

1 preserve valuable marsh-related wildlife habitats. Where feasible, the value of the upland grasslands and
2 cultivated lands as habitat for marsh-related wildlife should be enhances.”

3 71. The Permit misconstrues the existing landfill operations as being allowed in perpetuity and
4 without bounds. It would allow a change in use from existing agricultural and grassland uses to a per-
5 manent landfill use. That interpretation results in the permanent loss of agricultural and upland grassland
6 from a significant and unique portion of the secondary management area of the Suisun Marsh.

7 72. Solano County voters passed Measure E in November, 1984 limiting the importation of
8 out-of-County wastes to 95,000 tons per year, or about 300 tons per day. Measure E was passed by 68.7
9 percent of Solano County voters.

10 73. The expanded Potrero Hills Landfill would receive waste from other counties totaling
11 approximately 2,300-2,400 tons per day. Almost 840,000 tons per year would come to the landfill from
12 other jurisdictions.

13 74. The proposed landfill expansion would accept wastes from up to 28 counties including the
14 Sierra foothill counties and Alameda, Contra Costa, Lake, Marin, Mendocino, Napa, Sacramento, Santa
15 Clara, San Mateo, Solano and Yolo counties.

16 75. The Solano County LPP does not reflect the change in the amounts and source of waste to
17 be dumped at the expanded Potrero Hills Landfill. Furthermore, any change to the LPP allowing waste
18 quantities above 95,000 tons of imported waste to Solano County would be a violation of Measure E.

19 76. Therefore the approval of the marshland development permit by Solano County was a
20 prejudicial abuse of discretion in that the County did not proceeded in the manner required by law.

21 77. By increasing the volume of imported solid waste to total almost 10 times the amount
22 originally permitted at the site, the Permit would have significant adverse ecological and aesthetic
23 impacts on the Marsh, including those impacts to aesthetics, species habitat, water resources and creeks
24 discussion herein.

25 78. Therefore, approval of the Permit by the BCDC was a prejudicial abuse of discretion in
26 that BCDC and the County have not proceeded in the manner required by law, the decision is not
27 supported by the findings, and the findings are not supported by the evidence.

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THIRD CAUSE OF ACTION

Improper Approval of Aesthetic and Ecological Impacts

79. Petitioner incorporates all previous allegations as if fully set forth, and for a third cause of action alleges as follows:

80. The Marsh Act, SMPP and the LPP require that the construction and operation of solid waste facilities in the Potrero Hills “not have significant adverse ecological impacts or aesthetic impacts on the Marsh.” (PRC §29409 of the Marsh Act, Policy 7 of the Utilities, Facilities and Transportation of the SMPP, and Policy 4 of the Utilities, Facilities and Transportation section of the LPP).

81. These policies indicate the intent of the Legislature, BCDC and the County to protect the aesthetic qualities of the Marsh and prohibit impacts such as odors, litter, lighting and changes to natural landscape features and topography.

82. The Marsh Act also requires BCDC to “avoid ... a diminished quality of life resulting from the misuse of the marsh” (PRC §29005); calls for the Marsh to be protected from “extensive human intrusion” (§29011) and “degradation by excessive human use” (PRC §29003); and requires the LPP to have enforceable standards to “protect the visual characteristics of the marsh and, where possible, enhance the views of the marsh” (PRC §29401(g)).

83. Therefore, the aesthetic quality of the Marsh, including the secondary management area, is an important component of the preservation of the Marsh, and the LPP policies that protect the Marsh, such as LPP Policy 3 which requires that any change in uses “should be compatible with the preservation of the Marsh and its wildlife resources,” must be read as including the protection of the Marsh’s aesthetic qualities.

84. The above-referenced laws protecting the Marsh do not allow mitigation measures as offsets or compensation for impacts to the ecology and aesthetics of the marsh. The EIR prepared for the project Permit identified 24 significant impacts to the environment.

85. Substantial, even overwhelming evidence exists in the record before BCDC of significant impacts to the marsh qualities protected by the Suisun Marsh Preservation Act. Those impacts are found in the biological opinions prepared by the U.S. Fish & Wildlife Service and the scientific panel appointed by BCDC to study the impacts, in the environmental impact report prepared by the County to

13

PETITION

1 support the project, and in substantial evidence submitted into the records before the BCDC for its
2 decision.

3 86. Those impacts include the following:

4 a. Impacts to Plants and Animals. The EIR identifies uplands grasslands, 13 special-status
5 plants, and 21 special-status species that are known or have the potential to occur in the
6 expansion and surrounding area. Therefore the construction and operation of the new landfill
7 will have an adverse effect on ecology of the marsh.

WJ 8

8 b. Groundwater. The LPP is permissive for the taking of groundwater only for agricultural
9 reasons. There is no provision in the LPP for the taking of groundwater for industrial activities.
10 The construction of new wells and the taking of groundwater for uses such as truck-washing (an
11 activity that is not necessary to the operation of the landfill and which can be performed off-site)
12 and cooling for a proposed power plant will impact groundwater resources.

WJ 13

13 c. Night lighting. New lights added by the project, even if shielded, are an impact that cannot
14 be mitigated. The lights necessary for round-the-clock operation were not envisioned when the
15 Act and the LPP were written; night lights were not necessary when the landfill was a tenth of
16 the proposed size and Solano Garbage Company served just Solano County.

