenue, approximately 120 feet southeast of this designated emergency access.

Emergency responder access into the Site is identified as *Gate No. 4* on Figure 4B of the TPR. This gate is a manual operation combination swing/ roll gate, not controlled by a drive actuator or other control device. This gate is 28 foot width with a Portland cement concrete ("PCC") driveway approach of equal width, and approximately 35 feet of PCC paved clear throat inside of this gate. The throat of this driveway is to be pavement marked as a Fire Lane and signed as a Fire Lane.

Emergency access by fire responders into *Gate No. 4* shall be provided by "Knox Box", or alternately by Knox padlock on the chain securing the gate. This Knox provision for incident responder entry into the Facility at times that the Site is not attended is mandatory.

F.2.3 Building Structures

Facility building structures are illustrated on Figure 4A and 4B of the TPR, and consist of:

- ♦ *Building No. 1* (10,400 SF) – (primarily warehouse use);
- ♦ *Building No. 2* (1,800 SF) - planned relocation (mixed use to be determined);
- ♦ *Building No. 3* (3,600 SF) - recycling center/ cashier (recycling use);
- ♦ *Building No. 4* (3,000 SF) - equipment shed for baler (manufacturing use);
- ♦ *Building No. 5* (2,700 SF) - baled materials storage (warehouse use);
- ♦ *Building No. 6* (21,600 SF) – **PROPOSED** (mixed recycling and warehouse use); and
- ♦ *Building No. 7* (360 to 720 SF) – **PROPOSED** (mobile with office use).

All existing buildings are steel framed/ metal construction, and proposed *Building No. 6* is steel framed/ metal construction. *Building No. 7* will likely be construction other than steel frame/ metal construction. A size range for *Building No. 7* is provided above, because this mobile structure has not yet been procured. Building protection systems are installed within both existing warehouse occupancies (*Building No. 1* and *Building No. 5*), as described in Section F.5.1 below. Building protection system is proposed for the new warehouse occupancy (*Building No. 6*), as described in Section F.5.1 below.

Building No. 1 contains a small inventory of combustible and flammable liquids including engine lubricating oil, hydraulic oil, and diesel fuel, together with waste lubricating and hydraulic oils, and oxy-acetylene welding tanks, as enumerated in Table F-1. The Operator is contemplating a new above-ground storage tank for off-road equipment diesel fuel, which would be located just south of the existing propane storage tank location illustrated on the TPR site plans. Flammable and combustible liquid/ gas storage is discussed in Section F.3.1 below, and combustible solids storage is discussed in Section F.3.2 and in Section F.3.3 below.

F.2.4 Water Supply and Available Fire Flow

Water for fire suppression is supplied via 12-inch treated water main located within both the Epley Drive and Putman Avenue right-of-ways (see TPR Figure 4B). This water main branches from larger water mains on Garden Highway. Flow from Garden Highway runs (east-west) via mains on both Epley Drive (12-inch) and on Burns Avenue (14-inch to Hasset Avenue thence 12-inch main to Putman), with 12-inch water main loop (running north-south) completed on Putman Avenue. A secondary loop (8-inch water main running north-south on Hasset Avenue - to the west of the Site) also interconnects the water mains running on Epley Drive and Burns Drive.

This water main loop configuration provides reliability (redundancy), and provides available fire flows that are commensurate with fire protection requirements for heavy industrial land uses (approximately 3,000 gallons per minute available fire flow).

Recent fire flow testing (18 November 2013) was conducted by the City of Yuba City for 1329 Putman Avenue (250 feet south of the Project Site) and resulted in measured fire flow of 2,980 gallons per minute ("*gpm*") at 62 pounds per square inch ("*psi*") residual pressure (66 psi static), and a calculated area flow of 11,143 gpm at 20 psi residual pressure. It is notable that the 66 psi static pressure as measured during this fire flow test is higher than the City's minimum maintained pressure of 40 psi static.

Available fire flow appears adequate for protection systems for the proposed occupancy and proposed use of *Building No. 6*, with building protection properly designed for the type and volume of materials to be stored within this structure.

F.2.5 Fire Hydrants

Locations of street hydrants in proximity to the Facility are illustrated on Figure 4A and 4B of the TPR and include:

- ♦ A street hydrant on the south side of Epley Drive, immediately west of new Facility *Gate No. 1*;
- ♦ A street hydrant at the southwest side of the intersection of Epley Drive and Putman Avenue, adjacent to the northeast corner of *Building No. 1*;
- ♦ A street hydrant on the east side of Putman Avenue, approximately 120 feet southeast of emergency access *Gate No. 4* and across from the northeast corner of *Building No. 6*; and
- ♦ A street hydrant on the east side of Putman Avenue, approximately 150 feet to the southeast of *Building No. 6*.

The distances and distribution of existing street hydrants appear adequate for the buildings/ occupancies and outdoor uses proposed for the Facility as described within the TPR. No on-site fire hydrants are proposed with the RITS capacity expansion, unless otherwise required by the Yuba City Fire Department

F.3 Flammable and Combustible Materials Storage

Discussion of estimated typical and maximum storage of flammable and combustible materials at the Facility, together with storage configuration and other relevant details are provided in the following sections.

F.3.1 Gasses, Liquids and Fuels

Diesel fuel, gasoline, and propane storage volumes at the Site are enumerated in Table F-1, together with container type, typical and maximum volumes of fuel storage, and locations of these stored fuels. The Operator has not yet decided the above-ground storage tank for off-road diesel fuel storage, described in Table F-1 as “pending”. If the Operator elects to install this above-ground storage tank, the drum storage of diesel fuel enumerated within Table F-1 will be eliminated.

Flammable gas storage at the Site is limited to the acetylene enumerated in Table F-1, which is stored (with associated oxygen) for welding purposes. Flammable liquefied gas storage at the Site is limited to the propane as enumerated in Table F-1 and the liquefied propane gas storage within portable equipment tanks. Other flammable and combustible liquids stored at the Site are enumerated in Table F-1 together with container type, typical and maximum volumes of storage, and storage locations. Flammable and combustible liquid storage within vehicles and portable equipment tanks is not enumerated in Table F-1.

Planned storage of combustible solid materials, as described in the following Sections, is configured so as to be as distant as practicable from the locations of stored flammable gas, and from the location of stored fuels and other stored flammable and combustible liquids as enumerated in Table F-1.

The planned location of storage lockers temporarily holding prohibited wastes from the Facility “load-check” program (which may include flammable and combustible liquids and flammable gas) and the storage area for lead-acid batteries is similarly configured to be as distant as practicable from the locations of stored combustible solid materials. These storage lockers are located to the west of relocated *Building No. 2*, as illustrated on the TPR site plan (Figure 4B, provided within this Appendix). Recycled materials stored in proximity to the load-check program storage lockers/ lead-acid batteries, are limited to metal materials.

F.3.2 Open Pile and Container Storage of Combustible Solids

Typical volumes and maximum volumes of combustible solids stored at the Site are enumerated in Table F-2, together with storage configuration and locations of these stored materials. Narrative explaining storage configurations, typical and maximum volumes planned, together with other pertinent details of combustible solids storage is provided within Attachment F-1 for certain materials where more detailed discussion is warranted. Storage for combustible solid materials is summarized in the following Sections.

F.3.2.1 Wood Waste Materials: Wood waste materials are stored temporarily outdoors in an open-pile configuration upon the south-central portion of the Site, within an area more than 50 feet distant from both building structures and from property lines. Unimpeded fire responder access is provided by paved surfaces to the east and to the west of this wood waste materials storage area.

Maximum open-pile storage of wood waste material is a single contiguous pile of approximately 840 square feet surface footprint, with typical average pile height of 12.5 feet and a maximum pile height of 15 feet. This open pile volume of wood waste material is separated from other piled combustible materials by clear aisles of 15 feet minimum width.

Maximum volume of open-pile wood waste storage is approximately 250 cubic yards of materials, corresponding to approximately 50 tons of wood waste materials consolidated in this pile. Total maximum on site storage of wood waste materials, including one full transfer trailer (120 cubic yards) awaiting shipment to markets, is estimated to be 370 cubic yards, equating to a net maximum on-site storage of approximately 73 tons of wood waste at average moisture content.

- F.3.2.2 Yard and Garden Trimming Materials:** Yard and garden trimming materials are also temporarily stored outdoors in an open-pile configuration upon the south-central portion of the Site, similarly within an area which is more than 50 feet distant from both building structures and property lines. Unimpeded fire responder access is likewise provided by paved surfaces to the east and to the west of the yard and garden trimming materials storage area.

Maximum open-pile storage of yard and garden trimming material is also a single contiguous pile of approximately 840 square feet surface footprint, and typical average pile height of 12.5 feet and a maximum pile height of 15 feet. This open pile volume of yard and garden trimming material is similarly separated from other combustible materials by clear aisles of 15 feet minimum width.

Maximum volume of open-pile yard and garden trimming storage so stored is also approximately 250 cubic yards of materials, corresponding to approximately 40 dry tons of materials consolidated in this pile. Total maximum on site storage of yard and garden trimming materials, including one filled transfer trailer (120 cubic yards) awaiting shipment to markets, is estimated to be 370 cubic yards, equating to a net maximum on-site storage of approximately 60 dry tons.

- F.3.2.3 MSW Materials:** MSW materials are loaded into transfer trailers for shipment to land disposal within *Building No. 6* on a continuous basis throughout the operating day as typical protocol. Contingency storage of MSW materials is necessary for unusual circumstances (see Attachment F-1), resulting in disruption of MSW load-out or shipment. Up to approximately 50 tons of contingency MSW storage is estimated to be required.

The temporary storage area for MSW is located within *Building No. 6*, in the southwest quadrant of this building. Fire responder access to this building includes manual operators on all vehicle access doors (roll-up doors). Maximum open-pile MSW storage footprint is assumed to be approximately 1,000 square feet, with typical average pile height of 12.5 feet and a maximum pile height of 15 feet. This open-pile volume of MSW materials is to be separated from other

piled combustible materials within *Building No. 6* by clear aisles of 15 foot minimum width.

Temporary storage of MSW materials so located and configured provides a maximum contingency storage for 257 cubic yards, or approximately 47 tons of MSW materials in open-pile storage configuration within *Building No. 6*, awaiting loading and shipment to land disposal, together with an additional 23 tons within the MSW tipping (unloading) area, for a total of up to 70 tons of temporary/ contingency MSW storage. **This represents a contingency storage for unusual circumstances.**

Typical open-pile storage of MSW awaiting load out is estimated to be 1/4 to 1/2 of this contingency/ maximum storage at any time, with an operations objective that all MSW materials destined for land disposal within this open-pile storage area are containerized (loaded into transfer trailers) by the end of the operating shift, or by extended shift workers. Such containerized storage of MSW materials to be shipped to land disposal the following morning **is a planned standard operating protocol/ planned material storage practice** (for overnight storage).

Total maximum overnight on-site storage of MSW materials includes up to three transfer trailer (120 cubic yards each) awaiting shipment to land disposal (up to approximately 360 cubic yards containerized MSW storage capacity), equating to a net containerized on-site storage of approximately 69 tons within these trailers.

F.3.2.4 Open-Pile Storage of Recyclable Materials: Open-pile storage of co-mingled recyclable materials will occur in the northern portion of the east side of *Building No. 6*. Fire responder access to this area is similar to that described above for the temporary MSW storage.

These materials will be stored in this area only for duration as necessary to complete sorting to achieve the material recovery goals of the RITS, and typically for 24 hours or less. Residual materials from sorting and processing are moved into the temporary MSW storage area described above for loading thence transport to land disposal.

It is notable that co-mingled / mixed recyclable materials temporarily stored in the volume and configuration described below will contain a portion of non-combustible solids (glass and metals) in addition to the combustible solids (OCC and wastepaper, plastics, etc.) which are the subject of this Fire Prevention and Fire Countermeasure Summary. The combustible/ non-combustible fractions will vary. As set forth in Attachment F-1, an estimated 88% by volume of pile storage of co-mingled recyclable materials are assumed to combustible materials.

Maximum open-pile storage footprint of co-mingled recyclable materials is assumed to be 1,440 square feet, with typical average pile height of 12.5 feet and a maximum pile height of 15 feet. Temporary storage of these materials so located and configured provides a maximum storage of 438 cubic yards of all such materials, and an estimated 385 cubic yards combustible fraction.

In addition to these co-mingled/ mixed recyclable materials, temporary storage of recyclables mixed with waste materials will also be present within the west side of *Building No. 6*. Primarily, mixed waste/ recyclables intake is from self-haul customers and from debris box loads. Temporary storage of these intake materials (pending segregation of recyclables from these streams) is provided to the south of the debris box tipping (unloading) area and to the east of the public/ self-haul customer unloading area.

Recyclable materials are sorted and processed on a continuous basis from these intake streams throughout the operating day. These materials will be stored in this area only for duration as necessary to complete sorting to achieve the material recovery goals of the RITS, also typically for 24 hours or less. Residual materials from sorting and processing are similarly moved into the temporary MSW storage area described above for loading thence transport to land disposal.

This pile storage contains both combustible solid materials (wood wastes, yard and garden trimmings, cardboard, paper/ fibers, plastics, etc.), together with non-combustible materials (glass, metals and inerts). For the purpose of this fire prevention and fire countermeasures summary, content of this mixed waste and recyclable materials pile storage is conservatively assumed to contain all combustible materials.

Maximum piled storage footprint of mixed waste and recyclable materials is assumed to be 30 feet x 60 feet, with a typical average pile height of 8 feet. This open pile volume of mixed waste and recyclable materials is separated from other piled combustible material piles within *Building No. 6* by clear aisles of 15 foot minimum width. Temporary storage of these materials so located and configured provides a maximum storage of 410 cubic yards, and a corresponding weight of approximately 70 tons.

F.3.2.5 Open Storage of Recycled Materials: Recycled materials awaiting bailing are temporarily stored outdoors in open configuration to the south of *Building No. 4* (the baler building) within concrete block binwalls, as depicted on attached TPR Figure 4B. Direct access by fire responders to this storage area is provided via Gate 4 and the PCC surfaced drive to the west of this gate.

Materials stored in this area are recycled plastics, OCC, various paper grades, and aluminum. Approximately 850 square feet is dedicated to each material type, with concrete binwalls used to separate the material types as they are pushed onto a baler feed conveyor for densification.

- F.3.2.6 Tires:** Waste tires are accepted from customers as a discrete waste stream, and are also segregated from other loads, as received within *Building No. 6*. Waste tires are shipped to recycling markets as whole tires and are not shredded at the RITS.

Waste tires are stored within the covered metal container within which they are shipped to market, with all such tires consolidated within this container during the operating day, and the door to this container closed following loading of all tires received during the operating day.

This covered metal transport container is to be located south of the central portion of the Site, at a location at least 50 feet distant from all building structures and at least 50 feet distant from property lines of adjoining parcels, in the approximate location depicted on attached TPR Figure 4B.

When the waste tire container is nearing capacity, the tire recycler is mobilized to remove the full container and replace it with an empty container. Limitation of tire storage is 499 tires, or the capacity of the tire storage container (if less than 499 tires).

- F.3.2.7 Mattresses and Boxsprings:** Mattresses and boxsprings are accepted at this Facility as a discrete waste material, and are also segregated from other loads received within *Building No. 6*. Mattresses and boxsprings are shipped to recycling markets as received, and are not processed at this Facility.

Mattresses and boxsprings are stored within the covered van (transport trailer) within which they are shipped to market, with all such materials consolidated within this trailer during the operating day, and the door to the trailer closed following loading of all such materials received during the operating day.

This covered van is also to be located south of the central portion of the Site, at a location adjacent to tire storage as described above. When the van is nearing capacity (approximately 125 cubic yards), the mattress recycler is mobilized to remove the full container and replace it with an empty container.

- F.3.2.8 Carpet and Padding:** Waste carpet and padding is accepted at this Facility as a discrete waste material (rolled), and is also segregated from other loads received within *Building No. 6* (rolled as needed). Waste carpet and padding is shipped to recycling markets in the condition received, and is not processed at the RITS.

Carpet and padding is stored as rolled material within the covered van (transport trailer) within which it is shipped to market, with all such materials consolidated within this van during the operating day. The door to this trailer is closed following loading of all such materials received during the operating day.

This covered van is to be located south of the central portion of the Site, at a location adjacent to the mattress and boxspring storage van as described above. When the van is nearing capacity, the recycler to which this material is shipped is mobilized to remove the full container of carpet/ padding and replace it with an empty container.

F.3.2.9 E-waste Materials: E-waste materials are accepted within the Recycling Center building (*Building No. 3*) as well as within the building to be relocated to the north of the new transfer station (within relocated *Building No. 2*). Limited consolidation storage with these two buildings is provided within pallet bulk-bin boxes into which these materials are temporarily placed by e-waste class type. When these pallet bulk-bin boxes are at capacity, they are moved to *Building No. 1*, for temporary warehousing pending accumulation of sufficient quantity for shipment to market.

An estimated 25% of floor space within *Building No. 1* (2,500 square feet net, including material separation aisles/ forklift maneuvering space) may be made available for e-waste storage. The remaining floor space within this building is dedicated to other uses.

Material separation aisles/ forklift maneuvering space within the 2,500 square foot allocation for e-waste storage within *Building No. 1* reduces storage floor area by 25%, resulting in a 1,875 square foot effective storage footprint. Pallet bulk bin boxes are not typically stacked within this area (stored 1 high, with a corresponding stored volume of approximately 40 cubic feet per 15 square feet).

Resulting capacity for e-wastes so stored awaiting shipment to markets within *Building No. 1* is accordingly approximately 125 bulk-bin boxes, containing up to 5,000 cubic feet of e-waste materials.

F.3.3 Storage of Baled Combustible Solids

Baled combustible solids stored at the Site include “wastepaper” (old cardboard and various grades of paper fibers) awaiting shipment to markets, as well as baled aluminum and various classes of baled plastics. All baled materials produced and stored at this Site are tied with metal bale-ties (no bales are secured with combustible bale-ties). No fiber materials typified as “water expansive” (sisal fiber, etc.) are included in baled materials stored at this Site. Typical volumes and maximum volumes of these materials are enumerated in Table F-2, together with storage configuration, and locations of these stored materials.

Baled combustible material storage within buildings is limited to *Building No. 1* and *Building No. 5*. A small outdoor storage area appurtenant to the baler building (*Building No. 4*) is used for temporary storage of baled materials awaiting loading for transport to markets.

The 2 warehouse occupancy structures containing baled combustible materials are protected with ESFR sprinkler systems.

Baled material storage configurations, typical and maximum volumes planned for this storage, and other pertinent details of baled combustible solids storage is summarized in following

Building No. 5 is 30 feet by 90 feet in dimension (2,700 square feet gross floor area), is protected by an ESFR system, is adjacent to the designated fire responder access to the Facility (see Section F.2.2 above) and has street frontage exposure (adjacent) on Putman Avenue. Baled combustible materials stored in this building structure are limited to 4-bale stack height (11 foot approximate height), with an estimated 75% of available floor space dedicated to bale storage within this building. The remaining floor space is dedicated to material separation aisles/ forklift maneuvering space.

Maximum effective baled combustible materials volume within *Building No. 5* is approximately 22,300 cubic feet, and baled materials storage within this building is primarily allocated to combustible fiber (baled cardboard and various grades of paper). The effective stored baled combustible material volume within *Building No. 5* is below the "single-block" threshold limit of the California Fire Code (24 CCR Section 3705.1) of 25,000 cubic feet for bale storage of combustible fiber materials.

Building No. 1 has 10,400 square feet gross floor area, is protected by an ESFR system, and has street frontage exposures on both Epley Drive and Putman Avenue. An estimated 20% of floor space within *Building No. 1* (2,000 square feet net, including material separation aisles/ forklift maneuvering space) may be made available for bale storage (allotted within the east of this building = adjacent to street frontages on both Epley Drive and Putman Avenue. The remaining floor space within this building is dedicated to other uses.

Material separation aisles/ forklift maneuvering space within the 2,000 square foot allocation for bale storage within *Building No. 1* reduce allocated bale storage by 25%, resulting in a 1,500 square foot effective bale storage footprint. With a 4-bale height configuration (11 feet), the resultant volume of bale storage within *Building No. 1* is approximately 16,500 cubic feet.

As discussed above, baled fiber storage is primarily allotted to *Building No. 5*. Baled storage within *Building No. 1* is primarily allotted to baled aluminum and to baled plastics not within the outdoor bale storage area detailed in following.

Outdoor Baled Material Storage. Outdoor baled materials storage is located to the west of *Building No. 5* (warehouse) and to the southeast of Building No. 4 (the baler building). This baled material storage area is approximately 1,000 square feet (20 feet by 50 feet), upon paved surface. This outdoor storage area is primarily used for staging storage of baled materials (scheduled to be loaded for shipment to markets), particularly for baled plastics awaiting availability of overseas cargo containers for loading.

With a 3-bale height configuration (8.25 feet), the resultant volume of bales stored within this outdoor bale storage area is approximately 8,250 cubic feet.

F.4 FIRE PREVENTION

Fire prevention measures employed by Recycling Industries to minimize the potential of an ignition are described in the following sections.

F.4.1 Smoking Restriction

Smoking by employees is restricted to only those areas of the Facility specifically posted as "smoking areas". These areas are to be surfaced (no vegetation) and provided with self-extinguishing ashtrays.

Smoking by customers is prohibited at all times while using the Site. This includes smoking by customers while within vehicles. This restriction is posted together with *Terms of Use* information on signs posted near the Facility entry for all customers.

Additional smoking prohibition signage is to be provided throughout the Facility at locations as decided by the Operator, as required by 24 CCR Section 2803.5.3, and at locations as required by 24 CCR Section 3703.7.1.

F.4.2 Hot Work Restriction

"Hot work" (i.e. welding and grinding) may be performed within the asphaltic concrete paved area between *Building No. 1 and Building No. 4*, just to the east of the outbound scale (See attached TPR Figure 4B). Hot work conducted within this area shall be at least 25 feet distant from any stored flammable or combustible materials, and shall be cleaned of all litter and debris prior to commencing hot work.

Hot work may be conducted within other areas of the Facility which are at least 25 feet distant from **all** vegetation and stored flammable or combustible materials. If hot work must be conducted on fixed equipment that does not have a 25-foot radius clear of vegetation and stored flammable and/ or combustible materials, the area of the necessary work shall be cleared of **all** such materials within a 25-foot radius before any hot work tasks are commenced.

All hot work must be conducted with cognizance of wind directions and speeds prevailing for the durations of such work. ***Hot work shall NOT be conducted at the Facility during days designated as "red flag days" by the California Department of Forestry and Fire Protection.***

F.4.3 Equipment and Plant Maintenance

Equipment operated at the Facility shall be maintained in a condition free of oil leaks and fuel leaks. Equipment shall be inspected frequently for worn or damaged fuel and/or hydraulic hoses and lines. Equipment with worn or damaged fuel and/or hydraulic hoses and lines shall be removed from service until repair of the condition is affected.

Prior to welding with electric-arc methods, all storage batteries shall be disconnected from the electrical system of any equipment or vehicle being maintained. Both positive and negative terminal connections to the battery shall be removed and the battery terminals isolated such that connection is not inadvertently re-established during the course of maintenance welding.

All electrical work at the Facility shall be performed by licensed electricians and shall conform to applicable codes and standards. Extension cords shall not be used in any location where they could be subjected to damage. Cordsets shall not be used in any application where they are prohibited by codes and standards. Backup generators for those circuits that are critical to Facility operations shall be installed for dedicated service, with circuit isolation and grounding as required by applicable codes and standards. Portable generator use shall be restricted to applications such as portable lighting and similar temporary or emergency electric supply applications.

F.5 FIRE COUNTERMEASURES

Information concerning standard procedures and protocols intended to minimize severity of fire potential following the occurrence of an ignition (countermeasures) at this Facility are provided in the following sections.

F.5.1 Building Protection

Five existing steel-framed metal buildings are present upon the Site. The warehouse occupancies (*Building No. 1* and *Building No. 5*) are currently provisioned with Early Suppression Fast Response ("ESFR") systems for building fire protection, with sprinkler head types as previously approved by the local fire authority for these warehouse occupancies. Building protection is not currently installed in the other existing buildings (See Section F.2.3 above).

No modifications to the structures or occupancies of existing buildings are proposed, with the exception of the proposed relocation of *Building No. 2* from APN 54-083-023 to a new location upon APN 54-083-014. Addition of sprinkler systems to *Building No. 3*, *Building No. 4*, and *Building No. 5* is not proposed at this time.

New *Building No. 6* shall be provided with structure protection (mandatory) as will be detailed within the Improvement Plan set for this structure, with design as reviewed and approved by the Yuba City Fire Department. Protection for relocated *Building No. 2* will be

provided with protection if required by the Yuba City Fire Department concurrent with improvement plans for relocation of this structure.

F.5.2 Fire Hose Cabinets

Fire hose racks (hose cabinets) are proposed for new *Building No. 6*. Four hose racks are tentatively proposed, with one each adjacent to the northeast and northwest walk doors of this building, and one each adjacent to the southeast and southwest walk doors.

Tentative proposal is for hose cabinets containing 100 feet of 1.5-inch fire hose for this 120 foot by 180 foot structure. Formal proposal will be detailed within the Improvement Plan set for this structure, with design as reviewed and approved by the Yuba City Fire Department.

F.5.3 Fire Extinguishers

Fire extinguishers of a minimum 4A:60BC capacity shall be mounted in a readily accessible location upon all operations and materials handling equipment. Fire extinguishers upon portable equipment may be removed to be stored in a secure location overnight, but shall be replaced on all such equipment prior to beginning of use of the portable equipment for operations on the following day.

At least one 6A:120BC capacity fire extinguisher shall be mounted and placarded adjacent to the primary hot work area described in Section F.4.2 above. At least one 6A:120BC capacity fire extinguisher shall be mounted and placarded adjacent to both the public customer tipping area and the MSW load-out area described in Section F.3.2.4 above.

Other fire extinguishers shall be strategically placed throughout the Facility as required by the California Fire Code, National Fire Protection Association Standards, or as directed by the Yuba City Fire Department, and shall be appropriately placarded per the requirements of these standards.

Fire extinguishers shall be maintained fully charged, current with their inspection certificate, and shall otherwise comply with the requirements of 24 CCR Section 906. All Site operations staff shall be familiar with the locations of fire extinguishers, and shall be provided with instruction for proper use of fire extinguishers upon commencement of employment with Recycling Industries.

F.5.4 Contiguous Open-Pile Size Limitations

Certain combustible solid materials are temporarily stored (pending sorting/ processing or pending shipment) in open pile configuration. Details of open-pile storage locations, together with calculations supporting the estimated volumes/ weights of contiguous pile storage are provided in Attachment F-1. These materials will be separated from other

combustible material storage by storage separation aisles (See Section F.5.5 below), and limited to approximate contiguous piles sizes as follows:

- ♦ Wood Waste: 250 cubic yards (approximately 50 tons) limited to an outdoors open-pile footprint of approximately 840 square feet, with a typical pile height of 12.5 feet and a maximum pile height of 15 feet.
- ♦ Yard and Garden Trimmings: 250 cubic yards (approximately 40 dry tons) also limited to an outdoors open-pile footprint of approximately 840 square feet, with a typical pile height of 12.5 feet and maximum pile height of 15 feet.
- ♦ MSW Temporary Storage: 260 cubic yards (approximately 47 tons) with a piled storage footprint of approximately 1,000 square feet within Building No. 6, with a typical pile height of 12.5 feet and maximum pile height of 15 feet.
- ♦ Comingled Recyclable Materials Awaiting Processing (sorting): 385 cubic yards (combustible fraction) with a piled storage footprint of approximately 1,440 square feet within Building No. 6, with a typical pile height of 12.5 feet and maximum pile height of 15 feet.
- ♦ Mixed Recyclable/ Waste Materials Awaiting Processing (sorting): 410 cubic yards (all materials including non-combustibles = approximately 70 tons) with a piled storage footprint of approximately 1,800 square feet within Building No. 6, with an average typical pile height of 8 feet.
- ♦ Recycled Materials Awaiting Baling. 240 cubic yards (80 yards per material separated by binwall) equaling approximately 20 tons loose storage (averaged across unconsolidated plastics, OCC, and paper/ fiber materials) and limited to a piled storage footprint of approximately 2,500 square feet, with typical and maximum pile height of 3.5 feet.

F.5.5 Open Storage Separation Aisles

All contiguous combustible materials in open-pile storage configuration (including wood wastes, yard and garden trimming materials, MSW and recyclable materials awaiting processing) shall be separated from other contiguous piles of combustible materials by a clear aisle of minimum 15 foot width, unless an alternate separation distance is approved in writing by the Yuba City Fire Department.

F.5.6 Hot Load Isolation

A reasonably anticipated occurrence at the Site is receipt of what is commonly termed a "hot load". In this context, a "hot load" is a container of combustible material into which a source of ignition (such as a burning cigarette) has entered, usually prior to pick up. A driver will often not detect evidence of ignition when the load is picked-up, and often they will not be able to detect signs of combustion during transit. The first

detection of an ignition (smoke or flame) is typically first noticed upon arrival of the load at its destination.

If a hot load is detected upon arrival to the Facility, or upon intake, the driver will be directed to proceed to a clear area, preferably the designated “Hot Load Isolation Area”, thence to stop and exit/ abandon their vehicle. The area so designated for Hot Load isolation is the road bulb at the intersection of Epley Drive and Putman Avenue.

This designated Hot Load Isolation Area is not proximate to structures, is isolated from stored materials both at the Facility and upon other parcels, provides a paved area free of vegetation for incident management. This area is also proximate to several fire hydrants.

If a hot load is discovered before tipping, the local fire authority will be summoned by calling 911, thence the emergency services contact information broadcast to all other staff by site radio communication (informing them that this call is being made/ has been made = single emergency responder contact). During wait for response by fire personnel, supervisory Facility operations staff may attempt to control the ignition with quench water, if unquestionably safe to do so without risk of injury.

If a hot load is discovered after a customer has tipped, the following protocol shall be followed:

- 1) Site operations personnel shall first summon local fire response by calling 911 and broadcasting to all other staff by site radio communication that this call is being made/ has been made;
- 2) Staff shall ensure that Gate No. 4 (the designated emergency responder access on Putman Avenue) has been unlocked and gates fully opened;
- 3) Customer intake into the Facility shall be immediately suspended by deploying “facility closed signs” across the ingress lane of Gate No. 1 (leaving the egress lane open for customer exit and emergency responder entry);
- 4) All customers in the process of tipping shall be instructed to exit Facility, followed by orderly exit from the Facility of all customers in intake queue lanes;
- 5) If unquestionably safe to do so without risk of injury, supervisory Facility operations staff may attempt to isolate the tipped hot load from adjacent materials using Facility operations equipment (wheel loader) while awaiting fire agency response. Materials must be moved by methods that minimize the potential spread of firebrands (i.e. by pushing or dragging, and not by lifting the involved materials). Staff may also attempt to control/ extinguish the ignition using fire extinguishers and/ or quench water from fire hose cabinets; and
- 6) If unquestionably safe to do so without risk of injury, operations staff shall position materials handling equipment (wheel loader) such that the equipment is not in close proximity to the ignition, but is strategically positioned and ready for use

(engine running) by fire agency responders. Strategic positioning would be upwind or sidewind, and approximately 50 to 60 feet distant from materials within which the ignition has occurred.

F.5.7 Operations Equipment Available for Fire Control

The following equipment used for Facility operations will also be available for fire control:

- ♦ One rubber-tired wheel loader (diesel) with minimum 5 yard bucket.

This equipment shall be the minimum equipment present on the Site at all times for potential use for fire control, shall be maintained in good operating condition, and shall be made available to the incident commander for fire incident response at the Site upon the request of the local fire agency.

F.6 FIRE CONTROL

The local fire agency, primary resources available for fire incident response, response time & route and protocol for incident command are described in the following sections.

F.6.1 Local Fire Agency

The Yuba City Fire Department (YCFD) is the local agency with fire and life safety responsibility for the Facility. YCFD Station No. 3 is the closest local fire agency facility and is located at 795 Lincoln Road. The Yuba City Fire Department is mobilized by calling 911.

F.6.2 Fire Agency Resources

YCFD Station No. 3 is continually staffed by typically 2 firefighters and 1 incident commander, with other firefighters mobilized by incident commanders. Equipment normally stationed at YCFD Station No. 3 includes:

- ♦ One Type 1 engine with 750 gallon tank and 1,500 gpm pump; and
- ♦ Life safety response vehicles and equipment.

Based upon information relayed through 911 dispatch, or upon the incident commander's assessment following arrival at the Site, YCFD may summon additional equipment and resources for response.

F.6.3 Incident Response

Response route from YCFD Station No. 3 is:

- ♦ East, approximately 0.30 miles on Lincoln Road to Garden Highway;
- ♦ Thence right (south) onto Garden Highway approximately 0.15 miles to Epley Drive; and
- ♦ Thence left (east-northeast) onto Epley Drive approximately 0.35 miles to the northwest gate of the Facility.

Net distance is approximately 0.80 miles and estimated response time from YCFD Station No. 3 to the Facility is approximately 2 minutes following dispatch.

F.6.4 Incident Command

Full incident command shall be immediately relinquished by Facility staff (who may have assumed temporary incident command) to fire agency responders upon arrival of local fire agency resources. Available Facility operations equipment (loaders, etc.) shall be made available to fire agency responders upon their request.

All Facility operations shall be suspended during a fire incident. Facility operations may resume after the local fire agency incident commander has cleared their response to the incident or has directed Facility management that all or a portion of Facility operations may resume.

TRANSFER/ PROCESSING REPORT

RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION
140 EPLEY DRIVE
YUBA CITY, CALIFORNIA

FACILITY FIRE PREVENTION AND FIRE COUNTERMEASURES SUMMARY

F.7 LIMITATIONS

This Facility Fire Prevention and Fire Countermeasures summary was prepared for Recycling Industries, Inc. for the specific purposes set forth in Section F.1 above ("Purpose"), the specific intent as set forth in Section F.2 above ("Intent"), and the specific scope pursuant to Section F.3 above ("Scope"). Use of this Facility Fire Prevention and Fire Countermeasures summary by Recycling Industries, Inc. for any other purpose(s) or intent(s) or scope is unauthorized by the Registered Professional.

It is not the purpose or intent or scope of this Facility Fire Prevention and Fire Countermeasures summary to evaluate all existing and potential conditions upon the Site that may present a fire hazard, nor conditions that represent a potential violation of applicable electrical, fire, or life safety statutes, codes, standards or regulations, nor any conditions that may represent a violation of related statutes and regulations.

Land or facility use, on-site and off-site conditions, as well as regulations, policies, and other factors may change over time, and additional work may be required to support the information, and any opinions or recommendations presented in this Facility Fire Prevention and Fire Countermeasures summary. This document may be used by Recycling Industries, Inc. for the purposes, intent, and scope expressly stated herein within a reasonable timeframe from the date of its issuance, but in no event later than one year from the date this document was prepared.

This Facility Fire Prevention and Fire Countermeasures summary was prepared in accordance with the generally accepted standards of care that existed in Northern California at the time that work was conducted, and at the time that this document was prepared. No other warranty, expressed or implied, is made by the Registered Professional as to the work herein. Illustrations within this Facility Fire Prevention and Fire Countermeasures summary are not for use with construction.

In accepting this Facility Fire Prevention and Fire Countermeasures summary for the purposes and intent and scope as stated herein, Recycling Industries, Inc. agrees to defend, indemnify, and hold The Registered Professional harmless for all damages from any and all causes, including any damages to other parties as may occur due to reliance upon the information, data, analysis, conclusions, opinions, and illustrations herein.

The Registered Professional does not authorize the use this Facility Fire Prevention and Fire Countermeasures summary by ***any party other than*** Recycling Industries, Inc. ***for any purposes whatsoever***. Use of this document by any other party, for any and all purposes, shall be at the sole and exclusive risk of such party. Use of any information, data, analysis, conclusions, opinions, and illustrations presented herein by any other parties, shall be subject to all conditions set forth in the above paragraphs.

Recycling Industries, Inc., and any other party who requests to use this Facility Fire Prevention and Fire Countermeasures summary for any purpose or intent not expressly stated herein shall notify the Registered Professional in writing of such intended use at least 30 days prior to the intended use. Based upon the intended use, Registered Professional may or may not allow such use, and may require that an updated Facility Fire Prevention and Fire Countermeasures summary be prepared.

Non-compliance with any of these requirements by Recycling Industries, Inc., and/ or non-compliance with any of these requirements by any other party who may request to use this Facility Fire Prevention and Fire Countermeasures summary, will release the Registered Professional from any and all liabilities from such use(s) of this document. Use of this Facility Fire Prevention and Fire Countermeasures summary by any parties not authorized in writing by the Registered Professional for such use(s) shall be without liability to the Registered Professional.

TRANSFER/ PROCESSING REPORT

RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION
140 EPLEY DRIVE
YUBA CITY, CALIFORNIA

APPENDIX F SUPPLEMENTAL DISTRIBUTION

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05 and 05e	2 copies (1 PDF copy)	<u>Local Fire Agency</u> Yuba City Fire Department, Station No. 3 795 Lincoln Road Yuba City, California 95991 Attention: Mr. Matt Johnston Captain, YCFD Station No. 3

TABLE F-1. Summary of Flammable and Combustible Liquids/ Gases Storage

**Recycling Industries' Large Volume Transfer Station - 140 Epley Drive
Yuba City, California**

Flammable Gas (& oxygen) and Flammable Liquids

Material	Storage Type	Location	Typical Quantity	Maximum Quantity
Oxygen	Tank (welding)	Building No. 1	60 cubic ft (HP)	125 cubic ft (HP)
Acetylene	Tank (welding)	Building No. 1	60 cubic ft (SP)	100 cubic ft (SP)
Brake Cleaner	Aerosol Cans	Building No. 1	56 oz	168 oz
Gasoline	Approved Containers	Building No. 1	5 gallons	25 gallons
Propane	Bollarded Skid Tank	SW of Driveway 1	150 gallons	400 gallons
Load-Check Flammable Liquids	Containers in Storage Locker	W of Building No. 2	10 gallons	30 gallons

Combustible Liquids

Material	Storage Type	Location	Typical Quantity	Maximum Quantity
Diesel Fuel	Drum (secondary containment)	Building No. 1	40 gallons	110 gallons
Hydraulic Oils	Drum (secondary containment)	Building No. 1	25 gallons	55 gallons
Lubricating Oils	Drum (secondary containment)	Building No. 1	25 gallons	55 gallons
Waste Hydraulic/ Lube Oils	Drum (secondary containment)	Building No. 1	20 gallons	50 gallons
Load-Check Combust Liquids	Containers in Storage Locker	W of Building No. 2	20 gallons	40 gallons
Diesel Fuel	AST (pending)*	SW of Driveway 1	500 gallons	1000 gallons

NOTES:

* AST for off-road diesel fuel storage is yet to be decided by the Operator. If this storage tank is installed, diesel fuel storage within Building No. 1 is concurrently eliminated.

HP = 1900 psig to 2250 psig typical @ 70° F; SP = 50 psig to 225 psig typical @ 70° F

TABLE F-2. Summary of Combustible Solids Storage

**Recycling Industries' Large Volume Transfer Station - 140 Epley Drive
Yuba City, California**

Combustible Solids

Material	Storage Type	Location	Typ Quantity	Max Quantity
MSW	Piled on Building Floor	SW Building No. 6	<200 yd3	250 yd3
MSW	In Trailers for Shipment	Central Site	240 yd3	360 yd3
Comingled/Mixed Recyclables	Piled on Building Floor	NE Building No. 6	<200 yd3	385 yd3
Mixed Waste/ Recyclables	Piled on Building Floor	NW Building No. 6	<200 yd3	410 yd3
Vehicle Tires	In Container for Shipment	Central Site	<499 tires	499 tires
Mattresses	In Trailer for Shipment	Central Site	<125 yd3	125 yd3
Carpet & Padding	In Trailer for Shipment	Central Site	<125 yd3	125 yd3
Yard-Garden Waste	Open Pile	Central Site	>125 yd3	250 yd3
Yard-Garden Waste	In Trailer for Shipment	Central Site	<120 yd3	120 yd3
Wood Waste	Open Pile	Central Site	>125 yd3	250 yd3
Wood Waste	In Trailer for Shipment	Central Site	<120 yd3	120 yd3
Recycled Plastics	Open Pile	Baler Feed Area	80 yd3	110 yd3
Recycled Plastics	Baled	Building No. 5	20 tons	40 tons
Recycled Plastics	Baled	Outdoors (load staging)	40 tons	80 tons
Recycled Papers	Open Pile	Baler Feed Area	80 yd3	110 yd3
Recycled Papers	Baled	Building No. 5	40 tons	80 tons
Recycled Cardboard	Open Pile	Baler Feed Area	80 yd3	110 yd3
Recycled Cardboard	Baled	Building No. 5	40 tons	80 tons

Table F-2: Page 1 of 1

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Appendix F



TRANSFER/ PROCESSING REPORT

RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION 140 EPLEY DRIVE YUBA CITY, CALIFORNIA

APPENDIX F, ATTACHMENT F-1

Additional detail concerning piled combustible solids storage at the facility is provided in following to support the summary narratives for certain materials within Section F.3.1 through Section F.3.7 of this Appendix.

Wood Waste Materials: Wood waste materials are stored temporarily outdoors in an open pile configuration, with typical and maximum volume of such material as enumerated in Table F-1 and detailed below.

Wood waste materials are stored upon the south central portion of the Site in the area illustrated on TPR Figure 4B. This wood waste storage area is more than 50 feet distant from both building structures and from property lines, and affords fire responder access from the west via the employee parking area traffic aisle (continuously clear), as well as responder access from the east via the customer maneuvering area for the transfer station building (clear except at times when customers are in the process of maneuvering vehicles/unloading materials, which will not be happening in the event of a fire incident).

Maximum open-piled storage footprint is assumed to be 24 feet x 35 feet, with typical average pile height of 12.5 feet and a maximum pile height of 15 feet. This open-pile volume of wood waste material is separated from other combustible materials by clear aisles of 15 feet minimum width.

With assumed 1 horizontal : 2 vertical side repose of the open pile, the 840 square foot open-pile footprint equates to approximately 250 cubic yards of wood waste materials in the pile, corresponding to 50 tons of wood waste materials at an assumed consolidated open pile density of 400 pounds per cubic yard.

Wood waste materials are loaded periodically into containers (transfer trailers) for transport to markets, and one such container (typically a full transfer trailer of 120 to 130 cubic yard capacity and slightly higher in-vehicle density than open-piled materials) is assumed to be potentially stored onsite together with piled open storage. Total maximum on-site storage of wood waste materials, including one container awaiting shipment to market is estimated to be 375 cubic yards, equating to approximately 75 tons of wood waste materials at average moisture content.

Yard and Garden Trimming Materials: Yard and garden trimming materials are also temporarily stored outdoors in an open-pile configuration, with typical and maximum volume of such material as enumerated in Table F-1 and detailed below.

Yard and garden trimming materials open-pile storage is also located upon the south central portion of the Site as illustrated on TPR Figure 4B. This yard and garden trimming storage area is similarly more than 50 feet distant from both building structures and property lines, and affords fire responder access from the west and from the east as described above for wood waste storage. Maximum open-piled storage footprint is likewise assumed to be 24 feet x 35 feet, with typical average pile height of 12.5 feet and a maximum pile height of 15 feet. This open-pile volume of yard and garden trimming material is to be maintained separated from other piled combustible materials by clear aisles of 15 feet minimum width.

With assumed 1 horizontal : 2 vertical side repose of the open pile, the 840 square foot open-pile footprint also equates to approximately 250 cubic yards of yard and garden trimming materials contained within the pile, corresponding to 40 dry tons of yard and garden trimming materials at an assumed consolidated open-pile typical density of 325 dry pounds per cubic yard.

Yard and garden trimming materials are loaded into transfer trailers for transport to markets, the same as described above for periodic loading of wood waste. As with wood wastes, a full container (also typically a transfer trailer of 120 to 130 cubic yard capacity and slightly higher in-vehicle density in relation to the open-piled materials) is assumed to potentially be stored onsite together with the open pile storage detailed above. Total maximum on site storage of yard and garden trimming materials (including an additional 120 cubic yards in container and awaiting shipment) is estimated to be 375 cubic yards, equating to approximately 61 dry tons total yard and garden trimming materials storage.

MSW Materials: MSW materials are loaded into transfer trailers on a continuous basis throughout the operating day, as typical protocol as waste materials arrive and after recyclable materials are segregated, with an operational objective that no waste material destined for landfill disposal which has been sorted/ processed remains in open-pile storage overnight. Specifically, this operation protocol calls for all such MSW to be loaded onto containers (transfer trailers) at the end of operations for a calendar day.

Circumstances such as unscheduled maintenance of load-out equipment, disruption of transfer fleet (unusual delays at landfill, mechanical breakdown, unusual traffic, etc.), and similar situations beyond the control of the Operator, necessitate contingency storage be provided for MSW materials destined for land disposal. Reasonably anticipated disruptions should be remedied (procurement of rental equipment, dispatch of additional transfer combos from other fleet operations) shortly following occurrence. Planning for reasonably foreseeable temporary storage for MSW awaiting loading and shipment should accommodate a minimum 4 hour to 6 hour intake period.

The MSW temporary storage area is located within *Building No. 6*, within the southwest quadrant of this building, with fire responder access available from both west and east. All steel curtain doors (roll-up doors) for this building are to be provided with manual over-ride.

Storage footprint for open-piled temporary MSW storage is assumed to be approximately 50 feet x 20 feet, with typical average pile height of 12.5 feet and a maximum pile height of 15 feet. This open pile volume of MSW materials is to be maintained separated from other combustible materials within *Building No. 6* by clear aisles of 15 foot minimum width.

Temporary storage of open piled MSW materials so located and configured, and accounting for 1 horizontal : 1.5 vertical typical side repose of the open pile, equates to an approximate volume of 257 cubic yards, or approximately 47 tons of MSW materials at an assumed typical piled density of 365 pounds per cubic yard. An additional temporary storage of approximately 23 tons of MSW materials is accommodated within the tipping (unloading) area located immediately to the east of this planned piled temporary MSW storage. Net piled temporary storage of MSW materials within *Building No. 6* totals approximately 70 tons. To reinforce discussion provided above, this temporary MSW open-pile storage is primarily a contingency for disruptions, and is not a planned operational storage volume/tonnage.

Total maximum on site storage of MSW materials also includes up to three transfer trailers (120 cubic yards each) awaiting shipment to land disposal, as a planned operational storage volume/ tonnage. This planned containerized storage volume accommodates MSW customers arriving later during the operating day, after the time required to segregate recyclable materials, to load the residual waste materials, and to transport these loads to land disposal has already elapsed.

Approximately 360 cubic yards containerized MSW storage capacity (3 transfer trailers) is to be available to this end daily, equating to a net containerized on-site storage (with 400 pounds/ cubic yard tamped [in-vehicle] material density) of approximately 69 tons. This containerized temporary storage is overnight storage only. The containerized quantity/tonnage of MSW storage is in addition to the open-pile MSW storage detailed above.

Open Pile Storage of Comingled Recyclable Materials: Recyclable materials are sorted and processed on a continuous basis throughout the operating day as they arrive at the Facility, either as comingled recyclable materials, or as mixed with certain waste materials intake at this Facility. Comingled recyclables intake occurs within the north end of *Building No. 6*. Following recyclables processing, residual waste materials destined for land disposal are pushed to the southwest quadrant of *Building No. 6* for load-out.

The comingled recyclable materials temporary storage area located within *Building No. 6* is within the northeast quadrant of this building, with fire responder access available from both west and east steel curtain doors (provisioned with manual over-ride). Maximum piled open storage footprint is assumed to be 36 feet x 40 feet, with typical average pile height of 12.5 feet and a maximum pile height of 15 feet. This open pile volume of

comingled recyclable materials is separated from other piled combustible materials within Building No. 6 by clear aisles of 15 foot minimum width.

Temporary storage of open piled recyclable materials so located and configured, and accounting for 1 horizontal: 1.5 vertical typical side repose of the open pile, equates to an approximate volume of 438 cubic yards of materials. This estimated volume contains both combustible solid materials (cardboard, paper, other fibers, plastics, etc.), together with non-combustible materials (glass and metal).

For the purpose of this fire prevention and fire countermeasures summary, content of this comingle/ mixed recyclables storage is assumed to be:

88% by volume of combustible recyclables, including:

- Newsprint and low-grade paper;
- OCC and Kraft Paper;
- Recyclable Plastics;
- Coated OCC, textiles, non-conforming plastics, etc. (rejects).

12% by volume of non-combustible recyclables, including

- Glass;
- Ferrous and other metals; and
- Non-combustible contaminants (rejects)

Accordingly, of the 438 cubic yards estimated comingled recyclable storage capacity estimated within the northeast quadrant of Building No. 6, roughly 385 cubic yards are potentially combustible solids. The relative composition/ mix of these materials is variable and average pile density and weight is also variable.

Open Pile Storage of Mixed Waste and Recyclable Materials: Recyclable materials also arrive mixed with certain waste materials intake streams at this Facility. Primarily, mixed waste/ recyclables intake is from self-haul customers and from debris box loads. Debris box tipping occurs within the northwest quadrant of Building No. 6. Self-haul materials intake occurs on the west side of *Building No. 6*. Temporary storage of these intake materials pending segregation of recyclables from these streams is provided to the south of the debris box tipping area and to the east of the self-haul customer tipping (unloading) area.

Recyclable materials are sorted and processed on a continuous basis from these intake streams throughout the operating day. Following recyclable materials removal, residual waste materials from these intake streams which are destined for land disposal are pushed to the southwest quadrant of *Building No. 6* for load-out.

The mixed waste and recyclable materials temporary storage area is accessible to fire responders from both west and east steel curtain doors of Building No. 6 (provided with manual over-ride). The mixed waste and recyclable materials temporary storage area is also directly accessible to fire responders through the west "hanger" doors of Building No. 6 (if these doors are open at the time of an incident).

Maximum piled open storage footprint of mixed waste and recyclable materials is assumed to be 30 feet x 60 feet, with a typical average pile height of 8 feet. This open pile volume of mixed waste and recyclable materials is separated from other combustible material piles within Building No. 6 by clear aisles of 15 foot minimum width.

Temporary storage of open-piled materials so located and configured, and accounting for 1 horizontal : 1.5 vertical typical side repose of the open pile, equates to an approximate volume of 410 cubic yards of materials. Assuming an approximate average piled materials density of 340 pounds per cubic yard, a maximum of approximately 70 tons of mixed waste and recyclable materials may be stored in this pile.

This estimated volume contains both combustible solid materials (wood wastes, yard and garden trimmings, cardboard, paper/ fibers, plastics, etc.), together with non-combustible materials (glass, metals, and inerts). For the purpose of this fire prevention and fire countermeasures summary, all content of this mixed waste and recyclable materials storage is conservatively assumed to be combustible materials.

TRANSFER/ PROCESSING REPORT

**Recycling Industries' Large Volume Transfer Station
140 Epley Drive
Yuba City, California**

APPENDIX G

Facility Load Check Programs

TRANSFER/ PROCESSING REPORT

RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION
140 EPLEY DRIVE
YUBA CITY, CALIFORNIA

APPENDIX G

FACILITY LOAD CHECK PROGRAMS

The criteria for Acceptable Materials, Unacceptable Materials, and Prohibited Materials for the RITS, together with protocols for exclusion of Prohibited Materials by intake load screening in combination with continuous load-check program, are provided within this Appendix.

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TRANSFER/ PROCESSING REPORT

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APPENDIX G

FACILITY LOAD CHECK PROGRAMS

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G.1 INTRODUCTION

This Facility Load-Check Program has been prepared at the request of, and for the exclusive use of Recycling Industries, Inc. (“RI” or “Operator”) for RI’s recycling and solid waste management operations (“Facility” or “RITS”) located at 140 Epley Drive (“Site”), City of Yuba City, California.

This load-check program is intended to broadly define those materials which are accepted for intake at the Facility (*Acceptable Materials*) and to assist in exclusion of materials which are prohibited from intentional acceptance at the Facility (*Prohibited Materials*). *Prohibited Materials* include hazardous materials and hazardous wastes, regulated medical wastes, liquid wastes and animal carcasses.

Also defined herein are “*Unacceptable Materials*”, which include certain materials which may be *Acceptable Materials* in a strict sense, but which, due to characteristics such as odor generation potential, vector attraction potential and similar qualities, are judged by the Operator to exceed the operational and engineered controls of the RITS for mitigation of undesirable conditions (odor, fugitive dust, etc.), or which may result in conditions that do not comply with State Minimum Standards for solid waste (vector attraction and propagation, etc.).

Unacceptable Materials are rejected during the initial load screening process as detailed in Section 4.5.1 of the Transfer/ Processing Report (“TPR”). The load-check Program detailed in this Appendix focuses on attempted exclusion of *Prohibited Materials* (through both intake load screening and a continuous load-check program), together with the Facility’s protocols for management of *Prohibited Materials* that that may unintentionally pass through Facility intake controls (initial load screening), and are discovered by tipping area controls (load spotters) after the customer has unloaded.

In addition to protocols for attempted exclusion and management of *Prohibited Materials*, this load-check program also summarizes the minimally required training for operations staff to execute the load screening and load-check program tasks as described herein.

Rather than a random load-check program pursuant to 14 CCR Section 17409.5(a)(1), Recycling Industries proposes a continuous load-check program, as detailed herein.

G.1.1 Purpose

The purposes of the Load-Check program include:

- ◆ To provide a program which attempts to exclude RCRA hazardous wastes, Non-RCRA hazardous wastes, Designated wastes, Universal wastes, and Regulated medical wastes, from being inadvertently accepted at the Facility in contravention of Federal and State statutes for the lawful management of these wastes, and as prohibited from acceptance at this Facility as stipulated by 14 CCR Section 17407.5(a);

- ◆ To provide an equivalent load-check program (a continuous load-check program) to the random load-check program as stipulated by 14 CCR Section 17409.5(a)(1) for exclusion of these wastes; and
- ◆ To lawfully manage those RCRA hazardous wastes, Non-RCRA hazardous wastes, Designated wastes, Universal wastes, and Regulated medical wastes in compliance with Federal and State statutes and regulations governing these wastes, including specifying control measures to protect public and environmental health in accordance with the requirements of 14 CCR Section 17407.5(b), and identifying temporary storage location for these materials in accordance with the requirements of 14 CCR Section 17409.5(a)(2).

G.2 MATERIALS & LOAD ACCEPTANCE CRITERIA

Recycling Industries accepts source-separated recyclable materials, recyclable materials mixed with solid waste, municipal solid waste (MSW), and other non-hazardous solid wastes at this Facility from franchise haulers, and from residential and commercial self-haul (public) customers.

In addition to these non-hazardous solid wastes, electronic waste (e-wastes) are accepted as a source-separated recyclable material for consolidation and shipment to e-waste processors. Spent lead acid storage batteries are further accepted for consolidation and shipment to battery recyclers. Treated wood wastes ("TWW") are accepted and are to be managed pursuant to the Alternative Management Standards (hereinafter "AMS") for TWW (22 CCR Division 4.5, Chapter 34, Section 67386.1 et seq.).

Acceptable materials for intake and management at this Facility are detailed below, as are criteria for wastes that are judged to not be within the operational and engineered controls for the RITS as detailed within the TPR ("*Unacceptable Wastes*"), as well as those materials that are prohibited from acceptance at this Facility ("*Prohibited Wastes*").