WJ 17

17 ~~8~~ d. Roads. The Permit fails entirely to address roads into the landfill. A bypass road was
18 dropped from earlier versions of the permit. The construction of roads will impact the grasslands
19 and other natural features of the Marsh. The steady stream of truck and other vehicular traffic to
20 and from the expanded landfill will affect the scenic qualities of the Potrero Hills.

WJ 21

21 87. Therefore, approval of the Permit by the BCDC was a prejudicial abuse of discretion in
22 that BCDC and the County have not proceeded in the manner required by law, the decision is not
23 supported by the findings, and the findings are not supported by the evidence.

24
25 FOURTH CAUSE OF ACTION

26 Declaratory Relief

27 88. Petitioner incorporates all previous allegations as if fully set forth, and for a fourth cause of
28 action alleges as follows:

DEC-15-2010 02:52P FROM:

TO: 19169785114

P.2/4



Memorandum

To: Programs & Planning Committee
From: Gary Wolff, Executive Director
By: Meghan Starkey, Senior Program Manager
Date: December 13, 2010
Re: Comments from June Guidotti on Initial Study/Negative Declaration

June Guidotti submitted two letters in response to the Initial Study/Negative Declaration, one dated 12/7/2010 and the other dated 12/13/2010 (both letters are attached). Her concerns primarily involve potential impacts in Solano County, specifically Suisun Marsh, Potrero Hills Landfill and Hay Road Landfill.

In response to the letter dated 12/7/2010 (numbering added):

1. Objection to Policies 2.4.1-2.4.3. *Response:* No specific comments are provided in the objection, so we are unable to provide a specific response.
2. Request that policies 2.5.1 – 2.5.3 (regarding compost objectives) exclude Solano County and specific companies working in Solano County from consideration in meeting this objective. *Response:* We believe it is inappropriate to exclude one county or specific companies. Any potential impacts in Solano County are speculative at this time, and environmental review should happen on a site specific basis.
3. Request that the implementation step for safe capture of landfill gases exclude Solano County. *Response:* Since this implementation step applies only to landfills located in Alameda County, no change is needed.
4. In regards to inter-jurisdictional cooperation changes, statement that other events in Solano County would affect proposed changes. *Response:* The proposed change applies only to Alameda County and government agencies working in Alameda County.

In response to the letter dated 12/13/10:

1. Request that Ms. Guidotti's letters be forwarded to the Committee. *Response:* Letters are attached to this memo.
2. Requested explanation of Appendix X reference in letter from Gary Wolff dated August 14, 2009, which appears in the Initial Study/Negative Declaration. *Response:* The Appendix X referenced in this letter is part of the

*Dec 7, letter
page 29 miscellaneous
policy 3.1, 2*

*capture
for
flares
did not
Respond*

DEC-15-2010 02:53P FROM:

TO:19169785114

P.3/4

1537 Webster Street
Oakland, Ca 94612

Phone: 510-891-6500
Fax: 510- 893-2308

*StopWaste.Org is the
Alameda County
Waste Management
Authority & the
Alameda County
Source Reduction
and Recycling Board
operating as one
public agency.*

Member Agencies

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Berkeley
Dublin
Emeryville
Fremont
Hayward
Livermore
Newark
Oakland
Piedmont
Pleasanton
San Leandro
Union City
Castro Valley
Sanitary District
Oro Loma
Sanitary District

Agency Programs

Bay-Friendly Gardening
& Landscaping
Green Building
in Alameda County
StopWaste Business
Partnership
irecycle@school
Environmentally
Preferable Purchasing
Food Scrap Recycling
Grants to Non-Profits
Household Hazardous
Waste Recycling
Recycling Information
Hotline

STOPWASTE.ORG
Reducing the Waste Stream for Alameda County

December 14, 2010

June Guidotti
3703 Sally Road
Fairfield, CA 94585

Dear Ms Guidotti:

Thank you for your comments on the Draft Initial Study/Negative Declaration. We included your letters and backup documents in our presentation to the Authority Programs & Planning Committee meeting today for their consideration.

Attached please find our response to the items in your letters dated December 7 and December 13. If you have more questions, please contact Meghan Starkey at 510-891-6500.

Sincerely,


Gary Wolff
Executive Director

DEC-15-2010 02:53P FROM:

TO:19169785114

P.4/4

Draft Life Cycle Analysis posted on the CalRecycle website and can be found here:

<http://www.calrecycle.ca.gov/climate/Organics/LifeCycle/Reports/default.htm>

3. Statement regarding Initial Study scope. *Response:* No detailed comments are provided and so we are unable to provide a specific response.
4. Statement regarding additional analysis is noted. *Response:* No specific comments are provided and so we are unable to provide a specific response.
5. Statement regarding Flood Plan. *Response:* Any potential impacts in Solano County are speculative at this time, and environmental review should happen on a site specific basis.
6. Statement regarding emission and composting in Solano County. *Response:* Any potential impacts in Solano County are speculative at this time, and environmental review should happen on a site specific basis.
7. Statement regarding Draft Life Cycle Assessment and Tool. *Response:* We agree with this and have written a letter in support of this position. That letter appears on pages A32 – A35 of the Initial Study/Negative Declaration.
8. Requests a study of all counties to explore alternatives. *Response:* This request is beyond the scope of this Initial Study. Potential impacts are speculative at this time, and environmental review should happen on a site specific basis.