G.2.1 Acceptable Materials

Acceptable Materials for this Facility may be described to include:

- ◆ Source-Separated Recyclable Materials: including aluminum and other non-ferrous metals, glass, various types and grades of plastics, old corrugated cardboard (OCC), and various types and grades of wastepaper fibers.
- ◆ Ferrous Metals, including iron, steel and white goods (major appliances).
- ◆ Refrigerated Appliances, including refrigerators, freezers and air conditioners.
- ◆ Clean Wood Wastes, including lumber manufacturing cull and scrap, sawmill/ resaw mill ends, sawmill de-barking waste, other sawmill/ resaw mill wood wastes, sawdust

and shavings, un-painted/ unfinished wood wastes from manufacturing activities, clean wood waste from construction activities, and similar dimensional lumber scrap.

- ♦ Yard and Garden Trimmings: including self-hauled plant material that is separated at the point of generation and consists of or contains, materials from plants, including leaves, clippings, cuttings, trimmings of grass, weeds, shrubbery, bushes, or trees, garden waste, vegetative wastes from land clearing/ grubbing and fire hazard reduction activities, and similar wastes generated by residential, community, and commercial activities.
- ♦ Inert Wastes: As defined within Title 27 CCR, Chapter 3, Subchapter 2, Article 2, Section 20230(a), including block, brick, cured mortar, cured asphalt, and cured cement and concrete.
- ♦ Construction and Demolition Wastes: As defined within Title 14 CCR, Division 7, Chapter 3, Section 17225.12, and including waste building materials, packaging and rubble resulting from construction, remodeling, repair and demolition operations on pavements, houses, commercial buildings and other structures.
- ♦ Municipal Solid Waste: Including “*Commercial Solid Wastes*” (as defined within Title 14 CCR, Division 7, Chapter 3, Section 17225.12), “*Garbage*” and “*Rubbish*” (as defined within Title 14 CCR, Division 7, Chapter 3, Section 17225.30 and Section 17225.59, respectively), “*Institutional Solid Wastes*” (as defined within Title 14 CCR, Division 7, Chapter 3, Section 17225.12), and “*Residential Refuse*” (as defined within Title 14 CCR, Division 7, Chapter 3, Section 17225.57).
- ♦ Other Nonhazardous Solid Wastes: As defined within Title 27 CCR, Chapter 3, Subchapter 2, Article 2, Section 20230(a), which are not excluded from acceptance at the Facility as *Unacceptable Materials* (see Section G.2.2 below) and which may be managed with the design controls, operational controls, and other environmental controls for this Facility without causing a violation of State Minimum Standards for solid waste handling, and which are otherwise allowable pursuant to other agency permits and requirements (see TPR Sections 3.1 through 3.8).
- ♦ Tires: Including passenger vehicle, truck, and equipment tires.
- ♦ Treated Wood Waste: Including treated fence posts, mudsills, and similar chemically treated wood products regulated by the California Department of Toxic Substances Control (“DTSC”) and managed in accord with the AMS.
- ♦ Lead-Acid Storage Batteries: Including spent vehicle and equipment batteries collected from customers for recycling.
- ♦ Covered Electronic Devices (e-waste): Including discarded electronic devices and cathode ray tubes (universal wastes) collected pursuant to the Electronic Waste Recycling Act (SB 50), as amended.

G.2.2 Unacceptable Materials

Unacceptable Materials which not proposed for acceptance at this Facility include materials which may generate nuisance odors beyond the design considerations and odor control operational protocols of the Facility, materials which may cause vector attraction which may not be adequately mitigated provide vector harborage and materials that potentially pose fugitive dust problems. Unacceptable Materials for this Facility include **loads that consist primarily** of:

- ♦ Animal Manure: Loads consisting primarily of mammalian or avian feces and/ or urine, including animal bedding saturated with manure and/ or urine.
- ♦ Biosolids, consisting of treated and tested sewage sludge as defined within Title 40 of the Code of Federal Regulations ("40 CFR") Part 503, including biosolids with metals concentrations under the ceiling limits listed in 40 CFR Part 503.13 (Table 1), and biosolids which meet Class B pathogen limits.
- ♦ Putrescent Food Wastes In Advanced Stages of Decomposition, which are judged to be beyond the Operator's odor control operational protocols and/or the Facility's odor control design provisions.

G.2.3 Prohibited Materials

Prohibited Materials include those materials prohibited from intake at the Facility by statute or regulation (for the permit classification of the RITS), or which are within the permit classification of the RITS but which are not included within the Facility's Solid Waste Facility Permit (SWFP) for materials to be accepted at this location. These materials are broadly described as:

- ♦ Materials from Franchise Curbside Residential Greenwaste Collection Programs collected for the purpose of diversion to composting.
- ♦ Materials from Franchise Commercial Restaurant and Food Waste Collection Programs collected for the purpose of diversion to composting.
- ♦ Animal Carcasses, including any whole or part of mammalian, avian or fish that is not a food waste.
- ♦ Septage, including wastes removed from a septic tank, cesspool, portable toilet, Type III marine sanitation device, or similar wastewater handling device.
- ♦ Sewage Sludge, including solid, semi-solid, or liquid residues generated during the treatment of sewage in a municipal wastewater treatment facility, and including materials removed or used during primary, secondary, or advanced wastewater treatment processes.
- ♦ Hazardous Wastes, pursuant to Title 22 California Code of Regulations ("22 CCR") Division 4.5, Chapter 10, Article 2, Section 66260.10, with the specific exception of

spent lead-acid storage batteries collected for recycling and stored in quantities of less than 2,000 pounds for up to 1 year, or stored in quantities in quantities of greater than 2,000 pounds for a duration of 180 days or less, together with the with specific exception of treated wood waste.

- ♦ Universal Wastes pursuant to 22 CCR Section 66261.9, with the specific exception of Covered Electronic Wastes (e-waste) collected pursuant to the Electronic Waste Recycling Act (SB 50), as amended.
- ♦ Regulated Medical Wastes pursuant to the California Health and Safety Code ("H&S Code") Section 177690.

G.3 INTAKE LOAD SCREENING PROTOCOL

Customers with incoming loads are required to remove tarps and covers for the purpose initial visual screening inspection at the Facility access control point during intake. The Operator's customer intake personnel inspect all loads (with the exception of loads contained within packer trucks) for *Unacceptable Materials* and *Prohibited Materials*, prior to accepting the load and assigning the customer to a tipping area.

Intake load screening procedures, as well as protocols for management of customers with rejected loads, are described in detail within Section 4.5.1 of the TPR.

G.4 CONTINUOUS LOAD-CHECK PROGRAM

The continuous load-check program for the Facility includes observation of all customers' tipping, with the specific exception of customer loads described in Section G.4.3 below. A second stage of load-check, consisting of spreading thence inspection of the load contents following tipping is included for packer truck loads. Protocols for, and exceptions to, the continuous load-check program for the Facility are described below.

G.4.1 Attended Tipping

All tipping of incoming materials will be attended by RI personnel (spotters) trained in *Prohibited Materials* recognition, with exception to this requirement for those specific public customer loads described in Section G.4.3 below. This "spotter" will observe intake materials as they are being tipped (unloaded) for potential *Prohibited Materials*. If *Prohibited Materials* are observed, the spotter will follow the protocols detailed in Section G.5.4 below.

G.4.2 Load Spreading Following Tipping

Load spreading after tipping with a 2nd load inspection by a spotter is mandatory for franchise residential MSW intake and franchise commercial waste intake. For all public/self-haul customer intake, load spreading after tipping with a 2nd load inspection by a spotter is at the discretion of the Operator and is subject to the Protection of Users protocols described in Section 6.3 of the TPR .

Spreading of the tipped load will occur as soon as practicable following tipping, and will occur prior to customer departure, if feasible. The spotter will observe the materials as they are being spread for presence of potential *Prohibited Materials*. If *Prohibited Materials* are observed, the spotter will follow the protocols detailed in Section G.5.4 below. If *Prohibited Materials* are observed and the customer has not yet left the Facility, the spotter will further contact gate staff to hold the customer until resolution of the *Prohibited Materials* incident.

G.4.3 Exceptions to Continuous Load-Check Program

Public customers with certain loads consisting exclusively of recyclable materials unloaded at locations within the Facility other than the transfer station building may be excepted from continuous load check at the discretion of RITS intake staff. Exceptions to the continuous load-check program may be allowed for customers with loads where initial screening is adequate to determine with reasonable certainty that no *Prohibited Materials* are present in the customers load (all content of the load is visible during the customer intake load screening inspection). Exceptions to the continuous load check program during tipping will be allowed for customers whose intake materials are limited to:

- ♦ Tires;
- ♦ White Goods;
- ♦ Scrap Metals;
- ♦ Mattresses and boxsprings;
- ♦ Yard and garden trimmings; and
- ♦ Clean wood waste.

G.5 RESPONSIBILITIES, DISCOVERY AND REMOVAL OF PROHIBITED MATERIALS

Customer information and customer responsibilities, together with protocols for discovery and removal of *Prohibited Materials* are described below.

G.5.1 Customer Information and Customer Responsibilities

A sign posted at the start of transfer station intake queueing lanes (TPR Figure 4B: Sign 3) summarizes materials accepted at the Facility, as well as those materials that are prohibited from acceptance at this Facility. Additional signage prior to the intake control point (TPR Figure 4B: Sign 6) details load screening/ load-check requirements for the Facility, together with rules of use. Sign 6 is to include information concerning customer responsibility for the costs of removal of *Prohibited Materials*. The primary purpose of these signs is to clearly communicate information to customers concerning those materials that are acceptable at the RITS and those materials which are prohibited from acceptance at the RITS. This posted information is supplemented with customer query during the intake process as summarized in Section 4.5.1 of the TPR in order to discourage customers from intentionally or unintentionally attempting to include *Prohibited Materials* together with Acceptable Materials.

If *Prohibited Materials* or a significant quantity of *Unacceptable Materials* is discovered within a customer's load during intake screening, the customer will be rejected at Facility intake, and will be advised of the location of an alternate facility where their load may be accepted, as detailed in Section 4.5.1 of the TPR.

If *Prohibited Materials* are discovered within a customer's load as a result of either stage of load-checking described in Section G.4.1 or G.4.2 above, and the customer was held prior to departing the Facility, the customer will be advised of the information posted for load-check requirements for the Facility, in addition to customer responsibility for costs for removal of *Prohibited Materials*.

If the incident is minor (for example, a public customer inadvertently unloaded e-waste materials together with a load of otherwise acceptable solid wastes), the customer will be afforded the opportunity to remove certain *Prohibited Materials* for management at the RITS (lead acid batteries and e-waste) or, if staff has reasonable belief that removal of materials by the customer will not lead to subsequent illegal dumping, for management of the *Prohibited Materials* at an appropriate alternate facility.

If the incident is not minor (for example a customer has made a potentially intentional attempt to include *Prohibited Materials* in their load), the customer will be held at tipping or at the Facility exit control point (if they have not yet departed the Facility). An incident report will be generated, including the customer's name, company (if applicable), and vehicle description/ vehicle license number (if known). Such customers will be included in a database/ list for increased load screening scrutiny and increased load-check effort in the future. If a subsequent incident involving *Prohibited Materials* occurs with the particular customer or particular company, the customer or company will be excluded from the Facility.

The incident reports so generated will include details of the disposition of the materials (and manifest if required), and will be placed into the Site Incident Log as set forth within Section 8.1.3 of the TPR.

G.5.2 Management of Tipped Unacceptable Materials

Unacceptable material that has bypassed intake screening and has been tipped by the customer (for example, putrescent food wastes or manure that was within a refuse container) will be given priority for loading into MSW transfer.

G.5.3 Discovery of Prohibited Materials

Certain Recycling Industries' operations personnel are trained to handle TWW pursuant to the requirements of 22 CCR Section 67386.5 as detailed in Section 7.5.4 of the TPR. Certain of Recycling Industries' operations personnel are also 29 CFR Part 1910.120 trained and certified for managing other *Prohibited Materials*, including unknown or uncertain hazardous wastes, as detailed in Section 7.5.5 of the TPR.

These trained personnel are identified to all other operations personnel (spotters, laborers, equipment operators, etc.) during the course of both health and safety training and waste recognition/ handling training (provided to all RITS operations staff as detailed in Section 7.5.2 and Section 7.5.3 of the TPR, respectively) as the only RITS staff authorized to handle TWW and hazardous or potentially hazardous materials.

The protocol for discovery of *Prohibited Materials* or potential *Prohibited Materials* is to isolate the discovery area as described in Section G.5.4 below, thence to remove the *Prohibited Materials* (if confirmed), or to mobilize a licensed and registered service vendor for removal of certain Prohibited Materials which are beyond the capabilities of RITS staff (as described in Section G.5.8 below) to safely manage.

G.5.4 Area Isolation Protocol for Prohibited Materials

If any suspected hazardous material, regulated medical waste, or similar *Prohibited Material* (other than TWW or certain Universal Wastes) is discovered during load-check the following discovery response protocol will be adhered to:

- 1) If the customer is still present on-site, the customer will be advised of the situation (see Section G.5.1 above) and their vehicle will be held, with measures employed as needed to prevent customer departure during the discovery investigation;
- 2) The area of the suspect *Prohibited Material* discovery be cordoned off using traffic delineators and "Keep Out" warning tape, providing a minimum 10-foot isolation between the suspect *Prohibited Material*(s) and any continuing operations;
- 3) Either the Facility Manager, the Operations Manager or their trained and authorized designee will be summoned to confirm whether the suspect material is, in their judgement, a hazardous waste, a regulated medical waste, or similar *Prohibited Material*, and whether its condition is stable and contained, or

alternately if the material not stable or is not contained (i.e. if the container is leaking, etc.);

- 4) If the *Prohibited Material* is not stable or is not contained, the cordon area for isolation will be increased from 10 to 25 feet, and the tipping station and adjacent areas shall be closed until the conclusion of incident response;
- 5) The customer who deposited the load containing the *Prohibited Material* will be updated on the situation by the Facility Manager or Operations Manager or their authorized designee. The customer will be advised of any additional fee to be assessed for management of the waste. With the exception of certain Universal Wastes, the customer shall not be permitted to depart the facility with hazardous waste, regulated medical waste, or similar *Prohibited Material(s)* discovered in their load (as a measure to minimize the potential of illegal dumping of the material(s));
- 6) If the *Prohibited Material* is an explosive, is reactive or pyrophoric, or otherwise meets criteria summarized in Section G.5.8 below, the Operations Manager or their designee will mobilize the professional industrial services responder identified in Section G.5.8 below to contain and remove the *Prohibited Material* for lawful disposal;
- 7) If the Facility Manager, the Operations Manager or their trained and authorized designee determines that discovery presents an imminent danger to human life or health and safety, the local fire authority will be notified by dialing "911" for potential Hazardous Materials Team response to the incident, and operations in the involved tipping area shall be suspended until conclusion of incident response; and
- 8) Upon conclusion/ resolution of the *Prohibited Materials* incident, an incident report shall be prepared for recording in the Site Incident Log as set forth within Section G.8.2 below, with full details provided for the incident, including disposition of the involved materials(s).

If unquestionably safe, other operations at the Facility shall be allowed to continue outside of the *Prohibited Material* incident isolation area during removal of the *Prohibited Materials* by RITS staff or following industrial services vendor response. Otherwise, some or all of the Facility operations shall be suspended until the conclusion of the incident response, as decided by the Facility Manager, the Operations Manager or their trained and authorized designee.

G.5.5 Treated Wood Waste Protocols

Any incoming load containing visible Treated Wood Waste is identified during intake load acceptance screening, with information relayed to spotters and laborers that a load containing wastes requiring special handling is en-route to customer tipping. These

“flagged” loads will be managed in accord with 22 CCR Section 67386.5, (Labeling) by RITS staff trained handle these materials as set forth in Section 7.5.4 of the TPR.

TWW which bypasses load screening is removed during the continuous load-check process and similarly managed. TWW shall be temporarily stored as detailed in Section G.6.2 below.

G.5.6 Universal Wastes Protocols

Loads that observed to contain universal wastes other than e-waste (loads containing florescent lamps, HID and sodium vapor lamps, mercury containing devices, batteries other than lead-acid batteries, and non-empty aerosol cans, etc.) are rejected at customer intake, unless intake staff have reasonable assurance from the customer that they will properly manage these *Prohibited Materials* subsequent to their visit, and will not attempt to unload these materials together with their solid wastes.

Any incoming load containing visible e-waste is to be flagged during customer intake load acceptance screening, with information relayed to spotters that a load containing wastes requiring special monitoring is en-route to customer tipping. The customer is also advised that their e-waste materials must be unloaded separately from other waste materials.

E-waste accepted at the transfer station shall be managed as set forth in Section 3.8.2, Section 4.8.5, and Section 5.6.1 of the TPR. E-waste accepted at the transfer station is to be temporarily stored (for consolidation by class) within relocated *Building No. 2*. E-waste accepted at the transfer station is thence transferred to temporary warehousing within *Building No. 1* pending shipment to an e-waste processor (destination facility) upon accumulation of sufficient quantities for transport, subject to the accumulation time limitation of 22 CCR for such wastes.

E-wastes which bypass load screening are removed during the continuous load-check process and are managed together with e-wastes accepted from customers as source-separated materials. Other Universal Wastes removed during the continuous load-check process are managed together with other hazardous materials as set forth within Section G.6.1 below.

G.5.7 Lead-Acid Batteries Protocols

Any incoming load containing visible lead-acid batteries is also to be flagged during customer intake load acceptance screening, with information relayed to spotters that a load containing wastes requiring special monitoring/ handling is en-route to customer tipping. The customer is also advised that their lead-acid battery(ies) must be unloaded separately from solid waste materials.

Lead-acid batteries to be accepted at the RITS shall be managed as set forth in Section 4.8.6 and Section 5.6.1 of the TPR. Lead-acid batteries are to be temporarily stored on pallets

atop of containment, and covered from precipitation. Lead-acid batteries are stored in an area proximate to the load-check materials storage lockers to the west of relocated *Building No. 2* (see TPR Figure 4B). Upon accumulation of sufficient quantities for transport, lead-acid batteries are collected by a battery recycler for transport to a destination facility, with such accumulation subject to available capacity of covered temporary storage with containment, as well as the accumulation time limitations of 22 CCR for such wastes.

Lead-acid batteries which bypass load screening are removed during the continuous load-check process and similarly managed. Damaged lead-acid batteries as received from customers, or as removed during the continuous load-check process, are managed together with other hazardous materials as set forth within Section G.6.1 below.

G.5.8 Service Vendor for Management of Certain Hazardous Wastes

Recycling Industries' staff are not trained and do not have adequate personal protective equipment to handle certain types and classes of materials that may (however unlikely) be encountered during the load-check program. These materials include but are not limited to:

- ♦ Explosives, munitions and ammunition;
- ♦ Highly reactive materials (i.e. tetraphosphorus), pyrophoric materials (iron sulfide, metal hydrides, etc.), and water/ moisture reactive materials;
- ♦ Materials for which an air-purifying respirator is ineffective (all materials containing or potentially producing poisonous gasses requiring self-contained breathing apparatus, including materials which produce chlorine gas);
- ♦ Any material marked "radioactive" or with the radioactive symbol (with the specific exception of in-tact smoke detector devices); and
- ♦ Materials producing visible fumes or vapors or showing other conditions or characteristics of instability.

Recycling Industries contracts with a service vendor for response to discovery of these types of hazardous wastes, which require specially trained/ certified personnel for handling. This service vendor has personnel trained and certified to handle such materials, has registration with the California Department of Toxic Substances Control to transport such materials, together with the facilities to properly temporarily store such materials at an off-site location pending final disposition.

The vendor to be normally available with reliable response for this service is:

National Response Corporation

Chico, California 95973

Phone: 800-899-4642 (dispatch, 24/7 staffed urgency response); or
530-343-5488 (Chico, office hours).

G.6 MANAGEMENT & STORAGE OF LOAD-CHECK PROGRAM MATERIALS

The Facility protocols for management and storage of *Prohibited Materials* and for management and storage of TWW, e-waste and lead-acid batteries are described below.

G.6.1 Management & Storage of Prohibited Materials

Any materials (other than TWW, undamaged lead-acid batteries and e-waste) which is removed as hazardous/ potentially hazardous or regulated medical waste will be placed in one of the four storage lockers reserved for this purpose, located to the west of relocated Building No. 2 as depicted on TPR Figure 4B. E-wastes, undamaged lead-acid batteries, and TWW are managed separately. As set forth within Section 5.11.1 of the TPR, scavenging of ANY materials removed as hazardous or potentially hazardous material during the continuous load-check program is prohibited in all circumstances.

Materials storage lockers with integral liquid containment equal to at least 50 percent of the intended liquid storage volume and which carry Factory Mutual approval for the purpose of hazardous materials storage shall be provided for four classes of materials as follows:

- 1) Flammable and Combustible Materials;
- 2) Corrosive Acid Materials;
- 3) Corrosive Base Materials; and
- 4) Poisons (not corrosive or flammable) & other regulated wastes.

The following materials as may be discovered during the load-check program may be temporarily stored together with materials within the flammable and combustible materials storage locker:

- ♦ All paint (including oil-base, latex and aerosol paints); and
- ♦ All organic acids (acetic acid, acrylic acid, etc.); and
- ♦ Waste lubricating and hydraulic oils.

The following materials as may be discovered during the load-check program may be temporarily stored together with liquid and solid acid materials within the acidic corrosive materials storage locker:

- ♦ Damaged lead-acid batteries (stored within containment pails/ tubs); and
- ♦ **NO organic acids** (these are to be stored together with flammables and combustibles).

The following materials as may be discovered during the load-check program may be temporarily stored together with liquid and solid corrosive base materials within the base corrosive materials storage locker:

- ♦ Alkaline batteries; and
- ♦ Sealed and labeled asbestos-containing waste bags.

The following materials as may be discovered during the load-check program may be temporarily stored together with materials within the poisons material storage locker:

- ♦ Antifreeze;
- ♦ Mercury switches, mercury containing thermostats and other devices containing mercury;
- ♦ In-tact smoke detectors;
- ♦ Sharps, placed in proper containers and properly labeled; and
- ♦ Other regulated medical wastes, placed in proper containment and properly labeled.

Materials stored within these load-check program lockers shall be placed within tubs to provide a neat, organized and safe space for this temporary storage. For example, within the poisons storage locker, non-empty containers of weed killer will be placed in a separate tub from containers of non-empty containers of pesticides. Similarly, co-stored materials will be provided with separate tubs (tubs for mercury containing devices, with a separate tub for smoke detectors, and another tub for anti-freeze, etc.).

These load check materials shall be removed as hazardous and/ or regulated medical waste upon the accumulation of 81 gallons or 660 pounds of all load check program materials, or alternately at a minimum frequency of once each 90 days.

These materials will be removed by an industrial services vendor qualified to package and licensed to transport, these various classes of load-check program wastes. Copy of the manifests from the industrial services vendor for load-check materials removal shall be maintained with the Facility General Daily Operating Record as detailed in Section 8.1.1 of the TPR.

G.6.2 Management & Storage of Treated Wood Waste

TWW shall be stored in a protected location near the load-check program storage lockers, by a method as outlined in 22 CCR Section 67386.6(a), and shall be removed from the Facility at a minimum frequency of once each 90 days. Disposal of TWW so generated may be accomplished by self-transport by Recycling Industries to an AMS-approved consolidation facility or a destination facility, accompanied by a bill of lading specific to the TWW materials.

The TWW bill of lading, together with the weight tag from the AMS-approved consolidation facility or destination facility will be placed in the Facility General Daily Operating Record (see Section 8.1.1 of the TPR) for reference by regulatory agencies with jurisdictional authority to examine such records.

In the event that more than 10,000 pounds of TWW is generated within a calendar year by the Operator, the requirements to furnish written notice to DTSC (per 22 CCR Section 67386.9) will be satisfied within 30 days of reaching this threshold. Such DTSC notification will also be placed into the Facility General Daily Operating Record described within Section 8.1.1 of the TPR.

G.6.3 Management & Storage of E-waste

E-waste will be consolidated and temporarily stored as detailed in Section 5.6.1 of the TPR.

G.6.4 Management & Storage of Lead-acid Batteries

Lead-acid batteries will be temporarily stored as detailed in Section 5.6.1 of the TPR.

G.7 TRAINING

Recycling Industries' training programs for detection and management of materials that are subject of the load-check protocols described herein are described below.

G.7.1 Prohibited Materials Recognition Training

All Recycling Industries' operations staff are trained in recognition of the common types of hazardous wastes and other *Prohibited Materials* likely to be potentially encountered in customer loads. Recycling Industries uses an industry-standard training package, such as those available through the Solid Waste Association of North America ("SWANA") and/ or through the U.S. EPA's Hazardous Materials Recognition standard (United States Environmental Protection Agency. *Training Module: Introduction to Hazardous Waste Identification*. U.S. EPA Office of Solid Waste and Emergency Response [5305W]. Document No. 530-K-05-012. September 2005).

Focus is made on recognition of those *Prohibited Materials* which may reasonably be anticipated to be incidental to Acceptable Wastes. Key elements and focus of this training is detailed in Section 7.5.3 of the TPR. This training shall further include:

- ♦ Isolation protocols for areas of *Prohibited Materials*/ suspected *Prohibited Materials* discovery; and
- ♦ Identification of those Facility staff who are authorized to handle and manage load-check program materials; and

- ♦ Facility protocols for mobilization of the service vendor for response to discovery of certain hazardous materials/ *Prohibited Materials* during the continuous load-check program that are beyond the resources and training of RITS staff to manage internally.

G.7.2 Training for Handling & Management of Treated Wood Waste

All RI operations staff are trained in recognition/ identification of TWW and other *Prohibited Materials* as may be reasonably potentially encountered in customer loads. Certain RI operations staff are also trained in segregating, handling, labeling and storage of TWW, together with other aspects of TWW management as may be required by their duties. RI staff that are authorized to handle and manage TWW are provided supplemental training, which includes:

- ♦ Procedures for segregating TWW;
- ♦ Safe handling practices for TWW;
- ♦ Applicable requirements of the California Occupational Safety and Health Act of 1973 (Chapter 1, Part 1, Division iv. 5 (commencing with § 6300) of the Labor Code), including all rules, regulations, and orders pertinent to TWW;
- ♦ Proper methods for temporary storage of TWW as set forth within 22 CCR Section 67386.6(a);
- ♦ Proper methods for labeling TWW, and time limitation for accumulated temporarily stored TWW, as set forth within 22 CCR Section 67386.5 and 22 CCR Section 67386.6, respectively;
- ♦ Requirements of the TWW alternative management standards;
- ♦ Proper methods of disposition of TWW, including preparation of a bill of lading specific to the TWW materials transported to an AMS consolidation facility or to a destination facility; and
- ♦ Required Facility records to be filed within the General Daily Operating Record for TWW management, as set forth within Section 8.1.1 of the TPR.

G.7.3 Training for Handling & Management of Other Prohibited Wastes

Certain Facility operations management personnel are trained pursuant to the requirements of Title 29 Code of Federal Regulations (hereinafter "*29 CFR*"), Part 1910.120 and analogous California regulations promulgated within Title 8 CCR, which require such training, together with annual refresher certification and medical clearances, as prerequisite to handling certain hazardous waste materials, regulated medical wastes and certain unknown materials as may be discovered during the continuous load-check program.

Further details of this “HazWopper” training, certification and clearances are provided within Section 7.5.5 of the TPR.

G.7.4 Chemical Storage Training

Facility operations personnel who have completed the training set forth in Section G.7.3 above as prerequisite to managing certain load-check program materials, will further receive supplemental training in fundamental chemical storage standards and practices prior to being assigned duties which include placement of materials discovered during the continuous load-check program into the storage lockers pursuant to Section G.6.1.

Further details of this training are provided within Section 7.5.6 of the TPR.

G.8 RECORDS

Recycling Industries’ records for management of materials that are subject of the load-check protocols described within this Appendix are described below.

G.8.1 Training Records

Recycling Industries maintains staff training records, including records for the training set forth within Section G.7.1, G.7.2, G.7.3 and G.7.4 above. These training records are maintained and available for inspection as detailed within Section 8.1.2 of the TPR.

G.8.2 Site Incident Log

Upon conclusion/ resolution of all load-check program incidents, an incident report shall be prepared for recording in the Site Incident Log as set forth within Section 8.1.3 of the TPR, with full details provided for the incident, including disposition of the involved materials(s).

G.8.3 Load-check Materials Accumulation Logs

In addition to entries into the incident log , a daily accumulation log shall be maintained for load check materials storage, recording the date, and a general description, and approximate quantity (weight and/or volume) of materials placed into load-check materials temporary storage. This daily log will be organized by class of material (flammables, corrosives and poisons), and the various materials co-stored in each of the 4 lockers as summarized in Section G.6.1 above.

TRANSFER/ PROCESSING REPORT

**Recycling Industries' Large Volume Transfer Station
140 Epley Drive
Yuba City, California**

APPENDIX H

Facility Capacity Estimates and Calculations

TRANSFER/ PROCESSING REPORT

RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION
140 EPLEY DRIVE
YUBA CITY, CALIFORNIA

APPENDIX H

FACILITY CAPACITY ESTIMATES AND CALCULATIONS

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TRANSFER/ PROCESSING REPORT

RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION
140 EPLEY DRIVE
YUBA CITY, CALIFORNIA

APPENDIX H

FACILITY CAPACITY ESTIMATES AND CALCULATIONS

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CUSTOMER CAPACITY ESTIMATES

RECYCLING CENTER ASSUMPTIONS AND CAPACITY ESTIMATE

Assumptions:

- a) Recycling Center capacity estimate is furnished by the Operator, based on 8+ years' experience;
- b) Recycling Center is Building No.3, 3,000 SF, roll-up doors on north and west for customers;
- c) Roll-up doors on south provide direct materials transfer to tip bins thence baler feed/ larger roll-offs;
- d) East-central interior contains cashier cage for customer pay-out after processing;
- e) Dedicated customer parking = 11 standard spaces + 1 ADA van north of Building No. 3;
- f) Additional available customer parking = 2 standard spaces + 1 ADA west of Building No. 1;
- g) Recycling Center is assumed to receive 80% of self-haul recycling customers;
- h) Ave customer traffic for Recycling Center is estimated = 58/ 62/ 67 VPD for 2020/ 2025/ 2030;
- i) Peak-Surge traffic rate for Recycling Center is estimated as 16 customers per hour for 2030; and
- j) Operator's estimate of Recycling Center customer processing capacity = 20 customers per hour.

Calculation:

- ♦ 2030 customer Peak-Surge = $16/20 = 80\%$ of Operator capacity estimate.
- Parking dedicated to Recycling Center customers exceeds Operator's capacity estimate.

Capacity:

Recycling Center Customer Capacity is adequate based on Operator's estimate.
Operator has options to incentivize Recycling Center Customers to use other sites.

TRANSFER STATION INTAKE ASSUMPTIONS AND INTAKE CAPACITY ESTIMATE

Assumptions:

- a) Transfer station traffic composition by customer class is estimated in TPR Table 1;
- b) Unusual, surge and peak-surge intake rates by customer class for TS are estimated in TPR Table 2;
- c) Landfill transfer fleet is weighed at destination and bypasses customer intake per TPR narrative;
- d) Residential & commercial packer trucks subject to 2-stage load-check on tipping – no gate screening;
- e) All public/ self-haul customers and franchise debris box trucks de-tarp prior to intake control point;
- f) Franchise debris box customers are subject to load screening on intake, as well as load-check on tip;
- g) All public/ self-haul customers are subject to load screening on intake and load-check during tip;
- h) Public/ self-haul customers are allowed unit fee items (white goods, etc.) and minimum fee loads;
- i) Public/ self-haul customers with unit-fees and minimum fee loads use the scale bypass lane;
- j) Public/ self-haul customers with other recycle-only loads also use the scale bypass scale;
- k) Both the scale lane and scale bypass lane intakes are provisioned with high resolution video systems;
- l) Jurisdiction of origin for all franchise haul vehicles will be limited to Yuba City;

- m) Commercial contract haul is eliminated by exclusive solid waste franchise (makes origin task simple);
- n) Jurisdiction of origin survey is continuous for self-haul customers (each customer provides origin);
- o) Customer intake efficiency is aided by tablets allowing staff to generate intake record at the vehicle;
- p) Franchise vehicles all have unique IDs and have established tare;
- q) Estimated time to generate intake record/ driver receipt for Franchise packer vehicles is <1 minute;
- r) Estimated time for intake load screening, generating intake record/ driver receipt for Franchise roll-off debris box vehicles is 2.5 minutes;
- s) An estimated 20% of public self-haul recycle customers use transfer station recycling (bypass lane);
- t) Public self-haul customers will be split as 75% weighed loads and 25% scale bypass lane loads;
- u) Scale bypass lane is staffed with 2nd attendant when warranted by customer intake rate;
- v) Estimated time for video pre-screening of load, direct visual screening/ inspection of the customer's load, load origin survey, query concerning Unacceptable Materials and Prohibited Materials, generating customer intake record, and explaining fees/ charges for public self-haul customers' vehicles, is estimated to range from < 1 minute for scale bypass lane customers to 4 minutes for weighed customers with large loads or loads within enclosed vehicles, and to average 2.5 minutes for all public/ self-haul customers;
- w) Estimated average daily transfer station intake for year 2030 totals 141 estimated total intake customers with 16 franchise (residential and commercial) packer trucks (11.3% of traffic), 11 franchise debris box loads (7.8% of traffic); 17 transfer station recycle-only customers (12.1% of traffic) and 88 transfer station public/ self-haul customers (62.4% of traffic) with assumed split of 66 weighed loads and 22 scale bypass loads (see TPR Table 2);
- x) Estimated Peak-Surge hourly traffic rate for transfer station intake for 2030 (see TPR Table 2) totals 34 customer intakes per hour. By customer class, this is estimated/ approximated to be comprised of 4 franchise packer waste (residential and commercial) trucks per hour, 1 franchise residential co-mingle recyclables packer truck per hour, 3 franchise roll-off debris box trucks per hour, and 25 public/ self-haul customers per hour (ALL Peak-Surge rates for CAPACITY design and not for ANY other use);
- y) Of the 25 public self-haul Peak-Surge hourly customers, 4 are estimated to be transfer station recycle customers using the scale bypass lane, other scale bypass load customers = $(0.25 * 21) = 5$ and $(0.75 * 21) = 16$ are assumed to weight-based public customers using the scale lane; and
- z) Summary year 2030 Peak-Surge hourly estimate is 5 packer trucks/ hour, 3 roll-off trucks per hour, 17 self-haul using scale lane (assigned rounding error = 1), and 9 self-haul using the scale bypass lane.

Calculation:

- ♦ As percentage of estimated total intake for year 2030 Peak-Surge traffic hourly rate, packer traffic = $(5/34) = 14.7\%$, roll-off = $(3/34) = 8.8\%$, self-haul scale lane = $(17/34) = 50.0\%$, and self-haul scale bypass lane = $(9/34) = 26.5\%$.
- ♦ As a percentage of estimated scale lane traffic of 25 VPH for year 2030, packer traffic = $(5/25) = 20.0\%$, roll-off = $(3/25) = 12.0\%$, self-haul scale lane = $(17/25) = 68.0\%$.
- ♦ Estimated scale lane year 2030 Peak-Surge intake time, given intake time assumptions "q)", "r)" and "v)" above, = $((5 * 1.0 \text{ minutes}) + (3 * 2.5 \text{ minutes}) + (17 * 2.5 \text{ minutes})) = (5 \text{ minutes} + 7.5 \text{ minutes} +$

42.5 minutes) = 55 minutes. Scale intake lane = 55 minutes/ 60 minutes = 91.6% of capacity for year 2030 estimated Peak-Surge traffic rates with all assumptions and estimates as stated.

- ♦ Estimated scale bypass lane year 2030 Peak-Surge intake time, per intake time assumption u) above, = (9 * 2.5 minutes) = 22.5 minutes. Scale bypass lane = 22.5 minutes/ 60 minutes = 37.5% of capacity for year 2030 estimated Peak-Surge traffic rates with all assumptions and estimates as stated.

Capacity:

Scale intake lane is estimated to be within capacity for estimated year 2030 Peak-Surge hourly traffic rates at 92% capacity use.

Scale bypass intake lane is estimated to be within capacity for estimated year 2030 Peak-Surge hourly traffic rates at 38% capacity use.

Internal traffic stacking capacity should be required only in the event of a temporary disruption to intake such as Prohibited Materials in customers load, or concurrent arrival of a concentration of customers within the already conservative year 2030 Peak-Surge estimated hourly intake rate.

INTERNAL TRAFFIC STACKING ASSUMPTIONS AND STACKING CAPACITY ESTIMATE

Assumptions:

- a) Provision for internal traffic stacking is to be as illustrated on TPR Figure 4B;
- b) Net internal traffic stacking provides approximately 630 lineal feet of 12-foot width lane prior to TS intake;
- c) Transfer Station internal traffic stacking provision is clear of Recycling Center traffic turn movement;
- d) Transfer Station internal traffic stacking provision is clear of company vehicle traffic movements;
- e) Transfer Station internal traffic stacking provision has no cross-traffic;
- f) Potentially stacked vehicles do not include MSW/ ADC transfer semi-combo vehicles (bypass intake);
- g) Potentially stacked vehicles include 20% packer trucks, 12% roll-off trucks, and 68% public self-haul vehicles per intake calculations in proceeding section;
- h) Potentially stacked vehicles assumed to range from 22 foot to 52 foot bumper-to-bumper length;
- i) Potentially stacked vehicles average 40 feet per vehicle together with inter-vehicle spacing;
- j) Transfer Station internal traffic stacking provision is also used for customer de-tarp; and
- k) Transfer Station internal traffic stacking contingency should be 50% of year 2030 Peak-Surge estimated hourly intake rate to account for a potential temporary intake process disruption (of up to 30 minutes).

Calculation:

- Concurrently stacked/ de-tarpping vehicles = (630 feet/ 40 ft per vehicle) = 15.75 >>> 15 vehicles.
- Temporary disruption contingency stacking requirement = (25/ 2) = 12.5 >>> 13 vehicles.

Capacity:

Internal traffic stacking capacity should not be needed for year 2030 Peak-Surge traffic rates.

Internal traffic stacking capacity is adequate for Peak-Surge disruption condition considered.

PUBLIC CUSTOMER TIPPING ASSUMPTIONS AND TIPPING CAPACITY ESTIMATE

Assumptions:

- a) Six public customer tipping slots are provided on west face of the transfer station building;
- b) Spotter must attend all public/ self-haul customers tipping of waste materials;
- c) One spotter can concurrently observe 3 - 6 public customers unloading waste materials;
- d) Public/ self-haul customer unloading time ranges from 10 to 20 minutes, averaging 15 minutes; and
- e) Per intake capacity assumption "y)", 21 public-self-haul customers/ hour with mixed waste loads are anticipated for year 2030 Peak Surge rates.

Calculation:

- ♦ Public customer tipping capacity per tipping space = $60 / 15 \text{ minutes} = 4 \text{ customers per hour}$.
- ♦ Net self-haul customer tipping capacity = $6 \text{ spaces} * 4 \text{ customers per hour per space} = 24 \text{ customers per hour}$.
- ♦ Year 2030 Peak-Surge self-haul customer waste tipping estimate = 21 customers per hour/ 24 customers per hour self-haul customer waste tipping capacity = 87.5% capacity.

Capacity:

Public/ self-haul customer tipping provision is estimated to be within capacity for estimated year 2030 Peak-Surge hourly traffic rates.

FRANCHISE WASTE TIPPING ASSUMPTIONS AND TIPPING CAPACITY ESTIMATE

Assumptions:

- a) Franchise residential curbside waste (grey can) and franchise commercial collection vehicles tip within south of Building No. 6;
- b) Provision is made for 1 MSW transfer fleet semi-combo loading, concurrent with 1 packer truck ejecting/ tipping within the south drive-through lane of the transfer station building;
- c) Per intake capacity assumption "x)", Year 2030 Peak-Surge franchise waste hourly tipping rate requirement = 4 trucks per hour;
- d) Franchise packer load-check requires spotter observing tipping, thence observing load after it has been spread on the tipping floor (2-stage load check);
- e) Estimated average time for packer waste truck entry & tip positioning, load ejection/tipping, 2-stage load-check, and clearing materials from tipping area for sort or MSW load out, averages 15 minutes; and
- f) Next vehicle enters following completion of "e)".

Calculation:

- ♦ Franchise waste packer vehicle tipping capacity = $60 \text{ minutes} / 15 \text{ minutes per vehicle} = 4 \text{ packer trucks per hour}$.

- ♦ Year 2030 Peak-Surge franchise hourly packer waste tipping estimate = 4 trucks per hour/ 4 trucks per hour capacity = 100% capacity.

Capacity:

Franchise waste tipping provision is estimated to be at capacity for estimated year 2030 Peak-Surge hourly traffic rates.

Post-intake internal stacking provision along south line of Facility is provided for up to 2 franchise waste collection vehicles of all classes, as may be needed past year 2030. Actually, the year 2030 estimated Peak-Surge hourly franchise waste packer vehicle intake rate is ridiculously conservative, and may equal or exceed the franchise hauler fleet vehicle count.

FRANCHISE DEBRIS BOX TIPPING ASSUMPTIONS AND TIPPING CAPACITY ESTIMATE

Assumptions:

- Franchise debris box collection vehicles tip within northwest of Building No. 6;
- Provision is made for 1 franchise debris box collection vehicle tipping (northwest), concurrent with 1 curbside comingle recyclables packer truck ejecting/ tipping (within the northeast) for the north drive-through lane of the transfer station building;
- Per intake capacity assumption "x)", Year 2030 Peak-Surge franchise debris box hourly tipping rate requirement = 3 trucks per hour;
- Franchise debris box load-check requires spotter observing tipping, thence observing tipped load after it has been spread on the tipping floor (2-stage load check, if warranted based on load composition);
- Estimated average time for franchise debris box truck tip entry & positioning, tipping, 2-stage load-check (2nd stage as warranted), and clearing materials from tipping area for sorting, averages 15 minutes; and
- Next franchise debris box vehicle enters following completion of "e)".

Calculation:

- ♦ Franchise debris box truck tipping capacity = 60 minutes/ 15 minutes per vehicle = 4 debris box trucks per hour.
- ♦ Year 2030 Peak-Surge franchise hourly packer waste tipping estimate = 3 trucks per hour/ 4 trucks per hour capacity = 75% capacity.

Capacity:

Franchise debris box tipping provision is estimated to be within capacity for estimated year 2030 Peak-Surge hourly traffic rates.

Post-intake internal stacking provision along south line of Facility is similarly provided for up to 2 franchise waste collection vehicles of all classes, as may be needed post year 2030. Actually, the year 2030 estimated Peak-Surge hourly franchise debris box truck intake rate is also overly conservative, and may equal the franchise hauler fleet vehicle count for this vehicle type.

FRANCHISE RECYCLABLES TIPPING ASSUMPTIONS AND TIPPING CAPACITY ESTIMATE

Assumptions:

- a) Franchise curbside comingled recyclables collection vehicles (blue can collection) tip within northeast of Building No. 6;
- b) Provision is made for 1 curbside comingled recyclables packer truck ejecting/ tipping in the northeast of Building No. 6 (using the north drive-through lane of the transfer station building) concurrent with 1 franchise debris box collection vehicle tipping within the northwest of Building No. 6;
- c) Per intake assumption "x)", Year 2030 Peak-Surge franchise curbside comingled recyclables collection vehicles hourly tipping rate requirement = 1 vehicle per hour;
- d) Franchise curbside comingled recyclables collection vehicles load-check requires spotter observing tipping, thence observing load after it has been spread on the tipping floor (2-stage load check, if warranted based on load composition);
- e) Estimated average time for franchise curbside comingled recyclables collection vehicles entry & tip positioning, load ejection/tipping, 2-stage load-check (as warranted), and clearing co-mingled recyclables from tipping area for processing, averages 15 minutes; and
- f) Next franchise curbside comingled recyclables collection vehicle enters following completion of "e)".

Calculation:

- ♦ Franchise curbside comingled recyclables collection vehicle tipping capacity = 60 minutes/ 15 minutes per vehicle = 4 curbside comingled recyclables collection vehicles per hour.
- ♦ Year 2030 Peak-Surge franchise hourly packer waste tipping estimate = (1 trucks per hour/ 4 trucks per hour capacity) = 25% capacity.

Capacity:

Franchise curbside comingled recyclables collection vehicle tipping provision is estimated to be within capacity for estimated year 2030 Peak-Surge hourly traffic rates.

RECYCLABLE MATERIALS PROCESSING AND STORAGE CAPACITY ESTIMATES

CO-MINGLED RECYCLABLES STORAGE ASSUMPTIONS AND STORAGE CAPACITY ESTIMATE

Assumptions:

- a) Tipping of curbside co-mingled recyclables occurs in the NE quadrant of Building No. 6;
- b) Comingled/ mixed recyclables temporary storage prior to mechanical processing is necessary;
- c) Temporary storage of comingled/ mixed recyclables is provided south of their tipping area
- d) Comingled/ mixed recyclables storage footprint is 36 foot x 40 foot area with 1:1.5 pile side repose;
- e) Comingled/ mixed recyclables storage average pile height is 12.5 feet; and
- f) Piled co-mingled/ mixed recyclables density is variable and dependent on content.

Calculation:

- ♦ Gross co-mingled/ mixed recyclables storage volume = 36 ft x 40 ft x 12.5 ft = 18,000 ft³ = 667 yd³.
- ♦ Side repose = $0.5(12.5 \text{ ft} * 8.33 \text{ ft}) * ((152 \text{ LF} - (4 * 8.33 \text{ LF})) = 6,179 \text{ ft}^3 = 289 \text{ yd}^3$.
- ♦ Net volume of piled co-mingled/ mixed recyclables = 667 yd³ – 289 yd³ = 438 yd³ >> 440 yd³.

Capacity:

Comingled Recyclables Temporary Storage Capacity Estimate = 440 yd³ with variable weight.

MIXED WASTE/ RECYCLABLES STORAGE ASSUMPTIONS AND STORAGE CAPACITY ESTIMATE

Assumptions:

- a) Debris box tipping occurs in the NW quadrant of Building No. 6;
- b) Self-haul tipping occurs on the west side of Building No. 6;
- c) Both self-haul materials processing and debris box materials processing include floor sort;
- d) Mixed waste/ recyclables temporary storage is required for floor sort;
- e) Temporary storage of debris box mixed recyclables/ waste is provided south of their tipping area;
- f) Temporary storage of self-haul mixed recyclables is provided east of their tipping area;
- g) Mixed waste/ recyclables storage footprint is a 30 foot x 60 foot area with 1:1.5 pile side repose;
- h) Mixed waste/ recyclables storage average pile height is 8 feet;
- i) Certain recyclables from floor sort of self-haul & debris box loads are added to curbside co-mingles;
- j) Large OCC from floor sort is placed into tip bins >> directly to baler feed storage (described below);
- k) Floor sort woodwaste & yard wastes >> directly into bins/ moved to materials storage areas;
- l) Floor sort metals and other recycled materials >> directly into bins/ moved to material storage; and
- m) Mixed waste/ recyclables pile density averages approximately 340 pounds/ yd³.

Calculation:

- ♦ Gross mixed waste/ recyclables storage volume = 30 ft x 60 ft x 8 ft = 14,400 ft³ = 533 yd³.
- ♦ Side repose = $0.5(8 \text{ ft} * 5.33 \text{ ft}) * ((180 \text{ LF} - (4 * 5.33 \text{ LF})) = 3,383 \text{ ft}^3 = 125 \text{ yd}^3$.

- ♦ Net volume of piled co-mingled/ mixed recyclables = $533 \text{ yd}^3 - 125 \text{ yd}^3 = 408 \text{ yd}^3 \ggg 410 \text{ yds}$.
- ♦ Stored mixed waste/ recyclables weight is $410 \text{ yd}^3 * 340 \text{ lbs/ yd}^3 = 69.7 \text{ tons} \ggg 70 \text{ tons}$.

Capacity:

Mixed Waste/ Recyclables Temporary Storage Capacity Estimate = $410 \text{ yd}^3 / 70 \text{ tons}$.

RECYCLABLES MECHANICAL PROCESSING ASSUMPTIONS AND PROCESSING CAPACITY ESTIMATE

Assumptions:

- Mechanical process components yet to be determined by the Operator;
- Minimum process rate = approximately 8 TPH;
- Maximum process rate is space-limited = approximately 12 TPH;
- Average process rate assumption = 10 TPH;
- Operated on one 8-hour shift within 10-hour operating day; and
- Typical daily line downtime is 30 minutes $\ggg$ Production factor = 0.9375.

Calculation:

- ♦ Raw production = $10 \text{ TPH} * 8 \text{ hours} = 80 \text{ TPD}$.
- ♦ Realized production = $0.9375 * 80 \text{ TPD} = 75 \text{ TPD}$.

Capacity:

Comingled Recyclables Mechanical Processing Capacity Estimate = 75 TPD.

RECYCLABLES FLOOR-SORT PROCESSING ASSUMPTIONS AND PROCESSING CAPACITY ESTIMATE

Assumptions:

- Floor sort for larger recyclable items (large OCC & ferrous), wood waste, etc.;
- Floor sort is performed by laborers assisted by light equipment (skid-steer loaders);
- Additional target streams of yard and garden trimmings, C&D recyclable content, inerts;
- Laborers initially consolidate most recovered materials into 3-yard forklift tip bins;
- These small bins are thence consolidated into recycled materials storage/ stockpiles or roll-offs;
- Laborer production rate = 22.5 pounds per minute averaged across all materials; and
- One 8-hour floor-sort laborer shift within the Facility operating day;

Calculation:

- ♦ Hourly production rate = $22.5 \text{ pounds/ minute} * 60 \text{ minutes} = 1,350 \text{ pounds/ hour}$.
- ♦ Daily floor-sort rate = $1,350 \text{ pound/ hour} * 8 \text{ hours} = 5.4 \text{ tons per FTE laborer per shift}$.

Capacity:

Daily Recyclables Floor Sort Processing Capacity Estimate = 16.2 TPD (3 FTE laborers).

Daily Recyclables Floor Sort Processing Capacity Estimate = 32.4 TPD (6 FTE laborers).

RECYCLED MATERIALS PROCESSING AND STORAGE CAPACITY ESTIMATES

BALING PROCESS ASSUMPTIONS AND PROCESS CAPACITY ESTIMATE

Assumptions:

- a) Double-ram horizontal baler, Harris HRB/ Badger or equal, < 10 second dry cycle time;
- b) Baler feed conveyor system has capacity of ≥ 20 TPH;
- c) Cycle production with feed averages 400 pounds/ minute across feed material range;
- d) Production factor with bale ejection and handling = 0.85; and
- e) Baler may be operated between 8 hours and 10 hours per operating day.

Calculation:

- ♦ Machine production = 400 pounds/ minute * 60 minutes = 24,000 pounds/ hour = 12 TPH.
- ♦ Realized production = $0.85 * 12 \text{ TPH} = 10.2 \text{ TPH}$.

Capacity:

Daily Baling Process Capacity Estimate = 81.6 TPD (8 hours).

Daily Baling Process Capacity Estimate = 102 TPD (10 hours).

BALER FEED STORAGE ASSUMPTIONS AND STORAGE CAPACITY ESTIMATE

Assumptions:

- a) Open storage adjacent to baler feed conveyor;
- b) Materials are contained by binwalls and pushed onto baler feed conveyor by wheel loader;
- c) Net binwall containment area is approximately 60 ft (E-W) x 42 ft (N-S) = 2,520 SF;
- d) Binwall containment area is equally divided for aluminum, plastic and OCC/ fiber;
- e) Binwall area containment storage depth averages 42";
- f) Plastics loose density averages 35 lbs/ yd³ (PETE basis);
- g) Aluminum can loose density averages 60 lbs/ yd³;
- h) OCC loose density averages 75 lbs/ yd³; and
- i) Paper (shredded) loose density averages 250 lbs/ yd³.

Calculation:

- ♦ Binwall containment area = 2,520 SF/ 3 materials = 840 SF per material;
- ♦ Baler feed average volume capacity = 840 SF * 3.5 ft depth = 2940 ft³ = 109 yd³/ material.
- ♦ Baler feed area loose plastics capacity = 109 yd³ * 35 lbs/ yd³ = 3,815 lbs = 1.9 tons.
- ♦ Baler feed area aluminum can capacity = 109 yd³ * 60 lbs/ yd³ = 6,540 lbs = 3.3 tons.
- ♦ Baler feed area fiber capacity (OCC) = 109 yd³ * 75 lbs/ yd³ = 8,175 lbs = 4.1 tons.
- ♦ Baler feed area fiber capacity (paper) = 109 yd³ * 250 lbs/ yd³ = 27,250 lbs = 13.6 tons.

BALED MATERIALS STORAGE ASSUMPTIONS AND STORAGE CAPACITY ESTIMATE

Assumptions:

- a) Baled recycled materials are stored within Building No. 1 and Building No. 5 (both ESFR protected);
- b) Outdoor bale storage is also available west of Building No. 5, south-southeast of Building No. 3;
- c) Typical bale size is 60" x 48" x 33" high = 55 ft³;
- d) Average bale density across all materials is 20 lbs/ ft³ = 1,100 pounds = 0.55 tons per bale;
- e) Bales within in buildings are stored 4 units high = 132" = 11.0 feet;
- f) Bales outdoors are stored 3 units high = 99" = 8.25 feet;
- g) Bldg No. 1 has 20% of floor area available for bale storage (net) = $0.20 * 10,240 \text{ SF} = 2,050 \text{ SF}$;
- h) Bldg No. 5 has 70% of total floor area for bale storage (with aisles) = $0.70 * 2,700 \text{ SF} = 1,890 \text{ SF}$; and
- i) Outdoor bale storage W of Building No. 5 and SE of Building No. 4 = 20 ft x 50 ft = 1,000 SF.

Calculation:

- ♦ Building No. 1 bale storage = $2050 \text{ SF} \times 11 \text{ ft} = 22,550 \text{ ft}^3 \text{ (835 yd}^3\text{)} = 225 \text{ tons}$.
- ♦ Building No. 5 bale storage = $1890 \text{ SF} \times 11 \text{ ft} = 20,790 \text{ ft}^3 \text{ (770 yd}^3\text{)} = 208 \text{ tons}$.
- ♦ Outdoor bale storage = $1000 \text{ SF} \times 8.25 \text{ ft} = 8,250 \text{ ft}^3 \text{ (305 yd}^3\text{)} = 82 \text{ tons}$.

Capacity:

Net Baled Materials Storage Capacity = $225 + 208 + 82 \text{ tons} = 515 \text{ tons (1,910 yd}^3\text{)}$.

More bale storage capacity is available than is needed.

GLASS STORAGE ASSUMPTIONS AND STORAGE CAPACITY ESTIMATE

Assumptions:

- a) Consolidated into roll-off bins throughout the operating day (no open storage);
- b) 3-yard tip bins used for glass from customers in Recycle Center building/ other areas;
- c) 40-yard roll-off bins are used for glass consolidation;
- d) Glass materials density averages 500 to 600 lbs/ yd³;
- e) Roll-off container payload capacity limits @ approximately 8 tons/ 40-yard roll-off;
- f) Glass storage allotment is 3 roll-off containers by color, plus empties for change-out; and
- g) Empty 40-yard roll-off containers for glass are stored to the northwest of Building No. 2.
- h) Glass is transported to local market frequently (daily, as required).

Calculation:

- ♦ Glass storage capacity is limited by roll-off payload of approximately 8 tons.

Capacity:

Glass Storage Capacity Estimate = 24 tons (Three full 40-yard roll-off containers).