DEC-15-2010 03:11P FROM:

TO:19169785114

P.2/4



Memorandum

To: Programs & Planning Committee
From: Gary Wolff, Executive Director
By: Meghan Starkey, Senior Program Manager
Date: December 13, 2010
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Response*

DEC-15-2010 03:12P FROM:

TO:19169785114

P.3/4

1537 Webster Street
Oakland, Ca 94612

Phone: 510-891-6500
Fax: 510-893-2308

*StopWaste.Org is the
Alameda County
Waste Management
Authority & the
Alameda County
Source Reduction
and Recycling Board
operating as one
public agency.*

Member Agencies
Alameda County
Alameda
Albany
Berkeley
Dublin
Emeryville
Fremont
Hayward
Livermore
Newark
Oakland
Piedmont
Pleasanton
San Leandro
Union City
Castro Valley
Sanitary District
Oro Loma
Sanitary District

Agency Programs
Bay-Friendly Gardening
& Landscaping
Green Building
in Alameda County
StopWaste Business
Partnership
irecycle@school
Environmentally
Preferable Purchasing
Food Scrap Recycling
Grants to Non-Profits
Household Hazardous
Waste Recycling
Recycling Information
Hotline

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Reducing the Waste Stream for Alameda County

December 14, 2010

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DEC-15-2010 03:12P FROM:

TO:19169785114

P.4/4

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DEC- 2010 04:07P FROM:

TO: 19169785114

P.2/2

December 14, 2010

Fax: 510-893 2308

June Guidotti
3703 Scally Road
Suisun, California 94585

Stop Waste. Org
1537 Webster Street
Oakland, Ca 94612

RE: Alameda County Waste Management Authority Meeting of the Program/ Planning Committee,
December 14, 15, 2010. Strategic Planning: Proposed CoIWMP Changes and Environmental Action. Please
deny the action to adopt the Initial Study/ Negative Declaration.

Gary Wolff, Tom Padilla, Meghan Starkey, And who it may concern.(Authority board).

1. Please include my 12-7-2010 letter & faxes, Please add this letter with my concerns to the records.
2. Alameda County Integrated Waste Management Plan 2010 Amendments: Final Initial Study/
Negative Declaration (Appendix A). (Appendix B Ordinance 2011) There is an outright error here. Is
there a missing reference, Please explain?
3. Initial Study/ Negative Declaration did not amylase the effects to the environmental under CEQA.
4. Additional amylase needs to occur.
5. Flood Plan, need more detail in Appendix A in the Solano County (policy 2.5.3 states other counties.
(Policy 2.6.4 transformation).
6. Have not included a thorough analysis of both emission and composting in Solano County (AB32).
Traffic changes associated with new or expanded facilities would affect specific roadways. Regarding
the location of such facilities. (Bridge).
As Alameda County, does not have composting facilities, (missing in the Alameda County (Neg.
Deck).
7. A 26 Cal Recycle staff noted the report and tool will require additional review and revision. And
warned against the tool being used for policy decisions regarding organics management. Needs to be
done first not after approval.
8. A Study of all the counties should be undertaken to fully explore the alternatives proposed needs to
be added thermal electric transformation plant before locking in Cal Recycle changes to the plan that
does not address my vested right or the best interests of the Suisun marsh and the interests of the
public.

I, June Guidotti & Family & for the Public, reserve the right to amend or supplement the public records
on these matters. *June Guidotti & Family & for the Public*

CC: OBANA FINANCIAL FRAUD ENFORCEMENT TASK FORCE: BCDC, Energy Commission

DEC-7-2010 06:03P FROM:

TO:19169785114

P.2/4

June Guidotti
3703 Sally Road
Fairfield, California 94585

*For 1-510-893 2308
mailed信封:
Dec 7, 2010*

Stop Waste. Org
1537 Webster Street
Oakland, Ca 94612

Re: Strategic Planning: Proposed CoIWMP Changes and Environmental Review. Appendix A:
Appendix B: Ordinance Adopting Amendments to the Countywide Integrated Waste Management Plan.
Proposed changes to CoIWMP Table 1, page 27, 28, 29.

Gary Wolff, Executive Director, Debra Kaufman, Tom Padilla, and who it may concern:

Objection is hereby made as to Policies 2.4.1, 2.4.1, 2.4.3,

Objections is hereby made as to Policies 2.5.1, 2.5.2, 2.5.3 Changes to material flows; new and or
expanded processing facilities in or east Alameda County only. Not Solano County.

Policy 2.6.4 Changes in material flows; new and/or expanded
processing facilities in Alameda County, EXCLUDE Solano County, Tonnesen Pet Cemetery, Solano
Garbage Co. Potrero Hills, Waste Connections, Republic Service or any sister Company.

Page 29, Miscellaneous Objective Implementation Substitutes "capture" for "flaring"
Exclude Solano County, only for the 66646
waste to Energy plant that has more merit than any other proposed plant, ie. Solano Garbage Co. Potrero
Hill, Tonnesen Pet Cemetery, Waste Connections, Republic Service or any sister company.

Page 27, Proposed change Subsequent to Draft Initial Study.
Recent events affect seriously the need for some of the proposed changes. The May, 12, 2012 court
decision that Measure E must be enforced by the county has a major effect on the Potrero Hills Landfill
and Hay Road Landfill in Solano County as stated in (California Waste Management Board for The State
of California. Cal Recycle) Date and Time Friday December 15, 1989, (9:00 A.M. Board Hearing Room
1020 Ninth Street Sacramento, California.

This certificate document is part of my public comment to be added to the minutes for Thursday,
December 9, 2010 4:00p.m. Meeting Agenda for the Alameda County Recycling Board meeting .and this
letter.

A Study should be undertaken to fully explore the alternatives proposed thermal electric transformation
plant, before locking in changes to the plan that does not address my vested rights or the best interests of
the Suisun Marsh and the interests of the public.

I, June Guidotti and Family and for the Public reserves the right to amend or supplement the public
records on these matters.

June Guidotti *June Guidotti & Family for the Public*
cc Energy Commissioner
OBrien Financial Fraud Enforcement Task Force
et al.

DEC-7-2010 06:04P FROM:
VLC. 1.2010 3:49PM

TO:19169785114 P.3/4
NO.1080 P.1

June Guidotti
3703 Sally Road
Fairfield, California 94585

Stop Waste. Org
1537 Webster Street
Oakland, Ca 94612

*Received
12-07-10*

*For 1-510-893 2308
mailed信封:*

Re: Strategic Planning: Proposed ColWMP Changes and Environmental Review. Appendix A:
Appendix B: Ordinance Adopting Amendments to the Countywide Integrated Waste Management Plan.
Proposed changes to ColWMP: Table 1, page 27, 28, 29.

Gary Wolff, Executive Director, Debra Kaufman, Tom Padilla, and who it may concern:

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I, June Guidotti and Family and for the Public reserves the right to amend or supplement the public
records on these matters.

June Guidotti *June Guidotti & Family for the Public*
cc Energy Commission
OBWMA Finance & Fund Enforcement Task Force
et al.

William Reustle

7 10 04:42P

p.1

707 427-2262

DEC-7-2010 06:04P FROM: TO:19169785114 P.4/4

*to the Solis Waste Management Board
to be added to June 30, 1990
to the board Oct 30, 1990
agenda & Acme Fees, Contra Costa*

RECEIVED
Adam Ayala
Frank Vacore

CERTIFIED COPY

BEFORE THE
CALIFORNIA WASTE MANAGEMENT BOARD
FOR THE STATE OF CALIFORNIA

IN THE MATTER OF THE:)
REGULAR MONTHLY BOARD MEETING)
DECEMBER 15, 1989)

RECEIVED
OCT 31 1990
MJD

DATE AND TIME: FRIDAY, DECEMBER 15, 1989, 9:00 A.M.

PLACE: BOARD HEARING ROOM
1020 NINTH STREET
SACRAMENTO, CALIFORNIA

REPORTER: BETH G. DRAIN, RPR, CSR
CERTIFICATE NO. 7152

Barristers
reporting service
1600 EAST FOURTH STREET, SUITE 220
SANTA ANA, CALIFORNIA 92701
TELEPHONE (714) 953-4447

DEC-6-2010 12:55P FROM:

TO:19169785114

P.2/9

Title	Reference	Explanation	Potential Physical Changes
	Implementation Objective 6.1 Implementation	Strategic Workplan updates also appear in Implementation sections under Goals 1, 2 and 3.)	
Fee diversification	Policies 6.4.5 and 6.4.6	States policies to diversify funding to non-tonnage related sources.	No anticipated changes.
Minor Updates			
Goal 1: Areas of Concern		Goal 1	Adds greenhouse gases, hazardous waste and land use and planning to areas of concern to align with updated CEQA areas
CalRecycle		First citation: Objective 1.1 Implementation	Updates name of CIWMB to CalRecycle through document.
Enforcement		Objective 1.1 Implementation	Includes plant debris landfill ban enforcement.
City of Fremont HHW		Objective 1.3 Implementation	Includes up to date information on Fremont Transfer Station HHW program.
Facility Reporting Requirements		Objective 2.1 Implementation Objective 6.4 Implementation	Updates reporting requirements as per recent ordinance from VMA.
Miscellaneous		Objective 2.5 Implementation Policy 3.1.2	Substitutes "capture" for "flaring." Adds "and beyond" to 75% goal.
History of planning changes		Policy 7.1.2 Implementation	Adds recent Strategic Workplan update (through year 2020).
Interjurisdictional Cooperation		Policy 7.1.3 Implementation Policies 7.7, 7.8, 7.9	Specifies member agencies and other local government in goal. Clarifies that cooperation is on waste management and related issues.