FERROUS STORAGE ASSUMPTIONS AND STORAGE CAPACITY ESTIMATE

Assumptions:

- a) Consolidated into roll-off bins throughout the operating day, with limited open storage;
- b) 3-yard tip bins provided for small ferrous unloaded by customers adjacent to roll-off containers;
- c) Large ferrous is unloaded by customers adjacent to roll-off containers,;
- d) White goods are unloaded by customers in area proximate to roll-off containers;
- e) Refrigerated appliances are unloaded in a separate area adjacent to other white goods;
- f) White goods, large ferrous and post-Freon processed appliances to roll-off containers periodically;
- g) Ferrous recovered in Building No. 6 to roll-offs periodically with loader bucket or tip bins;
- h) 50-yard roll-off bins are used for ferrous metals storage;
- i) Ferrous metals roll-off container payload capacity is limiting;
- j) Roll-off container payload capacity is approximately 7.5 tons/ 50-yard roll-off; and
- k) Ferrous metals are transported to local market frequently, as roll-offs reach capacity.

Calculation:

- ♦ Ferrous storage allotment is 2 roll-off containers.
- ♦ Ferrous storage capacity for this roll-off allotment = $2 * 7.5 \text{ tons} = 15 \text{ tons}$.
- ♦ Ferrous storage roll-off containers are swapped full for empty.

Capacity:

Ferrous Metals Storage Capacity Estimate = 15 tons (Two full 50-yard roll-off containers).

WOOD WASTE STORAGE ASSUMPTIONS AND STORAGE CAPACITY ESTIMATE

Assumptions:

- a) Open pile storage of wood waste is in the south-central area of the Site;
- b) Tipping for wood waste is on the east side of wood waste open pile storage;
- c) Fire access to open pile storage by parking lot aisle to west, vehicle maneuvering area to east;
- d) Fire aisle maintained running east-west also provides material type separation;
- e) Open pile storage maximum footprint is a 24 foot x 35 foot area with 1:2 side repose;
- f) Open storage average pile height is 12.5 feet;
- g) Open storage edge is >50 feet distant from both buildings and property lines;
- h) 50-yard roll-off bins or 120 yd³ transfer trailer is used to transport wood waste to markets;
- i) One full container (up to 120 yd³) may be concurrently present; and
- j) Consolidated open-piled wood waste has a density of 400 pounds per yard.

Calculation:

- ♦ Gross open storage volume = $24 \text{ ft} \times 35 \text{ ft} \times 12.5 \text{ ft} = 10,500 \text{ ft}^3 = 389 \text{ yd}^3$.
- ♦ Side repose = $0.5(12.5 \text{ ft} * 6.25 \text{ ft}) * ((118 \text{ LF} - (4 * 6.25 \text{ LF})) = 3,633 \text{ ft}^3 = 135 \text{ yd}^3$.

- ♦ Open volume storage of wood waste = $389 \text{ yd}^3 - 135 \text{ yd}^3 = 254 \text{ yd}^3 \ggg 250 \text{ yd}^3$.
- ♦ Stored wood waste weight = $250 \text{ yd}^3 * 400 \text{ lbs/ yd}^3 = 50 \text{ tons}$.
- ♦ Max container-stored wood waste weight = $120 \text{ yd}^3 * 400 \text{ lbs/ yd}^3 = 24 \text{ tons} \ggg 23 \text{ tons}$.

Capacity:

Wood Waste Storage Capacity Estimate = 250 yd³/ 50 tons in open pile plus 23 tons in container.

YARD AND GARDEN TRIMMINGS STORAGE ASSUMPTIONS AND STORAGE CAPACITY ESTIMATE

Assumptions:

- Open pile storage of yard and garden trimmings is adjacent to wood waste/ south-central Site area;
- Tipping area and fire access is the same as for wood waste open storage;
- Fire aisles maintained running east-west also provides material type separation;
- Open pile storage maximum footprint is also 24 foot x 35 foot area, also with 1:2 side repose;
- Open pile storage average pile height is also 12.5 feet;
- Open storage edge is >50 feet distant from both buildings and property lines;
- 50-yard roll-off bins or 120 yard transfer trailer is used for transport to market;
- One full container (approx 120 yd³) of yard and garden trimmings may be concurrently present; and
- Consolidated open-piled yard / garden trimmings material has a density of 325 dry pounds per yard.
- In-vehicle (tamped) yard / garden trimmings material has a density of 350 dry pounds per yard.

Calculation:

- ♦ Gross open storage volume = $24 \text{ ft} \times 35 \text{ ft} \times 12.5 \text{ ft} = 10,500 \text{ ft}^3 = 389 \text{ yd}^3$.
- ♦ Side repose = $0.5(12.5 \text{ ft} * 6.25 \text{ ft}) * ((118 \text{ LF} - (4 * 6.25 \text{ LF})) = 3,633 \text{ ft}^3 = 135 \text{ yd}^3$.
- ♦ Open volume storage of yard / garden trimmings = $389 \text{ yd}^3 - 135 \text{ yd}^3 = 254 \text{ yd}^3 \ggg 250 \text{ yd}^3$.
- ♦ Stored yard / garden trimmings weight = $250 \text{ yd}^3 * 325 \text{ dry lbs/ yd}^3 = 40 \text{ dry tons}$.
- ♦ Max container-stored yard / garden trimmings weight = $120 \text{ yd}^3 * 350 \text{ dry lbs/ yd}^3 = 21 \text{ dry tons}$.

Capacity:

Yard & Garden Trimmings Storage Capacity Estimate = 250 yd³/ 50 tons in open pile plus 21 tons in container.

TIRE STORAGE ASSUMPTIONS AND STORAGE CAPACITY ESTIMATE

Assumptions:

- Tires are accepted as a unit fee item and are removed from mixed waste loads in Building No. 6;
- Tires are stored in the container within which they are transported to recycling market;
- Tire storage is limited by permitting limit = 499 tires on Site at any time— See TPR Section 3.8.3;
- Tire storage is further limited by the volumetric capacity of the van/ transport container for storage;
- Volumetric capacity of the van/ transport container for storage is approximately 125 cubic yards;

- f) When the tire storage container is nearing capacity (by either volume or unit count), the tire recycler is mobilized to remove the container and swap it with an empty container; and
- g) Tire recycler is timely and responsive with container swaps.

Calculation:

- ♦ Capacity = container volume = approximately 125 cubic yards; or
- ♦ Capacity is limited by tire unit count = 499 tires.

Capacity:

Per calculation limits.

MATTRESS STORAGE ASSUMPTIONS AND STORAGE CAPACITY ESTIMATE

Assumptions:

- a) Mattresses and boxsprings are accepted as a unit fee or weight fee items, and are also removed from mixed waste loads in Building No. 6;
- b) Mattresses and boxsprings are stored in the container within which they are transported to recycling markets;
- c) One full/ partially full storage unit for mattresses and boxsprings is to be provided, with capacity assumed to limited by the volumetric capacity of this van/ transport trailer;
- d) When the mattress and boxspring storage container is nearing capacity, the material recycler is mobilized to remove the container and swap it with an empty container;
- e) The recycler is timely and responsive with container swaps; and
- f) Volumetric capacity of the van/ transport container for storage is approximately 125 cubic yards.

Calculation:

- ♦ Capacity = container volume = approximately 125 cubic yards; or
- ♦ Capacity = container weight limit = approximately 23 tons.

Capacity:

Per calculation limits.

CARPET STORAGE ASSUMPTIONS AND STORAGE CAPACITY ESTIMATE

Assumptions:

- a) Carpet and padding are accepted as weight-based fee items, and are also removed from mixed waste loads in Building No. 6;
- b) Carpet and padding are stored as rolled, within the container within which they are transported to recycling markets;
- c) One full/ partially full storage unit for carpet and padding is to be provided, with capacity limited by weight and not by the volumetric capacity of this van/ transport trailer;

- d) When the carpet and padding storage container is nearing capacity, the material recycler is mobilized to remove the container and swap it with an empty container;
- e) The recycler is timely and responsive with container swaps; and
- f) Volumetric capacity of the van/ transport container for storage is approximately 125 cubic yards.

Calculation:

- ♦ Carpet and padding storage capacity is 23 tons (likely) or 125 cubic yards (unlikely).

Capacity:

Per calculation limits.

MSW LOAD-OUT, STORAGE AND TRANSFER CAPACITY ESTIMATES

MSW LOAD-OUT ASSUMPTIONS AND LOAD-OUT CAPACITY ESTIMATE

Assumptions:

- a) MSW has temporary open pile storage within SW quadrant of Building No. 6;
- b) Most MSW is loaded into transfer trailers with a materials handler matched to task;
- c) Load-out equipment is Liebherr LH35 class or equivalent, CI powered (190 to 215 gross Hp);
- d) Load out attachment is 5-tine grapple or opposing shell grapple, 1.0 to 1.4 yd³ fully-closed capacity;
- e) Realized grapple capacity is a range of 1.6 yd³ to 2.0 yd³, averaging 1.8 yd³ per loading cycle;
- f) Grapple breaks and compacts with 8-ton to 10-ton closing force;
- g) Density of MSW in-grapple is 420 pounds per cubic yard;
- h) Material handler grab-load cycle time ranges from 20 to 40 seconds and averages 30 seconds;
- i) Grapple loader is assisted by wheel loader at 30% equipment time task dedication;
- j) Wheel loader consolidates pile, and assists with bucket loading of smaller-size materials into trailers;
- k) Wheel loader is fitted with 5.5 to 7 yd³ bucket and averages 4.5 yd³ actual per load cycle;
- l) Wheel loader bucket load cycle time ranges from 1.5 to 2.5 minutes and averages 2.0 minutes;
- m) Density of MSW in-bucket is 350 pounds per cubic yard for wheel loader; and
- n) Tamping for in-vehicle density of 400 lb/ yd³ and load leveling by grapple = 5% of equipment time.

Calculation:

- ♦ Wheel loader volumetric loading rate = $(4.5 \text{ yd}^3 / 2.0 \text{ min}) = 2.25 \text{ yd}^3 / \text{minute} = 135 \text{ yd}^3 / \text{hour}$.
- ♦ Wheel loader weight-based loading rate = $135 \text{ yd}^3 / \text{hour} * 350 \text{ lb/ yd}^3 = 23.6 \text{ ton per hour}$.
- ♦ Grapple gross volumetric loading rate = $(1.8 \text{ yd}^3 / 0.50 \text{ min}) = 3.60 \text{ yd}^3 / \text{minute} = 216 \text{ yd}^3 / \text{hour}$.
- ♦ Grapple net volumetric loading rate with tamping/ load leveling = $0.95 * 216 \text{ yd}^3 / \text{hr} = 205 \text{ yd}^3 / \text{hr}$.
- ♦ Grapple net weight-based loading rate = $205 \text{ yd}^3 / \text{hour} * 420 \text{ lb/ yd}^3 = 43.0 \text{ tons per hour}$.
- ♦ Net weight-based load-out rate = $43.0 \text{ tons per hour by grapple} + (0.3 * 23.6 \text{ tons per hour by WL})$.

Capacity:

- ♦ Average effective load-out rate for MSW = 50 Tons per hour.

MSW TRANSFER ASSUMPTIONS AND TRANSFER CAPACITY ESTIMATE

Assumptions:

- a) MSW transfer loading is continuous if fleet trailers are available and MSW needs to be loaded;
- b) Destination LF hours are 06:00 to 15:00;
- c) MSW transfer drivers shift is 05:00 to 14:00;
- d) Transfer trailers that were filled the previous operating day depart for LF at 05:15 to 05:30;
- e) Transfer trailers are tipped/ returned and ready to re-fill at 07:00 (start of Facility operating day);

- f) Ostrom Road LF one-way mileage = approximately 20 miles via YC truck routes/ Hwy 20 to Hwy 65;
- g) Ostrom Road LF round-trip travel ranges from approximately 60 to 70 minutes over this route;
- h) Weighing, tip with queuing, and exit time for Ostrom Road LF ranges from 30 to 140 minutes;
- i) Weighing, tip with queuing, and exit time for Ostrom Road LF averages 85 minutes;
- j) If using Ostrom, round-trip travel with tip is estimated to average 150 minutes = 2.5 hours;
- k) Each transfer combo will average 3 round trips per day with 30 minutes shift slack time;
- l) Full payload per trailer = 23 ton = 69 ton per shift for 3 RT loads per shift;
- m) Estimated MSW and ADC requiring transfer in 2020 is 159 TPD average, 191 TPD unusual loading;
- n) Estimated MSW and ADC requiring transfer in 2030 is 183 TPD average, 220 TPD unusual loading.

Calculation:

- ♦ For 2020, transfer fleet count range = (159 TPD/ 69 TPD) to (191 TPD/ 69 TPD) = 2.3 to 2.8.
- ♦ For 2030, transfer fleet count range = (183 TPD/ 69 TPD) to (220 TPD/ 69 TPD) = 2.7 to 3.2.

Capacity:

Transfer Fleet Requirement Estimate = 3 semi combos with 120 to 130 yard trailers.

Processing and Tipping Time at Ostrom Road LF may highly variable. Begin with transfer fleet of 3 and evaluate/ adjust periodically based upon experience with the LF operator.

Consider alternate LF destination if experience with Ostrom Road LF is unsatisfactory, or results in inefficient operations.

MSW TEMPORARY STORAGE CAPACITY ASSUMPTIONS AND STORAGE CAPACITY ESTIMATE

Assumptions:

- a) MSW is loaded continuously throughout the operating day;
- b) MSW load-out rate capacity is approximately 50 tons/ hour = 500 tons/ 10-hour operating day;
- c) Except for possible short-term intake surges, MSW load-out rate will exceed intake rate;
- d) Primary loading equipment failure necessitates rental procurement/ repair= 4 to 12 hour downtime;
- e) Less efficient (interim) MSW load-out with wheel loader is 23 tons/ hour= 230 tons/ operating day;
- f) Transfer fleet delays/ land disposal site disruption would also cause load-out rate disruption;
- g) Prohibited materials incident or other conditions beyond operator control could cause disruption;
- h) Up to ½ operating day of MSW intake storage contingency is warranted and prudent;
- i) Piled MSW storage maximum footprint is a 50 foot x 20 foot area with 1:1.5 side repose;
- j) Piled storage average height is 12.5 feet;
- k) 120 yard transfer trailers are used to transport MSW/ rejects to land disposal;
- l) Three filled transfer trailers may be concurrently present;
- m) Open-piled consolidated MSW has a density of 365 pounds per yard; and
- n) Containerized MSW (tamped, in trailer) has a density of 400 pounds per yard.
- o) Estimated MSW/ ADC stream for 2020 is 159 TPD average, 191 TPD unusual loading;

p) Estimated MSW/ ADC stream for 2030 is 183 TPD average, 220 TPD unusual loading.

Calculation:

- ♦ Gross MSW storage volume = $50 \text{ ft} \times 20 \text{ ft} \times 12.5 \text{ ft} = 12,500 \text{ ft}^3 = 463 \text{ yd}^3$.
- ♦ Side repose = $0.5(12.5 \text{ ft} \times 8.33 \text{ ft}) \times ((140 \text{ LF} - (4 \times 8.33 \text{ LF})) = 5,554 \text{ ft}^3 = 206 \text{ yd}^3$.
- ♦ Net volume of piled temporary storage of MSW = $463 \text{ yd}^3 - 206 \text{ yd}^3 = 257 \text{ yd}^3$.
- ♦ Maximum stored piled MSW weight = $257 \text{ yd}^3 \times 365 \text{ lbs/ yd}^3 = 47 \text{ tons}$.
- ♦ Approximately an additional 23 tons may concurrently present within MSW tipping area (SE quadrant of building No. 6) awaiting consolidation into the temporary storage pile.
- ♦ Max per-trailer stored MSW weight = $120 \text{ yd}^3 \times 400 \text{ lbs/ yd}^3 = 24 \text{ tons} >>> 23 \text{ tons}$.
- ♦ Maximum trailer-stored MSW weight = $3 \text{ trailers} \times 23 \text{ tons} = 69 \text{ tons}$.

Capacity:

Net temporary MSW storage = $47 + 69 + 23 \text{ tons} = 139 >>> 140 \text{ tons}$.

Temporary MSW storage accommodates 88% of estimated average daily loading (2020).

Temporary MSW storage accommodates 73% of estimated unusual daily loading (2020).

Temporary MSW storage accommodates 77% of estimated average daily loading (2030).

Temporary MSW storage accommodates 64% of estimated unusual daily loading (2030).

Temporary MSW storage capacity accommodates disruption of approximately 7 to 9 hours (2020)

Temporary MSW storage capacity accommodates disruption of approximately 6 to 8 hours (2030)

Additional transfer trailers from Operator's fleet can extend temporary MSW storage capacity.

TRANSFER/ PROCESSING REPORT

**Recycling Industries' Large Volume Transfer Station
140 Epley Drive
Yuba City, California**

APPENDIX I

**Recycling Industries'
Illness and Injury Prevention Program**

TRANSFER/ PROCESSING REPORT

**RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION
140 EPLEY DRIVE
YUBA CITY, CALIFORNIA**

APPENDIX I

RECYCLING INDUSTRIES' ILLNESS AND INJURY PREVENTION PROGRAM

Recycling Industries' Illness and Injury Prevention Program is provided as informational content in following.

SUMMARY OF CONTENTS

Recycling Industries' Illness and Injury Prevention Program – Outline (7 pages).



INJURY & ILLNESS PREVENTION PROGRAM

2017

INJURY ILLNESS AND PREVENTION PROGRAM

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INJURY AND ILLNESS PREVENTION PROGRAM

INTRODUCTION

The objective of the occupational safety and health act of 1970 is to provide a safe and healthful work environment for workers. The goal and first consideration of Recycling Industries, Inc. is to meet this objective and provide a safe and healthful environment for our employees.

We are committed to maintaining a safety and health program that places the personal safety of its employees at primary importance. Prevention of occupational injuries and illness will be given precedence over operational productivity whenever necessary. Your cooperation in detecting hazards for correction and also controlling work hazards is a condition of your employment. Inform your supervisor immediately for the correction of any hazardous situation beyond your control. Do not expose yourself to the hazard nor undertake any task that you are not trained or authorized to perform.

GENERAL SAFETY OBJECTIVES AND RESPONSIBILITIES

Our objective is a safety and health program that reduces occupational injuries and illness to an absolute minimum, even surpassing the industry standard for operations similar to ours. Our goal is zero accidents and zero injuries.

Our injury and illness program includes:

- Providing mechanical and physical safeguards for maximum protection wherever needed.
- Internal and external safety and health inspections to identify and eliminate job site hazards and unsafe work practices.
- Training all employees regarding safe work practices and occupational hazards.
- Training all employees on our Emergency Action Plan, including the availability of first aid kits, fire extinguishers and appropriately trained first aid personnel.
- Providing necessary personal safety equipment and instruction to employees exposed to work area hazards, and the specific conditions under which they are to safely perform their job.
- Safety and health practices along with procedures for enforcement of these policies.
- Accident investigation to immediately determine the cause for correction and prevention of similar accidents.
- A safety suggestion program readily available to all employees.

We understand that safety and health responsibilities must be shared accordingly:

- General Manager accepts the responsibility for implementing and leading a safety and health program as well providing any necessary protective equipment to ensure a safe work place.
- All members of the Safety Committee are responsible for creating a positive attitude among employees toward the safety and health program of Recycling Industries, Inc. The Safety Committee ensures that all operations are performed safely for the protections of all employees involved.
- The employee is responsible for whole-hearted support of the company health and safety program. This includes compliance with all policies and procedures while continually practicing safety in performing work duties and reporting and avoiding all unsafe conditions, including those that he or she may be unsure or not trained and authorized to perform.

COMPANY SAFETY PROGRAM

The components of our illness and injury prevention program (IIPP) are as listed below:

Section 1. Identification of Authority

A necessary part of this program is to assign authority and responsibility to an individual within our company to effectively implement our program. This authority has been assigned to the General Manager. Any questions or suggestions you have regarding this program are encouraged.

Section 2. Compliance with Safe Work Practices

- a) Safety Meetings and Training: In order to help ensure compliance with safe work practices, the Plant Manager conducts weekly safety meetings. Attendance at the safety meeting is mandatory for all employees. General training will be incorporated into the regular safety meeting. Subjects of these meetings will include, but are not limited to lifting, housekeeping, material handling and defensive driving.
- b) Disciplinary Action: All employees are expected to follow the Recycling Industries, Inc. Code of Safe Work Practices as outlined herein. Failure to comply with this policy will result in disciplinary action as outlined in Section 9.
- c) Safety Recognition and Awards: As an incentive to promote safe work practices in our company and recognize outstanding safety accomplishments by employees, a safety awards program has been established. Refer to Section 12 for details regarding this incentive program.

Section 3. Communication

It is important for us to communicate matters related to occupational safety and health to all employees. It is encouraged with our company to report any hazard existing in the work place to an immediate supervisor. The following methods will be used to communicate health and safety issues to our employees:

- a) Weekly safety meetings including training programs and/or "tailgate-toolbox" discussions.
- b) Posting safety codes and posters.
- c) Distribution of safety and health information as appropriate.
- d) Communication between management and employees by formal reports and/or on-the-spot suggestions as needed.

Section 4. Hazard Identification

The identification and evaluation of work-place hazards is important in maintaining a safe work environment. The following procedures will be used for effective identification and evaluation of these work-place hazards:

- a) Work Area Safety Inspections: In-plant inspections will be conducted at least monthly or more often by an assigned supervisor or member of the Safety Committee. The inspector will identify unsafe conditions and work practices. All noted hazards should be communicated immediately to the Plant Manager for immediate correction, depending on severity. An inspection report shall be completed and used to follow-up for further inspection. Hazard Inspection Checklists will be reviewed to see if a new criterion needs to be added and if all areas where that criterion may be applicable will be inspected again whenever a hazard is identified.
- b) Vehicle/Equipment Inspection: Each truck driver shall make a basic safety vehicle condition inspection and report each day that he/she drives any truck. The driver must turn in the report by the end of each day and communicate with the Plant Manager any conditions that need attention or that are unsafe. Unsafe conditions automatically prevent that vehicle from further operation until the unsafe condition is corrected and signed off by the driver. Furthermore, an approved outside vendor will make a comprehensive, CHP-approved, inspection of each truck. These inspections should occur every 90-days.
- c) Identification and Evaluation: a member of the Safety Committee will make an identification and evaluation of potential hazards whenever a new substance, process, procedure or new piece of equipment is introduced into the work place that represents a new occupational safety and health hazard.
- d) New or Unrecognized Hazards: a member of the Safety Committee will make an identification and evaluation of potential hazards whenever a new or previously unrecognized hazard is revealed.

- e) Recurring Hazards: An identification and evaluation procedure will minimize recurrence by looking for "hidden causes," by implementing communication and remedial training, and by presuming that all accidents are preventable.
- f) Non-routine Tasks: An identification and evaluation procedure will be conducted by all personnel to identify non-routine, periodic tasks requiring communication or training prior to be undertaken.
- g) Cal-OSHA: The Cal-OSHA form 300 and/or the Loss Analysis form provided by the workers' compensations company will be reviewed for trends in injury and accident type.

Section 5. Injury/Illness Investigation

Occupational illness and injury investigation is an important part of this program. All occupational injuries and illness are to be reported to the Safety Committee within 24 hours of the occurrence or if possible immediately. In addition, the Safety Committee on any accident that may have caused injury or damage shall complete an injury and illness investigation report to identify causes and corrective action. The procedure used for injury and illness reporting will comply with Cal-OSHA requirements.

Section 6. Correction of Unsafe/Unhealthy Conditions

Timely correction is required upon identifying and evaluation unsafe or unhealthy conditions, work practices, or work procedures. All employees are expected to correct any easily corrected hazard once it is perceived. The procedure for correction of these unsafe or unhealthy conditions is outlined below:

- a) All attempts must be made by employees to immediately correct sever hazards once observed or discovered. If the employee cannot make correction, then he/she is to notify their supervisor immediately. If the hazard is of a lesser degree of severity, a member of the Safety Committee must document a scheduled time for correction for follow-up.
- b) When an imminent hazard exists that cannot be immediately corrected, all exposed personnel must be removed from the area except those necessary to correct the existing condition. All affected personnel shall follow the direction of the management to safely exit the location until the hazardous condition is corrected. Employees necessary to correct the hazardous condition shall be provided all necessary safeguards.
- c) Administrative procedures or the use of personal protective equipment may be otherwise implemented upon direction of the Safety Committee to effectively eliminate the hazard.

Section 7. Training and Instruction

Training and instruction on subjects pertaining to safety and health is a necessary part of an effective safety program. Our company will conduct regular safety meetings at least weekly. These meetings will serve as the primary basis for training and instruction for safety-related matters to our employees. The following areas of training will be addressed:

- a) At time of new employment, all new employees will be trained and/or given instruction regarding the safety policies of the company by a member of the Safety Committee. This training and instruction shall also include any special training necessary for hazards inherent to their individual duties.
- b) A member of the Safety Committee will train all employees given new job assignments for which training has not previously been received. This training is to unsure hazards associated with the new job assignments along with proper safety procedures have been properly communicated to the employee.
- c) Training and instruction is required at the time a new substance, process, procedure or piece of equipment is introduced to the work place that represents a new hazard. This training shall be conducted by a member of the Safety Committee and will include training on non-routine tasks prior to being undertaken.
- d) Special training and instruction is required at the time the company is made aware of a new or previously unrecognized hazard; specifically if the hazard cannot be corrected in a timely manner based upon its severity. This training and instruction to communicate this hazard shall be conducted by a member of the Safety Committee
- e) Training and instruction shall be provided on "traditional" occupational injury types ("nemesis" injuries) whenever there is a recurrence or otherwise on a periodic need basis.
- f) Training and instruction shall be provided by a member of the Safety Committee on all non-repetitive tasks prior to their being undertaken.

Section 8. Record Keeping

Records of the company's inspection, training and accident investigation will be kept on file for three years. Records of the steps taken to implement and maintain our program include the following guidelines:

- a) Records of scheduled and periodic inspections, accident investigations, employee reports, Loss Analysis and Cal-OSHA Form 300's: Our records will show the person(s) making the report, the unsafe conditions and work practices that have been identified and the action taken to correct the unsafe conditions and work practices on the back of the reporting form.
- b) Documentation of Safety and Health Training: Our documentation shall include the name of each employee trained or other identifier, training dates, an initial training instruction checklist, and subjects discussed at subsequent training sessions and meetings.
- c) A documentation and training log.

Section 9. Disciplinary Action for Misconduct

When an employee violates company policies, these intentional actions qualify as misconduct. An employee violating the company's policies is subject to disciplinary action. Discipline may be administered if behavior, actions or performance are considered to be unacceptable to the management. The following represents a partial list of examples for which the employer may initiate disciplinary action:

- Inability to perform assigned duties
- Excessive absences or tardiness
- Discrimination
- Alcohol or substance abuse
- Harassment and/or abuse of customers or other employees
- Refusal to perform an assigned task that is not detrimental to the employee's health or safety
- Fraud in securing employment
- Failure to comply with safety policies
- Anything that is detrimental to the health and/or safety of another person

Please refer to the company handbook for employees for further information regarding disciplinary action.

Section 10. General Safety Rules

For the protection and safety of all employees, Recycling Industries, Inc. has established the following rules designed to prevent accidents and injuries. Compliance with these rules is mandatory. These rules do not constitute a complete set of General Safety Rules. The employee is expected to use common sense when considering the safety of any situation:

- a) Proper footwear and clothing will be worn at all times.
- b) Horseplay, running, fighting, or any activity that may result in injury or waste will not be tolerated.
- c) Eye protection is required when performing any task that could produce flying particles.
- d) Do not operate any machine that you are not trained to operate.
- e) Do not block exits, fire doors, aisles, fire extinguishers, gas meters, electrical panels, or traffic lanes.
- f) Avoid risk or rupture, internal injury, or back injury in attempting to lift or push excessive loads. If an object is too heavy to move without straining, ask for help.
- g) Observe the correct position for lifting. Stand with your feet slightly apart, assume a squatting position with knees bent, and tuck your chin. Tilt your head forward, grasp the load with both hands, and gradually push up with your legs, keeping your back straight and avoiding any abrupt movement.
- h) Do not allow oil, wax, water, or any other material to remain in the floor where you or others may slip. Report any spills to your supervisor.
- i) Unnecessary and excessive haste is the cause of many accidents. Use caution at all times. *Walk! Do not run!*
- j) All work-related injuries and accidents must be reported immediately to your supervisor.

It is imperative that all employees become thoroughly familiar with the above safety rules. Failure to comply with safety rules or procedures, or failure to wear the appropriate safety equipment, will result in disciplinary action up to and including termination.

Section 11. Safety Committee

Our Company Safety Committee will be comprised of the following members:

- General Manager: General supervision of all departments and operations
- Plant Manager: Production operations and safety meetings
- Maintenance Manager: Safety Methods and Practices

The Safety Committee will meet as often as needed, but not less than monthly. All meetings will be documented. Safety Committee meeting topics might include, but are not limited to, the following items:

- a) Self-inspection reports
- b) First aid and medical emergency procedures
- c) Discussion of accidents and corrective action taken
- d) Accident Trends
- e) Plant housekeeping and employee departments
- f) New and outstanding recommendations submitted by outside agencies (i.e.: Insurance carrier, Fire Department, Cal-OSHA, etc.)
- g) Other safety-related subjects pertinent to existing conditions.

Safety meetings with all employees will occur weekly. Employee attendance and discussion topics will be documented.

Section 12. Safety Incentive Program

As an incentive to follow established and expected safety guidelines and procedures, the Company will host a Safety BBQ for the employees of a facility that work 100 days without a lost-time accident or recorded work-related injury.

TRANSFER/ PROCESSING REPORT

**Recycling Industries' Large Volume Transfer Station
140 Epley Drive
Yuba City, California**

APPENDIX J

Resumes of Facility Management Personnel

TRANSFER/ PROCESSING REPORT

**RECYCLING INDUSTRIES' LARGE VOLUME TRANSFER STATION
140 EPLEY DRIVE
YUBA CITY, CALIFORNIA**

APPENDIX J

RESUMES OF FACILITY MANAGEMENT PERSONNEL

Resumes for the Recycling Industries' General Manager and the Facility Manager for the RITS are provided in following. Attention is directed to Section 7.3.1 and Section 7.3.2 of the TPR for responsibilities and functions of these positions.

SUMMARY OF CONTENTS

Qualifications and Experience of Recycling Industries General Manager, David Kuhnen (1 page).

Qualifications and Experience of RITS Yuba City Facility Manager, David Flores (1 page).

David Kuhnen: General Manager and CFO, Recycling Industries. Inc.

Summary of Qualifications and Experience

Mr. Kuhnen currently serves as the General Manager and Chief Financial Officer for all of Recycling Industries' operations in Northern California.

Mr. Kuhnen brings over 30 years of management and operations experience within the recycling industry. His broad experience ranges from implementing school, church, and non-profit fundraising efforts, to implementing commercial and industrial recycling programs with Fortune 500 companies.

Mr. Kuhnen was recently responsible for preparing the successful proposal upon which RI was selected for a seven-year, \$20 million contract to process the residential recyclables for half of Sacramento County. Mr. Kuhnen's responsibilities in conjunction with this and other contracts include developing and maintaining databases and records for State, County and local reporting mandates

Between 2010 – 2012, Mr. Kuhnen oversaw the development, permitting, design, and installation of a 6,000 ton per month recyclable processing facility in Sacramento County. With this and other projects, he has been responsible for design of associated programs and management systems to maintain compliance with statutory requirements for worker health & safety and for protection of the public health & the environment, as well as the regulatory programs of agencies including the State Air Resources Board, the State Water Resources Control Board and the California Department of Resources Recovery and Recycling.

Mr. Kuhnen is a resident of Yuba City, with hands-on participation in the siting, design, permitting, and operational planning for Recycling Industries' Yuba City facilities, including the 2012 – 2015 Large Volume Transfer Station land use entitlements and solid waste facility permitting. Mr. Kuhnen's involvement extends to the current LVTs expansion for Recycling Industries' transfer station at 140 Epley Drive.

Mr. Kuhnen graduated from Brigham Young University with a degree in Accounting. His accounting background has given him a solid foundation to understand industry market conditions. Mr. Kuhnen's responsibilities include marketing over 80,000 tons per year of recyclable material from Recycling Industries' facilities.

David Flores: Facility Manager, Recycling Industries Yuba City

Summary of Qualifications and Experience

Mr. Flores currently serves as the Facility Manager for all of Recycling Industries' operations at the RITS in Yuba City, including the Recycling Center at 140 Epley Drive. Mr. Flores has served in a facility management role with Recycling Industries since 2007.

Mr. Flores is responsible for overall facility operations, including:

- ♦ Employee safety and customer safety;
- ♦ Employee relations;
- ♦ Scale supervision;
- ♦ Recyclable materials sorting operations;
- ♦ Recyclable materials grading and quality assurance programs;
- ♦ Materials marketing;
- ♦ Shipments/ transportation logistics;
- ♦ Site maintenance; and
- ♦ Customer relations.

Mr. Flores also has established and manages the e-waste collection program at the Epley Drive facility location.

Mr. Flores is a proud graduate of Yuba City High School and has been part of Yuba City community for 23 years. Mr. Flores is involved in Yuba –Sutter Chamber of Commerce as well as community service organizations including Kiwanis, and Knights of Columbus.

Mr. Flores is active with teaching the youth of Yuba City the importance of recycling through interactive tours of Recycling Industries' facilities and providing local schools with recycling programs and fundraising opportunities.

APPENDIX B

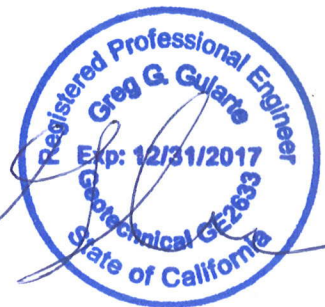
GEOTECHNICAL STUDY

GEOTECHNICAL REPORT

Recycling Industries 100' x 250' Metal Building Addition

140 Epley Drive
Yuba City, California

January 7, 2016
Project No. 3897



Prepared for
Recycling Industries, Inc.
by
Gularte & Associates, Inc.



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Figure 4 – Geologic Map

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Appendix B – Laboratory Test Results

Appendix C – Geotechnical Terms/Definitions

GEOTECHNICAL REPORT

Recycling Industries – Yuba City, CA

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1 INTRODUCTION

Recycling Industries, Inc. has retained Gularte & Associates, Inc. to perform a geotechnical report for a 100' x 250' facility expansion to the existing recycling building at their facility located at 140 Epley Drive in Yuba City, Ca. The existing recycling facility encompasses approximately 3 acres. To conduct our geotechnical report, we performed the following services:

- Reviewed the site geology and ground water conditions;
- Performed 3 exploratory borings to a maximum depth of approximately 20 feet below existing grade to classify the soil and obtain samples for laboratory testing.
- Performed 6 moisture-density tests on tube samples from our exploratory borings.
- Performed 6 sieve washes over the #200 screen to further classify the native soil.
- Performed engineering analyses and used engineering judgment for earthwork and foundation recommendations in this report.
- Prepared this report with our findings, conclusions, and recommendations.

Structural plans were not available at the time of this report. We recommend that we be retained to review the project grading and structural plans at the 50 to 90 percent stage for compliance with our report. Additionally, we recommend that we be retained to perform soil compaction testing services for trench backfill, building pads and pavement areas.

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2 LOCATION, DESCRIPTION, AND PHYSICAL SETTINGS

2.1 LOCATION

Figure 1 shows the Vicinity Map of the Recycling Industries site. The site is located in an industrial section of south Yuba City, and is bordered by several manufacturing/processing facilities. The site is several hundred feet from a levy on the west bank of the Feather River.

2.2 DESCRIPTION

The Recycling Industries site is an existing 3-acre facility, with several structures located in the northern half of the parcel surrounded by asphalt pavement. Proposed construction consists of a 100' x 250' metal building to serve as an addition to recycling building #3. The addition extends southward to the southwest corner of the parcel. The southern half of the parcel is currently covered in gravel and serves as equipment storage. This area will receive concrete pavement and serve as the main path of travel for trucks and other loading equipment entering and exiting the new structure.

We reviewed the preliminary structural calculations prepared by Butler Manufacturing. Maximum interior column loads are approximately 35 kips, with maximum uplift of approximately 75 kips.

2.3 PHYSICAL SETTINGS

2.3.1 Regional Geology

The site is located on the western border of the Great Valley Province. The Great Valley is an asymmetrical synclinal trough with a gently dipping eastern limb, and is filled with a thick (up to 60,000 feet thick) sequence of sedimentary units, which are Jurassic age and younger (up to 208 million years ago [m.y.a.]). The deepest part of the basin is near the western edge, west of the present axis. The thin eastern valley deposits overlap the metamorphic terrains of the Sierran Foothills and the polycrystalline basement of the Sierra Nevada Block. The older units of the Great Valley Province that form the eastern part of the Coast Ranges, from the Klamath Mountains to Bakersfield, California, have become uplifted and deformed by a series of blind thrust-fault zones underlying the western edge of the basin. Most of the Great Valley Province was covered by sea from the early Eocene (36 to 57 m.y.a.) to the end of the Pliocene (1.6 m.y.a.).

2.3.2 Local Geology

We reviewed the 1992 Geologic Map of the Chico Quadrangle prepared by the California Department of Mines and Geology (DMG). This source indicates that the site geology is a Quaternary Period (1.6 million-years ago to present) levee and channel deposit alluvium. Specifically, this formation is composed of unconsolidated and semi-consolidated alluvium. This conforms well with the silts and sands we observed in our exploratory borings.

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2.3.3 Faults And Seismicity

Based on the 2010 Fault Activity Map of California prepared by the California Geological Survey, the nearest fault is the Willows Fault Zone, which is approximately 8 miles west of the subject property. This fault is a Pre-Quaternary Fault, about 1.6 million years old, without recognized Quaternary displacement. The Prairie Creek Fault zone is approximately 15 miles east of the site. This fault is a Late Quaternary fault (has moved in the last 700,000 years).

According to the 1996 Probabilistic Seismic Hazard Assessment for the State of California prepared by the DMG, there is a 10 percent probability that the site will experience a horizontal ground acceleration of 0.1g to 0.2g in the next 50 years. This is a relatively low level of ground shaking for California.

2.3.4 Geologic Hazards

Risk of lateral spreading from landslides and liquefaction is considered to be low. We did not encounter liquefiable soils at any point during our exploration. Risk from landsliding should be minor considering the predominantly level topography of the site.

2.3.5 Groundwater

Static groundwater was observed at 19 feet below ground surface in borings B1 and B2. Based on the Department of Water Resources, nearby groundwater monitoring wells indicate a historical groundwater depth of approximately 15 to 30 feet below ground surface, in general agreement with the groundwater encountered in our borings.

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3 FINDINGS AND CONCLUSIONS

3.1 SUBSURFACE CONDITIONS

We performed three exploratory borings within the site to a maximum depth of 20 feet to classify the soil type, density, SPT N-value and obtain samples for laboratory testing. We observed the existing pavement section to consist of approximately 4 inches of asphalt over 8 inches of aggregate baserock. The findings in the borings were generally consistent across the site.

In general, we observed low plasticity silts, soft to medium stiff, throughout the boring profiles. Boring locations are shown in Figure 2, the Site Plan. The boring logs are shown in detail in Appendix A.

3.2 LABORATORY TESTING

Moisture/density tests were performed on 2.5" brass tube samples obtained in the field. The results of these tests are shown in the table below.

Boring	Depth (feet)	Percent Moisture	Dry Soil Density (pcf)
B1	2.5	19	83
B1	10	30	84
B2	2.5	22	97
B2	10	30	86
B3	2.5	19	102
B3	10	29	86

Table 1 – Moisture/Density Tests on Brass Tube Samples

We performed sieve washes over the #200 screen to determine the amount of fines and further classify the native soil. Results are shown in the table on the following page.

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Boring	Depth (feet)	Plastic Limit (%)
B1	5	95
B1	15	97
B1	20	87
B2	5	95
B2	15	98
B3	5	96
Table 2 – Sieve Wash Over #200 Screen		

3.3 EXISTING FILL

With the exception of the existing asphalt pavement at Boring B1, we did not encounter significant existing fill during our subsurface exploration.

3.4 EXCAVATION EFFORT

Based upon our borings, conventional grading equipment should be able to excavate the on site soil with reasonable expectations.

3.5 SUITABILITY FOR CONSTRUCTION

From an earthwork, pavement, and foundations viewpoint, the soils at this site are considered suitable for support of the anticipated loads provided our recommendations are followed properly.

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4 EARTHWORK RECOMMENDATIONS

4.1 NATIVE AND IMPORT FILL MATERIAL

On-site soil (less debris and organic materials) are considered suitable as fill material. Imported fill materials should have a plasticity index less than 12 and a maximum particle size of 2 inches. Allow Gularte & Associates 48 hours to sample and test proposed import fill materials prior to delivery at the site.

4.2 DEMOLITION

We recommend that we be retained to check the demolition of the existing storage building footings. Once removed, the footing excavations and abandoned utilities should be backfilled and compacted to a minimum of 90 percent relative compaction, per ASTM D1557. Refer to Section 4.4 regarding trench backfill recommendations.

4.3 FILL COMPACTION/BUILDING PAD PREPARATION

After demolition and removal of the existing structure's footings, as well as the existing pavement section, scarify the existing grade to prepare for structural fill. Scarification should include ripping and moisture conditioning of the upper 12 inches of the site prior to compacting. The native grade should be moisture conditioned to within 0 to +4 percent of optimum moisture content. After moisture conditioning, compaction should be done with dedicated compaction equipment. Once compaction testing has been performed on the original grade, fill placement may commence.

Fill should be moisture conditioned to within 0 to +4 percent of optimum water content. Compact fills for structural areas such as pavements and building pads to a minimum of 90 percent relative compaction per ASTM D1557. Compaction should be done with dedicated compaction equipment. Cut building pads require scarification and recompaction as well.

Compact the upper 6 inches of pavement subgrade and aggregate baserock to at least 95 percent relative compaction per ASTM D1557.

We strongly recommend that you retain our firm to check that existing grade has been prepared properly, and test fill placement every 12 to 18 inches to check that the soil has been compacted adequately during the grading operation.

4.4 TRENCH BACKFILL

The contractor is responsible for conducting all trenching and shoring in accordance with CALOSHA requirements. Place and compact trench backfill as follows:

- Trench backfill should have a maximum particle size of 2 inches;
- Moisture condition trench backfill to within 0 to +4 percent of optimum water content; moisture condition backfill outside the trench.

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- Place fill in loose lifts not exceeding 12 inches for backhoes and 18 inches for large excavators.
- Compact fill to 90 percent relative compaction per ASTM D1557.
- Jetting of trench backfill is not acceptable except in joint utility trenches where damage to conduits makes mechanical compaction methods impractical.

4.5 SLOPES

Construct final slope gradients to 2:1 (horizontal:vertical) or flatter. Slope faces should be compacted and vegetated to reduce the effects of rutting from rainfall and overland water flow. Construct a keyway at the toe of the fill slope and at least 2 feet deep on the downhill side of the key. The keyway should be a minimum of 12 feet wide and sloped back into the slope at a minimum 5% slope. In order to remove loose soil/rock, excavate benches into competent material after engineered fill has been placed in the keyway per our recommendations. Benches should be cut into the existing slope as filling proceeds every 2 to 4 feet vertically and 4 to 8 feet wide into the slope, to remove loose soil/rock. We recommend that buildings have a minimum setback of 5 feet from ascending slopes and 10 feet from descending slopes, or as outlined in section 1805A.3 of the 2013 California Building Code. The setback is measured from the outermost footing line closest to the toe/hinge point of slope. Gularte & Associates, Inc. should be retained to check footing dimensions, and their orientation to nearby slopes for conformance with the recommendations contained in this report.

4.6 SITE DRAINAGE

Surface drainage design should include the following:

1. Slope concrete pavement areas at least ½ percent and asphalt concrete pavements at least ½ and preferably 1 percent to extend pavement life. Do not allow water to pond on pavement areas.
2. If soil surrounds the building, discharge roof down spouts to storm drain system. Where soil surrounds the building, provide a 5 percent slope away from building exteriors for a distance of at least 3 feet.
3. Direct sprinklers away from buildings. Use drip irrigation near the structure and pavements. Excess watering increases to risk of premature pavement failure and shrink/swell underneath the structure.

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5 FOUNDATION RECOMMENDATIONS

5.1 FOUNDATIONS

The proposed structure can be supported on continuous or isolated spread footings bearing in competent native soil or compacted fill per our recommendations in Section 4. Continuous footings should be at least 15 inches wide and at least 18 inches deep below adjacent pad grade. Spread footings should be at least 24 inches wide and 18 inches deep below finished pad grade (not including crushed rock or pavement).

Table 2 below provides maximum allowable bearing capacity for dead plus live loads. These bearing capacities may be increased by one-third for the short-term effects of wind or seismic loading.

Minimum Footing Dimensions	Allowable Bearing Capacity (PSF)
Strip Footings 15" W x 18" Deep	1,500
Spread Footing 24" SQ. x 24" Deep	2,000
Spread Footing 48" SQ. x 24" Deep	2,200
Spread Footing 60" SQ. x 24" Deep	2,400

Table 3 –Footing Parameters

Provide minimum steel reinforcing in strip footings of two #4 bars top and two #4 bars bottom.

Lateral loads may be resisted by friction along the base of footings and by passive pressure along the face of footings. The passive pressure is based on an equivalent fluid pressure in pounds per cubic foot (pcf). We recommend a passive lateral pressure of 300 pcf and a coefficient of friction equal to 0.30 for design. If passive resistance and friction are combined to resist lateral loads, we recommend that the passive pressure be reduced by one-half.

Provided our recommendations are followed, total settlement beneath the footings should be no more than 3/4-inch, with an estimated maximum differential settlement of 1/2-inch over a distance of 15 feet.

Utility excavations parallel to footing lines should be clear of a 1:1 (horizontal:vertical) plane projected downward from the base of footings. Where utility lines cross footings, they should be sleeved and footings deepened as appropriate.

5.2 SLAB ON GRADE

We recommend the following for slabs-on-grade:

1. 1-inch of clean sand directly under the slab (less than 5 percent passing the U. S. Standard No. 200 Sieve) underlain with,

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2. Vapor barrier membrane consisting of 10-mil polyethylene “plastic” sheeting, properly sealed at penetrations and edges, underlain with
3. Four inches of clean crushed rock on the building pad. Crushed rock should have 100 percent passing the $\frac{3}{4}$ -inch sieve and less than 5 percent passing the No. 4 Sieve.
4. Provide a minimum concrete thickness of 6 inches.
5. Reinforce slabs with No. 4 reinforcing bars placed on 24-inch centers each way. Place dobies per ACI; we recommend a maximum dobie spacing of 6' on center, each way.
6. Use a concrete water-cement ratio of 0.50 or less.
7. Use higher strength concrete, minimum 3,000 psi.

Slab thickness and reinforcing steel requirements above are provided for purposes of resisting soil expansion potential. The structural engineer may increase these parameters based on building loads or anticipated building use. The structural engineer should provide final design thickness and additional reinforcement, if necessary, for the intended structural loads.

Exterior Flatwork: Exterior flatwork includes items such as concrete sidewalks, steps, and outdoor courtyards exposed to foot traffic only. Provide a minimum concrete flatwork thickness of 4 inches.

5.3 RETAINING WALL PARAMETERS

Provided that adequate drainage is included, we recommend that walls subjected to active soil pressure be designed to resist an equivalent fluid pressure of 45 pounds per cubic foot (pcf). For at-rest conditions, we recommend an at-rest fluid pressure of 65 pcf with level backfill conditions. Retaining wall backfill should be predominantly granular, non-expansive backfill. Generally, we expect horizontal movements for retaining walls under active pressure conditions to rotate laterally an amount equal to 1% of the height of the wall.

The above lateral earth pressures assume sufficient drainage behind the walls to prevent any build-up of hydrostatic pressures (i.e. sump) from surface water infiltration and/or a rise in the ground water level. Drainage of the walls may be accomplished by one of the following methods:

1. Clean drain rock wrapped in Mirafi 140N non-woven filter fabric or equivalent as approved by our office. Drain rock should be $\frac{3}{4}$ to 1-1/2 inch in size and should have less than 5% passing the No. 200 sieve. Rock can be crushed or rounded. Drain rock should be 12 inches wide and extend to within 12 inches of subgrade.
2. Caltrans Class II Permeable material placed 12 inches wide and extended to within 12 inches of subgrade. The Caltrans Class II Permeable is self filtering; and as such a geotextile filter fabric is not necessary.

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3. Geocomposite drainage can be used in lieu of crushed rock. We commonly recommend Amerdrain C96 geocomposite drainage board. The product should be installed per the manufacturer's directions. We recommend the wider drainage board be placed in the lower 2 feet of the wall. It is important that the proper transition pieces are used to transition from the geocomposite to 4-inch tight pipe for outletting purposes.

In either of the above cases, we recommend waterproofing of the walls with a product such as Sonneborne 5000 or equivalent as reviewed and approved by our office in writing. Waterproofing should be applied per the manufacturer's instructions.

Water collected at the bottom of the drain system should be transmitted away from the wall by a perforated pipe or weep holes. The pipe should be at least four inches in diameter with the perforations placed down (lettering typically on top). The pipe should daylight to a lower grade or connect to a sump, storm drain, or other suitable disposal facility. If adequate drainage is not provided, we recommend that an additional equivalent fluid pressure of 40 pcf be added to the values recommended above.

5.4 2013 CBC SEISMIC PARAMETERS

We provide the 2013 California Building Code parameters in the table below.

Categorization	Design Value
Site Class	D
Mapped Acceleration Parameter (S_s)	0.581
Mapped Acceleration Parameter (S_1)	0.271
Site Class Factor, F_a	1.33
Site Class Factor, F_v	1.86
Spectral Response Acceleration (S_{MS})	0.775
Spectral Response Acceleration (S_{M1})	0.504

Table 4 – CBC Seismic Parameters

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5.5 PAVEMENT DESIGN

5.5.1 Asphalt Concrete Pavement

We prepared several different asphalt pavement sections as shown in the table below. Our design was based on an R-value of 12 and Procedure 608 of the Caltrans Highway Design Manual. Contact our office for an alternative pavement design, if so desired.

	Traffic Index			
	4	4.5	5	6
Asphalt Concrete (in)	2.5	2.5	3	3.5
Aggregate Base (in)	7	8	9	11

Table 5 – Pavement Sections

5.5.2 Concrete Pavement Design

We recommend a concrete thickness of 6 inches, a concrete compressive strength of 3,500 psi, and a maximum slump of 4 inches, plus or minus 1-inch. Reinforcing steel should consist of #4 rebar at 18 inches on center placed 2 inches off of subgrade. Rebar to be placed on dobies at a maximum spacing of 6 feet each way (hooking and pulling rebar not acceptable) Provide minimum control joint spacing in accordance with Portland Cement Association guidelines (typically every 12 to 15 feet on center each way). We recommend a minimum of 8 inches of Caltrans Class II Aggregate Baserock under the pavement section. Aggregate baserock should be compacted to 95% relative compaction.

5.6 SPECIAL INSPECTIONS

We recommend the following minimum special inspections as part of the grading and foundation portions of the project. The project architect, governing agency, or structural engineer may require other inspections.

- Compaction testing during grading.
- Observation of footing excavations.
- Observation of slab reinforcing steel.
- Observation, sampling, and testing of concrete during the slab and pavement pours.

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6 LIMITATIONS

The scope of this evaluation was limited to an evaluation of the load-carrying capabilities and stability of the subsoils. Oil, hazardous waste, radioactivity, irritants, pollutants, molds, or other dangerous substance and conditions were not the subject of this study. Their presence and/or absence is not implied or suggested by this report, and should not be inferred.

The accompanying report summarizes the findings and opinions of Gularte & Associates, Inc. Our findings and opinions are based on information obtained on given dates by borings, laboratory testing, engineering judgment, and analyses.

The analyses, conclusions, and recommendations contained in our report are based on site conditions as they existed at the time of our study, and further assume that probes such as exploratory borings are representative of the subsurface conditions throughout the site; i.e., the subsurface conditions everywhere are not significantly different from those disclosed by the probes.

If during construction different subsurface conditions from those encountered during our exploration or different from those assumed in design are observed or appear to be present, or where variations from our design recommendations are made, we must be advised promptly so that we can review these conditions and modify the applicable recommendations if necessary. We cannot be held responsible for differing site conditions, changes in design, or modified geotechnical recommendations not brought to our attention.

Soil conditions cannot be fully determined by borings and, therefore, unanticipated soil conditions are commonly encountered. Such unexpected soil conditions often require that additional expenditures be made to attain a properly constructed project. Therefore, some contingency funding is recommended to accommodate potential extra costs.

Foundation dimensions, minimum slab thickness, and reinforcing details recommended herein are based upon geotechnical and construction considerations and are not offered in lieu of foundation design by an engineer. A determination of flooding potential, the existence of wetlands, or corrosive soil was beyond the scope of this report.

This geotechnical study did not include an investigation regarding the existence, location, or type of possible hazardous materials. If an investigation is necessary, we should be advised. In addition, if any hazardous materials are encountered during construction of the project, the proper regulatory officials should be notified immediately.

This report was prepared for the specific use of our client and applies only to the subject property. We are not responsible for interpretations by others of data presented in this report. This report is not a legal opinion. No warranty is expressed or implied. We base our conclusions in this report on judgment and experience. We performed this work in accordance with generally accepted standards of practice existing in northern California at the time of the report.

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Gularte & Associates, Inc. is not an expert on mold prevention. If particular recommendations are desired to prevent mold, we recommend that you contact an expert in that field.