Atlanta Bay w/eff

FAX

510-893-2308

2/1

*Learning Alameda County
going to PALF Solars. Waste
and Toman pet cemetery*

DEC-6-2010 12:56P FROM: TO:19169785114 P.3'9

Gary Wolff *EXT 107* *TOM padilla*
1-5 *EXT 125*

Table 1. Proposed Changes to ColWMP

Title	Reference	Explanation	Potential Physical Changes
Substantive Changes			
Policy regarding solid waste facility impacts on health, safety or environment	Policies 1.2.4, 1.2.5, 1.2.6 and related Implementation	New policies to lessen environmental impacts of facilities: 1) mitigate environmental impacts for those facilities out of county that are supported by the Authority 2) prioritize proximity of facilities to point of generation 3) encourage use of clean air vehicles for waste and diversion transportation. New implementation statement that facilities will have operation plans in place to control air emissions.	No adverse physical effects.
<u>New product decisions objective</u>	Objective 1.4, Policy 1.4.1	New objective under Goal 1, Promote Environmental Quality. This objective focuses on products made, sold, or purchased in Alameda County. Related policy sets the following priorities for the goal of minimizing environmental impacts in all aspects of solid waste: <u>general waste prevention, hazardous waste prevention, reduction of hard to recycle or compost materials, and recycled content in products.</u>	No anticipated changes.
New discard objective	Objective 2.4, Policies 2.4.1, 2.4.2, 2.4.3	New objective under Goal 2, Achieve Maximum Feasible Waste Reduction. Reduce amount of readily recyclable materials to no more than 10% of material deposited in landfills. Policies include evaluation measures, including evaluation of contaminants in source separated programs.	Changes in material flows; new and/or expanded processing facilities in or near Alameda County.
<u>Composting diversion goal and in-county composting capacity policy</u>	Objective 2.5, Policies 2.5.1, 2.5.2, 2.5.3	Increases existing composting goal of 180,000 tons per year by 2010 to 425,000 tons per year by 2020, and broadens materials identified to all organics (rather than just food waste and contaminated paper). Adds policies for investment in facilities and to limit transportation-related air pollutants and greenhouse gases. Implementation includes support for in-county compost capacity for 180,000 tons and/or other measures.	Changes in material flows; new and/or expanded processing facilities in Alameda County or other counties.
<u>Waste to energy policy on technologies for source separated organics</u>	Policy 2.6.4	Adds policy to existing objective that would allow transformation projects <u>solely for source-separated organics that create a soil amendment.</u>	Changes in material flows; new and/or expanded processing facilities in or near Alameda County. <i>EXCEPT PHLF</i>
Investment in MRF facilities	Policy 4.4.2	Sets policy to invest in new MRF if needed to achieve goals of Plan.	New and/or expanded facilities in or near Alameda County.
Cost Cap	Policy 5.2.2	Sets policy to establish cost cap for Authority-funded diversion projects and related implementation steps.	No anticipated changes.
Workplan updates	Objective 5.5	Specifies annual updates to Agency Strategic Workplan. (References to	No anticipated changes.

James Galt
Mrs. Vix
Detlor
Rebecca
Suisun

28

DEC-6-2010 12:56P FROM: TO:19169785114 P. 4/9

**MEETING AGENDA FOR THE
 ALAMEDA COUNTY RECYCLING BOARD**

**Thursday, December 9, 2010
 4:00 p.m.**

**StopWaste.Org
 1537 Webster Street
 Oakland, Ca 94612
 510-891-6500**

**and teleconference:
 Thomas Azwell
 Faculty House, University of Lusófona,
 Lisbon Portugal
 (011 351 218 131 313)**

Recycling Board Members
 Glenn Kirby, President
 Environmental Organization
 Matt Sullivan, 1st Vice President
 City of Pleasanton
 Treva Reid, 2nd Vice President
 Recycling Materials Processing Industry
 Thomas Azwell, Source Reduction Specialist
 Nathan Ivy, Environmental Education
 Rebecca Jewell, Solid Waste Industry Representative
 Garrett Keating, Piedmont
 David Krueger, Recycling Programs
 Anu Natarajan, Fremont
 Joanne Wile, Albany
 Gordon Wozniak, Berkeley

Meeting is wheelchair accessible. Sign language interpreter may be available upon five (5) days notice to 510-891-6500.

I. CALL TO ORDER

II. ROLL CALL

III. ANNOUNCEMENTS BY THE PRESIDENT

IV. CONSENT CALENDAR

Page		Action
1	1. Approval of the Joint Minutes of November 3, 2010	Information
5	2. Board Attendance Record (Gary Wolff)	Information
7	3. Written Report of Ex Parte Communications	Resolution
9	4. 2010/11 Mid-year Budget Adjustments Recommendation from the A&O Committee to approve mid-year budget adjustments	Action
21	5. 2011 Calendar Year Meeting Schedule Recommendation that the Board adopt the attached Regular meeting schedule for 2011	Action

V. OPEN PUBLIC DISCUSSION
 An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the Board, but not listed on the agenda. Each speaker is limited to three minutes.