FIGURES

Figure 1 – Vicinity Map

Figure 2 – Site Plan

Figure 3 – Seismic Hazard Map

Figure 4 – Geologic Map



Vicinity Map

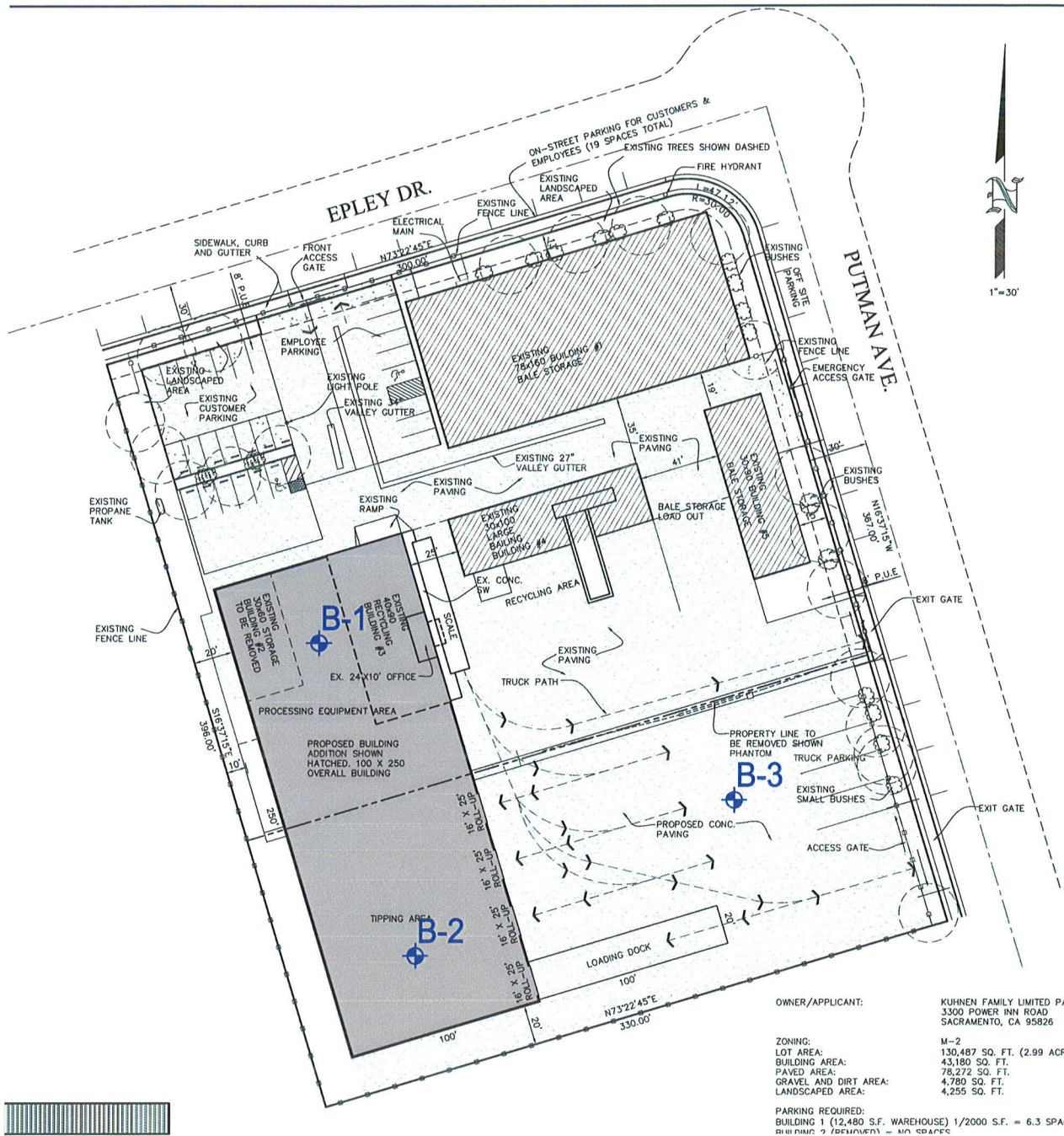
Recycling Industries – Yuba City



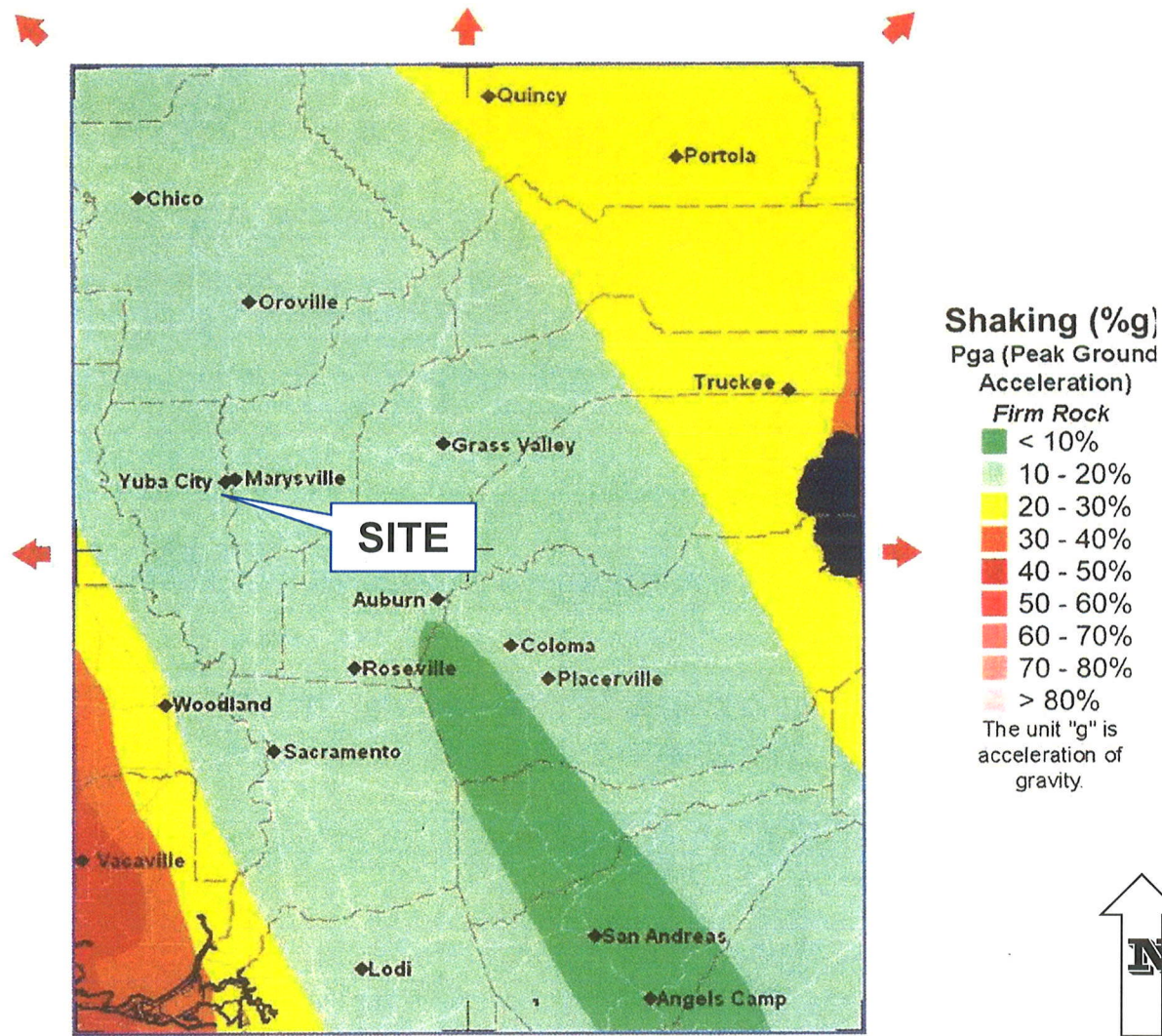
January 2016

Job No. 3897

Figure 1



Peak Ground Acceleration - 10% of being exceeded in 50 years



Seismic Hazard Map

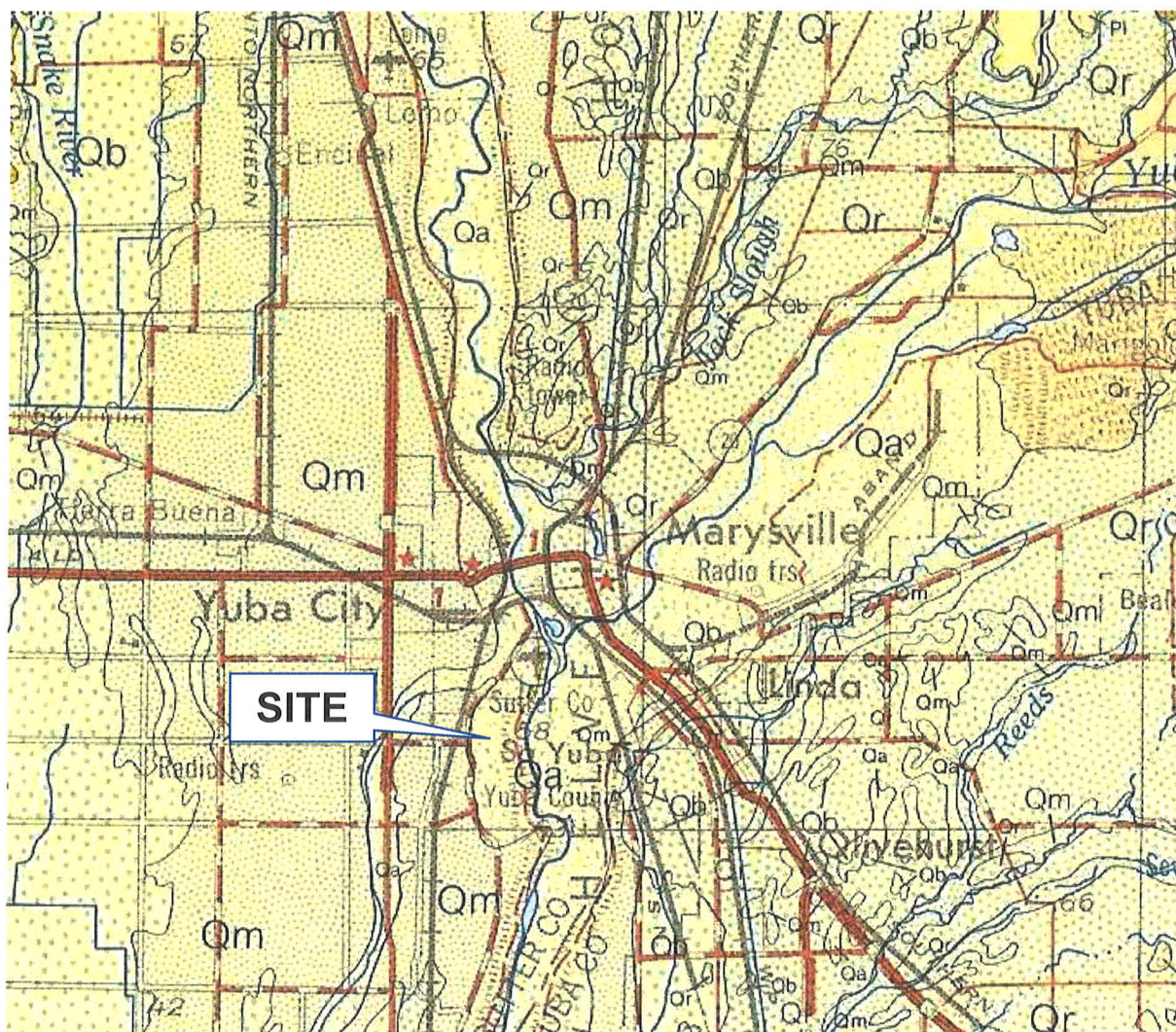
Recycling Industries – Yuba City



January 2016

Job No. 3897

Figure 3



Levee and channel deposits

Geologic Map

Recycling Industries – Yuba City



January 2016

Job No. 3897

Figure 4

APPENDIX A

Boring Logs

Auger HSA
Size 8-inch
Drill Gefco
Logged By Greg Gularte



Project No. 3897
Project Name Recycling Industries
Elevation N/A
Date 12/15/15

Boring B-1

Depth (feet)	Sample No.	SPT/Cal Mod N-Value	Sample Type	Lithology	LITHOLOGIC DESCRIPTION	SPT or Cal Mod "N" Value (Uncorrected)	Depth (feet)
0					Asphalt: 4" AC over 8" AB		0
	B1-1	2/3/4	CAL		ML: Reddish Brown Sandy Silt; Soft; Moist		
5	B1-2	2/3/4	SPT		ML: Dark Brown Sandy Silt; Med. Stiff; Moist	0 20 40 60 80 100	-5
					ML: Brown Sandy Silt; Med. Stiff; Moist		
10	B1-3	2/4/4	CAL			0 20 40 60 80 100	-10
					ML: Light Brown Sandy Silt; Soft; Moist		
15	B1-4	1/2/3	SPT			0 20 40 60 80 100	-15
					ML: Light Brown Sandy Silt; Very Soft; Wet		
20	B1-5	1/1/1	SPT			0 20 40 60 80 100	-20
25						0 20 40 60 80 100	-25
30							-30

Client
 Recycling Industries

Project
 Recycling Industries

Sheet
 1 of 1

Auger HSA
Size 8-inch
Drill Gefco
Logged By Greg Gularte



Project No. 3897
Project Name Recycling Industries
Elevation N/A
Date 12/15/15

Boring B-2

Depth (feet)	Sample No.	SPT/Cal Mod N-Value	Sample Type	Lithology	LITHOLOGIC DESCRIPTION	SPT or Cal Mod "N" Value (Uncorrected)	Depth (feet)
0					Gravel		0
	B2-1	11/11/12	CAL		ML: Light Brown Sandy Silt; Lightly Cemented; Stiff; Moist		
5	B2-2	2/2/3	SPT		ML: Orange Brown Sandy Silt; Medium Stiff; Moist	0 20 40 60 80 100	-5
					ML: Orange Brown Sandy Silt; Medium Stiff; Moist		
10	B2-3	4/5/5	CAL		ML: Orange Brown Sandy Silt; Medium Stiff; Moist	0 20 40 60 80 100	-10
					ML: Orange Brown Sandy Silt; Medium Stiff; Moist		
15	B2-4	1/2/4	SPT		No Sample Recovery	0 20 40 60 80 100	-15
20	B2-5	1/1/3	CAL			0 20 40 60 80 100	-20
25						0 20 40 60 80 100	-25
30							-30

Client
 Recycling Industries

Project
 Recycling Industries

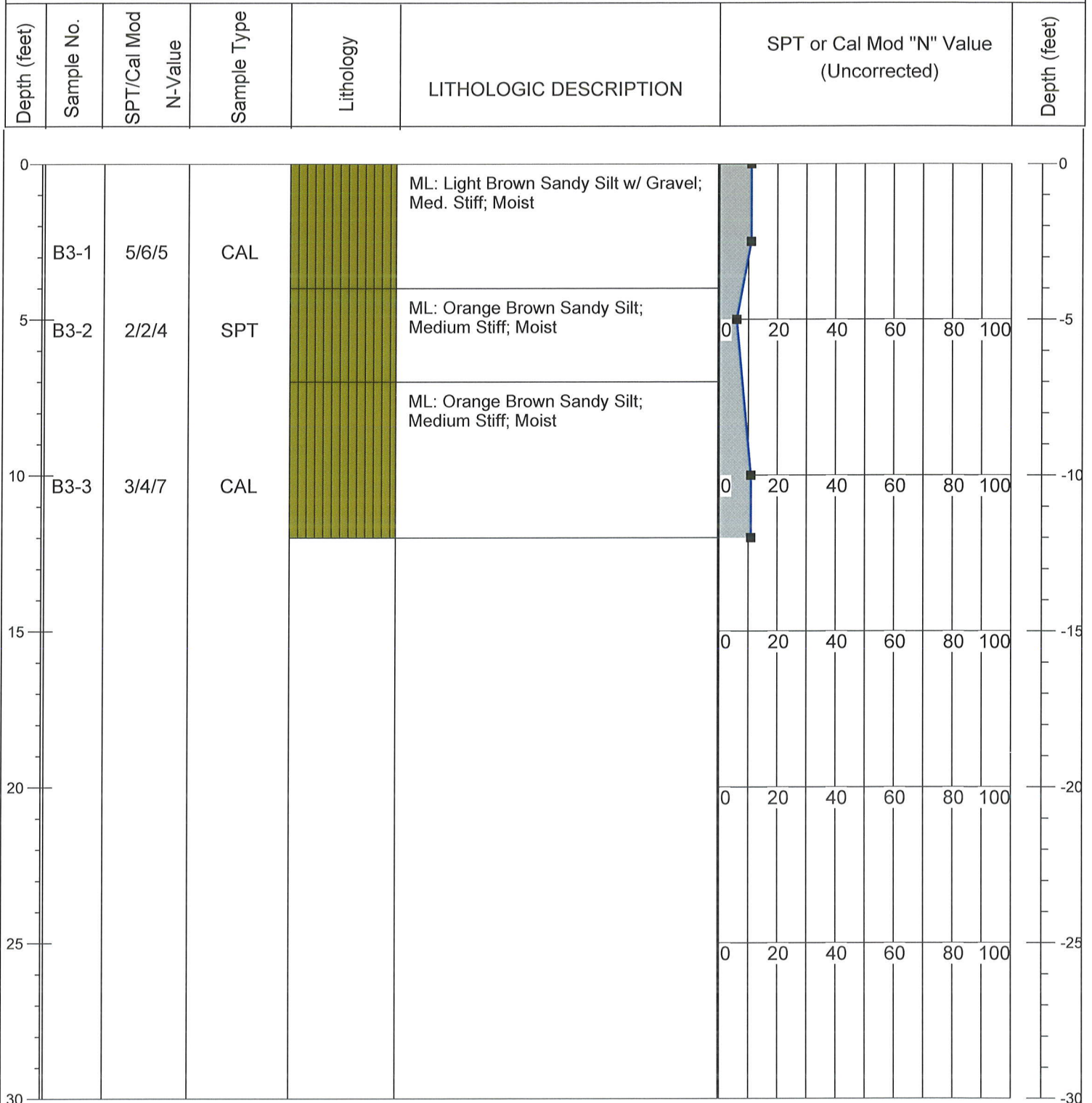
Sheet
 1 of 1

Auger HSA
Size 8-inch
Drill Gefco
Logged By Greg Gularte



Project No. 3897
Project Name Recycling Industries
Elevation N/A
Date 12/15/15

Boring B-3



Client
 Recycling Industries

Project
 Recycling Industries

Sheet
 1 of 1

APPENDIX B

Laboratory Test Results

ASTM D2216/2922 Moisture/Density Test



Project No.: 3897
 Project Name: Recycling Industries
 Sampling Locations: See Site Plan

Soil Description: See Boring Logs

Boring Location	B1	B1	B2	B2	B3	B3
Sample Depth	2.5	10	2.5	10	2.5	10

Water Content Calculations	No. 1	No. 2	No. 3	No. 4	No. 5	No. 6
Obtain Mass of Container	194.3	196.8	193.7	193.7	198.4	191.8
Obtain Mass of Wet Specimen+Container	914.6	994.0	1049.9	1007.2	1082.2	991.3
Obtain Mass of Dry Specimen+Container	797.8	808.2	894.8	820.0	939.6	812.4
Water Content (%)	19.4	30.4	22.1	29.9	19.2	28.8

Soil Density Calculations	No. 1	No. 2	No. 3	No. 4	No. 5	No. 6
Obtain Mass of Mold:	250.0	250.0	250.0	250.0	250.0	250.0
Obtain Mass of Soil and Mold:	970.3	1047.2	1106.2	1063.5	1133.8	1049.5
Total Mass of Soil	720.3	797.2	856.2	813.5	883.8	799.5
Length of sample	6.0	6.0	6.0	6.0	6.0	6.0
Wet Soil Density	99.3	109.9	118.0	112.1	121.8	110.2
Dry Soil Density	83.2	84.3	96.6	86.3	102.2	85.5

Notes

ASTM D1140 Sieve Wash Over The No. 200 Screen



Project No.: 3897
 Project Name: Recycling Industries
 Date: 12/22/2015

Soil Description: See Boring Logs

Basic Information

Procedure Used (A or B) _____
 Preparation Method Used (Wet or Dry) _____

Boring #	B1	B1	B1	B2	B2	B3
Depth	5	15	20	5	15	5

Pan #	78	27	81	78	BB	73
Mass of Container	194.1	199.7	189.7	194.1	193.5	195.1
Mass of Dry Specimen+Container	283.7	284.7	264.2	283.7	295.4	318.9
Mass of Dry Washed+Container	198.9	202.2	199.2	198.9	195.2	200.5
Percent Passing No. 200 Sieve	94.6	97.1	87.2	94.6	98.3	95.6

APPENDIX C

Geotechnical Terms/Definitions

Referenced Geotechnical Terms

ASTM: American Society for Testing and Materials is one of the largest voluntary standards development systems in the world. Soils and materials tests are described in detail in their annual books of standards.

Bench: A relatively level step, excavated into acceptable material of a slope face, against which fill is to be placed. Its purpose is to provide a firm and stable contact between the existing material and the new fill to be placed.

Buttress: An engineered fill designed and built to support or retain a weak or unstable Slope.

Compaction: The densification of soil through mechanical manipulation (tamping, rolling, vibrating, etc.). The addition of optimum amounts of water can be crucial to obtaining adequate densification of the material.

Cut: The depth to which a material is to be removed/excavated to reach final grade elevation.

Consolidation: The gradual reduction in volume of a soil mass due to an increase in compressive stress (load).

Daylight Line: The surface contact of *cut* and *fill* soil.

Density Test: A field test used to determine compaction of a fill or native soil. The test is typically performed by the nuclear gauge method.

Expansive Soil: A soil (usually clayey) that increases in volume when water is added (expands), and shrinks when water content is reduced.

Geotechnical: Pertaining to the practical applications of soil science and civil Engineering.

Geotextile Fabric: A permeable fabric used during grading to stabilize, allow for drainage, filtration, or add reinforcement beneath a pavement or structure.

Maximum Density Test: (“curve”, “max”, or “proctor”) A laboratory test used to determine the optimum moisture and maximum dry density of a soil type (typically ASTM standard test method D 1557).

Native Soil (Natural Ground, NG): (1) Soil deposited by the forces of nature through weathering, erosion, etc.; soil that has not been moved by man. (2) The undisturbed surface prior to the commencement of grading, sometimes referred to as Original Ground (OG).

Nesting: Oversized material (typically >6" size) that has been placed in a manner that leaves voids between the piled boulder or rock fragments, and these voids are not infilled with solid material (soil, fine gravel/sand, etc). The absence of nesting rock is required in a *rock fill*.

NICET: National Institute for Certification in Engineering Technologies. Engineering technicians that are tested by NICET may be certified at various levels of expertise (Levels I through IV) in different fields of construction.

Optimum Moisture: The moisture content at which the maximum density of a soil can be achieved during the compaction process. Each soil type (or blend of soil types) has its own specific optimum moisture content that is used as a guide for moisture conditioning during the grading process.

Over-excavation: The removal of the upper portion of soil on site. Usually performed under roadways or building pads and combined with replacement of structural fill

Pass: One trip or movement across a designated area by a piece of compaction equipment or machinery.

Percent Compaction: The ratio (expressed as a percentage) of the dry density of a soil (as determined by the nuclear gauge) to the maximum density of a soil (as determined by the maximum density test).

Pre-Saturation: The moisture conditioning (above optimum) of a pad subgrade or footing excavation prior to placing/pouring a foundation. Pre-saturation is usually performed on expansive soils to help limit future swelling that may be caused by seasonal rains or heavy landscape watering.

Pumping: May be observed as a rolling motion in soils compacted in an over-optimum condition (too wet). These pumping soils may, during the rolling process, become rutted or indented by rubber-tired equipment, usually leaving a bulging path in the soil parallel to the tire print.

Relative Compaction: A means of comparing the dry soil density in the field to the laboratory compaction curve. It equals the field dry density divided by the lab max dry density, and then is multiplied by 100 and expressed as a percentage.

Rock Fill: "Oversized material" (typically 6" or larger diameter) mixed/compacted during placement with a soil matrix in such a manner as to limit voids and nesting, allowing for a homogeneous, well-compacted fill.

Scarify (Rip): The act of loosening the exposed surface material (usually the upper 8-12 inches by ripper teeth on a dozer or blade) to mix, blend, moisten, or prepare for fill placement.

Structural Fill: Fill that is supporting manmade structures, including buildings, roadways, levees, and slopes. Structural Fill is typically compacted to 90 percent relative compaction.

Subdrain: A drainage system placed beneath the surface to drain surface water, or relieve hydrostatic pressure (such as water buildup behind a fill slope). It typically consists of filter material (rock and/or fabric) and a perforated drainpipe.

Toe: The contact point of the bottom of a fill or cut slope with a relatively level or pre-existing ground surface.

Transition Lot: A lot which a portion is to be cut (excavated) and a portion is to be filled (raised) to reach pad grade.

Unified Soil Classification System (USCS): A system used by soil engineers to classify soil for engineering purposes. A kind of a shorthand for describing soil types.

APPENDIX C

TRAFFIC STUDY

July 18, 2018

Mr. Larry Miner
Clements Environmental
15230 Burbank Blvd, Suite 103
Sherman Oaks, CA 91411

RE: TRAFFIC ASSESSMENT FOR RECYCLING INDUSTRIES FACILITY AT 140 EPLEY DRIVE, YUBA CITY, CA

Dear Mr. Miner:

Thank you for contacting our firm regarding the expansion of Recycling Industries' existing facility at 140 Epley Drive in Yuba City. As we have discussed, Recycling Industries is permitted to receive 100 tons per day of recyclables and solid waste for processing and transfer. The proposed project would allow up to 300 tons per day, or a net increase of 200 tons per day. You have asked for our opinion as to the possible significant traffic impacts associated with the project.

Approach

To provide our opinion we have established a current baseline of traffic operating conditions at key intersection in the vicinity of the project based on the volume of traffic occurring during weekday a.m. and p.m. peak traffic hours. The existing setting has been described in terms of intersection operating Levels of Service at three intersections identified by City of Yuba City staff based on new traffic volume counts and calculation procedures accepted by the City. The extent to which current conditions meet minimum Level of Service standards adopted by the City has been determined. The amount of automobile and truck traffic associated with the proposed project has been estimated, and we have offered our opinion as to the likelihood that this additional traffic would create a significant traffic impact under City guidelines based on our nearly 40 years of experience preparing traffic impact analyses conducted under local and CEQA guidelines.

Existing Setting

Study Locations. City of Yuba City Department of Public Works staff considered the project and the adjoining circulation system to identify three (3) intersections for assessment based on their understanding of traffic conditions and patterns in the southern Yuba City area. We concur with the selection of these locations along Garden Highway based on our familiarity with this area from work on previous projects:

- Garden Highway / Lincoln Road
- Garden Highway / Epley Drive
- Garden Highway / Burns Drive / Teesdale Road

Current Traffic Conditions. Current traffic conditions were evaluated based on the Level of Service occurring at study locations during typical weekday a.m. and p.m. peak traffic hours. Intersection turning movement counts were conducted during the week of May 7th, 2018 from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. These time periods were selected based on consideration of the hours of highest traffic volume in the Yuba City area and typical engineering practice. Traffic counts were conducted in 15 minute intervals, and the consecutive 60 minute period with the greatest volume was identified as the peak hour. Traffic count worksheets are attached.

Level of Service – Methodology / Standards. The operating Level of Service at each intersection was calculated using the methodology contained in the 2010 Highway Capacity Manual (HCM) using Synchro software. "Level of Service" is a qualitative measure of traffic operating conditions whereby a letter grade "A" through "F", corresponding to progressively worsening operating conditions, is assigned to an intersection or roadway segment. Local agencies adopted minimum Level of Service standards through their General Plan Circulation Element and then employ uniform significance criteria to determine whether the addition of project traffic causes a significant impact under CEQA. As noted in the attached discussion of Evaluation Methodology, the City of Yuba City employs LOS D as its minimum standard, and a project that causes an acceptable Level of Service (i.e., LOS A-D) to deteriorate to an unacceptable level (i.e., LOS E or F) or appreciably worsens an unacceptable condition is typically judged to cause a significant impact.

Traffic Signal Warrants. The need for a traffic signal at an intersection controlled by stop signs is determined through review of Traffic Signal Warrants contained in the Manual of Uniform Traffic Control Devices (MUTCD), as noted in the attached Evaluation Methodology discussion.

Existing Traffic Conditions. The current Level of Service occurring at each study intersection was determined, and the results are summarized in Table 1. As indicated, all three locations operate with Levels of Service that satisfy the City of Yuba City's minimum LOS D standard. The Level of Service reported at the Garden Highway / Lincoln Road intersection (i.e., LOS B) is identical to the results presented in a prior report based on April 2015 data. Current conditions are acceptable under City guidelines, and improvements are not needed.

TABLE 1 CURRENT PEAK HOUR INTERSECTION LEVELS OF SERVICE							
Intersection	Traffic Control	AM Peak Hour			PM Peak Hour		
		Ave Delay (sec/veh)	LOS	Volume Warrant Satisfied?	Ave Delay (sec/veh)	LOS	Volume Warrant Satisfied?
Garden Highway / Lincoln Road	Signal	11.3	B	n.a.	11.7	B	n.a.
Garden Highway / Epley Drive Southbound left turn Westbound approach	EB Stop	11.4 22.1	B C	No	9.5 17.2	C A	No
Garden Highway / Burns Drive	Signal	16.9	B	n.a.	14.5	B	n.a.
n.a. is not applicable to this location							

KDA

Table 2 presents the traffic volumes used at the Garden Highway / Epley Drive intersection to determine whether a traffic signal might be justified at this un-signalized location. As indicated, the volume of traffic through the intersection falls below the levels that would satisfy MUTCD peak hour volume warrants. With the current traffic volume on Garden Highway (i.e., the Major Volume), the Minor Volume would need to reach a minimum of 150 mph.

TABLE 2 EXISTING PLUS PROJECT PEAK HOUR TRAFFIC SIGNAL WARRANTS						
Intersection	Year 2040 Peak Hour Volumes					
	AM Peak Hour			PM Peak Hour		
	Major Volume	Minor Volume	Warrant Met?	Major Volume	Minor Volume	Warrant Met?
Garden Highway / Epley Drive	1,397	47	No	1,424	117	No
Note: satisfaction of peak hour warrants indicates that a traffic signal may be justified but is not necessarily the preferred traffic control strategy at a particular location.						

Project Characteristics

Project Description. Recycling Industries is currently permitted to receive 100 tons per day of recyclables and solid waste for processing and transfer, and the proposed project will allow up to 300 tons per day of solid waste and recyclables to be accepted, processed and transferred at the facility, or a net increase of 200 tons per day. While current traffic to and from the site is primarily self-haul customers this additional traffic would mainly be comprised of Commercial Vehicles bringing material to the site and transfer trucks taking material from the site.

Trip Generation. The amount of vehicle traffic associated with the project is described in terms of vehicle trips. Each load traveling to or from the site generates two trips (i.e., one inbound to the site and one outbound from the site). The number of vehicle trips has been estimated based on the increase in permitted tonnage and the capacity of the vehicles used to transport the material. Table 3 identifies the amount of additional material traveling to the site from various sources (i.e., commercial haulers, self-haul and roll-off trucks), the assumed capacity of each vehicle and the resulting number of loads per day associated with 200 additional tons per day. As indicated, the 200 additional tons could result in another 104 daily vehicle trips to and from the site (i.e., 52 inbound and 52 outbound).

KDA

TABLE 3 PROJECT TRIP GENERATION / PCE ESTIMATE									
Source	Vehicle Type	Capacity (tons per load)	Tons per Day	Loads	Daily Vehicle Trips			PCE's per Truck	Daily PCE's
					Inbound	Outbound	Total		
Inbound Material	Commercial Vehicles	8.0	160	20	20	20	40	3	120
	Self-Haul	0.5	4	8	8	8	16	1	16
	Roll-off Trucks	4.0	36	9	9	9	18	3	54
	Subtotal		200	37	37		74		190
Outbound Material	Transfer Trucks	23	200	9	9	9	18	4	72
Employees	Auto	-	-	-	6	6	12	1	12
Total							104		274

Passenger Car Equivalents. Because trucks are larger and have reduced acceleration and deceleration characteristics when compared to passenger vehicles, the trip generation associated with trucks can be expressed in terms of Passenger Car Equivalents (PCE's). Depending on size, a truck can be considered to be equivalent to 1.0 to 4.0 passenger automobiles. Applicable factors have been applied to the types of vehicles traveling to and from the site, and resulting PCE's are noted in Table 3. As shown, on a daily basis the project could generate 274 PCE's.

Peak Hour Trip Generation. The amount of vehicular traffic occurring in any particular hour will depend on the business' hours of operation and the likely schedule of activities. You have provided a preliminary estimate of the truck activity and employee travel associated with the project (attached), which notes that travel will occur over an eleven (11) hour period from 7:00 a.m. to 6:00 p.m. Truck activity is expected to be relatively uniform across that period, but somewhat less truck travel would be expected in the evening as the plant begins to wind down for the day. This data suggests that during peak commute hours up to 8 vehicle trips could occur per hour. This estimate would convert to 18 PCE's per hour.

Directional Distribution. Because many of the trips associated with the project will be made by commercial haulers, the directional distribution of the trips associated will to a degree be dependent on the limits of the areas included in future service contracts. We understand that this information is not available. It is reasonable, however, to assume that trips associated with the project will be oriented to the major transportation corridors serving the south Yuba City area. For example, Garden Highway continues northerly to the 5th Street bridge and will be a logical route to eastern Yuba City and Marysville. State Route 99 (SR 99) is located about a mile west of the project site and is the logical route for trips to the balance of Yuba City or to more distant destinations. SR 99 can be reached via east-west streets such as Lincoln Road or Bogue Road, although Garden Highway does continue northerly to an intersection on SR 99 south of the SR 113 junction.

KDA

The current pattern of travel at the Garden Highway / Epley Drive intersection may provide an indication of trip distribution. Today 81% to 89% of the peak hour traffic using Epley Drive is to and from the north.

Based on this information we expect that most project traffic will travel to and from the Garden Highway / Epley Drive intersection to the north via Garden Highway and Lincoln Road (i.e., 75%), and that the balance of the trips will be to the south.

Assessment of Project Impacts Way

We have considered the likelihood that the project could have significant traffic impacts from the following perspectives.

Screen Line for Analysis. The City of Yuba City employs a trip generation threshold to determine at a screen line level whether a traffic impact could possibly occur and whether a traffic impact analysis is justified. The screen line threshold (i.e., 50 peak hour trips (inbound plus outbound) is similar to that required by many other public agencies. There is no specific screen line for PCE's.

The project could generate 8 peak hour trips. This estimate is well below the 50 trips threshold. Even if the project's peak hour PCE estimate was applied, this estimate (i.e., 18 PCE's per hour) is less than the 50 trip threshold used by the City of Yuba City. Based on this criteria we would not expect the project to have a significant impact to the regional street system.

Effect on Current Levels of Service. As noted earlier, current operating Levels of Service are very good at intersections near the project, and current conditions are well within the LOS D threshold employed by the City of Yuba City to define acceptable traffic operations. It has been our experience conducting traffic studies for nearly 40 years that the limited amount of additional traffic associated with this project would not be enough to cause current conditions to drop from LOS B beyond the LOS D threshold. We would not expect the project's impact to be significant based on the General Plan Level of Service standards.

Traffic Signal Warrants. The project will add traffic to the Garden Highway / Epley Drive intersection, but the number of trips added on the Epley Drive approach to the intersection (i.e., 6 westbound trips per hour) would not be sufficient to cause the resulting volumes to satisfy MUTCD peak hour warrants for signalization.

Truck Access / Circulation. The local street system providing access to the site is currently used by trucks associated with the current Recycling Industries operation and by trucks generated by other businesses. cursory review of the layout of these streets did not reveal any location where the turning requirements of trucks would not be accommodated. The project would not be expected to have an appreciable impact on overall circulation.

Other Safety Factors. The project could add a small amount of truck traffic on streets in the vicinity of Yuba City Unified School District (YCUSD) schools. Riverbend School (K-8) is located at the corner of Garden Highway and Stewart Street roughly 1½ miles south of Burns Drive. However, there are sidewalks along Garden Highway in the vicinity of the school, a signalized pedestrian crossing is

KDA

available at the Garden Highway / Stewart Street intersection and the school access is not on Garden Highway but is actually on Stewart Street about ¼ mile to the west.

To the north there are no schools adjoining Lincoln Road or Garden Highway. The only location where residential access might generate school age pedestrians across Garden Highway is near the Garden Highway / Percy Avenue intersection, but the children of the Richards Housing area on the east side of Garden Highway are bussed to school. In any event, sidewalks and a signalized crossing exist in this area. Thus, the project's impact to student safety is not judged to be significant.

Conclusions. Based on available information we do not anticipate that the impacts of the project based on General Plan standards for traffic operations, truck circulation or safety would be significant, and no additional analysis is required.

Please feel free to contact me if you have any question or need more information.

Sincerely Yours,

KD Anderson & Associates, Inc.

A handwritten signature in black ink, appearing to read 'K. Anderson', with a long horizontal flourish extending to the right.

Kenneth D. Anderson, P.E.
President

Attachments: Evaluation Methodology, hourly trips, traffic counts, Level of Service worksheets,
YCUSD boundary map

Attachment 1

Evaluation Methodology

The following is a description of the methods used in this impact study to analyze intersection operations.

Level of Service Analysis Procedures. Level of Service (LOS) analysis provides a basis for describing existing traffic conditions and for evaluating the significance of project-related traffic impacts. Level of Service measures the quality of traffic flow and is represented by letter designations from A to F, with a grade of A referring to the best conditions, and F representing the worst conditions. The characteristics associated with the various LOS for intersections are presented in Table 1 and further discussed below.

Both signalized intersections and un-signalized stop sign controlled intersections have been analyzed using methods presented in the *Highway Capacity Manual (HCM)*. The “Synchro” traffic simulation software has been used to calculate the levels of service at study intersections using the HCM procedures. The calculations utilize a heavy vehicle percentage of 6%.

Un-signalized intersections with side street stop sign control have also been evaluated using *Highway Capacity Manual* procedures. At side street stop-sign-controlled intersections, the LOS is presented for turning movements experiencing the most delay. This is typically a left turn made from the minor street stop-sign-controlled approach onto the major street.

TABLE 1 LEVEL OF SERVICE DEFINITIONS		
Level of Service	Signalized Intersections	Unsignalized Intersection
“A”	Uncongested operations, all queues clear in a single-signal cycle. Delay ≤ 10.0 sec	Little or no delay. Delay ≤ 10 sec/veh
“B”	Uncongested operations, all queues clear in a single cycle. Delay > 10.0 sec and ≤ 20.0 sec	Short traffic delays. Delay > 10 sec/veh and ≤ 15 sec/veh
“C”	Light congestion, occasional backups on critical approaches. Delay > 20.0 sec and ≤ 35.0 sec	Average traffic delays. Delay > 15 sec/veh and ≤ 25 sec/veh
“D”	Significant congestions of critical approaches but intersection functional. Cars required to wait through more than one cycle during short peaks. No long queues formed. Delay > 35.0 sec and ≤ 55.0 sec	Long traffic delays. Delay > 25 sec/veh and ≤ 35 sec/veh
“E”	Severe congestion with some long standing queues on critical approaches. Blockage of intersection may occur if traffic signal does not provide for protected turning movements. Traffic queue may block nearby intersection(s) upstream of critical approach(es). Delay > 55.0 sec and ≤ 80.0 sec	Very long traffic delays, failure, extreme congestion. Delay > 35 sec/veh and ≤ 50 sec/veh
“F”	Total breakdown, stop-and-go operation. Delay > 80.0 sec	Intersection blocked by external causes. Delay > 50 sec/veh
Source: <i>Highway Capacity Manual (2010)</i>		

Standards of Significance / Level of Service Thresholds. In this traffic assessment, the significance of the proposed projects impact on traffic operating conditions is based on a determination of whether project generated traffic is likely to result in roadway or intersection operating conditions below acceptable standards as defined by the governing agency. A project's impact on traffic conditions is considered significant if implementation of the project would result in LOS changing from levels considered acceptable to levels considered unacceptable, or if the project would significantly worsen an already unacceptable LOS without the project. Relevant policies for the study area consist of the following.

Yuba City General Plan (Adopted April 2004)

Implementing Policy 5.2-1-12 (*Traffic Level of Service*) of the General Plan's Transportation section states the following:

- Develop and manage the roadway system to obtain LOS D or better for all major roadways and intersections in the City. This policy does not extend to residential streets (i.e., streets with direct driveway access to homes) or bridges across the Feather River nor does the policy apply to state highways and their intersections, where Caltrans policies apply. Exceptions to LOS D policy may be allowed by the City Council in areas, such as downtown, where allowing a lower LOS would result in clear public benefits.
- No new development will be approved unless it can be shown that the required level of service can be maintained on the affected roadways.
- Based upon the above, the following standards and significance criteria have been used for this analysis to identify a significant impact.
- Cause level of service at a study intersection to degrade from LOS D or better to LOS E or F.
- Exacerbate the no project level of service at a study intersection operating at LOS E or F. Based upon direction provided by City staff for past studies in this area, exacerbation of unacceptable operations at a City signalized intersection is considered an impact if the proposed project causes an increase in the average vehicle delay of 5 seconds or more.

Signal Warrants. Traffic signal warrants are a series of standards which provide guidelines for determining if a traffic signal is an appropriate control. Signal warrant analyses are typically conducted at intersections of uncontrolled major streets and stop sign-controlled minor streets. If one or more signal warrants are met, signalization of the intersection may be appropriate. However, a signal should typically not be installed if none of the warrants are met, since the installation of signals would increase delays on the previously uncontrolled major street, and may increase the occurrence of particular types of accidents.

For traffic impact study in the City of Yuba City, available data is limited to peak hour volumes. Therefore, un-signalized intersections were evaluated using the Peak Hour Warrant (Warrant Number 3) from the *California Manual on Uniform Traffic Control Devices (2012)*. This warrant was applied where the minor street experiences delays in entering or crossing the major street for at least one hour of the day. It should also be noted that even if the Peak Hour Warrant is met, a more detailed signal warrant study is typically recommended before a signal is installed. The more detailed study should consider volumes during the eight highest hours of the day, pedestrian traffic, and accident histories.

ANTICIPATED DAILY VEHICLE COUNT

VEHICLE TYPE	APPROVED 100 TPD	PROPOSED 200 TPD	TOTAL 300 TPD
<u>Inbound Vehicles⁽¹⁾</u>			
Commercial Vehicles	0	20	20
Self-Haul	160	8	168
Roll-Off Trucks	5	9	14
<u>Outbound Vehicles⁽²⁾</u>			
Transfer Trucks	5	9	14
Employee and Visitor Vehicles ⁽³⁾	16	6	22
TOTAL VEHICLES PER DAY	186	52	238

⁽¹⁾ Inbound Commercial Vehicles: 8 tons per load; Inbound Self-Haul Vehicles – .5 tons per load;
Inbound Roll-Off Trucks: 4 tons per load

⁽²⁾ Outbound Transfer/Commodity Trucks: 23 tons per load.

**PROPOSED TRAFFIC ESTIMATES
200 TPD INCREASE)**

			3-Axel Trucks			Employee Vehicles			Self Haul Vehicles			Transfer Trucks		
Time			In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
12:00 - 1:00	AM				0			0			0			0
1:00 - 2:00	AM				0			0			0			0
2:00 - 3:00	AM				0			0			0			0
3:00 - 4:00	AM				0			0			0			0
4:00 - 5:00	AM				0			0			0			0
5:00 - 6:00	AM				0			0	1	1	2			0
6:00 - 7:00	AM		1	1	2	2		2	1	1	2			0
7:00 - 8:00	AM		1	1	2	2		2	1	1	2	1	1	2
8:00 - 9:00	AM		1	1	2	2		2	1	1	2	1	1	2
9:00 - 10:00	AM		2	2	4			0	1	1	2	1	1	2
10:00 - 11:00	AM		2	2	4			0	1	1	2	1	1	2
11:00 - 12:00	PM		4	4	8			0	1	1	2	1	1	2
12:00 - 1:00	PM		6	6	12			0	1	1	2	1	1	2
1:00 - 2:00	PM		4	4	8			0			0	1	1	2
2:00 - 3:00	PM		4	4	8			0			0	1	1	2
3:00 - 4:00	PM		2	2	4		2	2			0	1	1	2
4:00 - 5:00	PM		1	1	2		2	2			0			0
5:00 - 6:00	PM		1	1	2		2	2			0			0
6:00 - 7:00	PM		0	0	0			0			0			0
7:00 - 8:00	PM		0	0	0			0			0			0
8:00 - 9:00	PM		0	0	0			0			0			0
9:00 - 10:00	PM		0	0	0			0			0			0
10:00 - 11:00	PM		0	0	0			0			0			0
11:00 - 12:00	AM		0	0	0			0			0			0
Total			29	29	58	6	6	12	8	8	16	9	9	18

KDA

KD ANDERSON & ASSOCIATES, INC.

1565-01

Yuba City
All Vehicles & Uturns On Unshifted
Bikes & Peds On Bank 1
Nothing On Bank 2

(916) 660-1555

File Name : Garden Hwy & Lincoln Rd
Date : 5/10/2018

Unshifted Count = All Vehicles & Uturns

	Garden Hwy Southbound					Lincoln Road Westbound					Garden Hwy Northbound					Lincoln Road Eastbound					Total	Uturns Total
START TIME	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL		
7:00	0	52	6	0	58	0	0	0	0	0	16	89	0	0	105	29	0	32	0	61	224	0
7:15	0	65	14	0	79	0	0	0	0	0	26	119	0	0	145	52	0	34	0	86	310	0
7:30	0	86	29	0	115	0	0	0	0	0	39	179	0	0	218	49	0	33	0	82	415	0
7:45	0	111	19	0	130	0	0	0	0	0	29	210	0	0	239	77	0	42	0	119	488	0
Total	0	314	68	0	382	0	0	0	0	0	110	597	0	0	707	207	0	141	0	348	1437	0
8:00	0	125	32	0	157	0	0	0	0	0	41	144	0	0	185	51	0	39	0	90	432	0
8:15	0	76	18	0	94	0	0	0	0	0	27	138	0	0	165	33	0	20	0	53	312	0
8:30	0	66	19	0	85	0	0	0	0	0	26	114	0	0	140	25	0	26	0	51	276	0
8:45	0	60	23	0	83	0	0	0	0	0	33	99	0	0	132	37	0	32	0	69	284	0
Total	0	327	92	0	419	0	0	0	0	0	127	495	0	0	622	146	0	117	0	263	1304	0
12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16:15	0	98	27	0	125	0	0	0	0	0	33	110	0	0	143	31	0	26	0	57	325	0
16:30	0	129	66	0	195	0	0	0	0	0	51	128	0	0	179	42	0	24	0	66	440	0
16:45	0	133	47	0	180	0	0	0	0	0	38	114	0	0	152	53	0	28	0	81	413	0
Total	0	360	140	0	500	0	0	0	0	0	122	352	0	0	474	126	0	78	0	204	1178	0
17:00	0	149	77	0	226	0	0	0	0	0	47	116	0	0	163	50	0	37	0	87	476	0
17:15	0	154	58	0	212	0	0	0	0	0	50	136	0	0	186	55	0	58	0	113	511	0
17:30	0	130	59	0	189	0	0	0	0	0	58	139	0	0	197	45	0	49	0	94	480	0
17:45	0	128	41	0	169	0	0	0	0	0	34	137	0	0	171	44	0	42	0	86	426	0
Total	0	561	235	0	796	0	0	0	0	0	189	528	0	0	717	194	0	186	0	380	1893	0
Grand Total	0	1562	535	0	2097	0	0	0	0	0	548	1972	0	0	2520	673	0	522	0	1195	5812	0
Apprch %	0.0%	74.5%	25.5%	0.0%		0.0%	0.0%	0.0%	0.0%		21.7%	78.3%	0.0%	0.0%		56.3%	0.0%	43.7%	0.0%			
Total %	0.0%	26.9%	9.2%	0.0%	36.1%	0.0%	0.0%	0.0%	0.0%	0.0%	9.4%	33.9%	0.0%	0.0%	43.4%	11.6%	0.0%	9.0%	0.0%	20.6%	100.0%	

AM PEAK HOUR	Garden Hwy Southbound					Lincoln Road Westbound					Garden Hwy Northbound					Lincoln Road Eastbound					Total
START TIME	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	
Peak Hour Analysis From 07:30 to 08:30																					
Peak Hour For Entire Intersection Begins at 07:30																					
7:30	0	86	29	0	115	0	0	0	0	0	39	179	0	0	218	49	0	33	0	82	415
7:45	0	111	19	0	130	0	0	0	0	0	29	210	0	0	239	77	0	42	0	119	488
8:00	0	125	32	0	157	0	0	0	0	0	41	144	0	0	185	51	0	39	0	90	432
8:15	0	76	18	0	94	0	0	0	0	0	27	138	0	0	165	33	0	20	0	53	312
Total Volume	0	398	98	0	496	0	0	0	0	0	136	671	0	0	807	210	0	134	0	344	1647
% App Total	0.0%	80.2%	19.8%	0.0%		0.0%	0.0%	0.0%	0.0%		16.9%	83.1%	0.0%	0.0%		61.0%	0.0%	39.0%	0.0%		
PHF	.000	.796	.766	.000	.790	.000	.000	.000	.000	.000	.829	.799	.000	.000	.844	.682	.000	.798	.000	.723	.844

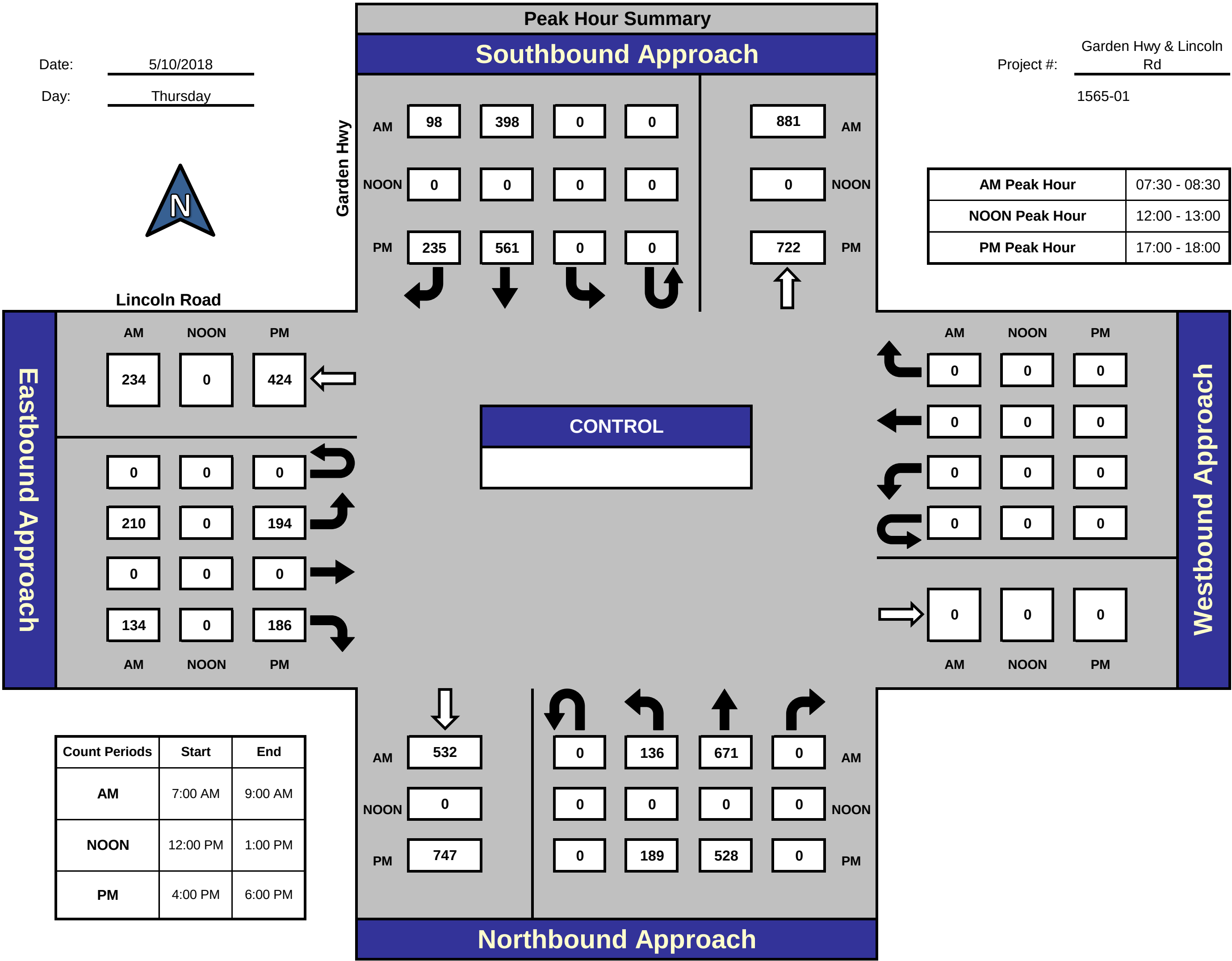
NOON PEAK	Garden Hwy Southbound					Lincoln Road Westbound					Garden Hwy Northbound					Lincoln Road Eastbound					Total
START TIME	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	
Peak Hour Analysis From 12:00 to 13:00																					
Peak Hour For Entire Intersection Begins at 12:00																					
12:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Volume	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
% App Total	0.0%	0.0%	0.0%	0.0%		0.0%	0.0%	0.0%	0.0%		0.0%	0.0%	0.0%	0.0%		0.0%	0.0%	0.0%	0.0%		
PHF	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000

PM PEAK HOUR	Garden Hwy Southbound					Lincoln Road Westbound					Garden Hwy Northbound					Lincoln Road Eastbound					Total
START TIME	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	
Peak Hour Analysis From 17:00 to 18:00																					
Peak Hour For Entire Intersection Begins at 17:00																					
17:00	0	149	77	0	226	0	0	0	0	0	47	116	0	0	163	50	0	37	0	87	476
17:15	0	154	58	0	212	0	0	0	0	0	50	136	0	0	186	55	0	58	0	113	511
17:30	0	130	59	0	189	0	0	0	0	0	58	139	0	0	197	45	0	49	0	94	480
17:45	0	128	41	0	169	0	0	0	0	0	34	137	0	0	171	44	0	42	0	86	426
Total Volume	0	561	235	0	796	0	0	0	0	0	189	528	0	0	717	194	0	186	0	380	1893
% App Total	0.0%	70.5%	29.5%	0.0%		0.0%	0.0%	0.0%	0.0%		26.4%	73.6%	0.0%	0.0%		51.1%	0.0%	48.9%	0.0%		
PHF	.000	.911	.763	.000	.881	.000	.000	.000	.000	.000	.815	.950	.000	.000	.910	.882	.000	.802	.000	.841	.926

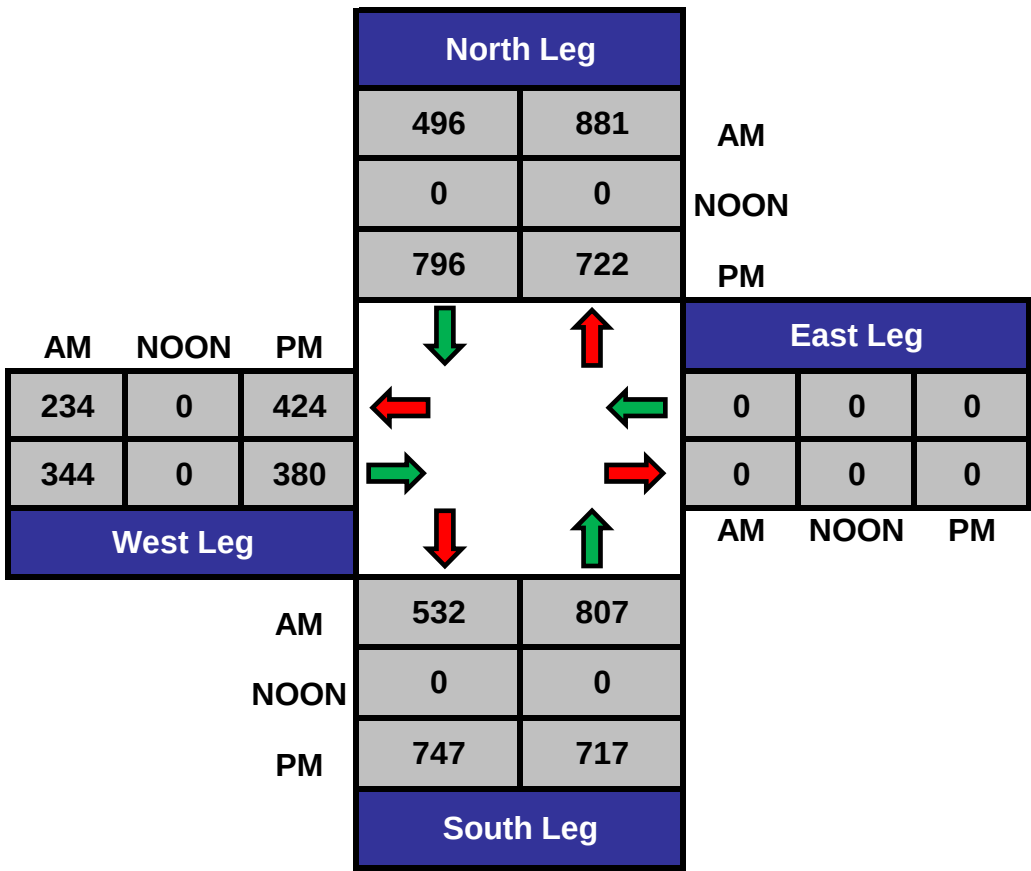
Garden Hwy & Lincoln Rd

Date: 5/10/2018
Day: Thursday

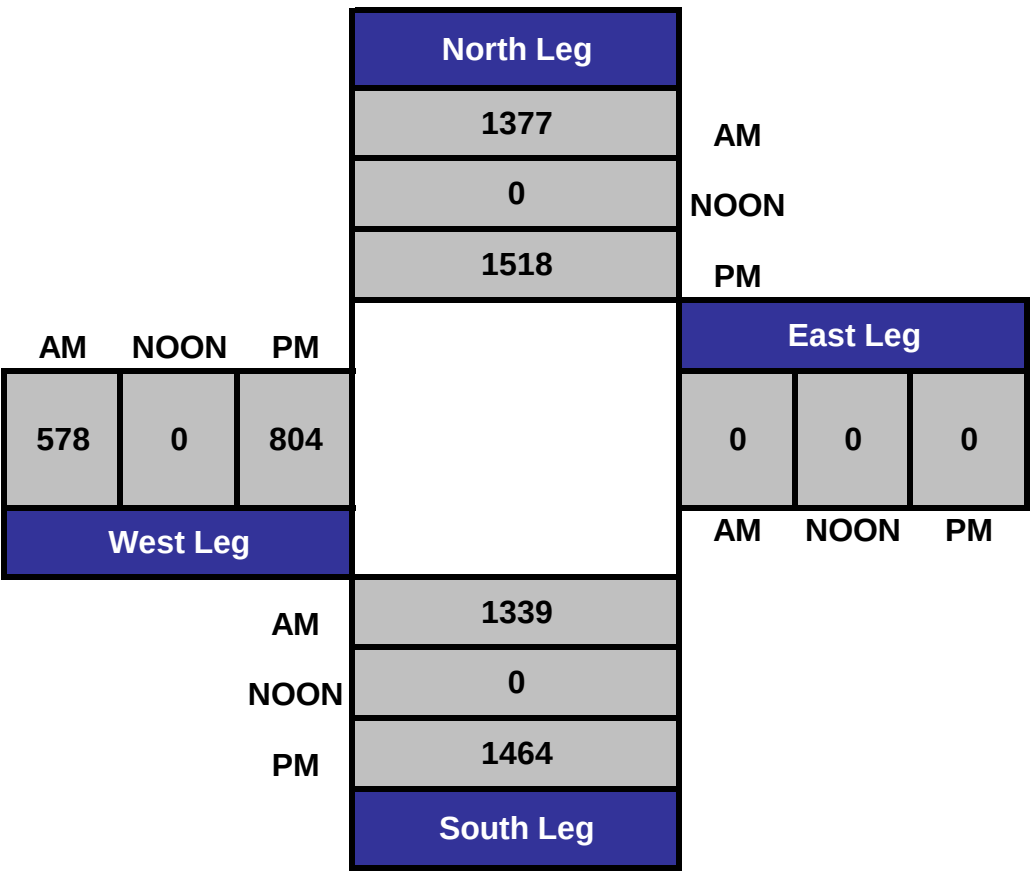
Project #: Garden Hwy & Lincoln Rd
1565-01



Total Ins & Outs



Total Volume Per Leg



KD ANDERSON & ASSOCIATES, INC.

1565-01

Yuba City
All Vehicles & Uturns On Unshifted
Bikes & Peds On Bank 1
Nothing On Bank 2

(916) 660-1555

File Name : Garden Hwy & Burns Dr
Date : 5/15/2018

	Unshifted Count = All Vehicles & Uturns																					
	Garden Hwy Southbound					Burns Drive Westbound					Garden Hwy Northbound					Burns Drive Eastbound						
START TIME	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	Total	Uturns Total
7:00	11	55	9	0	75	4	0	6	0	10	6	78	2	0	86	20	3	3	0	26	197	0
7:15	13	37	6	0	56	2	0	3	0	5	6	139	4	0	149	15	7	3	0	25	235	0
7:30	26	74	13	0	113	3	6	7	0	16	8	182	5	0	195	24	5	7	0	36	360	0
7:45	19	66	17	0	102	5	5	7	0	17	21	216	7	0	244	44	9	11	0	64	427	0
Total	69	232	45	0	346	14	11	23	0	48	41	615	18	0	674	103	24	24	0	151	1219	0
8:00	13	106	24	0	143	10	5	11	0	26	19	145	15	0	179	18	8	22	0	48	396	0
8:15	7	88	12	0	107	17	4	12	0	33	9	133	10	0	152	15	4	12	0	31	323	0
8:30	16	56	16	0	88	10	2	17	0	29	13	103	6	0	122	16	4	8	0	28	267	0
8:45	15	53	11	0	79	6	1	12	0	19	6	88	13	0	107	26	6	6	0	38	243	0
Total	51	303	63	0	417	43	12	52	0	107	47	469	44	0	560	75	22	48	0	145	1229	0
12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16:00	8	153	16	0	177	10	8	13	0	31	13	123	4	0	140	15	2	10	0	27	375	0
16:15	10	119	19	0	148	10	4	12	0	26	15	119	6	0	140	13	3	7	0	23	337	0
16:30	5	163	34	0	202	7	6	15	0	28	14	147	10	0	171	15	4	3	0	22	423	0
16:45	6	116	27	0	149	5	2	15	0	22	10	78	6	0	94	15	6	11	0	32	297	0
Total	29	551	96	0	676	32	20	55	0	107	52	467	26	0	545	58	15	31	0	104	1432	0
17:00	8	169	33	0	210	8	3	14	0	25	17	123	2	0	142	21	2	8	0	31	408	0
17:15	7	171	31	0	209	5	3	17	0	25	13	128	5	0	146	20	4	10	0	34	414	0
17:30	6	150	41	0	197	10	3	18	0	31	13	141	9	0	163	18	4	13	0	35	426	0
17:45	11	91	23	0	125	4	4	7	0	15	23	117	7	0	147	23	2	7	0	32	319	0
Total	32	581	128	0	741	27	13	56	0	96	66	509	23	0	598	82	12	38	0	132	1567	0
Grand Total	181	1667	332	0	2180	116	56	186	0	358	206	2060	111	0	2377	318	73	141	0	532	5447	0
Apprch %	8.3%	76.5%	15.2%	0.0%		32.4%	15.6%	52.0%	0.0%		8.7%	86.7%	4.7%	0.0%		59.8%	13.7%	26.5%	0.0%			
Total %	3.3%	30.6%	6.1%	0.0%	40.0%	2.1%	1.0%	3.4%	0.0%	6.6%	3.8%	37.8%	2.0%	0.0%	43.6%	5.8%	1.3%	2.6%	0.0%	9.8%	100.0%	

AM PEAK HOUR	Garden Hwy Southbound					Burns Drive Westbound					Garden Hwy Northbound					Burns Drive Eastbound					Total
START TIME	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	
Peak Hour Analysis From 07:30 to 08:30																					
Peak Hour For Entire Intersection Begins at 07:30																					
7:30	26	74	13	0	113	3	6	7	0	16	8	182	5	0	195	24	5	7	0	36	360
7:45	19	66	17	0	102	5	5	7	0	17	21	216	7	0	244	44	9	11	0	64	427
8:00	13	106	24	0	143	10	5	11	0	26	19	145	15	0	179	18	8	22	0	48	396
8:15	7	88	12	0	107	17	4	12	0	33	9	133	10	0	152	15	4	12	0	31	323
Total Volume	65	334	66	0	465	35	20	37	0	92	57	676	37	0	770	101	26	52	0	179	1506
% App Total	14.0%	71.8%	14.2%	0.0%		38.0%	21.7%	40.2%	0.0%		7.4%	87.8%	4.8%	0.0%		56.4%	14.5%	29.1%	0.0%		
PHF	.625	.788	.688	.000	.813	.515	.833	.771	.000	.697	.679	.782	.617	.000	.789	.574	.722	.591	.000	.699	.882

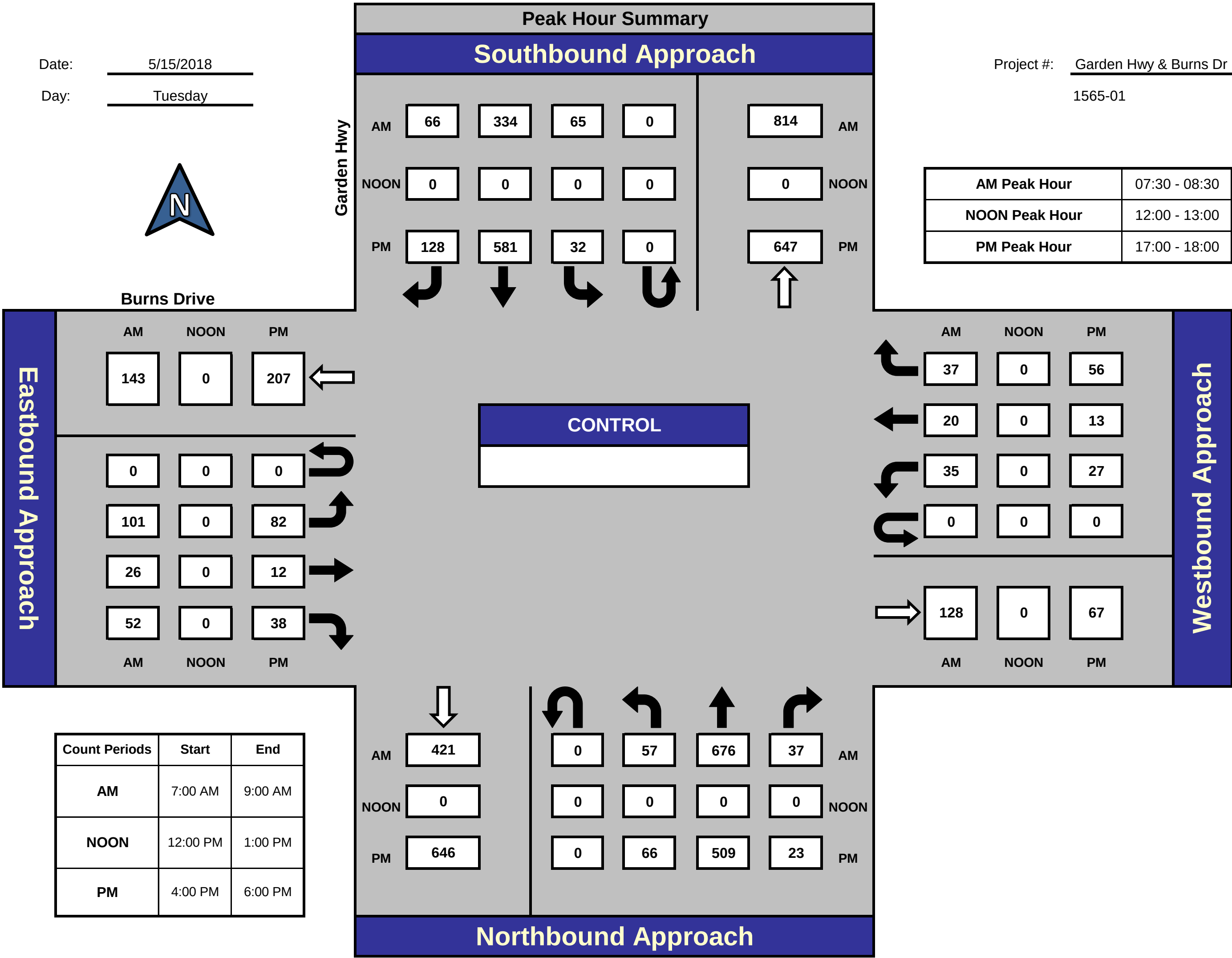
NOON PEAK	Garden Hwy Southbound					Burns Drive Westbound					Garden Hwy Northbound					Burns Drive Eastbound					Total
START TIME	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	
Peak Hour Analysis From 12:00 to 13:00																					
Peak Hour For Entire Intersection Begins at 12:00																					
12:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Volume	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
% App Total	0.0%	0.0%	0.0%	0.0%		0.0%	0.0%	0.0%	0.0%		0.0%	0.0%	0.0%	0.0%		0.0%	0.0%	0.0%	0.0%		
PHF	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000

PM PEAK HOUR	Garden Hwy Southbound					Burns Drive Westbound					Garden Hwy Northbound					Burns Drive Eastbound					Total
START TIME	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	
Peak Hour Analysis From 17:00 to 18:00																					
Peak Hour For Entire Intersection Begins at 17:00																					
17:00	8	169	33	0	210	8	3	14	0	25	17	123	2	0	142	21	2	8	0	31	408
17:15	7	171	31	0	209	5	3	17	0	25	13	128	5	0	146	20	4	10	0	34	414
17:30	6	150	41	0	197	10	3	18	0	31	13	141	9	0	163	18	4	13	0	35	426
17:45	11	91	23	0	125	4	4	7	0	15	23	117	7	0	147	23	2	7	0	32	319
Total Volume	32	581	128	0	741	27	13	56	0	96	66	509	23	0	598	82	12	38	0	132	1567
% App Total	4.3%	78.4%	17.3%	0.0%		28.1%	13.5%	58.3%	0.0%		11.0%	85.1%	3.8%	0.0%		62.1%	9.1%	28.8%	0.0%		
PHF	.727	.849	.780	.000	.882	.675	.813	.778	.000	.774	.717	.902	.639	.000	.917	.891	.750	.731	.000	.943	.920

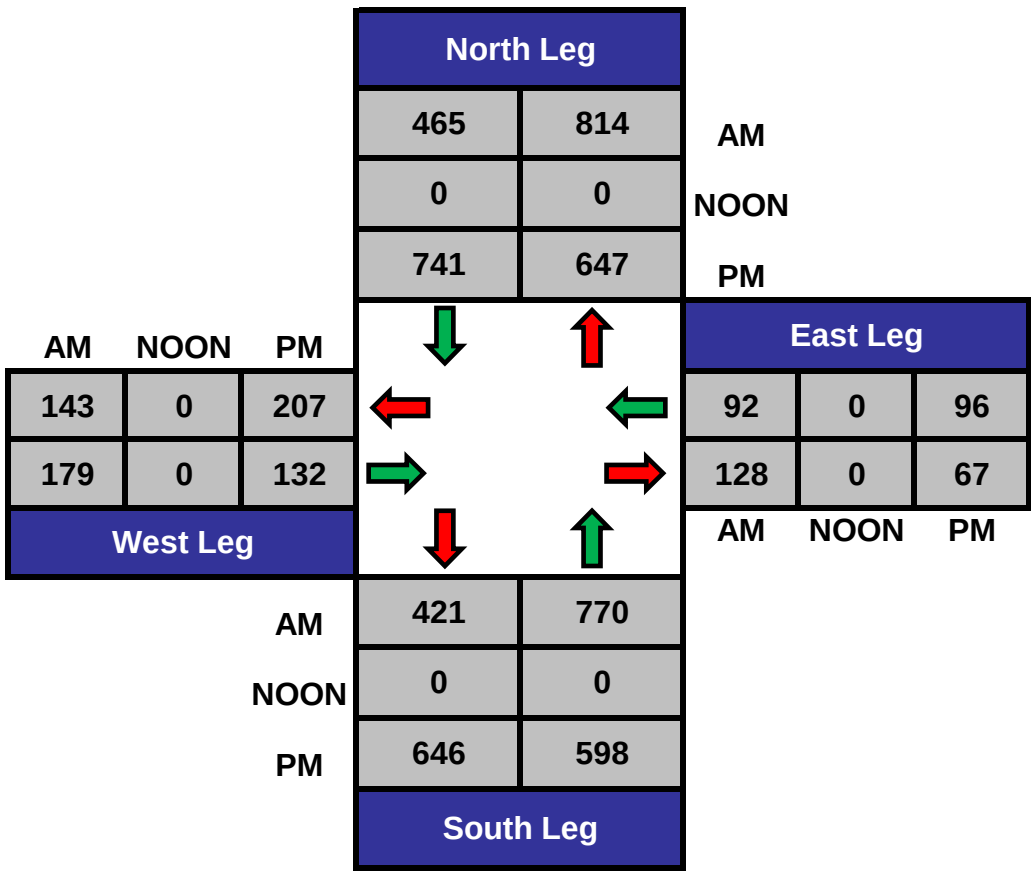
Garden Hwy & Burns Dr

Date: 5/15/2018
Day: Tuesday

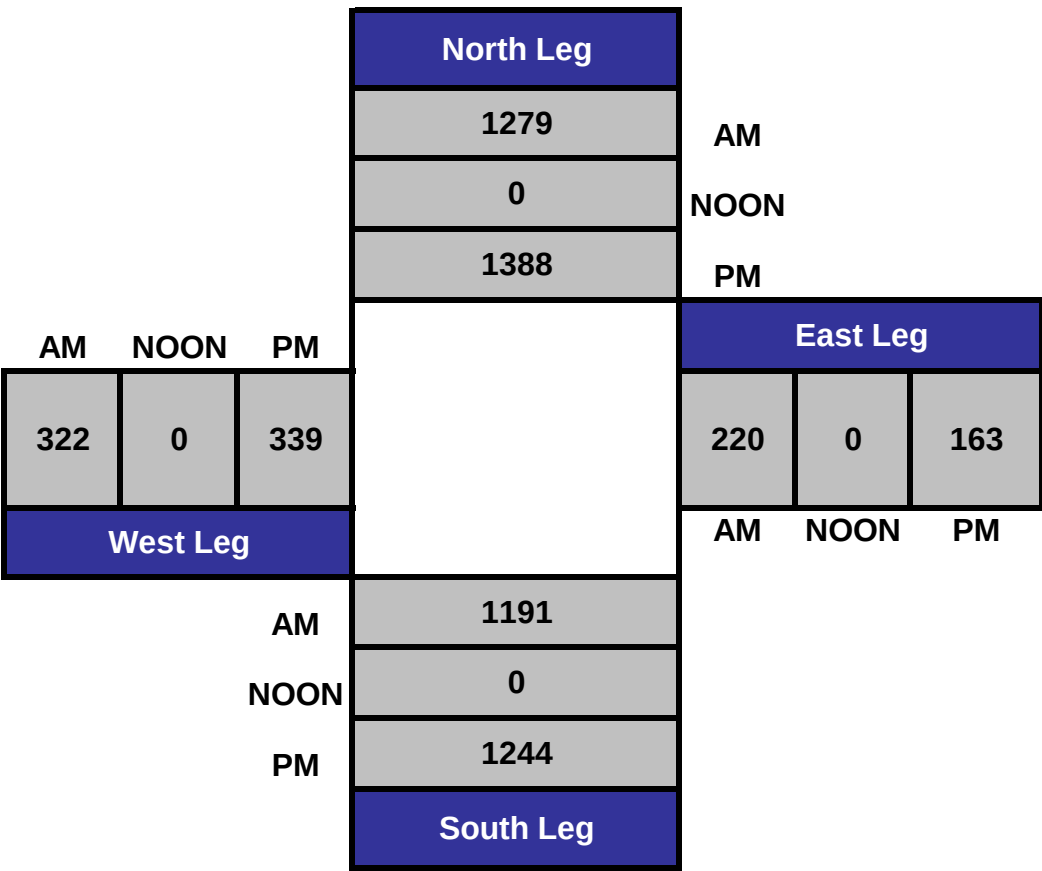
Project #: Garden Hwy & Burns Dr
1565-01



Total Ins & Outs



Total Volume Per Leg



KD ANDERSON & ASSOCIATES, INC.

1565-01

(916) 660-1555

Yuba City
All Vehicles & Uturns On Unshifted
Bikes & Peds On Bank 1
Nothing On Bank 2

File Name : Garden Hwy & Epley Dr
Date : 5/16/2018

	Unshifted Count = All Vehicles & Uturns																					
	Garden Hwy Southbound					Epley Drive Westbound					Garden Hwy Northbound					Epley Drive Eastbound						
START TIME	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	Total	Uturns Total
7:00	23	80	0	0	103	1	0	6	0	7	0	110	2	0	112	0	0	0	0	0	222	0
7:15	14	87	0	0	101	1	0	8	0	9	0	170	4	0	174	0	0	0	0	0	284	0
7:30	21	111	0	0	132	3	0	6	0	9	0	242	2	0	244	0	0	0	0	0	385	0
7:45	33	118	0	0	151	2	0	9	0	11	0	279	1	0	280	0	0	0	0	0	442	0
Total	91	396	0	0	487	7	0	29	0	36	0	801	9	0	810	0	0	0	0	0	1333	0
8:00	22	154	0	0	176	2	0	12	0	14	0	125	1	0	126	0	0	0	0	0	316	0
8:15	16	111	0	0	127	2	0	11	0	13	0	158	3	0	161	0	0	0	0	0	301	0
8:30	16	66	0	0	82	1	0	8	0	9	0	136	2	0	138	0	0	0	0	0	229	0
8:45	21	64	0	0	85	3	0	19	0	22	0	86	2	0	88	0	0	0	0	0	195	0
Total	75	395	0	0	470	8	0	50	0	58	0	505	8	0	513	0	0	0	0	0	1041	0
12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16:00	12	146	0	0	158	3	0	18	0	21	0	139	3	0	142	0	0	0	0	0	321	0
16:15	21	145	0	0	166	4	0	24	0	28	0	125	3	0	128	0	0	0	0	0	322	0
16:30	11	154	0	0	165	4	0	28	0	32	0	182	5	0	187	0	0	0	0	0	384	0
16:45	11	166	0	0	177	4	0	30	0	34	0	187	3	0	190	0	0	0	0	0	401	0
Total	55	611	0	0	666	15	0	100	0	115	0	633	14	0	647	0	0	0	0	0	1428	0
17:00	15	178	0	0	193	7	0	25	0	32	0	153	4	0	157	0	0	0	0	0	382	0
17:15	20	182	0	0	202	6	0	13	0	19	0	150	3	0	153	0	0	0	0	0	374	0
17:30	12	149	0	0	161	3	0	27	0	30	0	165	4	0	169	0	0	0	0	0	360	0
17:45	18	145	0	0	163	4	0	22	0	26	0	137	4	0	141	0	0	0	0	0	330	0
Total	65	654	0	0	719	20	0	87	0	107	0	605	15	0	620	0	0	0	0	0	1446	0
Grand Total	286	2056	0	0	2342	50	0	266	0	316	0	2544	46	0	2590	0	0	0	0	0	5248	0
Apprch %	12.2%	87.8%	0.0%	0.0%		15.8%	0.0%	84.2%	0.0%		0.0%	98.2%	1.8%	0.0%		0.0%	0.0%	0.0%	0.0%			
Total %	5.4%	39.2%	0.0%	0.0%	44.6%	1.0%	0.0%	5.1%	0.0%	6.0%	0.0%	48.5%	0.9%	0.0%	49.4%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	

AM PEAK HOUR	Garden Hwy Southbound					Epley Drive Westbound					Garden Hwy Northbound					Epley Drive Eastbound					Total
START TIME	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	
Peak Hour Analysis From 07:30 to 08:30																					
Peak Hour For Entire Intersection Begins at 07:30																					
7:30	21	111	0	0	132	3	0	6	0	9	0	242	2	0	244	0	0	0	0	0	385
7:45	33	118	0	0	151	2	0	9	0	11	0	279	1	0	280	0	0	0	0	0	442
8:00	22	154	0	0	176	2	0	12	0	14	0	125	1	0	126	0	0	0	0	0	316
8:15	16	111	0	0	127	2	0	11	0	13	0	158	3	0	161	0	0	0	0	0	301
Total Volume	92	494	0	0	586	9	0	38	0	47	0	804	7	0	811	0	0	0	0	0	1444
% App Total	15.7%	84.3%	0.0%	0.0%		19.1%	0.0%	80.9%	0.0%		0.0%	99.1%	0.9%	0.0%		0.0%	0.0%	0.0%	0.0%		
PHF	.697	.802	.000	.000	.832	.750	.000	.792	.000	.839	.000	.720	.583	.000	.724	.000	.000	.000	.000	.000	.817

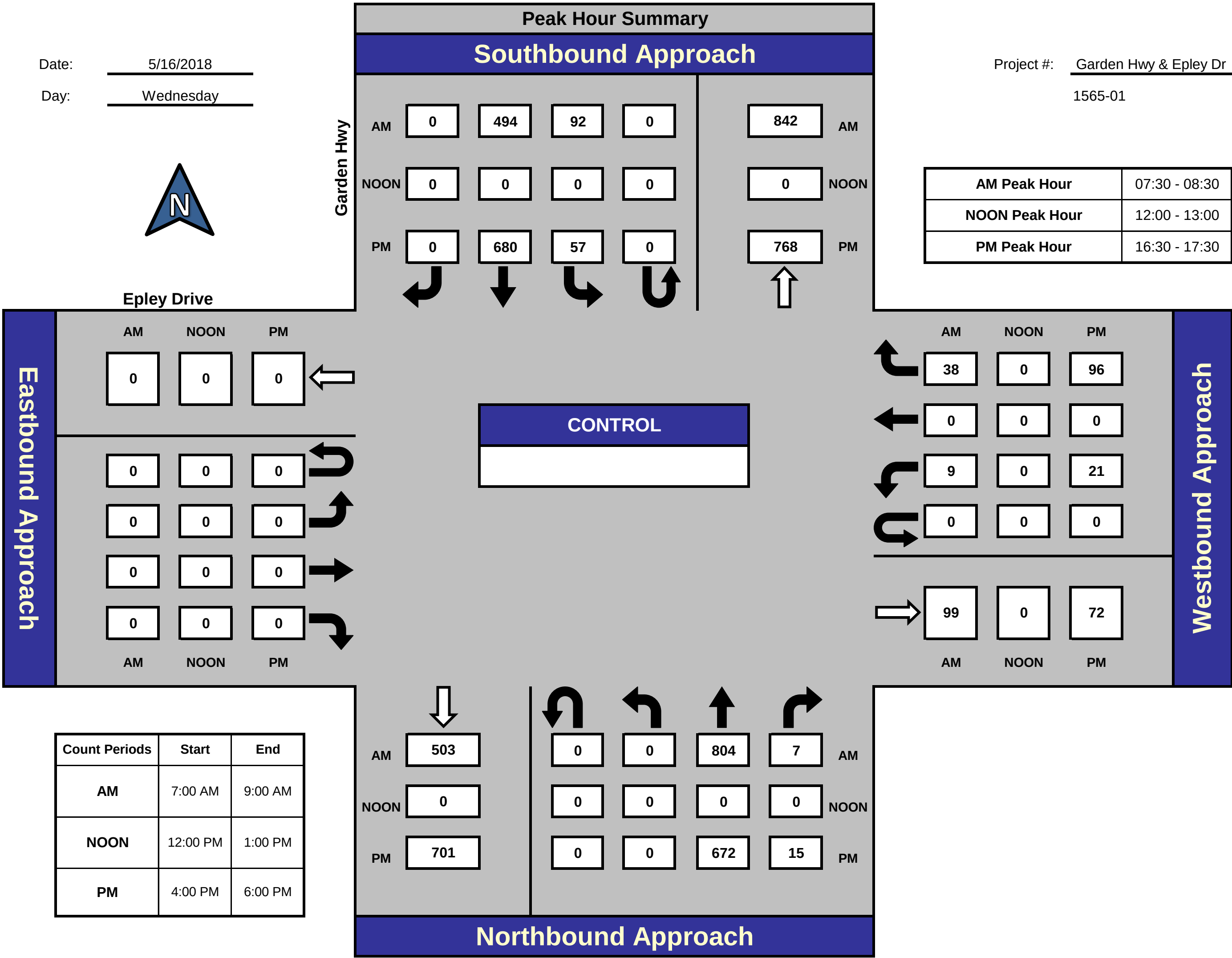
NOON PEAK	Garden Hwy Southbound					Epley Drive Westbound					Garden Hwy Northbound					Epley Drive Eastbound					Total
START TIME	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	
Peak Hour Analysis From 12:00 to 13:00																					
Peak Hour For Entire Intersection Begins at 12:00																					
12:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Volume	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
% App Total	0.0%	0.0%	0.0%	0.0%		0.0%	0.0%	0.0%	0.0%		0.0%	0.0%	0.0%	0.0%		0.0%	0.0%	0.0%	0.0%		
PHF	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000

PM PEAK HOUR	Garden Hwy Southbound					Epley Drive Westbound					Garden Hwy Northbound					Epley Drive Eastbound					Total
START TIME	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	LEFT	THRU	RIGHT	UTURNS	APP.TOTAL	
Peak Hour Analysis From 16:30 to 17:30																					
Peak Hour For Entire Intersection Begins at 16:30																					
16:30	11	154	0	0	165	4	0	28	0	32	0	182	5	0	187	0	0	0	0	0	384
16:45	11	166	0	0	177	4	0	30	0	34	0	187	3	0	190	0	0	0	0	0	401
17:00	15	178	0	0	193	7	0	25	0	32	0	153	4	0	157	0	0	0	0	0	382
17:15	20	182	0	0	202	6	0	13	0	19	0	150	3	0	153	0	0	0	0	0	374
Total Volume	57	680	0	0	737	21	0	96	0	117	0	672	15	0	687	0	0	0	0	0	1541
% App Total	7.7%	92.3%	0.0%	0.0%		17.9%	0.0%	82.1%	0.0%		0.0%	97.8%	2.2%	0.0%		0.0%	0.0%	0.0%	0.0%		
PHF	.713	.934	.000	.000	.912	.750	.000	.800	.000	.860	.000	.898	.750	.000	.904	.000	.000	.000	.000	.000	.961

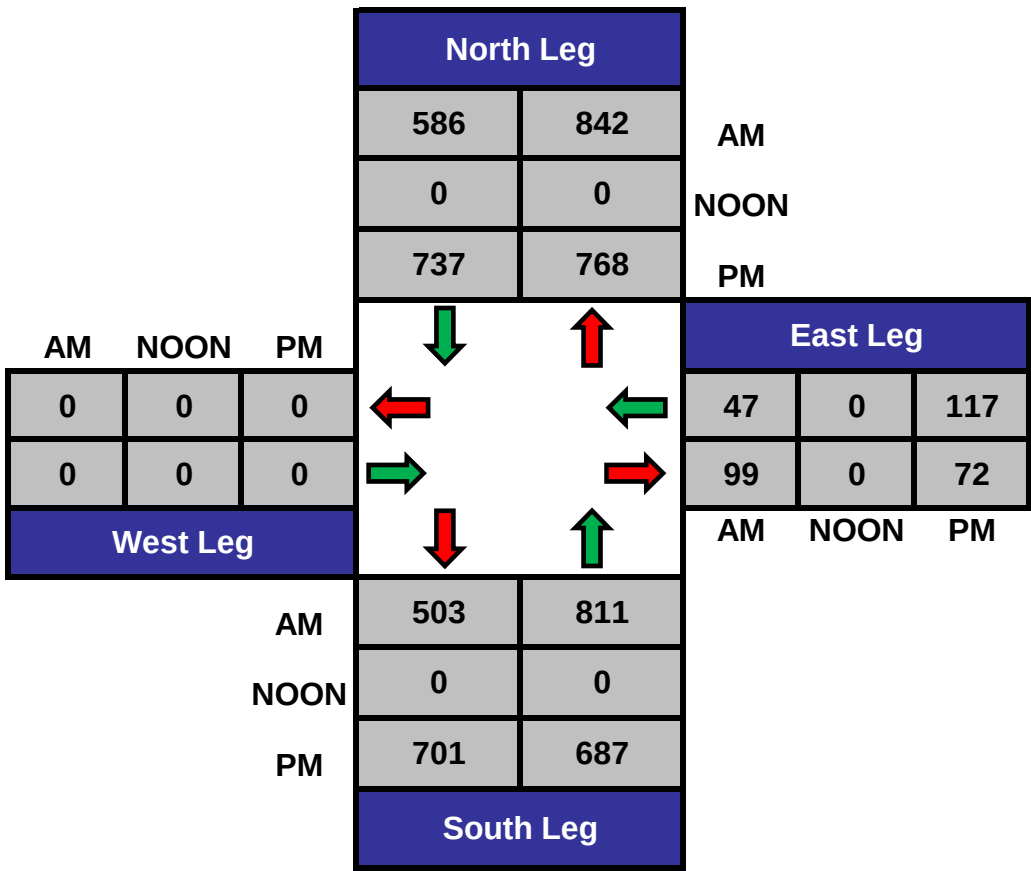
Garden Hwy & Epley Dr

Date: 5/16/2018
Day: Wednesday

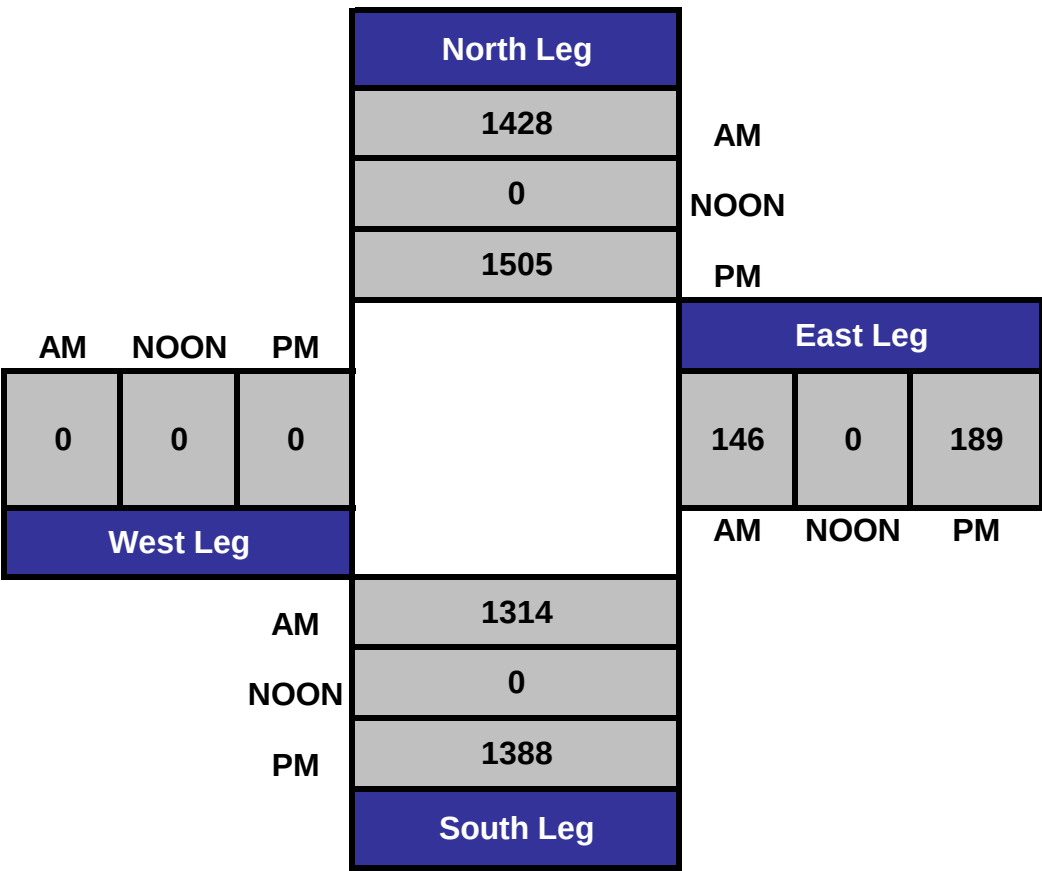
Project #: Garden Hwy & Epley Dr
1565-01



Total Ins & Outs



Total Volume Per Leg



HCM 2010 Signalized Intersection Summary

1: Garden Hwy & Lincoln Rd

AM EXISTING
5/30/2018

								
Movement	EBL	EBR	NBL	NBT	SBT	SBR		
Lane Configurations								
Volume (veh/h)	210	134	136	671	398	98		
Number	7	14	5	2	6	16		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)	1.00	1.00	1.00			1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1792	1792	1792	1792	1792	1792		
Adj Flow Rate, veh/h	250	160	162	799	474	117		
Adj No. of Lanes	2	1	1	2	2	1		
Peak Hour Factor	0.84	0.84	0.84	0.84	0.84	0.84		
Percent Heavy Veh, %	6	6	6	6	6	6		
Cap, veh/h	501	231	203	2159	1389	621		
Arrive On Green	0.15	0.15	0.12	0.63	0.41	0.41		
Sat Flow, veh/h	3312	1524	1707	3495	3495	1524		
Grp Volume(v), veh/h	250	160	162	799	474	117		
Grp Sat Flow(s),veh/h/ln	1656	1524	1707	1703	1703	1524		
Q Serve(g_s), s	2.9	4.2	3.9	4.7	4.0	2.1		
Cycle Q Clear(g_c), s	2.9	4.2	3.9	4.7	4.0	2.1		
Prop In Lane	1.00	1.00	1.00			1.00		
Lane Grp Cap(c), veh/h	501	231	203	2159	1389	621		
V/C Ratio(X)	0.50	0.69	0.80	0.37	0.34	0.19		
Avail Cap(c_a), veh/h	592	273	204	3533	2762	1235		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00		
Uniform Delay (d), s/veh	16.3	16.9	18.0	3.7	8.5	8.0		
Incr Delay (d2), s/veh	0.8	6.0	19.6	0.1	0.1	0.1		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(50%),veh/ln	1.4	3.8	2.9	2.1	1.9	0.9		
LnGrp Delay(d),s/veh	17.1	22.8	37.6	3.8	8.7	8.1		
LnGrp LOS	B	C	D	A	A	A		
Approach Vol, veh/h	410			961	591			
Approach Delay, s/veh	19.3			9.5	8.6			
Approach LOS	B			A	A			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2		4	5	6		
Phs Duration (G+Y+Rc), s		31.1		10.8	9.5	21.6		
Change Period (Y+Rc), s		4.5		4.5	4.5	4.5		
Max Green Setting (Gmax), s		43.5		7.5	5.0	34.0		
Max Q Clear Time (g_c+I1), s		6.7		6.2	5.9	6.0		
Green Ext Time (p_c), s		12.2		0.2	0.0	11.1		
Intersection Summary								
HCM 2010 Ctrl Delay			11.3					
HCM 2010 LOS			B					
Notes								
User approved pedestrian interval to be less than phase max green.								

Intersection						
Int Delay, s/veh	1.4					
Movement	WBL	WBR		NBT	NBR	SBL SBT
Vol, veh/h	9	38		804	7	92 494
Conflicting Peds, #/hr	0	0		0	0	0 0
Sign Control	Stop	Stop		Free	Free	Free Free
RT Channelized	-	None		-	None	- None
Storage Length	0	-		-	-	160 -
Veh in Median Storage, #	0	-		0	-	- 0
Grade, %	0	-		0	-	- 0
Peak Hour Factor	82	82		82	82	82 82
Heavy Vehicles, %	6	6		6	6	6 6
Mvmt Flow	11	46		980	9	112 602
Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1511	495		0	0	989 0
Stage 1	985	-		-	-	- -
Stage 2	526	-		-	-	- -
Critical Hdwy	6.92	7.02		-	-	4.22 -
Critical Hdwy Stg 1	5.92	-		-	-	- -
Critical Hdwy Stg 2	5.92	-		-	-	- -
Follow-up Hdwy	3.56	3.36		-	-	2.26 -
Pot Cap-1 Maneuver	107	510		-	-	671 -
Stage 1	313	-		-	-	- -
Stage 2	546	-		-	-	- -
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	89	510		-	-	671 -
Mov Cap-2 Maneuver	89	-		-	-	- -
Stage 1	313	-		-	-	- -
Stage 2	455	-		-	-	- -
Approach	WB			NB	SB	
HCM Control Delay, s	22.1			0	1.8	
HCM LOS	C					
Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT	
Capacity (veh/h)	-	-	268	671	-	
HCM Lane V/C Ratio	-	-	0.214	0.167	-	
HCM Control Delay (s)	-	-	22.1	11.4	-	
HCM Lane LOS	-	-	C	B	-	
HCM 95th %tile Q(veh)	-	-	0.8	0.6	-	

HCM 2010 Signalized Intersection Summary

3: Garden Hwy & Burns Dr

AM EXISTING
5/30/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	101	26	52	35	20	37	57	676	37	65	334	66
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1792	1792	1900	1792	1792	1900	1792	1792	1900	1792	1792	1900
Adj Flow Rate, veh/h	115	30	59	40	23	42	65	768	42	74	380	75
Adj No. of Lanes	1	1	0	1	1	0	1	2	0	1	2	0
Peak Hour Factor	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88
Percent Heavy Veh, %	6	6	6	6	6	6	6	6	6	6	6	6
Cap, veh/h	146	78	153	75	58	106	106	1118	61	115	983	192
Arrive On Green	0.09	0.14	0.14	0.04	0.10	0.10	0.06	0.34	0.34	0.07	0.35	0.35
Sat Flow, veh/h	1707	541	1064	1707	569	1040	1707	3284	180	1707	2842	556
Grp Volume(v), veh/h	115	0	89	40	0	65	65	398	412	74	226	229
Grp Sat Flow(s),veh/h/ln	1707	0	1605	1707	0	1609	1707	1703	1761	1707	1703	1694
Q Serve(g_s), s	2.9	0.0	2.2	1.0	0.0	1.7	1.7	9.0	9.0	1.9	4.5	4.5
Cycle Q Clear(g_c), s	2.9	0.0	2.2	1.0	0.0	1.7	1.7	9.0	9.0	1.9	4.5	4.5
Prop In Lane	1.00		0.66	1.00		0.65	1.00		0.10	1.00		0.33
Lane Grp Cap(c), veh/h	146	0	230	75	0	164	106	580	600	115	589	586
V/C Ratio(X)	0.79	0.00	0.39	0.53	0.00	0.40	0.61	0.69	0.69	0.64	0.38	0.39
Avail Cap(c_a), veh/h	192	0	649	192	0	651	192	689	713	192	689	686
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	20.0	0.0	17.3	20.8	0.0	18.7	20.3	12.6	12.6	20.2	11.0	11.0
Incr Delay (d2), s/veh	14.9	0.0	1.1	5.8	0.0	1.5	5.6	2.3	2.2	5.9	0.4	0.4
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.0	0.0	1.1	0.6	0.0	0.8	0.9	4.6	4.7	1.1	2.1	2.2
LnGrp Delay(d),s/veh	34.9	0.0	18.3	26.6	0.0	20.2	26.0	14.9	14.8	26.1	11.4	11.4
LnGrp LOS	C		B	C		C	C	B	B	C	B	B
Approach Vol, veh/h		204			105			875			529	
Approach Delay, s/veh		27.7			22.7			15.7			13.5	
Approach LOS		C			C			B			B	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	7.5	19.6	6.4	10.9	7.3	19.9	8.3	9.0				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5				
Max Green Setting (Gmax), s	5.0	18.0	5.0	18.0	5.0	18.0	5.0	18.0				
Max Q Clear Time (g_c+I1), s	3.9	11.0	3.0	4.2	3.7	6.5	4.9	3.7				
Green Ext Time (p_c), s	0.0	4.2	0.0	0.7	0.0	6.0	0.0	0.7				
Intersection Summary												
HCM 2010 Ctrl Delay			16.9									
HCM 2010 LOS			B									

HCM 2010 Signalized Intersection Summary
1: Garden Hwy & Lincoln Rd

PM EXISTING
6/5/2018

								
Movement	EBL	EBR	NBL	NBT	SBT	SBR		
Lane Configurations								
Volume (veh/h)	194	186	189	528	561	235		
Number	7	14	5	2	6	16		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)	1.00	1.00	1.00			1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1792	1792	1792	1792	1792	1792		
Adj Flow Rate, veh/h	209	200	203	568	603	253		
Adj No. of Lanes	2	1	1	2	2	1		
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93		
Percent Heavy Veh, %	6	6	6	6	6	6		
Cap, veh/h	643	296	258	2014	1134	507		
Arrive On Green	0.19	0.19	0.15	0.59	0.33	0.33		
Sat Flow, veh/h	3312	1524	1707	3495	3495	1524		
Grp Volume(v), veh/h	209	200	203	568	603	253		
Grp Sat Flow(s),veh/h/ln	1656	1524	1707	1703	1703	1524		
Q Serve(g_s), s	2.3	5.1	4.8	3.4	6.0	5.6		
Cycle Q Clear(g_c), s	2.3	5.1	4.8	3.4	6.0	5.6		
Prop In Lane	1.00	1.00	1.00			1.00		
Lane Grp Cap(c), veh/h	643	296	258	2014	1134	507		
V/C Ratio(X)	0.33	0.68	0.79	0.28	0.53	0.50		
Avail Cap(c_a), veh/h	1421	654	427	2680	1462	654		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00		
Uniform Delay (d), s/veh	14.5	15.7	17.1	4.2	11.3	11.2		
Incr Delay (d2), s/veh	0.3	2.7	5.3	0.1	0.4	0.8		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(50%),veh/ln	1.1	4.4	2.6	1.6	2.8	2.4		
LnGrp Delay(d),s/veh	14.8	18.4	22.4	4.3	11.7	12.0		
LnGrp LOS	B	B	C	A	B	B		
Approach Vol, veh/h	409			771	856			
Approach Delay, s/veh	16.6			9.1	11.8			
Approach LOS	B			A	B			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2		4	5	6		
Phs Duration (G+Y+Rc), s		29.3		12.6	10.8	18.5		
Change Period (Y+Rc), s		4.5		4.5	4.5	4.5		
Max Green Setting (Gmax), s		33.0		18.0	10.5	18.0		
Max Q Clear Time (g_c+I1), s		5.4		7.1	6.8	8.0		
Green Ext Time (p_c), s		10.6		1.1	0.2	5.9		
Intersection Summary								
HCM 2010 Ctrl Delay			11.7					
HCM 2010 LOS			B					
Notes								
User approved pedestrian interval to be less than phase max green.								

HCM 2010 Signalized Intersection Summary

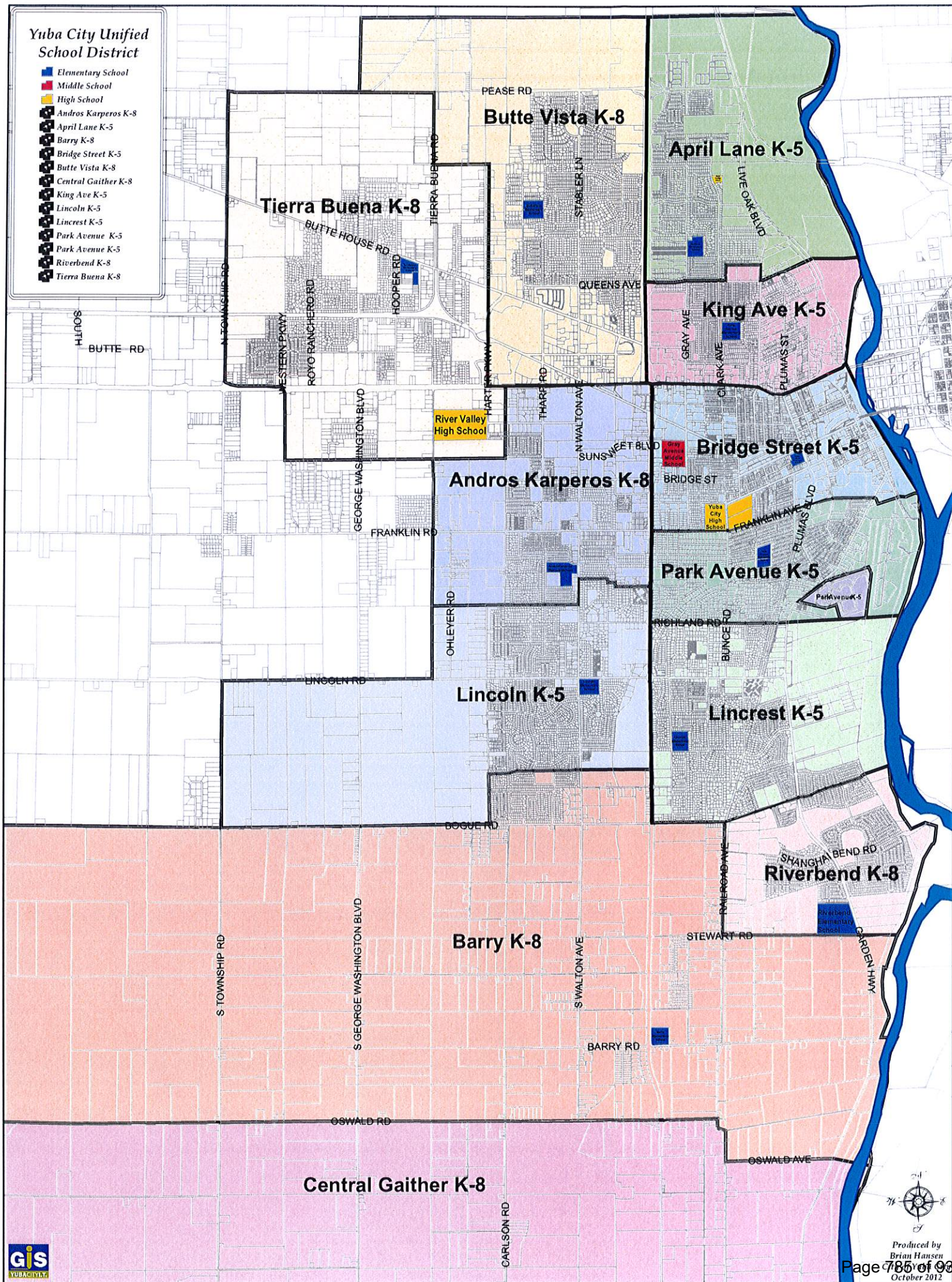
3: Garden Hwy & Burns Dr

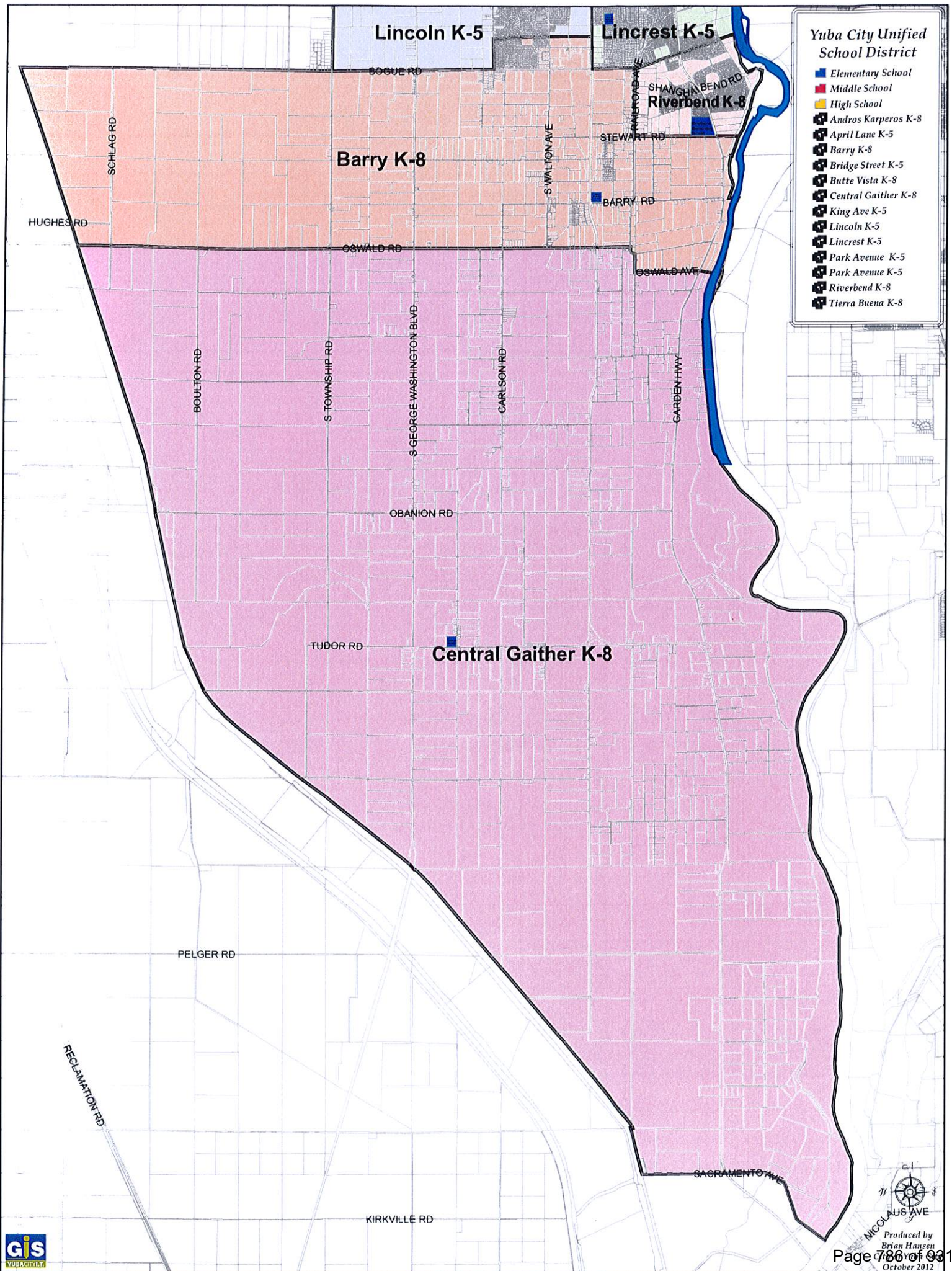
PM EXISTING
6/5/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	82	12	38	27	13	56	66	509	23	32	581	128
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1792	1792	1900	1792	1792	1900	1792	1792	1900	1792	1792	1900
Adj Flow Rate, veh/h	89	13	41	29	14	61	72	553	25	35	632	139
Adj No. of Lanes	1	1	0	1	1	0	1	2	0	1	2	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	6	6	6	6	6	6	6	6	6	6	6	6
Cap, veh/h	127	52	164	58	28	122	113	1294	58	67	1009	222
Arrive On Green	0.07	0.14	0.14	0.03	0.10	0.10	0.07	0.39	0.39	0.04	0.36	0.36
Sat Flow, veh/h	1707	381	1200	1707	293	1275	1707	3319	150	1707	2778	610
Grp Volume(v), veh/h	89	0	54	29	0	75	72	283	295	35	387	384
Grp Sat Flow(s),veh/h/ln	1707	0	1581	1707	0	1567	1707	1703	1766	1707	1703	1685
Q Serve(g_s), s	2.3	0.0	1.4	0.8	0.0	2.0	1.8	5.5	5.5	0.9	8.4	8.4
Cycle Q Clear(g_c), s	2.3	0.0	1.4	0.8	0.0	2.0	1.8	5.5	5.5	0.9	8.4	8.4
Prop In Lane	1.00		0.76	1.00		0.81	1.00		0.08	1.00		0.36
Lane Grp Cap(c), veh/h	127	0	216	58	0	150	113	664	689	67	619	612
V/C Ratio(X)	0.70	0.00	0.25	0.50	0.00	0.50	0.64	0.43	0.43	0.52	0.63	0.63
Avail Cap(c_a), veh/h	266	0	330	194	0	261	254	826	856	216	788	779
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	20.3	0.0	17.4	21.3	0.0	19.3	20.5	10.0	10.0	21.2	11.8	11.8
Incr Delay (d2), s/veh	6.7	0.0	0.6	6.6	0.0	2.6	5.9	0.4	0.4	6.1	1.0	1.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.3	0.0	0.6	0.5	0.0	1.0	1.0	2.6	2.7	0.5	4.0	4.0
LnGrp Delay(d),s/veh	27.1	0.0	18.0	28.0	0.0	21.9	26.4	10.5	10.5	27.3	12.8	12.9
LnGrp LOS	C		B	C		C	C	B	B	C	B	B
Approach Vol, veh/h	143				104		650				806	
Approach Delay, s/veh	23.6				23.6		12.2				13.5	
Approach LOS	C				C		B				B	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	6.3	22.0	6.0	10.6	7.5	20.8	7.9	8.8				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5				
Max Green Setting (Gmax), s	5.7	21.8	5.1	9.4	6.7	20.8	7.0	7.5				
Max Q Clear Time (g_c+I1), s	2.9	7.5	2.8	3.4	3.8	10.4	4.3	4.0				
Green Ext Time (p_c), s	0.0	7.3	0.0	0.3	0.0	5.9	0.0	0.2				
Intersection Summary												
HCM 2010 Ctrl Delay			14.5									
HCM 2010 LOS			B									
Notes												
User approved pedestrian interval to be less than phase max green.												