VI. REGULAR CALENDAR

23	1. Election of Officers for 2011 (Gary Wolff)	Action
25	2. Strategic Planning: Proposed CoIWMP Changes and Environmental Review (Meghan Starkey)	Information
31	3. Franchise Task Force (Meghan Starkey)	Information/ Presentation

VII. OTHER PUBLIC INPUT Action

VIII. COMMUNICATIONS/MEMBER COMMENTS

a. Future agenda planning

IX. ADJOURNMENT

G:\DATA\Boards\RB\RB Board Meetings\Agendas\2010\December 12-09-10

DEC-6-2010 12:57P FROM:

TO: 19169785114

P. 5/9

Public Review *Call*

As per the requirements of CEQA, staff distributed the Notice of Availability (NOA) and Draft Initial Study to interested parties, including the State Clearinghouse, Cal Recycle, the Local Task Force, Local Enforcement Agency, Technical Advisory Committee, and other stakeholders. The NOA was published in newspapers, and posted at the Alameda County Clerk's office and on the Agency website. The Local Task Force has reviewed the draft Initial Study/Negative Declaration, and recommended that this item be forwarded to the Programs & Planning Committee. Any input from the Recycling Board at its December 9th meeting will be forwarded to the Programs & Planning committee.

The only comment received during the public comment period was from the City of Fremont, regarding proposed Policy 2.6.4, which adds policy to an existing objective that would allow transformation projects solely for source-separated organics that create a soil amendment. The comment letter requested that Policy 2.6.4 be restated more broadly to allow not just source separated organics, but also other processing facilities that handle mixed materials and create soil amendments. Staff is not recommending this change as it would be a substantial revision to the project and trigger additional review and recirculation. Environmental review of this type of facility is most appropriate when an actual facility is proposed, and its impacts can be assessed concretely.

Proposed Change Subsequent to Draft Initial Study

Subsequent to circulation of the draft Initial Study, staff is proposing one additional change with no potential adverse impact. That change is to modify Goal 7 slightly to specify that promoting inter-jurisdictional cooperation will involve member agencies and other local governmental agencies. Under implementation of policy 7.1.3, it clarifies that this coordination will be on waste management and related issues such as water, energy, litter and biosolids management. This change is minor and will not require recirculation,² and has been incorporated into the Initial Study/Negative Declaration.

CONCLUSION

This item is information only.

Attachments:

Appendix A: Final Initial Study/Negative Declaration:
<http://www.stopwaste.org/docs/rb-final-initial-study-neg-dec-a.pdf>

Appendix B: Ordinance Adopting Amendments to the Countywide Integrated Waste Management Plan
<http://www.stopwaste.org/docs/rb-final-initial-study-neg-dec-b.pdf>

² As per CEQA guidelines 15073.5 (c)(4), which states that new information added to the negative declaration that merely clarifies, amplifies, or makes insignificant modifications to the negative declaration does not require recirculation.

DEC-6-2010 12:57P FROM:

TO:19169785114

P.6/9

**MINUTES OF THE JOINT MEETING OF THE
ALAMEDA COUNTY RECYCLING BOARD
AND
ADMINISTRATION & ORGANIZATION COMMITTEE**

**Wednesday, November 3, 2010
10:00 a.m. – 12:00 noon**

**StopWaste.Org Offices
1537 Webster Street
Oakland, Ca. 94612
(510) 891-6500**

I. CALL TO ORDER

Glenn Kirby, Chair, Recycling Board, called the meeting to order at 10:06 a.m.

II. ROLL CALL

RB

Thomas Azwell, Source Reduction Specialist
Rebecca Jewell, Solid Waste Industry Rep.
Glenn Kirby, Environmental Organization

RB and A&O

Nathan Ivy, Environmental Educator
Garrett Keating, City of Piedmont
David Krueger, Recycling Programs
Trevia Reid, Recycling Materials Processing Industry
Joanne Wile, City of Albany
Gordon Wozniak, City of Berkeley

A&O

Keith Carson, Alameda County (left 10:50 a.m.)
Tony Santos, City of San Leandro (left 10:55 a.m.)
Jeff Williams for Marjorie Leider, City of Livermore

Members Absent:

RB and A&O

Olden Henson, City of Hayward, **A&O**
Laython Landis, Oro Loma Sanitary District, **A&O**
Anu Natarajan, City of Fremont, **RB**
Matt Sullivan, City of Pleasanton, **RB & A&O**

Staff Participating:

Gary Wolff, Executive Director
Debra Kaufman, Senior Program Manager
Robert Reiter, Counsel, Recycling Board
Arliss Dunn, Executive Assistant

Others Present:

Juri Freeman, Skumatz Economic Research Associates, Inc. (SERA)
Heidi Sanborn, Product Stewardship Consultant
Kathy Cote, City of Fremont

G:\DATA\Boards\WMA\A&O\Minutes\2010 A&O 09-01-10min.doc

1

DEC-6-2010 12:57P FROM:

TO:19169785114

P.7/9

0634 - 1 BC-US-Holder-FinancialF 1stLd-Writethru 12-06 0331 Bott, Michael 12/6/2010 8:26:06...

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0634				BC-US-Holder-FinancialF 1stLd			1:16
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BC-US-Holder-Financial Fraud, 1st Ld-Writethru,0192

'Operation Broken Trust' targets financial fraud

Eds: Updates with detail from news conference. This story is part of AP's general news and financial services.