Yuba City Unified School District

- Elementary School
- Middle School
- High School
- Andros Karperos K-8
- April Lane K-5
- Barry K-8
- Bridge Street K-5
- Butte Vista K-8
- Central Gaither K-8
- King Ave K-5
- Lincoln K-5
- Lincrest K-5
- Park Avenue K-5
- Park Avenue K-5
- Riverbend K-8
- Tierra Buena K-8





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.

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.)			

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	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. 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.	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

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

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City of Yuba City
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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
	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

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City of Yuba City
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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
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.

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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
	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

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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
					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

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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
	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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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
	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
	Permit), as required under Construction General Permit Order No. 2009-009-DWQ, will be obtained prior to any onsite grading activities. 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					

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City of Yuba City
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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
	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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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
	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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City of Yuba City
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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
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

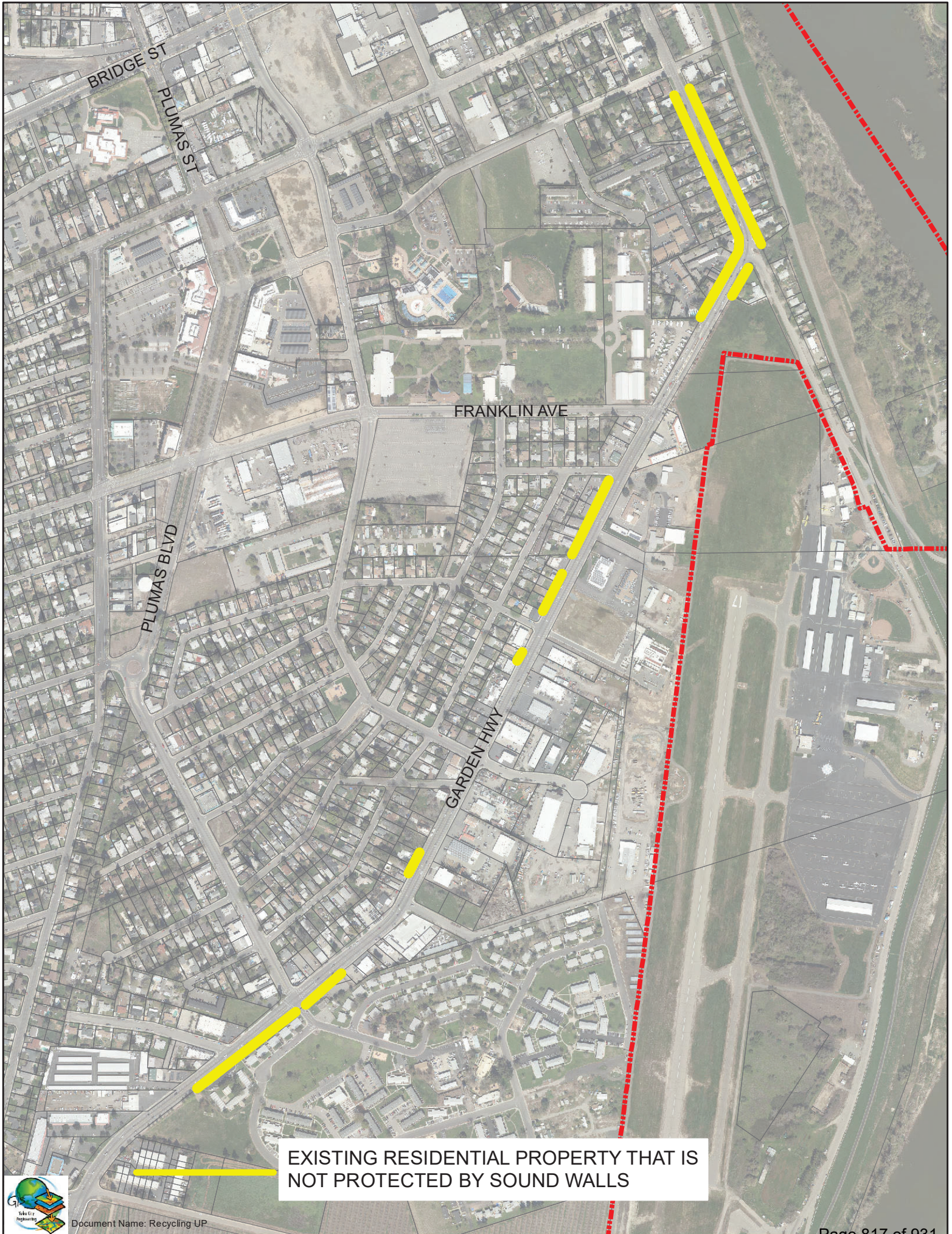
Table A-2 Implementation of Mitigation Measures						
No.	Mitigation Measure	Method for Execution of Mitigation	Responsible Entity	Completion Date	Reporting Frequency	Significance After Mitigation
PS3	Emergency safety and spill equipment shall be inspected monthly and maintained as required.	The facility 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

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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
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 4



EXISTING RESIDENTIAL PROPERTY THAT IS
NOT PROTECTED BY SOUND WALLS





1 inch = 600 feet

GARDEN HWY

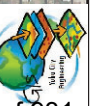
RAILROAD AVE

RICHLAND RD

BUNCE RD

EXISTING RESIDENTIAL PROPERTY THAT IS
NOT PROTECTED BY SOUND WALLS

Document Name: Recycling UP



Attachment 5

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April 29, 2024

City Council of City of Yuba City
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Dave Shaw, Vice Mayor
Councilmember Marc Boomgaarden
Councilmember Wade Kirchner
Councilmember Michael Pasquale

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Re: Recycling Industries Application for an Amendment to Use Permit
UP-17-05 and DP-17-03

Honorable Members of the City Council:

This office represents Stop the Dump! an organization representing citizens and businesses which was formed to carefully evaluate the Recycling Industries ("RI") 2017-2018 application to modify Use Permit 12-01 for its recycling center, as we did during the initial application process. I am personally named as the responding party to receive notice of all modifications of the permit, in Use Permit Condition No. 60.c, which the applicant now seeks to delete.

Stop the Dump! wants to thank the staff who have recognized that Condition 60.a to Use Permit 17-05 requires that any attempted modifications be submitted to the City Council for review. Subsequent to the adoption of the conditions of approval, the City adopted Municipal Code Sections to provide for alternative city council approval. *See* Yuba City Zoning Code Article 70, Section 8-5.7003(f). The applicant seeks also to remove this condition from its conditions of approval.

Recycling Industries' proposed new conditions breach terms of the settlement with Stop the Dump in 2019. Based on that settlement Stop the Dump withdrew its appeal and agreed not to bring a writ of mandate allowing RI construction to move forward. The requested release of conditions has been brought in bad faith. The agreement is represented on the powerpoint presentation slide presented by Stop the Dump in its January 19, 2024 presentation to City Council, a copy of which is attached hereto as **Exhibit A**.

*Asset Preservation
General Business*

*Commercial Real Estate
Real Estate Financing*

*Environmental
Litigation*
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Recycling Industries' July 19, 2023 application for an amendment to Use Permit UP-17-05 and DP-17-03 seeks to amend or remove critical conditions of approval that were put in place to protect persons and the environment from negative operational impacts. UP 17-05 was issued after restricting the maximum tonnage allowed to be received daily, requested hours of operation, preventing the use of packer trucks, limiting to 10% putrescible materials and disallowing receipt of material from any location, confining it to Yuba and Sutter counties, CUP 17-05 was issued based upon a Mitigated Negative Declaration [MND]. The applicant refused to provide supplemental documentation to support its request to remove these restrictions, asserting that its original MND provided sufficient data to support the expanded uses.

RI's new 2023 amendment application seeks to remove existing conditions of approval that essentially mirror applicant requests that were specifically denied in the prior permit amendment process, such as:

- Allow the facility to receive more than 300 tons per day (currently restricted to 100 tons per day) [Condition 3]
- Allow the facility to receive material generated within any jurisdiction (currently restricted to Sutter and Yuba counties) [Condition 4]
- Remove the maximum of 10 percent putrescible material restriction [Condition 5]
- Allow the facility to receive packer trucks (currently no packer trucks are allowed) [Condition 10]
- Allow the facility to operate on Sunday (currently not allowed) [Condition 12]
- Allow the facility to operate 24 hours per day for activities within buildings [Condition 12]

Stop the Dump! supports the City's April 19, 2024 notice to RI recommending denial of these requests for the following reasons:

1. The Use Permit Conditions sought to be removed were adopted by the City Council after multiple public hearings as a compromise to allow physical expansion of the recycling center but respond to public concerns related especially to traffic, noise, smells, and times of operation. See City of Yuba City Staff Report for January 15, 2019 Hearing attached hereto as **Exhibit B**. At the January 15, 2019 City Council appeal hearing regarding UP 17-05, the City Council directed staff to prepare the Resolution approving the project with modifications agreed to by both parties and to return the Resolution on February

5th for Council consideration, whereupon it was approved. *See* City Council 1/15/19 Meeting Minutes.

2. RI has not produced any evidence that the public and staff concerns raised in 2018 and 2019, resulting in the conditions sought to be removed, are not still valid and that the use permit conditions are no longer needed.
3. Impacts to the Yuba City and Sutter County communities as a result of truck traffic have increased since 2018. [See Discussion of 2021 Sutter County Truck Traffic Study and Sutter County Grand Jury Report regarding road damage, discussed below in §§2-4]
4. State Mandated recalibration of vehicle impacts from LOS to VMT mandates that update traffic/air quality studies be required before the City can properly consider RI's request for expansion.

1. The Use Permit Conditions sought to be removed were adopted by the City Council after multiple public hearings as a compromise to allow physical expansion of the recycling center but respond to public concerns related especially to traffic, noise, smells, and times of operation.

The City has discretion in deciding whether to release conditions on a use permit. Because use permits are inherently discretionary, the city or county can consider various factors in deciding whether to modify the conditions. Relevant factors include changes in circumstances, new information about the project's potential impacts, and consistency with the general plan and zoning.

The City's General Plan requires that 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 the general welfare of the City. Yuba City Municipal Code Section 8-5.7003(d)(5). A city has the police power to protect the public health, safety and welfare of its residents. The primary authority for a city, county, or city and county to impose conditions of approval on a development derives from the general police power conferred by Cal Const Art XI, §7, which provides that "a county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws." See DeVita v County of Napa (1995) 9 C4th 763; Candid Enters., Inc. v Grossmont Union High Sch. Dist. (1985) 39 C3d 878, 885; Scrutton v County of Sacramento (1969) 275 CA2d 412. The scope of the police power not only encompasses local land use legislation, such as general plan amendments and zoning provisions, but it also includes a wide array of project-specific conditions of approval that are routinely imposed on development projects. See, e.g., Scrutton, *supra* at 418. Where a city wants to release use permit

conditions, it should be mindful of the need for an updated environmental review if releasing a condition could lead to new significant impacts not previously considered. The overarching standard is to protect the general welfare through thoughtful project evaluation. American Canyon Community United for Responsible Growth v. City of American Canyon (2006) 145 Cal.App. 4th 1062, 1082.

The City should not approve RI's request to expand its use of its facility based on a non-updated mitigated negative declaration. RI asserts that the original declaration supported the expanded uses. However, the City Council determined in January and February 2019 that the City safety, traffic, and health standards identified by the City's codes were only met by the restricted uses set forth in the CUP and private Stop the Dump settlement.

RI's Transfer Station CUP approval 17-05 consisted of substantial reductions from the applicant's original requested uses, supported by a mitigated negative declaration. The City Council believed in early 2019 that regardless of the validity or completeness of the studies submitted from 2017-2018, the uses should be restricted to 100 tons per day, have limited operation hours, restrictions against packer trucks, and that the sources of recycling materials were limited to local traffic routes from Yuba and Sutter counties only. Based on our records, the City set the 100 trips per day, over RI's objections because the 2014 traffic study could not support an increase in traffic on the City streets, and the compromise of 100 tpd compromise was agreed to in part so that RI could avoid the cost of the VOC studies, health risk assessment and other studies that would be required by the City to approve the increase to 300 tpd.

2-4. RI relies on its original submissions dated 2017 and 2018, accepted by the City in support of its MND, and has refused to update its environmental studies and instead relies on all documents initially submitted. See RI Response to City attached hereto as Exhibit C. RI has refused to supplement the studies, especially traffic and air quality when requested by the City to do so. RI assumes, without a statement or basis, that the studies originally prepared in 2018 adequately support its 2024 request to accept 300 tons per day from any location without restriction, using packer trucks. These requests for expansion were specifically denied by the City Council in UP-17-05 in early 2019, when Stop the Dump withdrew its appeal in exchange for Recycling Industries' agreement to the restrictions.

An expansion of the operating uses over what was approved in the MND-CUP requires examination now to determine whether the original studies support the increased uses or whether an EIR must be prepared. Farmland Protection Alliance v. County of Yolo (2021) 71 Cal.App.5th 300, 311-312; Save Agoura Cornell Knoll v. City of Agoura Hills (2020) 46 Cal. App. 5th 665, 676: "The fair argument

standard [applied to MND's] thus creates *a low threshold* for requiring an EIR, reflecting the legislative preference for resolving doubts in favor of environmental review” Covina Residents for Responsible Development v. City of Covina (2018) 21 Cal.App.5th 712, 723 because the operational restrictions accepted in 2019 by RI meant that no challenge to the validity of the studies was undertaken because the applicant RI accepted the restrictions in the use permit.

The City must also re-examine important studies submitted in 2017-2018 because subsequent to the approval of the restricted CUP 17-05, material changes have occurred impacting traffic coming to and from the Recycling Center: both in the types of traffic reviews, which are now mandated by OPR; and because Sutter County's truck study highlighted adverse impacts of truck traffic including increased accidents, on County and Caltrans roadways which must be considered. If there have been substantial changes proposed in the project that will require major revisions of the environmental impact report, or if there are substantial changes in the circumstances under which the project is being undertaken, a new or supplemental environmental impact report will be required Friends of College of San Mateo Gardens v. San Mateo County Community College District (2016) 1 Cal.5th 937, 951.

There are two major types of changes that require amendment of the original environmental documents supporting the MND: a change in the size and structure of the project – here expanding to 300 tpd from 100; and taking materials from anywhere, allowing packer trucks, etc.; and changes in the surrounding environmental matters. Whether an applicant should be permitted to rely on environmental studies supporting a prior mitigated negative declaration for an expanded use application would depend on the specifics of the project, including whether there are substantial changes to the project or its circumstances and whether there is new information of substantial importance that was not known at the time the mitigated negative declaration was issued. RI has refused to update these studies [See RI response to City requests for updated information, Sept. 15, 2023 Exhibit 2.] RI even asserts in this Exhibit that the CUP conditions do not restrict the origin of recycling materials, but that is because RI was limited to 100 tpd, and the basis of its claims that 100 tpd would be sufficient would be its reliance on local customers. See CUP Condition 4 which states that the facility shall only receive material generated within Sutter and Yuba Counties.

Therefore, RI's refusal to provide updated studies, especially traffic and air quality studies, means that the City has not received any information sufficient to consider continued use of the pre-existing MND for the expanded use. The city has not been able to review an initial study because RI will not provide any information to address these minimal concerns related to traffic and air quality only – not all the changes requested. An initial study that is materially deficient may not be sufficient

to support a negative declaration. See Christward Ministry v Superior Court (1986) 184 CA3d 180, 197.

City support for the use of a MND requires the agency to adopt specific mitigation measures that are so clearly effective that the project, under these conditions, will have no significant environmental effects. 14 Cal.Code Regs. §15070(b)(2). The City, as Lead Agency, made a reasoned decision after multiple public hearings with substantial public opposition in negotiation with RI, that the current conditions were necessary to ensure that the physical or potentially substantial impacts of the transfer station would not cause adverse impacts, and adopted the necessary 60 conditions to ensure it. Key among the public concerns was the queuing outside the facility based on the number of trucks necessary to handle up to 300 tons per day, as it impacted the city streets, anticipated smells from open air, queuing, packer trucks, and noise. By requiring the restrictions which RI now wants relief from, the City ensured that its obligations to the people of the City- that the proposed project would not impact the environment -- were lived up to. City staff has specifically identified material generated from any location and extension of hours and Sunday operations as requiring full analysis before it can advise the Council related to its duties to protect public safety on roads surrounding the transfer station. See April 19, 2024 letter from City to RI attached hereto as **Exhibit D**.

The City cannot approve RI's request to return to its original expanded application, based on a mitigated negative declaration that is not supported by evidence that the MND will support the expanded uses.

There are multiple reasons why City's requests for updated studies to support amending the CUP are necessary before it could recommend approval of the requested expansion. The applicant failed to provide even preliminary information that (1) the traffic impacts of the number of vehicles represented by the trucks delivering trash to the center integrate with increased traffic on the city and Caltrans roads outside the city (2) that the applicant had considered the impacts of local traffic to and from the facility and the outside county traffic implicated by RI's request to receive and process materials from all possible locations including outside the County. (3) the applicant failed to provide an update to the traffic and air quality studies to reflect the City's mandated VMT evaluations and (4) consideration of Sutter County's recent truck impacts regarding safety.

Furthermore, this project may be subject to an automatic EIR. A lead agency must prepare an EIR for the construction of new facilities or expansion of existing facilities by more than 10 percent for any project that burns municipal wastes, hazardous waste, or refuse-derived fuel. Pub. Res. Code Section 21151.1(a); 14 Cal. Code Reg. §15081.5(a)(1); see Pub. Res. Code §21151.1(b) (capacity calculations). These regulations also appl in the case of the initial issuance of a

hazardous waste facilities permit to specified land disposal facilities or off-site large treatment facilities. 14 Cal. Code Reg. §15081.5(a)(2), (3).

RI has not provided any updated environmental studies or analysis and instead rely upon the 2018 MND, which they say already analyzed the impacts from the requested changes. The City staff's determination to require traffic and air quality studies as a condition of review of RI's request should not be overridden. The expanded project – 300 tpd from all areas – can have substantial previously not-considered impacts to Yuba City's roadways and those of Sutter County. Studies have shown that truck traffic has an increased effect on road damage. Pavement deterioration increases sharply with increases in axle load (references further below). Based on Yuba City's recent Grand Jury report as considered by the City Council, substantial financial pressure on the city to repair and upgrade the roadway system must soon be undertaken. Similar concerns are referenced in the 2021 Sutter County Truck Study. The 4-page traffic letter from KDA was not a traffic study and did not attempt to evaluate the contributions of truck traffic to and from RI's facility to continuing damage to the roadways and general traffic tie-ups that have subsequently been evaluated by Sutter County and the Sutter County Grand Jury. Thus, such detailed evaluations should be required before the City could recommend the expansion of the project as requested by RI. See Livermore Downtown v. City of Livermore (2022) 87 Cal.App.5th 1116, 1133. The traffic study – itself only four pages, was written in 2018 before the adoption by OPR of the MTP standards instead of LOS. No updated analysis has been submitted. As mentioned in the introduction, circumstances have changed over the course of five years. Materially, the City of Yuba City has adopted OPR's mandated MTP analysis for all projects and is in the process of requiring such analysis as part of its general plan update. The SACOG board adopted the 2020 MTP/SCS and accompanying documents at a special board meeting on November 18, 2019.¹ The applicant should be required to provide updated environmental studies. The determination of whether a project may have a significant effect on the environment calls for a careful judgment on the part of the lead agency based on the extent possible on scientific and factual data. 14 Cal. Code Reg. 15064(b)(1). In this case RI has refused to prepare any kind of updated traffic and air quality analysis. Based on these studies, an Environmental Impact Report (discussed further below) or new MND should be prepared identifying the potential environmental impacts and

¹ Senate Bill 743 (Steinberg, 2013), which was codified in Public Resources Code section 21099, required changes to the guidelines implementing CEQA (CEQA Guidelines) (Cal. Code Regs., Title 14, Div. 6, Ch. 3, §15000 et seq.) regarding the analysis of transportation impacts. The California Natural Resources Agency (Agency) has certified and adopted changes to the CEQA Guidelines that identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. (CEQA Guideline §15064.3.)

mitigation to address negative impacts from the project. Conditions in the region have only gotten worse.

The environmental document should be prepared taking into account current conditions and addressing, at the very least, the following:

Traffic/Circulation

-Truck traffic impacts in the region. In 2020, the Sutter County Board of Supervisors commissioned and in 2021 reviewed an environmental analysis which addressed the cumulative impacts of existing and proposed truck yards on the County's transportation system as well as impacts to air quality and health risk assessment, hydrology, lighting and glare, and noise and vibration. [Sutter County Truck Yard Study Technical Report, Final, May 2021, by ESA.] The environmental analysis studied 10 existing and three proposed truck yards located along the Hwy 99 corridor south of Yuba City and was deemed necessary because residents near these trucking operations have resulted in residents near these yards submitting complaints for issues ranging from yards operating beyond their specified limits, compliance with permit conditions, air quality issues, noise lighting, and traffic safety impacts. A traffic study was prepared as part of the Technical Report, analyzing LOS, queuing and VMT (vehicle miles traveled) – the method required beginning in 2018 to apply to projects having traffic and air quality impacts.

The Study offered recommendations [Table ES-1] to reduce the risks associated with impacts from these types of operations, including requiring air quality studies with a health risk assessment (discussed below), limiting future operational capacity, improving traffic control/operations in the project vicinity, and limiting VMT impacts. Some of the recommendations must be considered and applied to this project to address impacts of the increased plans for traffic, queuing, etc. The results of the Sutter County Study present even more strong evidence against the applicant's requests for expansion since the original restrictions for the project were put in place. Sutter County's traffic study did not analyze the VMT of trucks, only passenger vehicles. Although Caltrans has now adopted VMT analysis for its highway projects. RI's 2018 report also did not have the benefit of Sutter County's truck collision rates analysis, and therefore the relationship of truck queuing was not evaluated in the 2019 IS/MND traffic study.

-VMT analysis is now required traffic impacting projects. After an extensive OPR public outreach process, in December 2018, the Natural Resources Agency certified new CEQA Guidelines for evaluating transportation impacts as required by SB 743. 14 Cal. Code Regs. §15064.3. VMT is generally the most appropriate measure of transportation impacts. VMT means the amount and distance of automobile/truck travel attributable to a project. Other relevant

considerations may include the effects of the project on transit and non-motorized travel. For land use projects, VMT exceeding an applicable threshold of significance may indicate a significant impact. The City requires VMT analysis for all projects and is in the processing of requiring it to apply to all projects. This analysis, which integrated air quality impacts, may identify new or additional impacts that would require mitigation in order to maintain an MND.

-Street size. The City has indicated it cannot make the requisite finding that street size is adequate to support the project. See Exhibit D attached hereto.

-Road damage. There already is damage showing on the roads in the area, increased truck traffic will increase the impacts. This is a significant current issue in the County and the subject of 2022-2023 Sutter County Grand Jury Final Report entitled Local Government Report-Rough Roads Ahead for Yuba City. Studies have shown that truck traffic has an increased effect on road damage. Pavement deterioration increases sharply with increases in axle load. [U.S. Dept. of Transportation Comprehensive Truck Size and Weight Study, Vol. II, p. VI-16; Article, "How Much Damage Do Heavy Trucks Do to Our Roads?", www.INSIDESCIENCE.ORG.

-Needs analysis of surrounding highway system. The applicant seeks approvals to truck in material from areas outside of its currently-restricted area of Yuba and Sutter counties, yet wants to rely on the MND KDA traffic study which focused only on local truck/auto traffic. The traffic analysis should include a broader analysis of impacts on the travel corridors, such as were analyzed in the Sutter County Truck Traffic Study, if it can be done at all. Where would the waste be coming from? Without identification of specific points of origin it seems impossible to accurately analyze the impacts.

Air Quality

An Air Quality Study should be provided using thresholds of significance as identified in the Feather River Air Quality Management District Indirect Source Review Guidelines for CEQA to analyze air quality impacts.

GHG Analysis

The IS/MND states that the expansion would reduce VMT and therefore would not cause a net increase in GHG emissions; therefore, there is no impact. A GHG analysis was never prepared and should be provided that estimates the amount of GHG emissions resulting from a project. A lead agency must make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of GHG emissions resulting from a project. A lead agency has discretion to determine whether to quantify GHG emissions resulting

from a project, or to rely on a qualitative analysis or performance-based standards. 14 Cal.Code Reg. §15064.4(a). A lead agency should consider the following factors, among others, when determining the significance of GHG emissions: (1) the extent to which the project may increase or reduce GHG emissions as compared to the existing environment [14 Cal. Code Reg. §15064.4(b)]; (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project [14 Cal. Code Reg. §15064.4(b)(1)]; and the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for GHG reduction or mitigation [14 Cal. Code Reg. §15064.4(b)(2)]. The court in Center for Biological Diversity v. Department of Fish & Wildlife clearly endorsed one threshold: consistency with a qualified GHG reduction plan.

Environmental Justice/Health Risk Assessment

The MND must identify objectives and policies to reduce the unique or compounded health risks in disadvantaged communities by means that include, but are not limited to, the reduction of pollution exposure, including the improvement of air quality. There are nearby sensitive uses, such as the nearest residential 1,200 feet away and school one mile away, and since the last approval there have been several multi-family developments built near the project area. Given the public outcry related to the 2018 RI expansion, an updated environmental assessment should consider the impact of such expansions on these surrounding neighbors. A Health Risk Assessment should be prepared for impacts on the surrounding community using the project-level thresholds formulated in the Sutter County Truck Report.

Noise/Safety

Given the proposed increases in truck traffic, a noise study should be required.

Odor

Since the last approval, several multi-family developments have been built near the project area. Residential uses are located within 1,200 feet and a school is located within one mile of the project. The requested increase in putrescent materials (stinking/rotten materials) from 10% maximum to 100% is significant and will affect local non-commercial/industrial uses in the area.

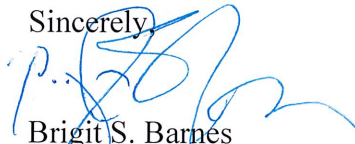
Tires

Applicant has requested that Condition 7 be changed to allow the facility to store 499 tires on-site, essentially doubling the amount of allowed tires and removing any containment criteria (currently limited to storing tires in a 40-yard container).

[Condition 7] It is unclear what the applicant means by “on-site.” If this means they are requesting that they be stored in outdoor piles and not in a container, there are serious fire risks associated with their request, especially in an area that is prone to severe fire seasons. The potential for fire is a significant hazard associated with storing tires. Tire fires produce a lot of smoke containing toxins and are difficult to extinguish. Cal. Code Regs. tit. 14 §17054 (“Storage of Waste Tires Outdoors”) subsection (a) requires that waste tires stored outdoors shall be stored as prescribed in in §17054, and pursuant to the California Fire Code, Title 24 of the California Code of Regulations, §§ 3405.1 through 3405.9. The requirements of these regulations should be considered when evaluating the project. It should be noted that the applicant has requested approval of up to 499 tires, when these regulations provide much stricter regulations for handling 500+ tires.

For the foregoing reasons, Stop the Dump! respectfully requests that the City Council deny the applicant’s request to amend or delete the existing conditions of approval.

Sincerely,



Brigit S. Barnes
cc: Stop the Dump!

StoptheDump!\L01.City Council re 2023 expansion request

EXHIBIT A

RECYCLING INDUSTRIES PLANNING COMMISSION RESPONSE

- RI agreed to reduce the universe of approvals sought for Use Permit 17-05/Development Permit 17-03 to:
- A maximum of 100 TPD of waste processed by facility;
- A maximum of 10% of waste actually received daily of putrescent materials;
- Deletion of approvals for packer trucks;
- Closed on Sunday.

EXHIBIT B

CITY OF YUBA CITY
STAFF REPORT

Date: January 15, 2019

To: Honorable Mayor & Members of the City Council

From: Darin E. Gale, Interim Development Services Director

Presentation By: Denis Cook, Land Use Planning Consultant

Summary:

Subject: Consideration of an appeal of the Planning Commission's approval of Use Permit 17-05 and Environmental Assessment (EA) 17-10, filed on behalf of "Stop the Dump." The site is located at 140 Epley Drive (South of Lincoln Road, east of Garden Highway (A.P.N.s 54-083-014, 015, and 023).

Recommendation: Conduct Public Hearing and after consideration:

Consistent with the last approval of a City body, adopt a Resolution denying the appeal, and approving and adopting the Subsequent Initial Study/Mitigated Negative Declaration EA 17-10 for the project and Use Permit 17-05.

Fiscal Impact: The appeal costs are a flat fee paid by the appellant to the City intended to cover staff costs.

Purpose:

Consideration of an appeal of the Planning Commission's approval of UP 17-05 and EA 17-10.

Background:

Recycling Industries (RI) currently operates a recycling center under Use Permit (UP) 07-12 at 140 Epley Drive. UP 07-12 was approved by the Planning Commission (Commission) on February 29, 2008, and the time to challenge the approval has expired. To date, the City has not received any complaints filed by neighbors or other concerned citizens about RI's current operation under UP 07-12.

In 2012, RI then submitted another application for a Use Permit, UP 12-01, to convert its recycling center into a Large Volume Transfer Station (LVTS). The City prepared an Initial Study/Mitigated Negative Declaration (IS/MND; Environmental Assessment (EA) 12-02), which analyzed the potential impacts associated with construction and operation of a LVTS with a maximum throughput of 100 tons per day (TPD) of mixed waste and recyclables.

After a public hearing on July 23, 2014, the Commission approved UP 12-01 and EA 12-02 for the project subject to compliance with an array of conditions including the following:

1. Operations to be conducted on three acres.
2. Ability to remove two metal buildings and the construction of a new 21,600 square foot building.

3. Would permit the facility to receive 100 tons or less per day of additional mixed recyclables and solid waste.
4. Would allow RI to expand existing operations for the acceptance of solid waste (i.e., putrescible material) of up to 10 percent of all delivered material.
5. Would allow for self-haul only. Packer garbage trucks (as defined below) would not be permitted.
6. The Use Permit would be reviewed annually by the Planning Commission for three years following construction of the facility.

Under approved UP 12-01, the facility operator is permitted to operate a LVTS that can accept up to 100 TPD of mixed recyclables and solid waste with a cap of 10 percent putrescible material of all material collected. Solid waste can include garbage from self-haul vehicles, commercial box vans and roll-off trucks. As conditioned, the facility is not permitted to receive packer trucks with garbage but could receive green waste in this form.

The time to challenge approval of UP 12-01 has expired. Because RI has not developed the site as approved per UP 12-01, the permit has not been effectuated and, similar to all other Use Permits, could become null and void for inaction. However, in this particular case, RI has received three extensions of UP 12-01. Table 1 provides a timeline of UP 12-01:

Table 1: UP 12-01 Timeline⁽¹⁾

	Approved	Expiration Date
<i>Original approval</i>	July 23, 2014	July 23, 2016
<i>Extension 1</i>	August 24, 2016	July 23, 2018
<i>Extension 2</i>	June 13, 2018	July 23, 2020

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

Use Permit extension requests are forwarded to the Commission for consideration and no modifications to the original Conditions of Approval as stipulated by the Commission have been considered nor approved. Also worth noting is that similar to other LVTS, the Sutter-Yuba Local Enforcement Agency (LEA) is responsible for ensuring compliance with applicable State mandated requirements. As a LVTS, the LEA requires that RI submit periodic reports has the ability to issue warnings and citations.

In 2017, Dave Kuhnen, on behalf of RI, requested authorization to amend previously approved UP 12-01. RI proposed to modify UP 12-01 and obtain a revised Large Volume Transfer/Processing Solid Waste Facility Permit (SWFP) to:

- Increase the maximum throughput from 100 tons per day (TPD) to 300 TPD of mixed waste and recyclables;
- Remove the 10 percent putrescible waste limit condition in UP 12-01. This removal would allow RI to receive waste that might contain more than 10 percent putrescible waste;

- Allow packer trucks to bring garbage to the subject site. Packer trucks are waste collection vehicles such as rear loaders, side loaders and front loaders. They are used primarily for the collection of waste that will be delivered to a disposal site for transfer, reprocessing, treatment or a landfill that is located off-site. These trucks are equipped with mechanized compaction abilities that allow the waste to be compressed or densified, thus allowing for greater route efficiencies. In the Yuba-Sutter Area, the current waste hauler uses front-loaders and side loaders as commercial compaction vehicles;
- Disallow packer trucks to deliver source separated residential and commercial green waste to the site;
- Expand the project site area from three to four acres through the addition of Assessor's Parcel 54-083-015;
- Add an inbound truck scale and modular scale-house/weighmaster office (approximately 700 square feet);
- Add, modify, and abandon driveways;
- Relocate onsite an existing 1,800 square foot (sf) metal building that had been slated for demolition;
- Expand the proposed transfer and processing building from 18,000 sf to 21,600 sf; and,
- Merge APNs 54-083-014, 54-083-015 and 54-083-023.

As part of review of RI's request to amend UP 12-01, staff notified RI that it would need to retain, at their expense, a qualified environmental consultant to prepare the necessary subsequent environmental review documents pursuant to the California Environmental Quality Act (CEQA). RI selected, and the City approved, Clements Environmental. Upon receipt of the draft Subsequent Initial Study/Mitigated Negative Declaration (IS/MND), the City retained an independent consultant, Benchmark Resources, to peer review the Subsequent IS/MND that evaluated the potential environmental impacts associated with RI's proposed changes to UP 12-01.

Planning Commission Action:

At its meeting of November 28, 2018, the Planning Commission conducted a public hearing to consider the environmental assessment and the development permit. Following the staff presentation and public input, the Commission adopted the Subsequent IS/MND for EA 17-10, which states that with the recommended mitigation measures, the proposed modification of UP 12-01 would not create any significant environmental impacts. The Commission also approved DP 17-03 and UP 17-05 with a total of 58 conditions that enables RI to modify its three-acre Large Volume Transfer/Processing Solid Waste Facility and add an additional 1-acre parcel.

While the Commission approved the project, it significantly reduced the RI's requested material volume to the amount that is presently permitted by UP 12-01. The Commission allowed the one-acre expansion to occur, and allowed for revisions to the site plan including the expansion of an 18,000 square foot building to 21,000 square feet, as well as several other restrictions. In the end, the additional conditions placed by the Commission on UP 17-05 are more restrictive in several respects than the previously approved UP 12-01, provide an improved site layout for the project, and allow RI to expand its facility from three to four acres. The full Commission's staff report and supporting documents are included as Attachments to this staff report.

Appeal:

On December 7, 2018, Stop the Dump appealed the Planning Commission's action approving the project and was timely received by the City Clerk's office. The appeal cited two grounds (see appellant letter provided as Attachment 1):

1. The Commission "erred in voting to approve the project without recirculation of the Mitigated Negative Declaration ... because mitigation measures and [the] description of project operations were added;" and
2. The "revised Conditions of Approval still require bonding, and other methods to ensure proper enforcement need to be added so that the construction and operation of the revised Recycling Center is fully enforceable."

Environmental Determination:

Pursuant to California Environmental Quality Act (CEQA) Article 19, Section 15070(b)(1) an environmental assessment including an Initial Study and Subsequent Mitigated Negative Declaration (MND) and Mitigation Monitoring Program (MMP) was prepared for the project.

Based upon the attached environmental assessment (EA 17-10), including the mitigation measures, all potentially significant impacts are reduced to less than significant. The findings of the Subsequent MND are that, with the proposed mitigations for cultural resources, greenhouse gases, and traffic, the project will not create any significant impacts on the environment. As a result, the filing of a Subsequent MND is appropriate in accordance with the provisions of CEQA.

Appeal Analysis:

Regarding the appeal, staff offers the following:

Appellant comment #1: Regarding the allegation the Commission erred in voting to approve the project without recirculating the Subsequent Mitigated Negative Declaration because additional mitigation measures and the project description were added after initial circulation.

Staff response: The appellant's letter does not provide any details as to which mitigation measures or description of project operations were allegedly added or why those items would require recirculation. That being said, recirculation is not required by CEQA as the Use Permit and mitigation measures approved were more stringent than those analyzed in the IS/MND, and were not mitigation measures or project revisions added to reduce a new, avoidable significant effect to insignificance. Further, the Planning Commission did not add these conditions of approval after determining that mitigation measures in the Subsequent MND were inadequate to ensure effects would be less than significant.

The project description originally utilized for the environmental document was based on RI's request. The environmental document analyzed that request and found that, with mitigation measures imposed, there were no potentially significant environmental impacts associated with the proposed expansion. While a reduced, smaller project than originally proposed was approved by the Commission, such reductions would serve to likewise reduce – not increase – impacts that were already less than significant based on project design and with mitigation imposed.

The CEQA Guidelines explain that recirculation of a negative declaration is required if the negative declaration has been “substantially revised after public notice of its availability.” (14 C.C.R., § 15073.5(a).) The Guidelines expand on this language, explaining that:

(b) A “substantial revision” of the negative declaration shall mean:

- (1) A new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or
- (2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.

(c) Recirculation is not required under the following circumstances:

- (1) Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.
- (2) New project revisions are added in response to written or verbal comments on the project's effects identified in the proposed negative declaration which are not new avoidable significant effects.
- (3) Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect.
- (4) New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.

The Commission added multiple conditions of approval for the project at the hearing. For example, the Commission limited the project to 100 tons of material per day, prohibited the queuing of vehicles on public roadways, and required tires to be stored in a single bin no larger than 40 yards in size (these changes also resulted in corresponding changes to the description of project operations).

Notably, none of the Commission's conditions of approval were mitigation measures or project revisions added to reduce a new, avoidable significant effect to insignificance. Further, the Planning Commission did not add these conditions of approval after determining that mitigation measures in the Subsequent MND were inadequate to ensure effects would be less than significant. That is, the Planning Commission did not identify any new significant effects that required new mitigation measures or project revisions or determine that proposed mitigation was inadequate, and no changes the Subsequent MND were made or warranted.

As explained in the Subsequent MND, all environmental effects would be less than significant after incorporation of mitigation proposed in the Subsequent MND. The additional conditions of approval required by the Planning Commission will undoubtedly further reduce environmental effects, but no further mitigation was required by CEQA. Thus, the Planning Commission's incorporation of conditions of approval is consistent with the text in the CEQA Guidelines, explaining that recirculation is not required when: “Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect.” (14 C.C.R., § 15073.5(c)(3).) Thus, the Planning Commission's conditions of approval

(and corresponding changes to the project description) do not meet the definition of a "substantial revision" as found in the CEQA Guidelines, and recirculation was not required.

Appellant comment #2: The "revised Conditions of Approval still require bonding, and other methods to ensure enforcement needed to be added so that the construction and operation of the revised Recycling Center is fully enforceable." (Staff note: The appeal did not identify any specific project conditions that required bonding).

Staff response: Bonding is not a good solution in this case as bonds are typically for limited time periods to ensure that a requirement is fulfilled. For example, a proper use of bonding may be to require a bond to be kept in place while giving a land subdivider one year to finish various road improvements. If that subdivider does not complete these public improvements the City can utilize the bond money to finish the improvements. In the case of Recycling Industries, there are no public improvements that would need bonding.

Bonds can also be utilized for an ongoing operation but would be difficult to enforce and should only be utilized in extreme cases. For example, mine sites are required to post bonds to ensure that the operator reclaims the site consistent with its reclamation. RI has operated on this site for multiple years and, to staff's knowledge, a complaint has never been received regarding violations of any conditions or otherwise operating to the detriment of others, so enforcement of conditions or otherwise controlling any public nuisance has not been an issue at this site.

The City already has adequate means to enforce the conditions of approval if and when conditions of approval or mitigation measures are violated or there are other public nuisance (e.g., odor or noise complaints) or hazardous conditions. Section 8-5.7108 of the Zoning Regulations, titled "Failure to comply with conditions" provides that "...a permit granted in accordance with this chapter may be revoked by the City Council (Section 8-5.7109) upon failure to comply with any conditions of the permit..." This process also allows the City Council to revise the original conditions of approval, if needed.

A second method of enforcement is also available. Section 8-5.7403 of the Zoning Regulations allows the Planning Director to enforce the rules of the Zoning Regulations via the infraction process, which typically result in fines being levied if voluntary compliance cannot be achieved. The City has code enforcement officers that provide this function on a daily basis.

Chapter 8 of the City's Nuisance Abatement Code also provides for a third method of enforcement. The City can use its police powers to attenuate or eliminate public nuisance concerns (e.g., noise or odor issues) should they arise.

To conclude, in this case there are two reasons that bonding is not needed. First, RI has operated for years at his location without causing significant problems so there is no reason to suspect that will change. Even if there were such violations in the future, the City has adequate tools available to enforce the use permit without the need for bonding.

Use Permit Findings:

There is substantial evidence in the administrative record to support the Planning Commission determination that the UP, as conditioned, is consistent with the requirements of the Municipal Code requirements applicable to the UP. Specifically:

- A. The proposal is consistent with the General Plan.

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

- B. 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 the Municipal Code.

Basis: Under the revised project, the site has been increased from three to four acres. The expanded site will allow improved circulation and queuing, and will be adequate to accommodate the proposed LVTS facility and related operations. The proposed site plan is in conformance with the Zoning Regulations with perimeter landscaping and fencing, and will include the necessary site improvements to allow for a safe and efficient operation. Utilized areas of the site will be paved, directional signage will be provided, and stormwater runoff will be controlled. Truck loading docks will be provided to allow efficient transfer of material and prevent potential impacts to off-site circulation. The proposed flow of vehicle and truck traffic entering and exiting the site will minimize the potential for vehicular conflicts while allowing for a safe and efficient flow of traffic and facility use. The site has sufficient on-site space to prevent trucks from queuing on the public right-of-way in the event of a surge of visiting trucks to the site. 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 Transfer/Processing Report document and will employ spotters to direct traffic. This will ensure that during material receiving hours, facility personnel will monitor and direct incoming traffic.

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

Basis: RI is proposing to expand the facility from 100 tons per day (TPD) to a 300 TPD, however the Planning Commission, and City Council on appeal, have limited the maximum to 100 TPD. Regardless, traffic will increase in comparison to what exists today, however this increase was previously assessed per the 2014 MND for UP 12-01. In addition, the 2018 Subsequent MND EA 17-10 for Use Permit 17-05 also evaluated the potential increase of traffic associated with 300 TPD and determined that there would be less than significant impacts associated with traffic.

Estimated truck activity and employee travel associated with the project will occur while the facility is open from to refuse/waste from 7am – 5pm, Monday through Saturday with ancillary operations from 6am – 9pm, Monday through Saturday. Truck activity is expected to be relatively uniform across that period, but somewhat less truck travel is expected in the evening as the plant begins to wind down for the day.

Even at 300 TPD, which has not been approved, the project could generate up to eight vehicle trips during the a.m. peak hour which is well below the 50 trips threshold for a traffic study. Even if the project's peak hour PCE estimate of 18 peak hour trips was applied, this estimate is less than the 50-trip threshold used by the City of Yuba City. Based on the City's criteria, the project is not expected to have a significant impact to the local or regional street systems.

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

Basis: The design of the site meets the requirements of the Zoning Regulations relative to the provision of adequate parking and shading and buffer landscaping. The applicant is proposing to construct a new 21,600 sf transfer/processing building. The proposed building will be similar in size and design to the buildings built immediately to the south. The proposed building will be compatible with other nearby industrial buildings 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.

- E. 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.

Basis: The project site is suited for a LVTS. The surrounding uses are industrial in nature, while the nearest homes are located approximately 1,900 linear feet from the site, thus the operation of the LVTS facility will not be detrimental or injurious to property or improvements in the neighborhood. As detailed in the Subsequent MND and the Transfer Processing Report (TPR), 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:

- i. Station 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.
- ii. Records and Reporting Plan, which addresses the types of on-going reporting required for the operation of the LVTS. This includes:
 - 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 the project is considered a Large Volume Transfer Station, the County of Yuba Environmental Management Department, Environmental Health Division (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 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.

- F. The application satisfies at least one of the findings found in Title 6, Chapter 9, Article 6 of the Municipal Code.

Basis for Finding. Municipal Code Section 6-9.602. - Permits and entitlements, identifies findings including:

“(c) The local flood management agency has made adequate progress (as defined in California Government Code § 65007) on the construction of a flood protection by 2025 system that will result in flood protection equal to or greater than the urban level of flood protection in urban or urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in non-urbanized areas for property located within a flood hazard zone, intended to be protected by the system.”

This project complies with this finding as the Sutter Butte Flood Control Agency (SBFCA) is the “Local Flood Management Agency” for the Sutter-Butte Basin and as such, has the responsibility to prepare an annual report demonstrating adequate progress as defined in California Government Code Section 65007(a). SBFCA has prepared Adequate Progress Report Updates for ULOP and transmitted them to the Central Valley Flood Protection Board.

Recommended Action:

Adopt a resolution denying the appeal, and approving and adopting the Subsequent Initial Study/Mitigated Negative Declaration EA 17-10 for the project and Use Permit 17-05.

Alternatives:

Direct staff to return with a resolution for final approval that would modify the project approval, or approve the appeal and deny the approval of the project, as appropriate.

Prepared By:

Submitted By:

/s/ Denis Cook

Denis Cook
Planning Consultant

/s/ Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

City Attorney

SLC by email

Attachments:

1. Letter submitted by Brigit Barnes & Assoc. dated December 7, 2018, entitled "Appeal of Planning Commission Approval"
2. Letter submitted by Mitchell Chadwick dated December 18, 2018 entitled "Recycling Industries Transfer Station Expansion – Fair Hearing"
3. Letter submitted by Brigit S. Barnes & Assoc. dated January 8, 2019, entitled in part "Supplementary Comments Responding to Updated Staff Report RE: Mitigated Negative Declaration and Proposed Use Permit"
4. Letter submitted by Mitchel Chadwick dated January 8, 2019, entitled "STD Appeal to Planning Commission Approval of Modifications to Recycling Industries UP 12-01"
5. Resolution to Deny the Appeal of the Planning Commission action regarding UP 17-05 and EA 17-10
6. Aerial photo/Location Map
7. November 28, 2018 Planning Commission Staff Report
8. Adopted Conditions of Approval
9. 11.28.18 Staff Power Point to Planning Commission
10. 11.28.18 Recycling Industries Power Point Presentations to Planning Commission
11. Comments received from responsible agencies and responses
12. Letters and email exchanges
 - a. Dept. of Resources Recycling and Recovery (CalRecycle) letter dated Nov. 5, 2018
 - b. Email chain between CalRecycle and Larry Miner of Clements Environmental
 - c. Feather River Air Quality Management District (FRAQMD) letter dated Nov. 6, 2018
 - d. Email chain between FRAQMD and Larry Miner of Clements Environmental
 - e. Sutter-Yuba Local Enforcement Agency (LEA) letter dated Nov. 5, 2018
 - f. Email chain between LEA an Larry Miner of Clements Environmental
 - g. Central Valley Regional Water Quality Control Board letter dated Oct. 30, 2018
13. List of emails expressing their opposition of the project
14. List of emails in support of the project
15. Petition submitted by RI with signatures in support of the project.
16. Letter submitted by Mat Conant and Ron Sullenger of the Sutter County Board of Supervisors dated October 30, 2018 requesting an additional 30-days to review and provide comments on the Initial Study/Mitigated Negative Declaration

17. Letter submitted by Brigit S. Barnes & Associates, Inc. dated November 1, 2018 requesting an additional 30-days to review and provide comments on the Initial Study/Mitigated Negative Declaration
18. Letter submitted by Yuba City (Arnoldo Rodriguez) dated November 5, 2018 denying a 30-day extension request to submit comments on the Initial Study/Mitigated Negative Declaration
19. Letter submitted by Brigit S. Barnes & Associates, Inc. dated November 6, 2018 opposing the project
20. Letter submitted by Mitchell Chadwick dated November 20, 2018 supporting the project
21. Letter submitted by Mitchell Chadwick dated November 21, 2018 titled "Reply to Stop the Dump Comment Letter on Recycling Industries' Expansion Project"
22. Initial Study/Mitigated Negative Declaration for Use Permit 17-03 and Development Plan 17-03:
 - a. Transfer/Processing Report
 - b. Initial Study/Mitigated Negative Declaration prepared for Use Permit 12-01 dated May 23, 2014
 - c. Traffic Study prepared by Ken Anderson & Associates, Inc. dated July 18, 2018
23. Mitigation Monitoring and Reporting Program
24. Report to the Planning Commission for Use Permit 12-01 dated July 23, 2014
25. Site Plan and building elevations
26. Notice of Intent to Adopt the Mitigated Negative Declaration
27. Notice of Public Hearing (January 15, 2019)
28. 11.28.18 Adopted Planning Commission Action Minutes
29. Link to audio recording of 11.28.18 Planning Commission Meeting

EXHIBIT C



4741 Watt Avenue, North Highlands, CA 95660

Via Email to: dlibby@yubacity.net

September 15, 2023

City of Yuba City
Attn: Doug Libby – Deputy Director of Development Services
1201 Civic Center Blvd.
Yuba City, CA 95993

RE: Response to letter dated August 18, 2023; Amendment to Use Permit (UP) 17-05 and Development Plan (DP) 17-03, APN: 54-083-025

Dear Mr. Libby:

Our company received the above referenced draft letter dated August 18, 2023. Upon review and as requested, below is a list of the questions asked along with responses at this time:

- Question 1: Please explain the sources of refuse proposed to be brought to the site from out of the area and anticipated transportation routes to be utilized.
- Response 1: Refuse sources (residential or commercial) are existing. Presumably, refuse could be located within Yuba and Sutter County, as well as any of the neighboring jurisdictions to Yuba and Sutter County.
- Question 2: Section 1.2 of the adopted environmental document for UP 17-05/DP 17-03 contemplates increasing the maximum throughput from 100 TPD to 300 TPD. In Section 1.1 of the document it states the increased tonnage would be from, “residential and commercial franchise collection routes within Yuba City (City) if RI is a successful partner in pending procurement for these franchise services.” Please direct staff to the previously completed analysis where importing of recycling materials from outside the area is contemplated.
- Response 2: The applicant (RI) has been importing recyclable materials sourced from outside the Yuba County and Sutter County jurisdictions since operations were analyzed and approved in under EA 07-29 (2008) and EA 12-2 (2014) at the subject site. To date there has not been a limitation on the importation of recycling materials. In addition, the original and subsequent 2019 MND does not contain any language to restrict the origin of materials in its scope. The 2019 MND did not contain any mitigation measures related to or restricting origin of materials. The additional restriction placed on RI and as listed in Condition 3 of the Conditions of Approval were directed as additional by the City at the time of approval 2019.



4741 Watt Avenue, North Highlands, CA 95660

Question 3a: The amendment proposes to allow the facility to receive materials from packer trucks. Would these be source separated curbside recyclables?

Response 3a: Yes, it is possible that source separated curbside recyclables could be delivered in packer trucks.

Question 3b: If non-source separated materials are proposed to be delivered from out of the area by packer trucks, how would Recycling Industries have knowledge of what a truck may contain before the material is emptied onsite?

Response 3b: Before material is emptied at the subject site, the operator (RI) would require prior approval (from the vendor) and pre-screening (by RI) to ensure the such materials destined to emptied at the site will be acceptable non-source separate waste. RI maintains an approved Load Check program with the Local Enforcement Agency, which includes the state standards as it relates to allowable waste at the subject site. When packer trucks arrive, the scale operator will ask all drivers to describe the contents. Ideally, the driver should state that acceptable materials are placed inside the packer truck. However, RI will know what is inside only when the truck is emptied.

Question 3c: Non-source separated packer trucks could contain lithium batteries or food waste. How are these situations proposed to be addressed compared to the existing permitted operation?

Response 3c: As part of the operations at the subject, the State requires operators to maintain an approved load check program. Such program is contained in RI's Transfer Processing Report. As part of the load check program, unacceptable items, such as lithium batteries, are to be removed from the load prior to disposal. Upon discovery of any batteries in a load, RI will segregate the unacceptable items (such as batteries) and store them in a designated hazardous waste area. These items will then be transported to approved sites for recycling. In terms of food waste, the site is allowed to accept mixed waste that might contain food waste. The operator will be required to remove the mixed waste (that might contain food waste) within 48 hours of receipt at the site. Incoming loads that are part of a source separated food waste recycling program would not be accepted at the site.

Question 4: If packer trucks are allowed to come to the site, what steps are Recycling Industries proposing to verify that such trucks are not hauling their material to the facilities in violation of a franchise agreement otherwise governing the source materials?

Response 4: As part of the pre-screening process and prior to delivery, RI will ensure that all delivered materials do not violate any franchise agreement governing the sourced materials.

Question 5: Are the existing onsite facilities designed to accommodate up to 300 TPD of materials? Please explain what changes to the existing site/facilities are required to accommodate the increased tonnage amount proposed.



4741 Watt Avenue, North Highlands, CA 95660

Response 5: According the 2019 MND and the company's approved Transfer Processing Report, the subject site is designed to handle 500 +/- TPD. No modifications to any of the existing site or facilities is required as part of this application.

Question 6: The project is currently permitted to operate up to 100 TPD. What is the average tonnage per day handled by the existing facility over the previous 12 months? The City would like to understand what percentage of the total authorized capacity Recycling Industries currently operates at to determine if an increase in TPD is necessary.

Response 6: The company has processed approximately 6,402 tons of inbound materials for the 12-month period ending on June 30, 2023. This equates to 20.5 tons TPD on average. Please note that the site limitation of 100 TPD does not allow for averaging as requested and this statistic (of 20.5 TPD average) can be misleading. The 100 TPD limitation is a daily test and must incorporate peak periods when tonnage might exceed the daily limit.

Question 7: Please clarify if the project utilizes any processing equipment that is not PG&E line powered?

Response 7: This application / project does not intend to use any additional powered equipment.

If there is additional information or clarification needed, please let me know at your earliest.

Sincerely,

David Kuhnen
General Manager

Cc: Larry Miner, AICP, Miner Permits & Associates; Ben Moody – City of Yuba City; Ashley Potocnik – City of Yuba City; Aaron Brown – City of Yuba City.

EXHIBIT D

Development Services



April 19, 2024

Recycling Industries
Attn: David Kuhnen
4741 Watt Avenue
North Highlands, CA 95660

Re: An amendment to Use Permit (UP) 17-05 and Development Plan (DP) 17-03, Recycling Industries; 140 Epley Drive; APN: 54-083-026

Dear Mr. Kuhnen:

The City of Yuba City has completed its review of the above referenced application. This letter is to inform you that the City is scheduling this project to be heard by the City Council at its regular meeting on **Tuesday, May 7, 2024**. A separate legal notice will be provided to you.