By PETE YOST

Associated Press

WASHINGTON (AP) — A nationwide law enforcement crackdown targeting financial fraud has led to cases against 343 criminal defendants involving \$8.3 billion in estimated losses, Attorney General Eric Holder announced Monday.

"Operation Broken Trust" is the first national effort of its kind aimed at a broad array of investment fraud schemes and the 3 1/2-month campaign was organized by the Obama administration's Financial Fraud Enforcement Task Force.

The schemes that were uncovered highlight "the pervasiveness of the threat," Shawn Henry, the FBI's executive assistant director, told a news conference.

In one case in Texas, an oil and gas investment Ponzi scheme defrauded 7,700 investors of more than \$485 million. In another case, in Chicago, the operator of a Ponzi scheme victimized elderly Italian immigrants and hundreds of others after promising them annual returns of 10 to 15 percent.

In addition to the criminal cases arising from the probe, civil cases involved estimated losses of more than \$2.1 billion.

In all, the schemes harmed more than 120,000 victims. Eighty-seven defendants have been sentenced to prison. There were 231 criminal cases and 60 civil enforcement actions.

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 APTV 12-06-10 0810PST

DEC 6 2010 8:26:06 AM

DEC-6-2010 12:58P FROM:
 12/06/2010 11:57 Clerk of the Board

TO: 19169785114 P.8/9
 (FAX) 090003



AGENDA SUBMITTAL TO SOLANO COUNTY BOARD OF SUPERVISORS

ITEM TITLE		BOARD MEETING DATE	AGENDA NUMBER
Approve the Notice of Completion for the Grizzly Island Road Bridge at Hill Slough located south of Suisun City, constructed by RGW Construction, Inc. for a final cost of \$2,253,359		December 7, 2010	15
Dept:	Resource Management	Supervisorial District Number	
Contact:	Robert Liu, Senior Civil Engineer	3	
Phone:	(707) 784-6074		
Published Notice Required?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Public Hearing Required?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

DEPARTMENTAL RECOMMENDATION:

The Department of Resource Management recommends that the Board approve the Notice of Completion for the Grizzly Island Road Bridge at Hill Slough located south of Suisun City, constructed by RGW Construction, Inc., for a final cost of \$2,253,359.

SUMMARY:

On February 3, 2009 your Board authorized the Director of Resource Management to advertise for bids and to award a contract to the lowest responsible bidder for the construction of the Grizzly Island Road Bridge at Hill Slough (see Attachment A - Location Map). RGW Construction, Inc. was the lowest responsible bidder at the bid opening held on March 26, 2009. The contract was awarded to RGW Construction, Inc. on March 30, 2009, and executed on April 20, 2009. All construction work on the project has been completed in accordance with the contract plans and specifications (see Attachment B - Photos). *Reason: Put the Bridge in the wrong place*

FINANCING:

This project was largely paid for with federal Highway Bridge Program funds (88.53%), with the local match (11.47%) provided by the County Road Fund. There is no impact to the General Fund.

DISCUSSION:

This Grizzly Island Road Bridge at Hill Slough project consisted of constructing a new two-lane 190 foot long prestressed concrete bridge on Grizzly Island Road. The previous one-lane wooden structure was converted to a fishing pier. RGW Construction, Inc. has completed the construction work in accordance with the contract plans and specifications and approved contract change orders. Approval of the Notice of Completion allows the Department of Resource Management to make the final payment of retention to the contractor.

DEC-6-2010 12:58P FROM:

TO:19169785114

P.9/9



AGENDA SUBMITTAL TO SOLANO COUNTY BOARD OF SUPERVISORS

ITEM TITLE		BOARD MEETING DATE	AGENDA NUMBER
Closed Session		December 7, 2010	1
Dept:	County Counsel	Supervisorial District Number	
Contact:	Dennis Bunting	All	
Extension:			
	Published Notice Required?	Yes _____	No <u>X</u>
	Public Hearing Required?	Yes _____	No <u>X</u>

DEPARTMENTAL RECOMMENDATION:

Conference with Labor Negotiator:

Solano County representatives: Don Turko, Georgia Cochran, and Jeannine Seher
 Employee organizations: SEIU Local 1021: Unit #2-Nurses, Unit #5-Health & Welfare Employees, Unit #7-Regulatory, Technical & General Services Employees, Unit #8-General Services Supervisors, Unit #9-Clerical Employees, Unit #12-Probation Employees, Unit #15-Supervising Probation Employees, and Units #82, #87, #89, and #90-Extra Help; Stationary Engineers Local 39 for Unit #10-Skilled Crafts & Maintenance Employees; Teamsters Local 228 for Unit #1-Attorneys; PEU Local 1 for Unit #6-Health & Welfare Supervisors, and for Unit #16 & #16C-Middle Management; UAPD for Unit #11-Psychiatrists, Physicians, & Dentists; Solano County Sheriff's Custody Association for Unit #13-Correctional Officers; Teamsters Local 856 for Unit #14-Correctional Supervisors; Unrepresented Employees in Units #30-Confidential, #61-Executive Management, #62 & #62-C-Senior Management, #63-Mid Management-Confidential, #75-Senior Managers Civil Service, and #00-Unclassified Employees