After considering this application, prior project approvals, including previously adopted mitigated negative declaration and CEQA documents, staff has concluded it will be providing a recommendation of denial on this application as proposed.

Among others, the project description in the 2018 mitigated negative declaration did not identify modifications to the transfer stations operations to allow for (i) acceptance of material generated in any jurisdiction, not just Sutter and Yuba counties; and (ii) the expansion of operational hours and extension of days of operation to include Sunday. The environmental analysis for the proposed amendment to UP 17-05 and DP 17-3 is incomplete and inadequate for the purpose of evaluating the reasonably foreseeable significant impacts caused by the proposed changes in the facility's operations, including those related to traffic, noise and vibration. Further, mandatory findings cannot be made for the entitlements, including findings 2, 3, and 5 required by Municipal Code Section 8-5.7003(d).

Additional information and specific grounds for this recommendation will be contained in the City Council staff report. The report is anticipated to be published with the agenda on May 2, 2025, which can be found at <https://www.yubacity.net/cms/One.aspx?portalId=239258&pageId=8030618>. If you would like to include any items in the agenda packet, please provide them to me by no later than April 30, 2024.

You are welcome and encouraged to attend this meeting and provide public comment.

Sincerely,

Benjamin K. Moody
Public Works and Development Services Director

• Sec. 8-5.7003. - Use permits.

Uses requiring a use permit are those for which their effect on surrounding uses and the environment typically cannot be determined in advance of being proposed for a particular location. This process provides for the review of the location, configuration, design and impacts of the proposed use.

- (a) *Process.* Following acceptance of a complete use permit application, the proposal shall be distributed by the Planning Department to other City departments and other relevant public agencies for review and comment. The City Council shall also be provided with a general description of the proposed use and location. Following review by City staff and recommendation by the Planning Department, the Planning Commission shall conduct a public hearing on the proposal unless the alternative City Council use permit review process is required per Section 8-5.7003(f).
- (b) *Notice and hearing.* Notice of a public hearing shall be given pursuant to Government Code §§ 65090 through 65095.
- (c) *Determination.* Following the close of the public hearing the Planning Commission shall approve, approve with conditions or deny the use permit application within 30 days of the close of the hearing.
- (d) *Findings for approval.* Approval or approval with conditions shall only be granted when the following findings can be made, based on information in the record:
 - (1) The proposal 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 proposed use.
 - (4) The site design and the size and design of the buildings 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.
 - (6) At least one of the findings in Title 6, Chapter 9, Article 6 of the Municipal Code is satisfied.
- (e) *Appeals.* The decision of the Planning Commission may be appealed to the City Council

(Section 8-5.7104(b)). Upon request of the appealing party, the City Council may waive any fee required for an appeal to the City Council, in whole or in part, to the appealing party.

(f) *Alternative City Council use permit review process.* Notwithstanding any other provision of this section, the City Council may review a use permit pursuant to an alternative City Council use permit review process as follows:

- (1) Once a use permit application is final, and prior to commencing any other level of review process, the Planning Director will provide a general description of the proposed use and location to the City Council.
- (2) Within seven calendar days thereafter, any member of the City Council may direct the City Manager to add an item on the agenda, at the next reasonably available meeting of the City Council, for consideration whether to use the alternative City Council use permit review process. If no request is made within seven calendar days, the Planning Director shall proceed with the level of review otherwise set forth in Section 8-5.7003(a)
- (3) No less than seven calendar days prior to the matter being considered by the City Council, the Planning Director shall give notice to the applicant that the City Council will be considering whether to proceed with the alternative review process. Notice shall include the date, time and place of the City Council meeting, a general explanation of the matter to be considered, and a general description of the location of the property for which the use permit is proposed. Notice of the meeting shall also be mailed, emailed or otherwise provided at least seven days prior to the meeting to all owners of real property as shown on the latest equalized assessment roll within 300 feet of the real property that is subject to the meeting. In the alternative, if the nature of the use is such that more than 250 parcels of real property would be within 300 feet of the proposed use, then notice may be published in a newspaper of general circulation. The failure of any person or entity to receive notice given pursuant to this subsection shall not constitute grounds for invalidating any action for which the notice was given.
- (4) At the next reasonably available meeting of the City Council, the City Council may consider whether to proceed with the alternative City Council use permit review process. Factors for proceeding with the alternative review process can include likelihood of an appeal to the City Council if another review process is used, the public interest in expediting the review process, and other items related to public health, safety and welfare. The City Council may not consider the merits of, or whether to approve or deny, the use permit, but shall have sole discretion whether to utilize the alternative review process for the use permit.

- (5) The alternative City Council use permit review process may not be used unless approved by a majority of the City Council. If so approved, the City Council use permit review process shall be the same as established for the Planning Commission use permit review. No advisory recommendation from the Planning Commission is required, but may be requested by the City Council. If so requested, the Planning Commission, following a public hearing, shall make an advisory recommendation to the City Council within 40 days of first hearing the matter. Following the Planning Commission's recommendation, or if none is requested, the Council shall conduct a public hearing. The use permit shall be decided based on the same findings as subsection (d) of this section.
- (6) The decision of the City Council shall be final; there is no right of appeal.
- (7) If the alternative City Council use permit review process is not approved by a majority of the City Council, or if no decision is rendered by the City Council within 20 days of the first meeting, then it shall not be used and an applicable level of review as set forth in subsection (a) shall be instead applied

(§ 8-5.7003, Ord. 010-94, eff. January 5, 1995)

(Ord. No. 009-16, § 2(Att. A, § 4), 9-20-2016; Ord. No. 007-20, § 4, 3-17-2020; Ord. No. 008-21, § 4, 10-19-2021)

Attachment 6



**MITCHELL
CHADWICK**

J. Scott Miller
smiller@mitchellchadwick.com
916-462-8801
916-788-0290 Fax

May 1, 2024

VIA ELECTRONIC MAIL

Doug Libby
Deputy Director of Development Services
City of Yuba City
1201 Civic Center Boulevard
Yuba City, CA 95993

Re: Recycling Industries: Amendment to Use Permit (UP) 17-05 and Development Permit (DP) 17-03

Dear Mr. Libby:

I am writing on behalf of my client, Recycling Industries, Inc., (“RI”) regarding its application to amend certain conditions of approval (“Application”) provided by the City of Yuba City (“City”) to RI in connection with use permit (“UP”) 17-05 and Development Permit (“DP”) 17-03. This letter also responds to the concerns expressed in the City’s April 19, 2024 letter. The Application is on the City Council’s agenda for its regular meeting on May 7, 2024.

My firm previously worked with RI to complete environmental review and entitlement of the expansion and upgrades to RI’s recycling facility to facilitate a transfer station, which the City approved on February 5, 2019 as part of Resolution No. 19-005. (See Exhibit 1.) I am familiar with the transfer station project and environmental review that preceded the Mitigated Negative Declaration (“MND”) that the City approved in connection with Resolution No. 19-005. As explained below, RI believes the City has substantial evidence in the record to support approval of the Application, and RI and its counsel will be glad to work with City Staff to ensure all municipal code and environmental requirements are met to the City’s satisfaction. Thus, **RI requests that the City Council postpone the May 7, 2024 hearing on this Application to a later date to allow RI to continue to work with City Staff to reach agreement on the terms of the Application, so that Council may approve it at a future meeting.**

A. Background

RI owns and operates a Large Volume Transfer Station (“Facility”) in the City. The Facility was originally approved on July 23, 2014 by the Yuba City Planning Commission, which adopted a mitigated negative declaration (“MND”) pursuant to the California Environmental Quality Act

(“CEQA”) and issued a conditional use permit (“2014 CUP”). Subsequently in 2018, RI proposed amendments to its 2014 CUP. The 2018 amendments proposed the following:

- increase the amount of materials received per day from 100 tons to 300 tons;
- remove the condition prohibiting receipt of more than 10% putrescible waste;
- remove the condition prohibiting the use of packer vehicles to transport solid waste;
- expand the Facility site area from three to four acres;
- add an inbound truck scale and modular scale-house/weighmaster office;
- add, modify, and abandon driveways;
- relocate an existing building;
- expand the transfer and processing building; and
- merge APNs 54-083-014, 54-083-015, and 54-083-023.

In 2018, Yuba City released a MND analyzing RI’s proposed changes to the 2014 CUP. The Yuba City Council approved the new MND on February 5, 2019, and also approved a revised conditional use permit at the same February 5, 2019 hearing. In the current Application, RI now seeks to amend the 2019 CUP to remove or modify nine of its conditions.

In or around July 2023, RI submitted the current Application to amend UP 17-05 that is now before the Council. Sometime around August 2023, City Staff conducted an intake meeting with RI representative David Kuhn, where the Staff reviewed the Application and requested further information. Mr. Kuhn thereafter provided the requested information, and around September 2023 the City gave RI notice that the Application was complete. On April 19, 2024, the City sent an unexpected letter to RI stating that more information is still needed to approve the Application.

B. The Proposed Modifications Are Covered by the Environmental Study Undertaken in Advance of the 2019 MND.

The April 19, 2024 letter states that the “environmental analysis for the proposed amendment to UP 17-05 and DP 17-03 is incomplete and inadequate for the purpose of evaluating the reasonably foreseeable significant impacts caused by the proposed changes in the facility’s operations.” This is not correct. As the chart below explains, the changes to the 2019 CUP proposed by RI are covered by the 2019 MND such that no further CEQA analysis is required. First, the proposed changes to Conditions 3, 5, and 10 were previously analyzed in the 2019 MND, such that no further CEQA review is required for these changes. Second, the proposed changes to Conditions 4 and 7 were not explicitly analyzed in the 2019 MND; however, their impacts are generally consistent with the project analyzed in the 2019 MND and therefore do not require further CEQA review. Finally, Conditions 59 and 60 were also not previously analyzed in the 2019 MND, but seemed to have no environmental impact originally; therefore, if they are

removed, it will have no environmental impact and no further CEQA review is required for these changes.

The 2019 MND does not cover the proposed amendment to Condition 8a, because it assumed the exact limitations that RI wishes to remove. The 2019 MND also does not cover the proposed amendment to Condition 12, because it contained specific hours and day limitations that RI wishes to amend. As the proposed changes to Conditions 8a and 12 in the 2019 CUP are not consistent with the analysis in the 2019 MND, those proposed changes could arguably require further CEQA review. RI will consider dropping the changes to Conditions 8a and 12 if the City requests further CEQA review based on those conditions.

Below is a chart summarizing the proposed amended conditions and the CEQA coverage of the amended conditions in the 2019 MND.

ORIGINAL CONDITION (2019 CUP)	AMENDED CONDITION	COVERAGE IN 2019 MND
3. The facility shall not receive more than 100 tons per day.	The facility shall not receive more than 300 tons per day.	The 2019 MND analyzed the impacts of the Facility operating at 300 tons per day. (See, e.g., Initial Study, ¹ at pp. 1, 23.) Therefore, the 2019 MND covers this proposed amendment to the CUP.
4. The facility shall only receive material generated within the Sutter and Yuba Counties.	The facility shall be able to receive material generated within any jurisdiction.	The 2019 MND did not include a limitation on where the material could be sourced. As such, this change is covered by the scope of the 2019 MND.
5. Putrescible material: maximum of 10 percent of all material. Material shall be removed within 48 hours.	Putrescible material: Material shall be removed within 48 hours.	The 2019 MND analyzed the impacts of the removal of the 10% putrescible material limitation. (Initial Study, at pp. 1-2, 24.) Therefore, the 2019 MND covers this proposed amendment to the CUP.
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.	Tires: The operator may store tires acceptable to State law and approved by the Cal-Recycle Local Enforcement Agency (LEA).	The 2019 MND did not include a limitation on how tires should be stored. As such, this proposed amendment is covered by the scope of the 2019 MND.

¹ “Initial Study” refers to Recycling Industries Transfer Station and Use Permit Revisions, Draft Subsequent Initial Study/ Mitigated Negative Declaration, Prepared by Clements Environmental, October 2018, State Clearinghouse (SCH) ID# 2014052082 (“Initial Study”).

ORIGINAL CONDITION (2019 CUP)	AMENDED CONDITION	COVERAGE IN 2019 MND
8a. Green waste shall be removed within 48 hours of being accepted.	Green waste shall be removed within 48 hours of being accepted or at an alternative frequency as approved by the LEA.	The 2019 MND required waste to be removed from the site within 48 hours of receipt. Therefore, <u>the 2019 MND does not cover this proposed amendment to the CUP</u> . RI is willing to discuss limiting or removing this condition if the City requests review.
10. Except for source separated curbside recyclables, materials may not be accepted via packer trucks. This includes side, front, or rear loaders.	The operator may receive material, except source separated green waste, via packer trucks. This includes side, front, or rear loaders.	The 2019 MND analyzed the impacts of allowing packer trucks to transport materials to the Facility. (Initial Study, at p. 3.) Therefore, the 2019 MND covers this proposed amendment to the CUP.
12. The facility is closed Sunday. The facility is open from [sic] to refuse/waste from 7 am – 5 pm, Monday through Saturday with ancillary operations from 6am – 9pm, Monday through Saturday.	The facility is open to receive refuse/waste from 7 am – 5 pm, Monday through Sunday with ancillary operations from 6am – 9pm, Monday through Sunday.	The 2019 MND included hour and day limitations on certain activities. Some of the proposed activities to be conducted on Sunday are inconsistent with the 2019 MND. Also, the proposed start time of outdoor activities aside from receipt/refusal of waste is 30 minutes earlier than that analyzed in the 2019 MND. <u>As such, the 2019 MND does not cover this proposed amendment to the CUP</u> . RI is willing to remove this condition if the City requests environmental review.
59. PROJECT DEADLINES: To prove good faith in completing this project in a timely manner, and to acknowledge that time is of the essence, the applicant must commence construction by March 31, 2020, and be substantially complete within 18 months of commencement. Failure to comply with either deadline will void modification of this Use Permit. Substantially complete is defined by City Code.	N/A	This condition can be removed. It has been completed and it had no environmental impact originally. Its removal will have no environmental impact.

ORIGINAL CONDITION (2019 CUP)	AMENDED CONDITION	COVERAGE IN 2019 MND
60. FUTURE USE PERMIT MODIFICATIONS AND EXTENSIONS: a. Given the repeated extensions of Use Permit 12-01, the City advises the Applicant future attempted modifications of this Use Permit will be, if consistent with City Ordinances then in effect, submitted to the City Council for review. b. Additionally, if the Applicant fails to meet project deadlines outlined in Condition 59, the previous Use Permit 12-01 will not be eligible for extension and will expire if not effectuated. c. City staff must notify Stop the Dump of the receipt of any applications for modification of this Use Permit when received and afford STD a minimum of 20 days to respond and request the opportunity to reply. Notice is presumed to have been properly provided to STD if mailed, emailed, faxed, or personally delivered to: Bridgit Barnes, Esq. Brigit S. Barnes & Assoc., Inc. 3262 Penryn Road, Suite 200 Loomis, CA 95650 Tel: 916-660-9555 Fax: 916-660-9554 Email: bsbarnes@landlawbybarnes.com	N/A	This condition had no environmental impact originally; therefore, its removal will have no environmental impact. Sections a. and b. are moot, as stated in the comment above regarding condition no. 59, and their removal will have no environmental impact. The removal of Section c. also would have no environmental impact. However, RI understands the City or project opponents may have concerns about removing this condition and RI is willing to negotiate in good faith with the City to modify it or allow it to remain as drafted.

C. The City Can Make the Mandatory Findings Under the Municipal Code.

The April 19, 2024 letter also states that “mandatory findings cannot be made for the entitlements, including findings 2, 3, and 5 required by Municipal Code Section 8-5.7003(d). This statement is also incorrect. The Initial Study supports findings for each of these criteria as it reviewed each of the proposed modifications and included them in its analysis, as indicated in the above chart. First, the Initial Study confirms that 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...” (Yuba City Municipal Code [“YCMC”] Section 8-5.7003(d)(2); see, Initial Study, Section 1.2, p. 3.) The City Council previously made this same finding. (Exhibit 1, p. 7, Section 5.B. [“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 requires by the Municipal Code”].)

Second, the Initial Study confirms that “the streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.” (YCMC Section 8-5.7003(d)(3); Initial Study, Section 1.2, p. 3.) Council also acknowledged that the Initial Study covered this finding. (Exhibit 1, p. 6. Section 5.C. [“The streets serving the site are adequate to carry the quantity of traffic generated by the proposed use”].)² Finally, as stated above, the Initial Study and the City’s adoption of the MND in 2019 affirms that the City has already concluded that the establishment and use of the transfer facility “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.” (YCMC Section 8-5.7003(d)(5); Exhibit 1, p. 8, Section 5.E.) This analysis also applies to satisfy the findings requirements of development plan review. (YCMC Section 8-5.7001(c)(4)(i)–(iv).)

D. Recycling Industries Remains Willing to Discuss the Amendments with the City in Good Faith.

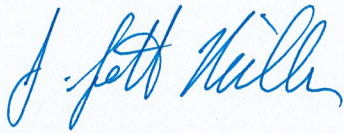
The City’s April 19, 2024 letter further states that the project description in the 2018 MND “did not identify modifications to the transfer station’s operations to allow for (i) acceptance of material generated in any jurisdiction, not just Sutter and Yuba counties; and (ii) the expansion of operational hours and extension of days of operations to include Sunday.” RI remains willing to negotiate in good faith with the City to discuss these modifications also. This could include modifying or limiting these or any of the above-described modifications for which the City may require further information.

² RI has only recently learned that the County has conducted a study on this issue after the Initial Study. While we do not anticipate this will affect this Application, RI agrees to work with City Staff to discuss the issue and made the necessary adjustments, if any are required, so that Staff is satisfied that this finding can be made.

RI believes that it and the City can reach a mutually agreeable resolution on these proposed modifications, and RI remains willing to continue the discussions in good faith. For these reasons, **RI requests that the City Council postpone the May 7, 2024 hearing on this Application to a later date to allow RI to continue to work with City Staff to reach agreement on the terms of the Application, so that Council may approve it at a future meeting.**

Sincerely yours,

MITCHELL CHADWICK LLP



J. Scott Miller

Enclosure

cc: Shannon Chaffin, City Attorney
Scott Kuhnen, Recycling Industries, Inc.
Tiffany Schneider, Recycling Industries, Inc.
Patrick G. Mitchell, Mitchell Chadwick, LLP

Exhibit 1

RESOLUTION NO. 19-005

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
DENYING THE APPEAL OF, AND AFFIRMING THE DECISION OF, THE PLANNING
COMMISSION'S APPROVAL OF DEVELOPMENT PERMIT NO. 17-03, USE PERMIT NO. 17-
05, AND ENVIRONMENTAL ASSESSMENT NO. 17-10 (SUBSEQUENT MITIGATED
NEGATIVE DECLARATION), FOR PROPERTY LOCATED AT 140 EPLEY DRIVE
(RECYCLING INDUSTRIES, INC.), AND INDEPENDENTLY APPROVING AND ADOPTING
ENVIRONMENTAL ASSESSMENT NO. 17-10 (SUBSEQUENT MITIGATED NEGATIVE
DECLARATION), DEVELOPMENT PERMIT NO. 17-03, AND USE PERMIT NO. 17-05, WITH
CONDITIONS**

WHEREAS, Recycling Industries (applicant) currently operates a recycling center under Use Permit (UP) 07-12 at 140 Epley Drive; and

WHEREAS, in 2014, the City approved Use Permit (UP) 12-01, which allowed the applicant to convert its recycling center into a Large Volume Transfer Station (LVTS); and

WHEREAS, prior to said approval the City also prepared an environmental assessment as required by the California Environmental Quality Act (CEQA) resulting in a finding of a mitigated negative declaration (MND) per Environmental Assessment (EA) 12-2 (2014 MND); and

WHEREAS, the applicant has yet to develop the site as approved per UP 12-01, and has received two extensions from the City such that use under the UP 12-01 must commence by no later than July 23, 2020, or UP 12-01 could become null and void for inaction; and

WHEREAS, the applicant is proposing to modify its previously approved use of the property to a revised Large Volume Transfer/Processing Solid Waste Facility Permit (SWFP); and

WHEREAS, said revisions require a Development Permit (DP), UP and appropriate Environmental Assessment (EA) of the project; and

WHEREAS, applicant submitted an application to the City for DP 17-03, UP 17-05, and EA 17-10; and

WHEREAS, an initial study was prepared for the project, resulting in a proposed Subsequent MND; and

WHEREAS, the City issued a notice of intent to adopt the Subsequent MND on November 16, 2018, and provided a review period regarding the proposed mitigated negative declaration; and

WHEREAS, under the City's Municipal Code, the Yuba City Planning Commission is authorized to review and approve the Development Permits, Use Permits and environmental assessments for associated projects on behalf of the City; and

WHEREAS, the City provided notice of the Planning Commission hearing as required by law; and

WHEREAS, the Planning Commission received and reviewed DP 17-03, UP 17-05, and EA 17-10 at a duly noticed meeting on November 28, 2018; and

WHEREAS, a public hearing was held, and the public was provided an opportunity to comment on DP 17-03, UP 17-05, and EA 17-10; and

WHEREAS, public testimony and evidence, both written and oral, was considered by the Planning Commission; and

WHEREAS, as part of this review, the Planning Commission also conducted an assessment of the proposed project as required by CEQA; and

WHEREAS, after considering all public testimony and receiving information provided to date, the Planning Commission closed public testimony and granted, with modified conditions of approval, DP 17-03 and UP 17-05, as well as EA 17-10; and

WHEREAS, said adoption also included approval of a subsequent Mitigated Negative Declaration to the 2014 MND and its initial study (Subsequent MND) for the project, consistent with CEQA Guidelines section 15162, as set forth in EA 17-10; and

WHEREAS, on December 7, 2018, an appeal of the Planning Commission's action on approving the project was timely made on behalf of "Stop the Dump" and received by the City Clerk's office; and

WHEREAS, the City provided notice of the City Council hearing on the appeal as required by law; and

WHEREAS, on January 15, 2019, the City Council received and reviewed the appeals of the Planning Commission's decision granting UP 17-05 and EA 17-10 at a duly noticed meeting; and

WHEREAS, a public hearing was held, and the public was provided an opportunity to comment on the appeal of the Planning Commission decision; and

WHEREAS, public testimony and evidence, both written and oral, was considered by the City Council; and

WHEREAS, after considering all public testimony and receiving information provided to date, the City Council closed public testimony and deliberated on the appeal based on the evidence in the administrative record; and

WHEREAS, after consideration of public testimony and information in the record, the City Council determined that after including the modified Conditions of Approval as supported by Appellant Stop the Dump, and accepted by applicant Recycling Industries, there was substantial evidence in the record that the UP complied with the City's Municipal Code and that there was no evidence of new significant environmental effects, as documented in the Subsequent MND; and

WHEREAS, the City Council continued consideration of the appeal and project until the next regularly scheduled City Council meeting, so as to also concurrently consider the appeal of DP 17-03 regarding the Project; and

WHEREAS, on February 5, 2019, the City Council held a duly-noticed hearing to consider the appeal of DP 17-03, UP 17-05, and EA 17-10; and

WHEREAS, a public hearing was held, all documents and comments from the January 15, 2019, were incorporated into the record, and the public was provided an opportunity to comment on the appeal and the project; and

WHEREAS, after considering all public testimony and receiving information provided to date, the City Council closed the public hearing and deliberated on the appeal based on the evidence in the administrative record; and

WHEREAS, after consideration of said public testimony and information in the record, the City Council determined that there was substantial evidence in the record that the project complied with the City's Municipal Code and requirements for issuance of a Development Permit and User Permit for the operations as proposed; and

WHEREAS, the City Council did not find any substantial evidence in the record that DP 17-03 or UP 17-05 failed to comply with specific requirements of the City's Municipal Code as applicable, or which would require overturning the Planning Commission decision and denial of either DP 17-03 or UP 17-05; and

WHEREAS, the City Council also determined that the proposed project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines, and with the mitigation imposed, there is no substantial evidence in the record that this project will have any direct, indirect or cumulative significant effects on the environment; and

WHEREAS, the City Council now desires to deny the appeal and uphold the decision of the Planning Commission to approve DP 17-03, UP 17-05, and EA 17-10 as further conditioned; and

WHEREAS, the City Council desires to approve and adopt Environmental Assessment No. 17-10 (Subsequent Mitigated Negative Declaration), Development Permit No. 17-03, and Use Permit No. 17-05, as further conditioned.

BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF YUBA CITY AS FOLLOWS:

Section 1. Recitals. The City Council finds that all of the facts set forth in the recitals above of this Resolution are true and correct and incorporated herein.

Section 2. Administrative Record. The proceedings and all evidence introduced before the Planning Commission at the public hearing, including staff reports, attachments, and presentations, are hereby incorporated into the record of this proceeding. These documents, along with any staff reports, documents, testimony or evidence submitted to the City Council, including all documents specified under applicable State law including Public Resources Code section 21167.6(e), shall comprise the entire record of proceedings for any claims under CEQA.

Section 3. CEQA Findings.

- A. Subsequent MND. Pursuant to the authority and criteria contained in CEQA, the City, as the Lead Agency, has analyzed the proposed project and has prepared a Subsequent MND to the approved 2014 MND in order to evaluate the changes to the previously-approved project proposed by DP 17-03 and UP 17-05, (the foregoing collectively referred to herein as the proposed modified project) and to determine whether substantial changes in circumstances surrounding the property and the approved project per UP 12-10 (if any), and new information of substantial importance (if any), require further analysis under CEQA. The City Council also finds:
- i. No substantial changes are proposed in the project that will require major revisions of the 2014 MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
 - ii. No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
 - iii. There is no new information, which was not known and could not have been known at the time of the 2014 MND that the project will have significant effect not discussed in the 2014 MND.

The City Council has fully considered the original MND and the Subsequent MND, and finds that DP 17-03 and UP 17-05 are consistent with, and have been fully assessed by, the Subsequent MND, and that DP 17-03 and UP 17-05 are permits anticipated for the proposed modified project in the Subsequent MND, and are consistent with the purpose and intent of the Subsequent MND, and that the approval of EA 17-10 regarding said Subsequent MND by the Planning Commission was likewise consistent and appropriate. In this regard, based on the Council's independent judgement and analysis and record before it, the Council additionally finds as follows:

- i. The Subsequent MND reflects the Council's independent judgement and analysis;
- ii. The project mitigation -imposed, as described in the Initial Study and supporting documents, will avoid any potentially significant effects to a point where no significant adverse impact on the environment will occur, and there is no substantial evidence in the record that this project may have any direct, indirect or cumulative effects on the environment that are potentially significant and adverse.
- iii. The proposed project, as modified after the appeal, will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines.
- iv. The mitigation measures described and specifically identified in the Mitigation Monitoring and Reporting Program are feasible and shall become binding upon the entity (such as the project applicant or the City) assigned thereby to implement the particular mitigation measures as identified in the Mitigation Monitoring and Reporting Program.

The City Council finds and determines that there is substantial evidence in the administrative record to support the Planning Commission determination that the project has been adequately environmentally assessed as required by CEQA per EA 17-10. Additionally, the City Council also finds and determines that in light of the entire

administrative record and the substantial evidence before it, the project has been adequately environmentally assessed as required by CEQA per EA 17-10.

- B. Findings Regarding Recirculation: The Council further finds recirculation is not required by CEQA as the Development Plan, Use Permit and conditions approved were more – not less – stringent than those analyzed in the Subsequent MND, and were not mitigation measures or project revisions added to reduce a new, avoidable significant effect to insignificance. Further, the Planning Commission did not add these conditions of approval after determining that mitigation measures in the Subsequent MND were inadequate to ensure effects would be less than significant.

The project description originally utilized for the environmental document was based on the applicant's request. The environmental document analyzed that request and found that, with mitigation measures imposed, there were no potentially significant environmental impacts associated with the proposed expansion. While a reduced, smaller project than originally proposed was approved by the Commission, such reductions would serve to likewise reduce – not increase – impacts that were already less than significant with mitigation imposed.

The CEQA Guidelines explain that recirculation of a negative declaration is required if the negative declaration has been “substantially revised after public notice of its availability.” (14 C.C.R., § 15073.5(a).) The Guidelines expand on this language, explaining that:

- (b) A “substantial revision” of the negative declaration shall mean:
 - (1) A new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or
 - (2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.
- (c) Recirculation is not required under the following circumstances:
 - (1) Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.
 - (2) New project revisions are added in response to written or verbal comments on the project's effects identified in the proposed negative declaration which are not new avoidable significant effects.
 - (3) Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect.
 - (4) New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.

The Commission added multiple conditions of approval for the project at the hearing below. Notably, none of the Commission's conditions of approval were mitigation measures or project revisions added to reduce a new, avoidable significant effect to insignificance. Further, the Planning Commission did not add these conditions of approval after determining that mitigation measures in the Subsequent MND were inadequate to ensure effects would be less than significant. That is, the Planning Commission did not identify any new significant effects that required new mitigation measures or project revisions or determine that proposed mitigation was inadequate, and no changes the Subsequent MND were made or warranted.

As explained in the Subsequent MND, and as the Council finds, all environmental effects would be less than significant after incorporation of mitigation proposed in the Subsequent MND, as the project is currently conditioned by the City Council. The additional conditions of approval required by the Planning Commission will further reduce environmental effects, but no further mitigation was required by CEQA. Thus, the Planning Commission's incorporation of conditions of approval is consistent with the text in the CEQA Guidelines, explaining that recirculation is not required when: "Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect." (14 C.C.R., § 15073.5(c)(3).) Thus, the Planning Commission's conditions of approval (and corresponding changes to the project description) do not meet the definition of a "substantial revision" as found in the CEQA Guidelines, and the City Council finds that recirculation was and is not required.

Likewise, with regard to the conditions of approval further modified by the City Council, the Council further finds recirculation is not required by CEQA as the Development Plan, Use Permit and conditions approved were more – not less - stringent than those analyzed in the Subsequent MND, and were not mitigation measures or project revisions added to reduce a new, avoidable significant effect to insignificance. Further, the City Council has not added these conditions of approval after determining that mitigation measures in the Subsequent MND were inadequate to ensure effects would be less than significant. As such, and consistent with the analysis as noted above and the record as a whole, the City Council finds that recirculation is not required.

Section 4. Adoption of Subsequent MND and Mitigation Monitoring and Reporting Program. Based on the foregoing, the City Council hereby adopts the Subsequent Mitigated Negative Declaration (EA 17-10) for the project, including the associated mitigation monitoring and reporting program, as the project will not result in any significant, adverse, environmental impacts with the mitigation imposed. The Department of Development Services located at Yuba City Hall at 1201 Civic Center Blvd., Yuba City, CA 95993 shall serve as the custodian of all documents or other material which constitutes the record of proceedings upon which the Council's adoption of this Subsequent Mitigated Negative Declaration is based. The Council authorizes and directs the Director of the Department of Development Services, or designee, to execute and file with the Sutter County Clerk, a Notice of Determination for the approval of the project that complies with the CEQA Guidelines.

Section 5. Findings Regarding UP. The City Council finds and determines that there is substantial evidence in the administrative record to support the City Council's review of the Planning Commission's adoption of revised conditions, as further amended by the City Council, as conditioned, is consistent with the requirements of the Municipal Code requirements applicable to the UP. Additionally, the City Council also finds and determines that there is substantial evidence in the entire administrative record that the UP, as conditioned, is consistent with the requirements of the Municipal Code requirements applicable to the UP. The City Council further approves, accepts as its own, incorporates as if set forth in full herein, and makes each and every one of the findings, based on the evidence in the record, as follows:

A. The proposal is consistent with the General Plan.

Basis for Finding: The property is zoned Industrial District (M-2) which is consistent with the existing General Plan designation of Manufacturing, Processing, and Warehousing.

The M-2 district permits recycling and collection facilities (including a LVTS) subject to the issuance of a Use Permit by the Commission.

- B. 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 the Municipal Code.

Basis for Finding: Under the revised project, the site has been increased from three to four acres. The expanded site will allow improved circulation and queuing, and will be adequate to accommodate the proposed LVTS facility and related operations. The proposed site plan is in conformance with the Zoning Regulations with perimeter landscaping and fencing, and will include the necessary site improvements to allow for a safe and efficient operation. Utilized areas of the site will be paved, directional signage will be provided, and stormwater runoff will be controlled. Truck loading docks will be provided to allow efficient transfer of material and prevent potential impacts to off-site circulation. The proposed flow of vehicle and truck traffic entering and exiting the site will minimize the potential for vehicular conflicts while allowing for a safe and efficient flow of traffic and facility use. The site has sufficient on-site space to prevent trucks from queuing on the public right-of-way in the event of a surge of visiting trucks to the site. 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 Transfer/Processing Report document and will employ spotters to direct traffic. This will ensure that during material receiving hours, facility personnel will monitor and direct incoming traffic.

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

Basis for Finding: The applicant is proposing to expand the facility from 100 tons per day (TPD) to a 300 TPD, however the Planning Commission, and City Council on appeal, have limited the maximum to 100 TPD. Regardless, traffic will increase in comparison to what exists today, however this increase was previously assessed per the 2014 MND for UP 12-01.

Estimated truck activity and employee travel associated with the project will occur while the facility is open from to refuse/waste from 7 a.m. – 5 p.m., Monday through Saturday with ancillary operations from 6 a.m. – 9 p.m., Monday through Saturday

Truck activity is expected to be relatively uniform across that period, but somewhat less truck travel is expected in the evening as the plant begins to wind down for the day.

- The project, as modified, will not reach the City's significance threshold. D. The site design and size and design of the buildings will complement neighboring facilities.

Basis for Finding: The design of the site meets the requirements of the Zoning Regulations relative to the provision of adequate parking and shading and buffer landscaping. The applicant is proposing to construct a new 21,600 sf transfer/processing building. The proposed building will be similar in size and design to the buildings built immediately to the south. The proposed building will be compatible with other nearby industrial buildings 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.

- E. 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.

Basis for Finding: The project site is suited for a LVTS. The surrounding uses are industrial in nature, while the nearest homes are located approximately 1,900 lineal feet from the site, thus the operation of the LVTS facility will not be detrimental or injurious to property or improvements in the neighborhood. As detailed in the Subsequent MND and the Transfer Processing Report (TPR), 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:

- i. Station 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.
- ii. Records and Reporting Plan which addresses the types of on-going reporting required for the operation of the LVTS. This includes:
 - 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 the project is considered a Large Volume Transfer Station, the County of Yuba Environmental Management Department, Environmental Health Division (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 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.

- F. The application satisfies at least one of the findings found in Title 6, Chapter 9, Article 6 of the Municipal Code.

Basis for Finding. Municipal Code Section 6-9.602. - Permits and entitlements, identifies findings including:

(a)The facilities of the State plan of flood control or other flood management facilities protect the property to the urban level of flood protection in urban and urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in

nonurbanized areas;

(b) The City has imposed conditions on the permit or discretionary entitlement that will protect the project to the urban level of flood protection in urban and urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas;

(c) The local flood management agency has made adequate progress (as defined in California Government Code § 65007) on the construction of a flood protection by 2025 system that will result in flood protection equal to or greater than the urban level of flood protection in urban or urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas for property located within a flood hazard zone, intended to be protected by the system;

(d) The property in an undetermined risk area has met the urban level of flood protection based on substantial evidence in the record;

(e) The property is located in an area of potential flooding of three feet or less from sources other than local drainage or potential flooding from local drainage that meets the criteria of the national Federal Emergency Management Agency standard of flood protection; or

(f) The property is located within a watershed with a contributing area of ten or fewer square miles, as determined by the City.

This project complies with this finding as the Sutter Butte Flood Control Agency (SBFCA) is the "Local Flood Management Agency" for the Sutter-Butte Basin and as such, has the responsibility to prepare an annual report demonstrating adequate progress as defined in California Government Code Section 65007(a). SBFCA has prepared Adequate Progress Report Updates for ULOP and transmitted them to the Central Valley Flood Protection Board.

Section 6. Findings Regarding DP. The City Council finds and determines that there is substantial evidence in the administrative record to support the Planning Commission determination that the DP, as conditioned, is consistent with the requirements of the Municipal Code requirements applicable to the DP. Additionally, the City Council also finds and determines that there is substantial evidence in the entire administrative record that the DP, as conditioned, is consistent with the requirements of the Municipal Code requirements applicable to the DP. The City Council further approves, accepts as its own, incorporates as if set forth in full herein, and makes each and every one of the findings, based on the evidence in the record, as follows:

- A. 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 the Municipal Code.

Basis for Finding: See Basis for Finding in Section 5(B), which is incorporated herein as if set forth in full.

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

Basis for Finding: See Basis for Finding in Section 5(C), which is incorporated herein as if set forth in full.

- C. The site design and size and design of the buildings will complement neighboring

facilities.

Basis for Finding: See Basis for Finding in Section 5(D), which is incorporated herein as if set forth in full.

- D. The application satisfies at least one of the findings found in Title 6, Chapter 9, Article 6 of the Municipal Code.

Basis for Finding: See Basis for Finding in Section 5(F), which is incorporated herein as if set forth in full.

Section 7. Appeal Denied. For all the foregoing reasons, and each of them, the City Council finds that there was no substantial evidence submitted into the administrative record that would warrant denial of either the DP or UP, including the CEQA for the project, as conditioned during the public hearing and appeal process. As such, the appeal is denied in its entirety.

Section 8. Use Permit Approved. For all the foregoing reasons, and each of them, the City Council upholds, after adding addition conditions, the Planning Commission approval of Use Permit 17-05, as further conditioned by the City Council. Further, for all of the foregoing reasons and based upon the substantial evidence in the record before it, and given that after the conditions and restrictions added by the Planning Commission and after the appeal, there is no substantial evidence in the administrative record that would warrant denial, the City Council also independently approves Use Permit 17-05 as further conditioned by the City Council as set forth in Exhibit "A."

Section 9. Development Permit Approved. For all the foregoing reasons, and each of them, the City Council upholds the Planning Commission approval of Development Permit 17-03, as further conditioned by the City Council. Further, for all of the foregoing reasons and based upon the substantial evidence in the record before it, and given that there is no substantial evidence in the administrative record that would warrant denial, the City Council also independently approves Development Permit 17-03 as further conditioned as set forth in Exhibit "A."

Section 10. Effective Date. This Resolution shall become effective immediately.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 5th day of February, 2019.

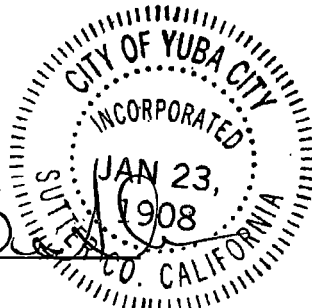
AYES: Councilmember Boomgaarden, Cardoza, Espindola, Shaw and Mayor Harris

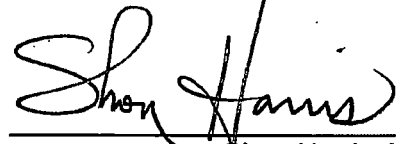
NOES: None

ABSENT: None

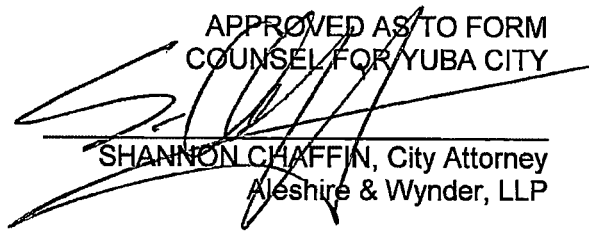
ATTEST:

Patricia Buckland, City Clerk




Shon Harris, Mayor

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY



SHANNON CHAFFIN, City Attorney
Aleshire & Wynder, LLP

EXHIBIT A CONDITIONS OF APPROVAL

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."
 - a. Insurance – Applicant shall, at a minimum, provide, pay for, and maintain in force at all times during the term of this use under this entitlement adequate insurance for the proposed project as deemed necessary by a third-party waste management field expert as chosen by the Applicant. Any fee incurred by the City to receive the third-party recommendation will be paid by Applicant within 30 days. Such policy or policies shall be without any deductible amount (except as may be expressly authorized by the City), and shall be issued by companies authorized to do business in the state of California shall specifically protect City by naming City as additional insureds on the policies. The Applicant shall forward to the City updated certificates of insurance and endorsement(s) when policies are renewed or changed. The insurance required shall not be interpreted to relieve the Applicant of any other obligations or conditions of approval. The Applicant shall remain fully liable for all deductibles and amounts in excess of the coverage actually realized.
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.
 - a. Applicant will maintain logs showing location of waste received and shipped and provide copies of such logs once every ninety days to City.
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. Green Waste 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 City standards, said noise levels shall be reduced to acceptable levels within 24-hours. Noise levels shall not exceed City standards as measured at the property line.

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 stormwater system. City-approved industrial cleaning facilities shall be specified as approved locations for washing, if such cleaning facilities are incorporated within City limits

Queuing:

19. All queuing of vehicles must be maintained on the Applicant's property. All employee vehicles must be parked on the Applicant's property.

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. "Public right of way" shall include Epley Drive, Garden Highway, Putman Avenue, Burns Drive, Hasset Avenue, and any alleys over which a public right of way has been retained.

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. During construction, contractor vehicles must be parked on Applicant's property, except to the extent to accommodate concrete, paving and asphalt work occurring on the property. Such work will be completed within 60 days, unless expressly approved by the Public Works director..

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 shall periodically publish these laws and operation hours in mailings postings, pamphlets or any advertisement, electronic or otherwise.
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. Prior to use of the new building, 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 technical amendments to the project Transfer Processing Report that do

not alter any Conditions of Approval, as necessary to accommodate final approval from the State of California.

- b. Any requests for modifications must be submitted to City Council for approval, if consistent with City Ordinances then in effect. Authorize the Community Development Director (or his designee) to provide all necessary approvals, which do not modify the conditions, 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. Prior to the issuance of a building permit, 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. Prior to obtaining final occupancy approval, 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.
- 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.

Additional Conditions

59. PROJECT DEADLINES: To prove good faith in completing this project in a timely manner, and to acknowledge that time is of the essence, the applicant must commence construction by March 31, 2020, and be substantially complete within 18 months of commencement. Failure to comply with either deadline will void modification of this Use Permit. Substantially complete is defined by City Code.

60. FUTURE USE PERMIT MODIFICATIONS AND EXTENSIONS:

- a. Given the repeated extensions of Use Permit 12-01, the City advises the Applicant future attempted modifications of this Use Permit will be, if consistent with City Ordinances then in effect, submitted to the City Council for review.
- b. Additionally, if the Applicant fails to meet project deadlines outlined in Condition 59, the previous Use Permit 12-01 will not be eligible for extension and will expire if not effectuated.
- c. City staff must notify Stop the Dump of the receipt of any applications for modification of this Use Permit when received and afford STD a minimum of 20 days to respond and request the opportunity to reply. Notice is presumed to have been properly provided to STD if mailed, emailed, faxed, or personally delivered to:

Bridgit Barnes, Esq.
Brigit S. Barnes & Associates, Inc.

3262 Penryn Road, Suite 200
Loomis, CA 95650
Tel: 916-660-9555
Fax: 916-660-9554
Email: bsbarnes@landlawbybarnes.com

Attachment 7

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY DENYING
AMENDMENTS TO USE PERMIT NO. 17-05 AND DEVELOPMENT PLAN NO. 17-03 FOR
RECYCLING INDUSTRIES; LOCATED AT 310 EPLY DRIVE, ASSESSOR'S PARCEL 54-
083-026**

WHEREAS, Recycling Industries (Applicant) currently operates a recycling center ("Facility") under Use Permit (UP) 07-05 and Development Permit (DP) 17-05 at 140 Epley Drive; and

WHEREAS, in 2014, the City approved Use Permit (UP) 12-01, which allowed the applicant to convert its recycling center into a Large Volume Transfer Station (LVTS); and

WHEREAS, the City provided notice of the City Council hearing on the appeal as required by law; and

WHEREAS, on January 15, 2019 at a duly noticed meeting, on appeal from Planning Commission. the City Council conditionally approved UP 17-05 and EA 17-10, subsequent Mitigated Negative Declaration, to modify the project approved with UP 12-01, with the following key limitations:

- a. Continue to limit maximum throughput to 100 Tons per Day (TPD) where the Applicant requested 300 TPD (Condition 3).
- b. Restricted to accepting waste generated only from Sutter and Yuba Counties (Condition 4).
- c. Continue to limit putrescible waste material to 10 percent where the Applicant requested no threshold (Condition 5).
- d. Continue to prohibit packer trucks (garbage trucks) where the Applicant requested that packer trucks with side, front or rear loaders be allowed (Condition 10).
- e. Project site expanded from three to four acres.
- f. Relocate an existing 1,800 square foot (sf) metal building.
- g. Expand transfer and processing building from 18,000 sf to 21,600 sf.
- h. Limit tire storage to a 40-yard bin (Condition 7).
- i. Prohibit operations on Sunday (Condition 12).
- j. Require future project modifications be submitted to the City Council for Review (Condition 60).
- k. Notify project opponents (Stop the Dump) of any applications to modify the project (Condition 60).

;("2019 Approval") and

WHEREAS, in July, 2023 Applicant submitted a new application to amend UP 17-05. and DP 17-03 to modify Conditions 3, 4, 5, 7, 10, 12 and 60 established as part of the City Council's 2019 Approval: and,

WHEREAS, these requested modifications to the identified Conditions established in the 2019 Approval would modify the Project's operations as follows:

1. Increase the maximum throughput from 100 TPD to 300 TPD;
2. Allow the facility to receive material from any county or region by removing the restriction on receiving material only from Sutter and Yuba counties;
3. Remove the limitation on the amount of putrescible waste the facility may accept, currently limited to ten (10) percent;
4. Allow the facility to accept material from packer trucks;
5. Extend the hours of operation and allow for operations on Sunday
6. Remove the limitation on the number of used tires the facility may receive and default to what is permitted under applicable state regulations.

and,

WHEREAS, the Applicant advised the City that all of the proposed modifications to the identified conditions were environmentally assessed in the subsequent Mitigated Negative Declaration the City Council adopted on January 15, 2019, and that no additional environmental analysis was required; and,

WHEREAS, at its December 19, 2023, City Council Meeting, the City Council approved use of the alternative review process for this proposed use permit and development plan amendment as provided for in Municipal Code Section 8-5.7001(d) and 8-5.7003(f); and,

WHEREAS, staff has reviewed the subsequent Mitigated Negative Declaration the City Council adopted on January 15, 2019, and has determined it did not analyze the potential increased truck traffic and noise impacts associated with extending the hours of the facility's operations, allowing for packer trucks to deliver material to the facility, and allowing the facility to accept material from any county or region; and,

WHEREAS, on April 26, 2024, a Notice of Public Hearing before the City Council to consider the requested amendments to UP 17-05 and DP 17-03 was published in the Appeal Democrat newspaper, stating the hearing will take place on May 7, 2024, at 6:00 p.m. or soon thereafter; and,

WHEREAS, on April 19, 2024, the City delivered to the Applicant by email and by placing in the U.S. Mail a letter notifying the Applicant of the City's intent to recommend denial of the application to the City Council; and,

WHEREAS, on April 24, 2024, the City delivered by placement in the U.S. Mail, to the Applicant, a Notice of Public Hearing before the City Council to consider Applicant's requested amendments to UP 17-05 and DP 17-03 on May 7, 2024 at 6:00 p.m. or soon thereafter; and,

WHEREAS, on May 7, 2024, the City Council held public hearing to consider Applicant's requested amendments to UP 17-05 and DP 17-03, and the Applicant and the public were provided an opportunity to comment and present documents, material and other evidence

relevant to the City Council's consideration of Applicant's request for amendments to UP 17-05 and DP 17-03; and,

WHEREAS, at the May 7, 2024 hearing the Applicant and public testimony and evidence, both written and oral, was considered by the City Council; and

WHEREAS, after considering all public testimony and receiving information provided to date, the City Council closed public testimony and deliberated on Applicant's requested amendments to UP 17-05 and DP 17-03 based on the evidence in the administrative record; and,

WHEREAS, the City Council determined the subsequent Mitigated Negative Declaration the City Council adopted on January 15, 2019, did not adequately environmentally assess Applicant's requested amendments to UP 17-05 and DP 17-03 and that subsequent environmental review was required pursuant to CEQA Guidelines, section 15162; and

WHEREAS, the City Council did not find substantial evidence in the record to support several of the findings required to approve the amendments to UP 17-05 and CP 17-03; and

WHEREAS, the City Council desires to deny Applicant's requested amendments to UP 17-05 and DP 17-03.

BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF YUBA CITY AS FOLLOWS:

Section 1. Recitals. The City Council finds that all of the facts set forth in the recitals above of this Resolution are true and correct and incorporated herein.

Section 2. Determination Regarding Adequacy of Environmental Analysis. The City Council determines, based upon the administrative record including the Staff Report to the City Council dated May 7, 2024, that the subsequent Mitigated Negative Declaration adopted on January 15, 2019 fails to adequately assess the potential environmental impacts from the requested amendments to UP 17-05 and DP 17-03 because substantial changes are proposed in the project which will require major revisions to the subsequent Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects and, therefore, subsequent environmental analysis is required, pursuant to CEQA Guidelines, section 15162.

Basis for Determination: Each of the following serve both independently and collectively as grounds for the determination:

The traffic study prepared for the subsequent Mitigated Negative Declaration did not analyze impacts to the State Highway system or in other adjacent communities due to the importation of recyclables from outside the area because the project description contained in the initial study did not contemplate importing recyclables from outside the Yuba City area. Since the adoption of the subsequent Mitigated Negative Declaration for UP 17-05 and DP 17-03, due to a proliferation of commercial trucking activity and the development of areas yards for the parking of commercial trucks and trailers around Yuba City and specifically south of Yuba City, the County of Sutter prepared a report analyzing the cumulative environmental impacts of these yards to the area and this included preparation of a traffic study. That traffic study concluded three of the study intersections (SR 99/Reed, SR 99/Walnut, SR 99/Oswald) that would

foreseeable be used by trucks delivering and removing materials of the facility, already operate below the County's level of service standard. It is reasonably foreseeable the additional truck trips to and from the facility resulting from the expanded operations at the facility would exacerbate these conditions and create traffic safety hazards at these intersections due to the conflicts between trucks and vehicles traveling through these intersections. The subsequent Mitigated Negative Declaration and its supporting traffic study did not analyze this scenario.

Furthermore, in 2023 the Grand Jury determined that "road pavements throughout Yuba City currently require extensive maintenance and refurbishment to sufficiently provide for critical transportation infrastructure." The City confirmed the finding and also determined that non-critical transportation infrastructure such as local residential roads required similar levels of maintenance and refurbishment. The Sutter and Yuba County area, including the City, has also experienced unusually significant amounts of precipitation during the last two years, which has hastened the deterioration of roadway conditions. Fragile roadway infrastructure is disproportionately affected by heavy vehicles such as garbage and packer trucks have much higher ESALs (Equivalent Single Axle Loads) than lighter weight cars, having an exponential, not linear, impact on the asphalt. This can mean that a single packer truck can have several thousand times the impact of a typical car or SUV. As a result, increased truck traffic will exacerbate the already compromised streets, and there is potentially a substantial increase in the severity of previously assessed traffic impacts on public infrastructure. This change in circumstances was not assessed in the subsequent Mitigated Negative Declaration.

In addition to traffic impacts, increasing the permitted amount of allowed tonnage of recyclable materials from 100 TPD to 300 TPD may result in new noise and vibration impacts due to the increased number of truck trips traveling to and from the facility. Defined routes have not been established; however, referring to the road intersections analyzed as part of the projects previous traffic study and the intersection of Lincoln Road and Garden Highway, there is a significant amount of existing developed multifamily housing located along Lincoln Road between State Highway 99 and Garden Highway that is not protected from the impacts of noise by sound walls or other mechanisms. Additionally, there are many locations along Garden Highway and Second Street where existing developed single-family homes are not protected from the impacts of noise by sound walls or other mitigation. Increasing the permitted quantity of allowed recyclables from 100 TPD to 300 TPD may significantly exacerbate noise and vibration impacts due to a significant increase in truck trips traveling to and from the Recycling Industries site.

Next, the subsequent Mitigated Negative Declaration assessed hours and days of operation for the project. However, the changes proposed in the project are for earlier times of operation including operations on Sunday as early as 7:00 a.m., with ancillary outdoor operations starting as early as 6:30 a.m. None of these were assessed by the subsequent Mitigated Negative Declaration. As noted above, there are many locations along Garden Highway and Second Street where existing developed single-family homes are not protected from the impacts of noise by sound walls or other mitigation. Increasing the time of early operations, especially during early morning hours and the weekend, may significantly exacerbate noise and vibration impacts. In turn, these impacts may be further exacerbated due to a significant increase in truck trips traveling to and from the Recycling Industries site and the overall volume being processed at the site. The subsequent Mitigated Negative Declaration and its supporting studies did not analyze this scenario.

Finally, the subsequent Mitigated Negative Declaration assessed impacts, including odor impacts, based upon green waste being removed within 48 hours of acceptance on the site.

The proposed project is proposing to modify the current requirement of green waste being removed within 48 hours to allow for removal at a frequency approved by the local enforcement agency (LEA). This would allow green waste to remain on site longer than 48 hours, which was not a scenario analyzed by the subsequent Mitigated Negative Declaration.

Section 3. Findings Regarding UP. The City Council finds and determines that there is insufficient substantial evidence in the administrative record to support three of the six findings required under Municipal Code, Section 8-5.7003(d), for the proposed expansion as follows:

- A. There is insufficient substantial evidence in the administrative record to support the finding that the site for the proposed use, as amended, is adequate in size and shape to accommodate said use, public access, parking and loading, yards, landscaping, and other features required by the Municipal Code.

Basis for Finding: The Applicant seeks to increase the tonnage of material that can be received per day from 100 to 300 TPD, extend operations to seven days a week from the current six days per week, and eliminate the current limitation on receipt of putrescible materials to ten (10) percent of total daily tonnage received. Since the City Council did not approve any of these requested changes in 2019, it is unclear as to whether serious consideration was given to the potential impacts, and it is unclear whether serious consideration was given as to whether these proposed changes in operations would impact the appropriateness of the size and shape of the site. The Applicant has not provided information specifically addressing this finding in the application package.

- B. There is insufficient evidence in the administrative record to support a finding the streets serving the site are adequate to carry the quantity of traffic generated by the use allowed by the proposed Amendments.

Basis for Finding: Based upon the discussion above regarding the traffic analysis in the traffic study prepared for the Mitigated Negative Declaration, without further analysis regarding the routing and volume of truck traffic associated with the proposed amendments to the use permit, it MND adopted by the City Council in 2019, it is unclear whether the streets serving the site are adequate to carry the increased traffic generated by the proposed significant increase in operations as the MND failed to analyzed truck traffic traveling more regionally from counties other than the counties of Sutter and Yuba. Therefore, there is a lack of substantial evidence to support the making of this finding.

- C. There is insufficient evidence in the administrative record to support the finding that the establishment or operation of the use, as amended, 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.

Basis for Finding: The combined increase in the permitted daily tonnage, elimination of the restriction on putrescible materials, the allowance of deliveries from packer/collection trucks and the extension of operations to seven days a week may result in increased traffic, increases in conflicts between the packer/collection trucks traveling to the site and other traffic as well as the potential for the site to attract materials from locations outside of Sutter and Yuba counties that have not been analyzed. This could result in increased

odors, as well as an increase in the number of trucks traveling two and from the site to remove the increased amount of materials delivered to the site. In addition, the increased traffic and amount of putrescible materials may significantly increase Greenhouse Gas emissions and other criterial pollutants, including diesel particulate matter and other toxic air contaminants that have not been sufficiently analyzed. The GHG and air quality analysis in the 2019 MND fails to analyze the transfer center operations with all of the proposed changes to its operations. Further, these increased facility operations may exacerbate existing noise impacts to residences located along the routes trucks use to access the facility. Finally, given that the impacts of proposed project have not been fully assessed as required by CEQA, there is insufficient evidence in the administrative record that the proposed operation and use will not be detrimental or injurious to the environment, including property and improvements in the neighborhood, as well as to the general welfare of the City and surrounding area.

Section 4. Findings Regarding DP. The City Council finds and determines that there is insufficient evidence in the administrative record to support two of the four findings required under Municipal Code, Section 8-5.7001(c)(4), for the proposed expansion as follows:

- A. There is insufficient evidence to support the finding the site for the proposed use, as amended, is adequate in size and shape to accommodate said use, public access, parking and loading, yards, landscaping, and other features required by the Municipal Code.

Basis for Finding: See Basis for Finding in Section 3(A), which is incorporated herein as if set forth in full.

- B. There is insufficient evidence to support the finding that the streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.

Basis for Finding: See Basis for Finding in Section 3(B), which is incorporated herein as if set forth in full.

Section 5. Amendments to Use Permit No. 17-05 Denied. For all the foregoing reasons, and each of them, the City Council denies the requested amendment of Use Permit 17-05 without prejudice.

Section 6. Amendment to Development Permit No. 17-03 Denied. For all the foregoing reasons, and each of them, the City Council denies the requested amendment to Development Permit 17-03 without prejudice.

Section 7. Effective Date. This Resolution shall become effective immediately.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 7th day of May, 2024.

AYES:
NOES:
ABSENT:

Shon Harris, Mayor

ATTEST:

Ciara Wakefield, City Clerk Administrator

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

SHANNON CHAFFIN, City Attorney
Aleshire & Wynder, LLP

CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Development Services Department
Presentation By: Doug Libby, Deputy Director of Development Services

Summary

Subject: Boat, Trailer, RV Parking Ordinance Update

Recommendation: A. Conduct a Public Hearing; then

B. Introduce an Ordinance of the City Council of the City of Yuba City amending regulations for the parking of boats, trailers, and recreational vehicles in one and two family residential districts by title only and waive the first reading, and approve exemptions pursuant to CEQA Guidelines Section 15061(b)(3) and 15301 (Existing Facilities)

Fiscal Impact: No direct fiscal impact will result from amending the Municipal Code to revise the standards discussed

Purpose:

Consideration to update Section 8-5.6104 of the Yuba City Municipal Code to establish alternative parking standards for boats, utility trailers and recreational vehicles in one and two-family (R-1 and R-2) Zone Districts.

Council's Strategic Goal:

This item is consistent with the Council's Public Safety Strategic Goal because establishing the proposed standards will not jeopardize public safety in the community.

This item could also be considered consistent with the Council's Fiscal Responsibility Strategic Goal. Establishing clear standards for citizens and code enforcement regarding the parking of boats, trailers and RVs will make code enforcement more efficient, effective and assist in operating the City in a more fiscally responsible and responsive manner.

Background:

Staff periodically brings forward recommended code revisions to incorporate statutory changes and other miscellaneous revisions for consideration to keep the Zoning Code contemporary for the City's needs.

Due to comments made by citizens to individual Council members and feedback to Code Enforcement, the parking of boats, trailers, and RVs was discussed at City Council workshops on January 26, 2023,

and September 7, 2023. As a result of Council feedback, staff prepared draft Municipal Code revisions to generally allow the parking of a single boat, trailer, or recreational vehicle (RVs) within front yard areas of one and two-family residentially zoned areas when in compliance with specific standards.

It's important to note the standards proposed apply to the keeping of boats, trailers, and RVs on private property only and do not apply to one of these items being located within a public right-of-way. The City Police Department utilizes Ordinance 911, effective October 7, 1982 and Ordinance 09-95, effective October 19, 1995 for its enforcement efforts within a public right of way that apply to the removal of certain vehicles from a street, non-motorized vehicle parking and the keeping of oversized vehicles. If a person is camping within a public right-of-way, the Police Department utilizes Municipal Code Section 5-23050 (a) (7) to remove them.

On October 3, 2023, the City Council unanimously initiated a Municipal Code Amendment to revise the standards associated with the parking of boats, trailers and RVs within residential front yard areas.

On December 13, 2023, the Planning Commission considered the proposed amendment at a noticed Public Hearing. Notice was advertised in the newspaper and was separately provided to citizens known to code enforcement who could have an interest in this matter. No member of the public was present or spoke at the public hearing. At the conclusion of the public hearing, the Planning Commission recommended an additional standard be added requiring boats, utility trailers, or RVs exceeding 8 feet in height be set back a minimum of 5 feet from adjoining property lines in front yard areas. This recommendation has been incorporated into the proposed Ordinance.

Analysis:

The parking of boats, utility trailers and RVs within front yard areas within one and two-family (R-1 and R-2) zoning districts is not an uncommon sight within the city limits.

Municipal Code Section 8-5.6104 currently requires these items be parked behind the front wall of the residence or, in the case of a corner lot, behind the wall of the residence facing each street right-of-way. Screening to a height of 6-feet from view of the public right-of-way is required. An exception is provided that recreational vehicles used as daily transportation may be parked overnight on recognized parking areas.

The question of “where” to allow parking for these items can be controversial as there are citizens passionate on both sides of this issue. Some citizens want the ability to keep a unit at home to reduce storage costs and have ready access to it. Others are equally passionate that units stored in front of homes within one and two-family residential areas result in a cluttered aesthetic look that can reduce property values.

The proposed Ordinance will establish alternate standards in addition to today's requirements:

- Establish new definitions for Recreational Vehicle and Utility Trailer.
- Establish standards providing for the parking of a single boat, trailer, or RV in a front yard area when in conformance with specific criteria. Additionally, there is a provision to park a second item on lots larger than 0.5 acre.
- If a property owner is unable to comply with the proposed standards, they must comply with the

City's existing standards of parking an item behind the front wall of a residence and providing screening to a height of 6-feet from view of the public right-of-way.

- Citizens having two items (i.e. a boat and an RV) would be allowed to park one in the front yard consistent with the new alternate standards and a second item behind the front wall of a residence that is screened to a height of 6-feet from view of the public right-of-way, as they are allowed today.

It is important to recognize the proposed revisions will not, under most circumstances, allow the parking of a larger utility trailer, boat or RV in a driveway. Most homes constructed within the last 30-years or more have a 20± foot-deep front yard setback from the back of sidewalk to a home's attached garage. In this situation, the largest RV that could likely be parked in front of a residential garage is a unit that is approximately 15–16 feet in length. The remaining area will be occupied by the trailer frame, rear bumper, and hitch/tongue of the unit.

Large units will still be required to park within an adequately sized side yard/rear yard and be screened to existing City standards or stored offsite at an approved location.

Providing an opportunity for the parking of a boat, utility trailer, or RV within residential front yard areas, when compliant with specific criteria that does not compromise public safety, could result in code enforcement being more effective because they will spend less time on this issue.

If this Ordinance is introduced at this meeting and adopted at a future City Council meeting, the Ordinance will become effective 30 days after adoption.

As part of bringing this matter forward, a public hearing notice was advertised in the Appeal Democrat newspaper and mailed notice was provided to known persons who may have filed code enforcement complaints, as well as property owners who may be or have been in violation of the current ordinance requirements.

Environmental Considerations:

After reviewing the California Environmental Quality Act (CEQA) and the Guidelines, staff believes this project is covered by the general rule specified at CEQA Guidelines Section 15061(b)(3) and determined with certainty that there is no possibility the proposed update to the Municipal Code would cause a significant adverse effect on the environment. This is because the proposed revisions merely provide for refinements to existing allowed uses and for additional clarity regarding the standards for the parking of boats, utility trailers and recreational vehicles on residential property.

Additionally, this project can also be considered exempt from environmental review pursuant to CEQA Guidelines Section 15301, Existing Facilities. The proposed amendments to the standards for the parking of boats, trailers and RVs could potentially result in minor alterations to existing residences involving negligible or no expansion of the residential use at these existing residences. Additionally, none of the exceptions to this exemption as set forth in CEQA Guideline Section 15300.2 apply and the project does not present an "unusual circumstance."

Fiscal Impact:

No direct fiscal impact will result from amending the Municipal Code to revise the standards regulating the parking of boats, trailers, and RVs. Existing budgeted monies are paying for staff's time to address this item.

Alternatives:

The City Council may decide not to amend the standards regulating the parking of boats, utility trailers, and RVs or may provide alternative guidance to staff concerning this issue.

Recommendations:

A. Conduct a Public Hearing; then

B. Introduce an Ordinance of the City Council of the City of Yuba City amending regulations for the parking of boats, trailers, and recreational vehicles in one and two family residential districts by title only and waive the first reading, and approve exemptions pursuant to CEQA Guidelines Section 15061(b)(3) and 15301 (Existing Facilities).

Attachments:

1. Proposed Ordinance
2. Public Comments Received

Prepared By:

Doug Libby, AICP
Deputy Development Services Director

Submitted By:

Diana Langley
City Manager

ATTACHMENT 1

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AMENDING REGULATIONS FOR THE PARKING OF BOATS, TRAILERS AND
RECREATIONAL VEHICLES IN ONE AND TWO FAMILY RESIDENTIAL
DISTRICTS**

WHEREAS, the City of Yuba City has adopted standards in its Municipal Code for the parking of recreational vehicles in residential areas of the City; and

WHEREAS, the City of Yuba City desires to update these standards to better reflect the desires of the community and to assist code enforcement by having clear standards; and

WHEREAS, the City Council of the City of Yuba City discussed the parking of boats, utility trailers and recreational vehicles at public workshops on January 26, 2023 and September 7, 2023; and

WHEREAS, on October 3, 2023, the City Council of the City of Yuba City unanimously initiated an update to the Municipal Code to revise the standards applicable to the parking of boats, utility trailers and recreational vehicles within one and two-family residential districts;

WHEREAS, the City on December 2, 2023, published a legal notice in compliance with State law concerning the Planning Commission's consideration on December 13, 2023; and

WHEREAS, the Planning Commission considered this ordinance at its meeting on December 13, 2023, and made a recommendation to the City Council.

NOW THEREFORE, the City Council of the City of Yuba City does ordain as follows:

SECTION 1. Recitals. The above recitals are incorporated by reference.

SECTION 2. CEQA. The City Council finds this project is covered by the general rule of California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), and has determined with certainty that there is no possibility that the proposed update to the Municipal Code would cause a significant, adverse, effect on the environment. This is because the proposed update merely provides for refinements to existing allowed uses and for additional clarity regarding the standards for the parking of boats, utility trailers and recreational vehicles on residential property.

Additionally, this project can also be considered exempt from environmental review pursuant to CEQA Guidelines Section 15301, Existing Facilities. The proposed amendments to the standards for the parking of boats, trailers and RVs could potentially result in minor alterations to existing residences involving negligible or no expansion of the residential use at these existing residences. Additionally, none of the exceptions to this exemption as set forth in CEQA Guideline Section 15300.2 apply and the project does not present an "unusual Circumstance."

SECTION 3. Subsection (c) of Section 8-5.6104 of the Yuba City Municipal Code is amended to read in its entirety as follows:

(c) *One- and two-family residential standards.*

- (1) *Parking in yards.* The parking of any vehicles is prohibited in any portion of a required front or street side yard, except on a driveway leading to required parking or to an improved parking space (see Section 8-5.6104(7)). Any driveway leading to a garage, carport or required parking space shall not be less than 20 ft. in length measured from the back of an existing or planned sidewalk.
- (2) *Boat, utility trailer and recreational vehicle parking.* A boat, utility trailer and recreational vehicle may only be parked on the portions of a lot behind the front wall of the residence facing each street or right-of-way. The recreational vehicle shall be screened to a height of 6 ft. from view from any public right-of-way. A recreational vehicle used as daily transportation may be parked overnight on recognized parking areas.
- (3) *Alternative standards.* As an alternative to the requirement of Section 8-5.6104(c)(2), a single trailered boat, utility trailer or recreational vehicle may be parked in the front yard of the residence only when in conformance with all of the following standards:
 - (i) The parking area shall be developed to a similar standard as the existing established driveway (i.e. concrete, asphalt concrete, pavers, or gravel). Strip driveways utilizing concrete, asphalt or pavers may be installed under each wheel from the edge of right-of-way to a designated parking area.
 - (ii) The parking area shall connect with the public right-of-way consistent with City standards under approval of an encroachment permit, if applicable.
 - (iii) New parking areas shall not result in stormwater runoff onto neighboring properties.
 - (iv) Parking areas shall not be located in front of an existing residence's living area and shall occur in front of an existing garage or front side yard area. The parking area shall be approximately perpendicular to the existing street and shall not be angled.
 - (v) A parked recreational vehicle, utility trailer or boat shall be setback a minimum of twelve (12) inches from the back of side walk or edge of the public right-of-way and shall not be artificially raised or angled in order to meet this requirement.
 - (vi) A parked recreational vehicle, utility trailer or boat shall not exceed twelve (12) feet in height.
 - (vii) A recreational vehicle, utility trailer or boat exceeding 8 feet in height shall be setback a minimum of 5 feet from an adjoining side yard property line.

- (viii) Utility connections (electricity, water, wastewater) shall be temporary for servicing only (up to 7-days).
- (iv) Covers shall be fitted and in good order and untorn; tarps are prohibited.
- (x) Parking areas shall be kept free of accumulation of leaves, cobwebs, weeds, or miscellaneous debris.
- (xi) Parking areas shall not create a site distance hazard to neighboring property owners or users of streets or sidewalks.
- (xii) Parking areas shall be maintained so as not to create a public nuisance as defined by this Code.
- (xiii) On lots greater than 0.3 of an acre, alternative parking locations and surfacing may be approved by the Planning Director.
- (xiv) On lots greater than 0.5 of an acre, a second recreational vehicle, utility trailer or boat may be stored within a front yard area and alternative parking locations and surfacing may be approved by the Planning Director.
- (xv) A front fence screening a side or rear yard shall not be removed in order to accommodate a larger boat, utility trailer or recreational vehicle.

SECTION 4. Section 8-5.8046.5 of Article 80 of Chapter 5 of Title 8 of the Yuba City Municipal Code is added to read in its entirety as follows:

Sec. 8-5.8046.5. Recreational Vehicle (RV).

A motor home, converted bus, travel trailer, truck camper or camping trailer, designed for temporary human habitation for recreation or emergency occupancy, which, when transported upon a public roadway, measures 8 feet or less in width and 40 feet or less in length and which is either self-propelled, truck-mounted or permanently towable on the highway without a permit. A recreational vehicle does not include utility trailers.

SECTION 5. Section 8-5.8063.5 of Article 80 of Chapter 5 of Title 8 of the Yuba City Municipal Code is added to read in its entirety as follows:

Sec. 8-5.8063.5. Trailer, Utility. A trailer used for the transportation of the user's personal property, commerce, or designed to be used for transportation of livestock, and does not exceed a gross weight of 10,000 pounds or a manufacturer's gross vehicle weight rating (GVWR) of 10,000 pounds.

SECTION 6. Severability. If any provision(s) of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this ordinance are declared to be severable. The City Council

hereby declares that they would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

SECTION 7. Effective Date. This Ordinance shall be effective on the thirty-first day after its adoption.

This Ordinance was introduced on May 7, 2024, and duly adopted by the City Council of the City of Yuba City at its duly noticed regular meeting _____, by the following vote:

AYES: Council Member(s):
NOES: Council Member(s):
ABSENT: Council Member(s):

Shon Harris, Mayor
City of Yuba City

Attest:

Ciara Wakefield, Deputy City Clerk
City of Yuba City

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

ATTACHMENT 2

November 3, 2023

City of Yuba City
Attn: Ben Moody, Director of Public Works, and Development Services
1201 Civic Center Blvd.
Yuba City, CA 95993

Re: Amending the City's Municipal code on RV, trailers, Boat Parking

This is in reference to the upcoming vote on amending the city's municipal code, which could revise regulations for placing boats, trailers, and RVs in the front yards of residential properties.

Revising this code could cause:

1. Neighborhoods residing in the City of Yuba City to become a cluttered mess.
2. Friction and grief between families that don't own large boats, RVs, or trailers, and between families that have spent thousands of dollars to make room at their homes with the current regulation in place (new fencing, concrete, etc.). If this amendment passes, and families did not need to spend the extra money, it would be unfair to the homeowner, and they should be compensated. In our opinion, this amendment, if passed, would be so disrespectful to our neighbors/neighborhoods.
3. As Mr. Libby stated in the proposed amendment to the code, "you have people passionate who believe that the parking of such units in a front yard creates clutter and a negative aesthetic look in the area and could potentially reduce property values". This statement is true as having a setback requirement of only 1 foot away from the sidewalk will create turmoil in the neighborhood.

Why can't the regulation state that a homeowner that is purchasing a large recreational vehicle or boat show proof to the City or to the DMV when registering it that they have a place to store it, either a rented space or behind a fence at home. I know this is impossible, but just a suggestion.

Personally, we purchased a travel trailer, spent thousands of dollars (\$8,000 to be exact) to install a metal gate, pour concrete to move a shed back to accommodate our trailer to make it legal to store on the side of our home. There is currently a large vessel that blocks the view of our surrounding neighborhood. Although covered, it is still an eyesore. Amending and approving the code will only make our city look horrific, as not all trailers/boats will be stored in front of their homes in a respectful manner not only to their home but to their neighbors and the neighborhood.

During the last flood scare, we evacuated to Lincoln. The City of Lincoln had an ordinance that no one can be parked on the street in the residential area we stayed in after a certain nighttime hour. We all received parking tickets that, after petitioning at the courthouse, were excused due to the circumstances. This ordinance in place truly makes the city look clean and beautiful.

Please vote *NO* and leave the amendment to the city's municipal code as is and enforce the law that all offenders store their boats/RVs/Trailers behind a fence or at a offsite storage facility.

Thank you for allowing me to share my opinion against this upcoming vote.

https://www.appeal-democrat.com/news/yuba-city-addresses-rv-boat-parking-ordinance-lease-financing-approved-by-city-council-for-heavy/article_34eab1d2-6313-11ee-9f0e-1b8808492d7e.html

Yuba City addresses RV, boat parking ordinance; Lease financing approved by city council for heavy equipment vehicles

By Michaela Harris / mharris@appealdemocrat.com
Oct 4, 2023

The Yuba City City Council unanimously approved Tuesday action to initiate an amendment to the city's municipal code, which could revise regulations for placing boats, trailers and RVs on the front yards of residential properties.

Seeing these types of vehicles in front yards or driveways is not uncommon in Yuba City. By amending the city's existing ordinance, officials hope to establish clear parking standards and make code enforcement more efficient and effective.

Currently, Yuba City's municipal code requires that boats, trailers and RVs be parked behind a front wall of a residential property that is at least 6 feet tall. An exception to this rule is RVs that are regularly used for daily transportation can be parked overnight in recognized parking areas.

This topic was previously discussed at city council workshops in January and September this year, Deputy Director of Development Services Doug Libby said. Since then, city staff have prepared draft revisions of the municipal code to allow parking for a single boat, trailer or RV within a front yard area.

"The question of where to allow parking for these items can be controversial because there are people passionate about either side. You have those who want the flexibility to be able to park their unit in their front yard to reduce storage costs and have ready access to it. You also have people equally passionate who believe that the parking of such units in a front yard creates clutter and a negative aesthetic look in the area and could potentially reduce property values," Libby said.

Proposed revisions include developing parking areas to a similar standard as existing driveways. New driveway connections with the public street or right-of-way would be required to meet the city's standards and have an encroachment permit, Libby said.

Parking areas would also take place in front of an existing garage or front side yard area. Parked RVs, trailers and boats would have a setback requirement of at least 1 foot away from the public sidewalk or right-of-way.

Moving forward, city staff will draft an ordinance to be considered by the Planning Commission at a public hearing before being brought back to council. Separate meetings will be held to introduce the ordinance and later vote to adopt it.

Lease financing

As Yuba City continues to replace its fleet of aging vehicles, the Yuba City City Council unanimously approved a \$1 million lease financing agreement with JPMorgan Chase Bank to purchase two dump trucks and an all-terrain fire vehicle.

According to Finance Director Spencer Morrison, this purchase was authorized as part of the city's 2023/24 operating budget. City staff received a quote from PB Loader Corporation for a total net price of \$388,796 for two dump truck vehicles, which will arrive between four to six months of purchase. In addition, the city estimates that the total cost to purchase and equip an all-terrain fire engine will be around \$515,000.

In order to facilitate 10-year lease financing for these vehicles, financial planning company NHA Advisors helped the city establish a competitive bid process and determined that JPMorgan had the best offer with a locked, fixed 3.99% interest rate.

This bid is based on the city utilizing a make-whole call option for the financing, meaning that should city officials elect to prepay the equipment lease financing, the prepayment price would be a function of both the remaining payments and the market interest rates.

City staff are hoping to purchase a BME Targhee standard fire engine, which is currently unavailable due to labor shortages and manufacturing issues. Morrison said that the city will hold funds for a new fire engine in escrow in case a suitable model becomes available.

"Because it's a line of credit, if we don't end up making the purchase of this engine, then the money will either go back to the bank or we might be able to utilize it to pay down the debt," Morrison said.

This financing agreement will give Yuba City a maximum annual debt of \$121,260 per year if officials spend the whole loan amount. During the 10-year term of the lease schedule, the total interest paid will be approximately \$228,000, the city said.

CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Public Works
Presentation By: Joshua Wolffe, Associate Engineer

Summary

Subject: City-County Cooperative Agreement - FY 2023-24 Sutter County Road Overlay Project

Recommendation: Adopt a Resolution authorizing the execution of a Cooperative Agreement with the County of Sutter for the roadway and roadway component improvements associated with the FY 2023-24 Sutter County Road Overlay Project

Fiscal Impact: \$460,052.12 – CIP Account No. 1051 (Road Rehabilitation)
\$400,045.32 – Construction Amount
\$ 60,006.80 – Contingency and Construction Management (15%)

Purpose:

To construct roadway improvements in areas that cross both City and County jurisdictions.

Council Strategic Goal:

This project addresses the Council Strategic Goals, of "Infrastructure." This project will construct improvements on various roadways which have shared boundaries between the City and County.

Background:

In 2023, staff from Sutter County's Engineering Department approached the City regarding a County paving project which would install overlays on roadways that share jurisdictional boundaries with the City. The County desired to coordinate with the City's Engineering staff to construct a project that would benefit both the City and the County. Since the initial discussions, City and County staff have met multiple times to discuss roadway segments, pavement rehabilitation methods, and design standards. Through this process, City staff recommend entering into a Cooperative Agreement with Sutter County, which will allow the County to manage the construction of the projects in cooperation with the City, and facilitate reimbursement for the City's share of the work.

Analysis:

The attached agreement with Sutter County (Attachment 1, Exhibit A) ensures that the City will reimburse the County for all construction items to be installed in City right-of-way by the County's contractor(s). The costs to be reimbursed will be based on the line-item prices given by the lowest responsible bidder and actual materials installed within City right-of-way for the project. Sutter County is

expected to sign the agreement at their May 28th County Board of Supervisors meeting.

Fiscal Impact:

Currently, the total project cost is estimated at \$4,030,481.30, with the City's share of cost being \$400,045.32. An additional \$60,006.80 (15%) is recommended to cover City costs for construction management and contingencies. Actual project cost reimbursements will be paid through CIP Account Number 1051 (Road Rehabilitation). The account currently has approximately \$1.541M available. The County will be reimbursed for the amounts estimated in the background section for the project. Actual dollar amounts may vary slightly based on actual quantities placed in the field during construction.

Alternatives:

Do not enter into the agreement with the County of Sutter. Failure to enter into this agreement would force the County to revise its project to eliminate areas within City right-of-way, resulting in partially paved street segments.

Recommendation:

Adopt a Resolution authorizing the execution of a Cooperative Agreement with the County of Sutter for the roadway and roadway component improvements associated with the FY 2023-24 Sutter County Road Overlay Project

Attachments:

1. Attachment 1 - Resoution - City-County Cooperative Agreement
2. Exhibit A - Draft Cooperative Agreement
3. Exhibit 1 - City-County Paving

Prepared By:

Josh Wolffe
Associate Civil Engineer

Submitted By:

Diana Langley
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING THE EXECUTION OF A COOPERATIVE AGREEMENT WITH THE
COUNTY OF SUTTER FOR ROADWAY AND ROADWAY COMPONENT
IMPROVEMENTS ASSOCIATED WITH THE FY 2023-24 SUTTER COUNTY ROAD
OVERLAY PROJECT**

WHEREAS, through the FY 2023-24 Sutter County Road Overlay Project, the County is constructing improvements to roadway and roadway components on various City roads within City and County right-of-way;

WHEREAS, the City of Yuba City requires a Cooperative Agreement in order to reimburse the County of Sutter for the City's share of cost.

NOW THEREFORE BE IT RESOLVED and ordered by the City Council of the City of Yuba City as follows:

1. The Mayor is hereby authorized and directed to execute on behalf of the City of Yuba City the Cooperative Agreement between the City of Yuba City and the County of Sutter, consistent with the material terms and conditions in the draft agreement attached to this Resolution, and subject to review and approval as to legal form by the City Attorney.
2. A copy of said draft Cooperative Agreement is attached hereto for reference as Attachment A.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 7th day of May 2024.

AYES:

NOES:

ABSENT:

Shon Harris, Mayor

ATTEST:

Ciara Wakefield, City Clerk Administrator

APPROVED AS TO LEGAL FORM
COUNSEL FOR YUBA CITY

Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

Attachment(s):

Exhibit A – (Draft) Cooperative Agreement

COOPERATIVE AGREEMENT ("AGREEMENT")

**BETWEEN
CITY OF YUBA CITY
AND
COUNTY OF SUTTER
FOR THE
FY 2023-24 SUTTER COUNTY ROAD OVERLAY PROJECT**

THIS AGREEMENT is made and entered into this ____ day of _____, 2024, by and between the COUNTY OF SUTTER, a political subdivision of the State of California, hereinafter referred to as "COUNTY", and the CITY OF YUBA CITY, a Municipal Corporation, located in the County of Sutter, State of California, hereinafter referred to as "CITY." CITY and COUNTY are sometimes individually referred to hereinafter as "Party" and collectively as "Parties."

RECITALS:

1. COUNTY and CITY, are authorized to enter into a cooperative agreement for improvements to the roadway and roadway components for County Project No. RR31002412S, FY 2023-24 Sutter County Road Overlay Project, hereinafter referred to as "PROJECT".
2. COUNTY and CITY desire to partner for the improvements to be constructed on: Harding Road between Franklin Road and Cherry Street, Vernon Avenue between Little John Road and Arden Avenue, , Bogue Road between Sanborn Road and Walton Avenue, and South Walton Avenue between 1980 South Walton Road and the southerly City limit by COUNTY through its PROJECT. The PROJECT will include 0.20' HMA overlays with digouts at specified locations, and striping improvements. The CITY has road right-of-way for various portions of the aforementioned roadway segments. The PROJECT layout plan, Exhibit 1, describes the major components of the project and areas of responsibility.
3. CITY will contribute all actual costs for improvements to be constructed in the CITY right-of-way through the PROJECT totaling up to \$400,045.32, plus up to \$60,006.80 for construction management/contingency.
4. COUNTY will contribute all actual costs for improvements to be constructed in the COUNTY right-of-way through the PROJECT up to \$4,082,459.90. The revised total cost to the county is \$4,030,481.30
5. Notwithstanding, COUNTY and CITY acknowledge that the dollar amounts shown in Paragraphs 3 and 4 for PROJECT are based on the quantities from the current engineer's estimate and unit prices from the lowest responsive and responsible bidder that has been awarded the project. Actual dollar amounts will be adjusted as necessary based on actual quantities installed. COUNTY will notify CITY in writing immediately upon determining that any adjustments are necessary.
6. COUNTY and CITY now define in this agreement the terms and conditions of their financial contribution.

COUNTY WILL:

1. Award and administer the construction contract for the PROJECT in accordance with the Public Contract Code, City Contracting Policies and the terms of this Agreement.
2. Require its contractor to obtain a City Encroachment Permit, and oversee the construction and inspect the work in the CITY Right-of-Way for the PROJECT to proceed in a good and workman-like manner.
3. Provide coordination with the CITY and its designated representative for the completion of the PROJECT.

4. Provide Materials Testing for all concrete and asphalt in the CITY Right-of-Way in compliance with the CITY QAP Manual.
5. Change orders for CITY participating work will be considered in the event unanticipated conditions are encountered. All Change Orders for work in the CITY Right-of-Way must be approved by the City Public Works Director or his designated representative prior to work being done. Cost of the Change Order(s) will be paid from the project contingency amount.

CITY WILL:

6. Reimburse COUNTY for CITY's share of the cost of PROJECT. Reimbursement by CITY to COUNTY will be made within 30 days of CITY's receipt of COUNTY's invoice, provided that COUNTY provides evidence reasonably satisfactory to CITY that COUNTY has paid the Construction Amount to the contractor that performed the work for the PROJECT.

Invoices and notices shall be sent to:

Public Works Department – Engineering Division
Josh Wolffe, Associate Civil Engineer
1201 Civic Center Boulevard
Yuba City, CA 95993

7. Provide a contact person for coordinating COUNTY's inspection for the work performed in CITY's Right-of-Way.
8. Provide coordination with COUNTY and its designated representative for the completion of the PROJECT.
9. Provide Change Order review for work in CITY's Right-of-Way so the PROJECT proceeds in a good and workman-like manner.

GENERAL:

1. This Agreement shall be in effect as of the date executed and shall remain in effect until the terms of this Agreement are completed or amended.
2. Modifications or amendments affecting the terms and conditions contained in this Agreement shall be in writing and approved and executed by both parties.
3. This Agreement, all exhibits attached hereto, all other terms or provisions incorporated herein by reference, constitutes the understanding between CITY and COUNTY as to the subject matter contained herein.
4. Neither COUNTY nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority, or jurisdiction conferred upon CITY under this agreement. It is understood and agreed that, CITY will fully defend, indemnify, and save harmless COUNTY and all of its officers and employees from all claims, suits, or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CITY under this agreement.

5. Neither CITY nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by COUNTY under or in connection with any work, authority, or jurisdiction conferred upon COUNTY under this agreement. It is understood and agreed that, COUNTY will fully defend, indemnify, and save harmless CITY and all of its officers and employees from all claims, suits, or actions of every name, kind and description brought forth under, including, but not limited to, tortuous, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by COUNTY under this agreement.

AGREEMENT:

NOW, THEREFORE, in consideration of the mutual promises and covenants made by the Parties and contained herein and other consideration, the value and adequacy of which are hereby acknowledged, the Parties agree as follows:

1. **RECITALS.** The above Recitals are incorporated by reference to the same extent and with the same force and effect as if fully set forth herein and shall constitute a part of this Agreement.

2. **MUTUAL INDEMNIFICATION.** The CITY and COUNTY shall mutually indemnify, protect, defend and hold harmless the other, including their respective managers, officers, directors, members, employees, agents, contractors, partners and lenders, from and against any and all claims, and/or damages, costs, liens, judgments, penalties, permits, reasonable attorneys' and consultant's fees, expenses and/or liabilities arising out of, involving, or in dealing with (1) any act, omission or neglect of the CITY or COUNTY's officers, directors, members, employees, agents, contractors or guests; (2) out of any breach by the CITY or COUNTY in the performance in a timely manner of any obligation to be performed under this Agreement; (3) any acts, omissions or negligence of the CITY or COUNTY or any person or entity claiming through or under CITY or COUNTY, or CITY or COUNTY's agents, employees, contractors, invitees or visitors; (4) any claim arising under the Americans With Disabilities Act of 1990, California Disabled Persons Act and/or similar laws; or (5) any claims and/or liability arising or governed by Workers Compensation law. The foregoing shall include, but not be limited to, all costs of the defense or pursuit of any claim or any action or proceeding involved therein, and whether or not (in the case of claims made against CITY or COUNTY) litigated and/or reduced to judgment. In case any action or proceeding is brought against CITY or COUNTY by reason of any of the foregoing matters, CITY or COUNTY upon notice from the other Party shall defend the same at its expense by counsel reasonably satisfactory to the CITY or COUNTY and the other Party shall cooperate with CITY or COUNTY in such defense. The CITY or COUNTY need not have first paid any such claim in order to be so indemnified. In addition, the CITY OR COUNTY may require CITY or COUNTY to pay the CITY or COUNTY's attorneys' fees and costs in defending against or participating in such claim, action or proceeding if the CITY or COUNTY shall decide, in its exercise of reasonable judgment, it is unsatisfied with the representation of its interest by CITY or COUNTY or its counsel.

The CITY or COUNTY shall not be liable for security, injury or damage to the person or goods, wares, merchandise or other property of CITY or COUNTY, CITY or COUNTY's employees, contractors, invitees, customers, or any other person, whether such damage or injury is caused by or results from fire, earthquake, flood, terrorism, steam, electricity, gas, water or rain, or from the breakage, leakage, obstruction or other any other cause, including the commission of a crime, whether the said injury or damage results from other source or places except if such injury or damage is the result of the gross negligence or willful misconduct of the CITY or COUNTY or the CITY or COUNTY's employees, contractors or agents.

The provisions of this section shall survive the expiration or termination of this Agreement.

3. **ENTIRE AGREEMENT.** This Agreement together with the exhibits hereto, each of which are incorporated herein by this reference, constitutes the entire agreement of the Parties with respect to the subject matter hereof and supersedes all prior oral or written agreements with respect to same.

4. **INTERPRETATION/GOVERNING LAW/VENUE.** This Agreement shall be construed according to its fair meaning and as if prepared by both Parties. This Agreement shall be construed and interpreted in accordance with the laws of the State of California in effect at the time it is recorded. Venue for any action arising out of this Agreement shall be within the California Superior Court, County of Sutter or Federal District Court, Eastern District of California, Sacramento Division.

5. **VOLUNTARY AGREEMENT.** The Parties each represent that they have read this Agreement in full and understand and voluntarily agree to all provisions herein. The Parties further declare that prior to signing this Agreement they each had the opportunity to apprise themselves of relevant information, through sources of their own selection, including consultation with legal counsel of their choosing if desired, in deciding whether to execute this Agreement.

6. **MODIFICATION OR AMENDMENT.** This Agreement may only be amended or modified in writing executed by the CITY and COUNTY and recorded in the public records of Sutter County Records.

7. **OBLIGATION.** Nothing in this Agreement shall obligate or require the Parties to commence any of the projects described, referenced or identified within this Agreement.

8. **ATTORNEY'S FEES.** In the event of any litigation or other legal proceeding including, but not limited to, arbitration or mediation between the Parties arising from this Agreement, the prevailing Party will be entitled to recover, in addition to any other relief awarded or granted, its reasonable costs and expenses (including attorney's fees) incurred in the proceeding.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be duly executed as of the day and year first written above.

CITY OF YUBA CITY, a Municipal Organization

By: _____
Shon Harris, Mayor

ATTEST:

By: _____
Ciara Wakefield, City Clerk Administrator

APPROVED AS TO FORM

By: _____
Shannon L. Chaffin, City Attorney

"CITY"

COUNTY OF SUTTER, a political subdivision of the State of California

By: _____
Neal Hay, Director of Development Services
for the County of Sutter

APPROVED AS TO FORM:

Deputy County Counsel

ATTEST:

Clerk of the Board of Supervisors

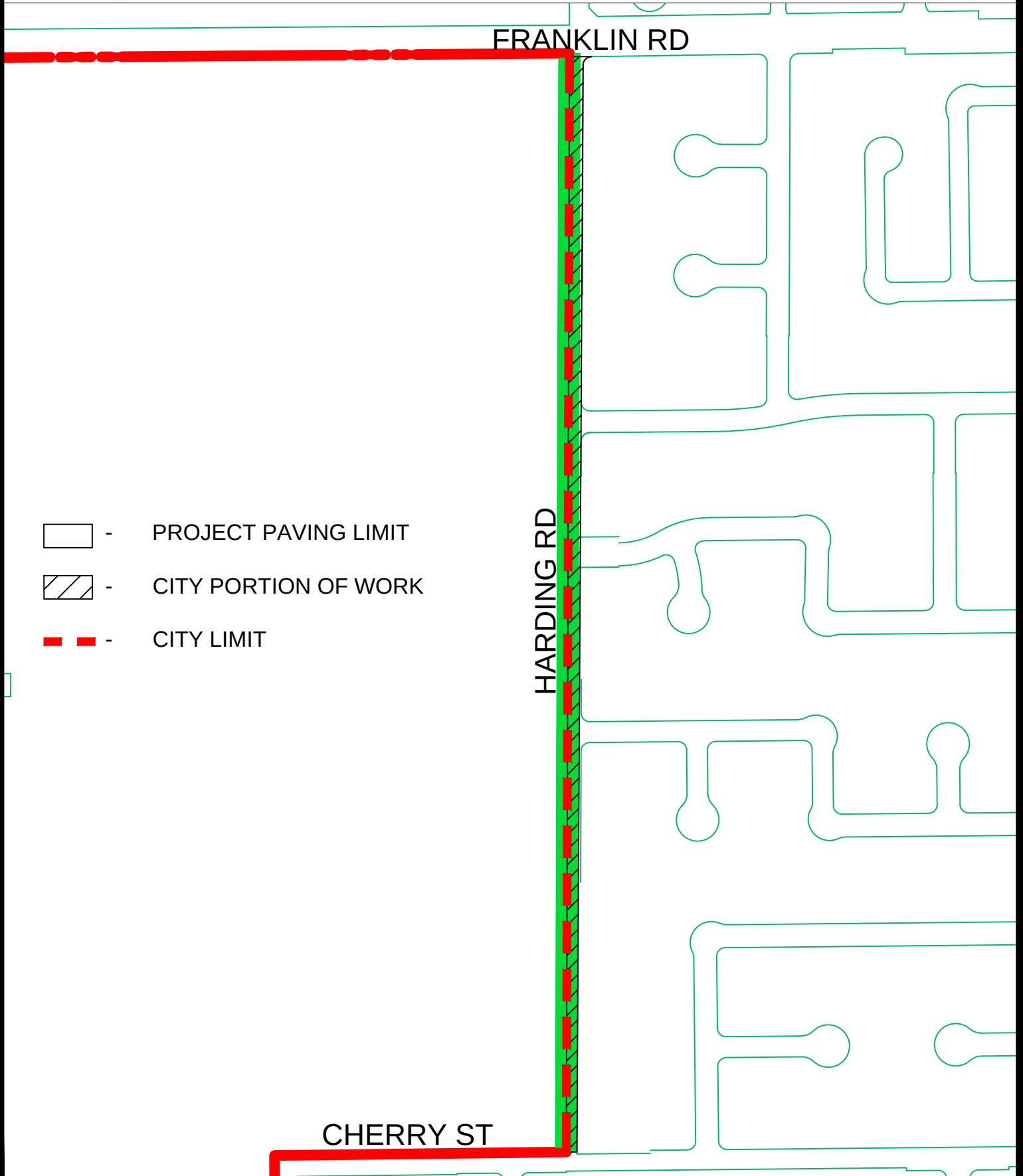
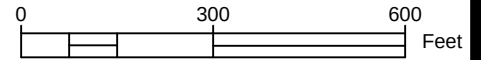
"COUNTY"

EXHIBIT 1



CITY OF YUBA CITY
FY 2023-24 SUTTER COUNTY
ROAD OVERLAY PROJECT

HARDING ROAD EXHIBIT



-  - PROJECT PAVING LIMIT
-  - CITY PORTION OF WORK
-  - CITY LIMIT



CITY OF YUBA CITY
FY 2023-24 SUTTER COUNTY
ROAD OVERLAY PROJECT

VERNON AVE EXHIBIT



LITTLE JOHN RD

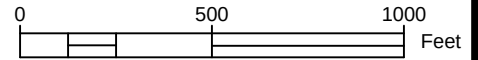
VERNON AVE

-  - PROJECT PAVING LIMIT
-  - CITY PORTION OF WORK
-  - CITY LIMIT



CITY OF YUBA CITY FY 2023-24 SUTTER COUNTY ROAD OVERLAY PROJECT

BOGUE ROAD EXHIBIT



WALTON AVE

BOGUE RD

SANBORN RD

-  - PROJECT PAVING LIMIT
-  - CITY PORTION OF WORK
-  - CITY LIMIT

CITY OF YUBA CITY
STAFF REPORT

Date: May 7, 2024
To: Honorable Mayor & Members of the City Council;
From: Public Works
Presentation By: Joshua Wolffe, Associate Engineer

Summary

Subject: Police Department Evidence Storage Building (1545 Poole Blvd, Yuba City, CA 95993) - Contract Award

Recommendation: Adopt a Resolution which takes the following actions:

A. Awards a construction contract to Frank Webb Construction of Wheatland, CA in the amount of their total base bid of \$797,110.89, and adopts a CEQA Class 3 Categorical Exemption

B. Authorizes the City Manager to execute the contract on behalf of the City, subject to review and approval as to legal form by the City Attorney

C. Authorize the Finance Director to make a supplemental appropriation in the amount of \$155,000.00 from unallocated General Funds to CIP Account No. 901278 (Police Department Evidence Storage Building)

Fiscal Impact: \$925,000 – Account No. 1278 (Police Department Evidence Storage Building)

\$797,110.89 - Contract Award Amount
\$ 79,711.09 - Construction Contingency (10%)
\$ 48,178.02 - Construction Management and Inspection (6%)

Purpose:

To construct a building to handle unmet evidence and bulk storage needs at the Police Department.

Council Strategic Goal:

This project addresses City Council's Strategic Goal of Public Safety, as the construction of the evidence building is essential to the Police Department's operations.

Background:

In December 2017, the plans and specifications for the Police Department Facility Expansion (CIP No. 1238) were approved to provide additional areas for building improvements, parking, and storage at the Police Department. The location to store and protect evidence from environmental contamination was identified and prepared for future build-out.

The new Police Department Evidence Storage Building was designed to include a new building pad, a 40' x 60' climate-controlled metal building on a 6" reinforced concrete slab, four (4) automatic roll-up

doors, two personnel-doors, electrical panels and lighting, two (2) 5-ton heat pumps, an eye-wash station, an interior chain-link fence with a rolling gate, hardscape around the building and ADA compliant access to the accessible parking areas.

Analysis:

The Project was advertised for bids beginning March 15, 2024. On April 9, 2024, four (4) bids were received and opened by the City Clerk Administrator. A list of the bids received, and the Engineer's Estimate are shown below:

Company	Base Bid Amount
Frank Webb Construction, Inc.	\$797,110.89
Hilbers, Inc.	\$808,629.13
D.G. Granade Construction, Inc.	\$811,080.38
ABS Builders, Inc.	\$854,969.71
<i>Engineer's Estimate: \$692,607.00</i>	

Frank Webb Construction, Inc. is the low, responsible, and responsive bidder. Contract administration, construction management, and quality assurance inspection will be performed by Public Works Department and Community Services Department staff. Project construction is expected to begin in late June 2024 and continue through late August 2024.

Since this is an emergency services building, special inspections will be required for certain construction components. The special inspections will be provided by a qualified special inspection firm. Staff is currently developing a Request for Proposals (RFP) to procure a contract with a qualified special inspection firm.

Fiscal Impact:

The estimated total construction cost for the project is approximately \$925,000.00, which consists of the following components:

Construction Contract:	\$797,110.89
Construction Contingency (10%):	\$ 79,711.09
Construction Management and Inspection (6%):	\$ 48,178.02
Total Project Cost:	\$925,000.00

Staff requests a construction contingency of \$79,711.09, which equates to 10% of the construction cost, to ensure that the project will have all necessary funds to complete construction. A portion of contingency funds are anticipated to be used to fund the purchase and installation of storage racking, which was not included in the bid documents, but will be necessary for the facility's functionality. Staff also requests \$48,178.02, which equates to 6% of the construction cost, for construction management and inspection. Construction management, and general inspection will be completed by City staff, though required special inspections will be performed by a qualified firm.

Currently, Capital Improvement Program (CIP) Account No. 1278 (Police Department Evidence Storage Building) has a balance of \$770,000, which is \$155,000 less than what is estimated to be necessary to fund the project. Staff recommends authorizing the Finance Director to make a supplemental appropriation from unallocated General Funds to CIP Account No. 901278-65501. As of 03/31/2024, the unallocated General Fund balance was \$2,677,790.75.

Environmental:

Staff has performed a preliminary environmental assessment of this project and has determined that it

falls within the Class 3 Categorical Exemption set forth in CEQA Guidelines, Section 15303 as this contract is for an accessory (appurtenant) structure at the site. The proposed structure does not exceed 2,500 square feet in floor area, does not involve the use of significant amounts of hazardous materials, and all necessary public services and facilities are available and the surrounding areas are not environmentally sensitive. Furthermore, none of the exceptions to Categorical Exemptions set forth in the California Environmental Quality Act (CEQA) Guidelines, Section 15300.2 apply to this project.

Alternatives:

1. Direct staff to utilize different funding source(s) to fund the project.
2. Reject the bids and do not construct the project. Delays with construction will impact the Police Department's ability to protect various evidence from environmental contamination. Additionally, a majority of the project's funding is through American Rescue Plan Act (ARPA) funds. The ARPA funds must be encumbered no later than December of 2024, therefore if the Council elects to reject the bids, the ARPA funds may need to be reallocated to another eligible project.

Recommendation:

Adopt a Resolution which takes the following actions:

A. Awards a construction contract to Frank Webb Construction of Wheatland, CA in the amount of their total base bid \$797,110.89, and adopts a CEQA Class 3 Categorical Exemption

B. Authorizes the City Manager to execute the contract on behalf of the City, subject to review and approval as to legal form by the City Attorney

C. Authorize the Finance Director to make a supplemental appropriation in the amount of \$155,000.00 from unallocated General Funds to CIP Account No. 901278 (Police Department Evidence Storage Building)

Attachments:

1. Resolution - PD Evidence Building Award
2. Exhibit A - Draft Agreement

Prepared By:
Josh Wolffe
Associate Civil Engineer

Submitted By:
Diana Langley
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AWARDING A CONSTRUCTION CONTRACT TO FRANK WEBB CONSTRUCTION IN THE
AMOUNT OF THEIR TOTAL BID \$797,110.89, AUTHORIZING THE CITY MANAGER TO
EXECUTE THE CONTRACT ON BEHALF OF THE CITY, SUBJECT TO REVIEW AND
APPROVAL AS TO LEGAL FORM BY THE CITY ATTORNEY, AND AUTHORIZING THE
FINANCE DIRECTOR TO MAKE NECESSARY APPROPRIATIONS TO FUND THE POLICE
DEPARTMENT EVIDENCE STORAGE BUILDING PROJECT**

WHEREAS, the City of Yuba City (City) advertised for bids for the City's Police Department Evidence Storage Building Project (Project); and

WHEREAS, in response to the advertisement, the City received four (4) bids for the Project in the following bid amounts:

Frank Webb Construction	\$797,110.89
Hilbers, Inc.	\$808,629.13
D.G. Granade Construction, Inc.	\$811,080.38
ABS Builders, Inc.	\$854,949.71; and

WHEREAS, the City Public Works Department has reviewed the four (4) bids, and examined Frank Webb Construction and its bid response, found it to be both the lowest qualified responsive and responsible bidder, and has recommended it for award of this project; and

WHEREAS, the City desires to award the bid to Frank Webb Construction and enter into an agreement with Frank Webb Construction to construct the Project.

NOW, THEREFORE, be it resolved by the City Council of the City of Yuba City as follows:

1. The City Council finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.
2. The City has performed a preliminary environmental assessment of this project and the City Council determines that this project is subject to a Class 3 Categorical Exemption set forth in CEQA Guidelines, Section 15303, as this project is for an accessory (appurtenant) structure at this site. The proposed structure does not exceed 2,500 square feet in floor area, does not involve the use of significant amounts of hazardous materials, and all necessary public services and facilities are available and the surrounding areas are not environmentally sensitive. Furthermore, none of the exceptions to Categorical Exemptions set forth in the California Environmental Quality Act (CEQA) Guidelines, Section 15300.2 apply to this project.
3. The City Council of the City of Yuba City does hereby accept the four (4) bids received as noted above, finds that Frank Webb Construction is the lowest responsive and responsible bidder, and awards the construction contract to Frank Webb Construction in the total amount bid of \$797,110.89 for the Police Department Evidence Storage Building Project. Said contract agreement shall substantially comply with the terms and conditions presented in the draft agreement attached to this Resolution, shall be subjected to review and approval as to legal form by the City Attorney, and the City Manager shall be authorized to execute the same on behalf of the City of Yuba City.

4. The City Council of the City of Yuba City authorizes the Finance Director to make a supplemental appropriation in the amount of \$155,000.00 from unallocated General Funds to CIP Account No. 901278-65501.

5. This Resolution shall become effective immediately.

The foregoing resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 7th day of May, 2024.

AYES:

NOES:

ABSENT:

Shon Harris, Mayor

Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

Attachment(s):

A. Exhibit A – (Draft) Agreement

EXHIBIT A

**CONTRACT AGREEMENT
CONTRACT
FOR THE CONSTRUCTION OF
POLICE DEPARTMENT EVIDENCE STORAGE BUILDING
CONTRACT NO: 1278-CON-24**

THIS AGREEMENT, made and concluded this ____ day of _____ 2024, between the City of Yuba City, party of the first part, and Frank Webb Construction, Inc., Contractor, part of the second part.

ARTICLE I. – WITNESSETH, That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the said party of the first part, and under the conditions expressed in the two bonds, bearing even date with these presents, and hereunto annexed, the said party of the second part agrees with the said party of the first part, at his own proper cost and expense, to do all the work and furnish all the materials, except such as are mentioned in the specifications to be furnished by said party of the first part, necessary to construct and complete in a good, workmanlike and substantial manner and to the satisfaction of the City of Yuba City Public Works Department, the work described in the Special Provisions, Standard Specifications of the State of California Department of Transportation dated 2023, the Standard Plans dated 2023, including any addenda thereto and also in conformance with current Labor Surcharge and Equipment Rental Rates in effect on the date the work is accomplished, which said special provisions, project plans, Standard Plans, Standard Specifications, and Labor Surcharge and Equipment Rental Rates are hereby specially referred to and by such reference made a part hereof.

The special provisions for the work to be done are dated 03/15/2024 and are entitled:

BID BOOK

**NOTICE TO CONTRACTORS
SPECIAL PROVISIONS
PROPOSAL
AND CONTRACT**

FOR

**POLICE DEPARTMENT EVIDENCE STORAGE BUILDING
CONTRACT NO: 1278-CON-24**

The project plans for the work to be done were approved December 19, 2023 and are entitled:

**PROJECT PLANS FOR
POLICE DEPARTMENT EVIDENCE STORAGE BUILDING
CONTRACT NO: 1278-CON-24**

ARTICLE II. – The said party of the first part hereby promises and agrees with the said Contractor to employ, and does hereby employ, the said Contractor to provide the materials and to do the work according to the terms and conditions herein contained and referred to, for the prices hereinafter set forth, and hereby contracts to pay the same at the time, in the manner and upon the conditions herein set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

ARTICLE III. – The State general prevailing wage rates determined by the Director of Industrial Relations are hereby made a part of this contract. It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the bid or proposal of said Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith. When the project is subject to both State and Federal hourly minimum rates for wages and fringe benefits and when the two rates differ for similar kinds of labor, the Contractor shall not pay less than the higher rate.

ARTICLE IV. – By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self-insurance in conformance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

ARTICLE V. – And the said Contractor agrees to receive and accept the following prices as full compensation for furnishing all materials and for doing all the work contemplated and embraced in this agreement; also for all loss or damage, arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the City of Yuba City, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work and for well and faithfully completing the work, and the whole thereof, in the manner and according to the plans and specifications, and the requirements of the Engineer under them, to wit.

Approved as to legal form:

City Attorney
City of Yuba City

CITY OF YUBA CITY

Diana Langley
City Manager

Date

CONTRACTOR

Company Name

Company Address

Phone Number

Signature

Name (Printed)

Title

Date

BID ITEM LIST

Base Bid Schedule					
Bid Item	Item Description	Unit	Quantity	Unit Price	Total Price
1	Mobilization/Demobilization	LS	1	\$34,040.00	\$34,040.00
2	Demolition - Removal of concrete, base rock and AC per plan sheet no. C0-1 "Existing Site Conditions"	LS	1	\$38,758.00	\$38,758.00
3	AC Pavement Restoration	LS	1	\$3,111.00	\$3,111.00
4	Bollard Installation	EA	8	\$1,002.13	\$8,017.04
5	Relocate Water Service Box/Stub Per Plan	LS	1	\$2,502.00	\$2,502.00
6	Storm Drain Piping & Connections for Roof Drains	LS	1	\$2,501.00	\$2,501.00
7	Connect to Existing Sanitary Sewer	LS	1	\$2,300.00	\$2,300.00
8	Exterior Reinforced Concrete (6" Depth, Includes Detectable Warning Surfaces)	SF	1,667	\$38.96	\$64,946.32
9	Concrete Valley Gutter (2-ft wide)	LF	65	\$70.77	\$4,600.05
10	6" Thick Reinforced Concrete Building Slab	SF	2,400	\$32.02	\$76,848.00
11	7.25" Curb on Foundation Perimeter	LF	154	\$66.46	\$10,234.84
12	Metal Building System Purchase and Installation (Includes 3070 exit doors, closer, ADA items, downspouts, gutters)	LS	1	\$183,066.00	\$183,066.00
13	3" Thick insulated metal wall panels (includes Installation)	SF	3,054	\$12.00	\$36,648.00
14	Metal Wall Furring with 3/4" Fire Treated Plywood	SF	152	\$87.07	\$13,234.64
15	6" Thick insulated Metal Roof Panels (Includes Installation)	SF	2,400	\$12.00	\$28,800.00
16	10'-wide × 12' high × 2" Thick Roll-Up Doors	EA	4	\$10,100.00	\$40,400.00
17	8' Tall Interior CL Fencing with 10'-wide Sliding Gate	LS	1	\$11,075.00	\$11,075.00
18	Building Related Lighting and Electrical	LS	1	\$84,410.00	\$84,410.00
19	Building HVAC	LS	1	\$79,985.00	\$79,985.00
20	Plumbing per Plumbing Plan	LS	1	\$51,336.00	\$51,336.00
21	Sign Installation	LS	1	\$4,600.00	\$4,600.00
22	Fire Extinguishers and Cabinets	EA	2	\$1,150.00	\$2,300.00
23	Priming, Painting and Sealing per Plans	LS	1	\$13,398.00	\$13,398.00
Total Contract Amount:				\$797,110.89	

CITY OF YUBA CITY

Future Agenda Items

- Councilmember Boomgaarden
- Councilmember Kirchner
- Councilmember Pasquale
- Vice Mayor Shaw
- Mayor Harris

CITY OF YUBA CITY

Reports and Communications

The following reports and communication items are provided for the Council's information. No action can be taken on items under this section unless the Council agrees to include it on a subsequent agenda

City Manager's Report

CITY OF YUBA CITY

Reports and Communications

The following reports and communication items are provided for the Council's information. No action can be taken on items under this section unless the Council agrees to include it on a subsequent agenda

City Council Reports

- Councilmember Boomgaarden
- Councilmember Kirchner
- Councilmember Pasquale
- Vice Mayor Shaw
- Mayor Harris

Adjournment