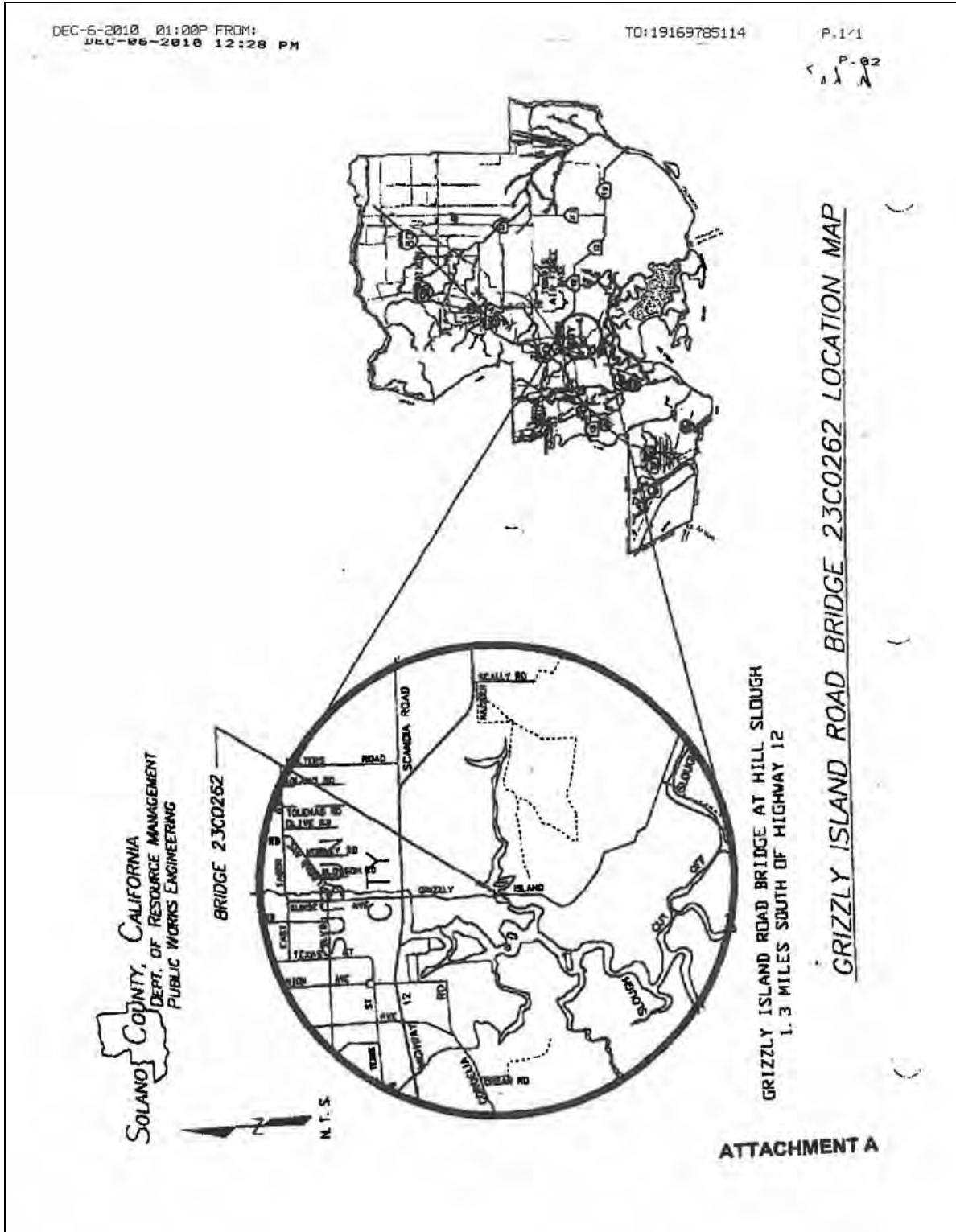
Conference with Labor Negotiator:

In-Home Supportive Services Public Authority representatives: Bruce Heid and Donald Turko

Employee organization: SEIU Local 6434, In Home Support Services Unit

Existing litigation: People v. Al Garza

Real Property Negotiations: Property: Real property between Putah South Canal, Beechcraft Road, Piper Drive and East Monte Vista Avenue in Vacaville, California (APNs: 0133-210-550, 0133-220-140, 0133-220-150 and 0133-220-160); County negotiators: Kevin O'Rourke, Interim General Services Director, Keith Hanson, Real Estate Manager and Andrew Swanson, Airport Manager; Negotiating party: Marvin Oates; Under negotiation: Price and terms



DEC-2-2010 05:26P FROM:

TO: 19169785114

P. 4/12

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DEC 01 2010

je

WILLIAMS & BESSIE

Attorney & Counselor at Law

609 Jefferson Street, Suite "G-1"
Fairfield, CA 94533

COUNTY OF SOLANO
FIELD OFFICE MANAGEMENT

Tele: (707) 427-1662

FAX: (707) 427-2262

Wednesday, December 01, 2010

Solano County Resource Management
Attn: Narcisa Untal

RE: Countywide Siting Element

Gentlemen:

On behalf of Mrs. June Guidotti, a Solano County resident with substantial property in the Suisun Marsh buffer zone. My client is deeply concerned about the proposed changes in the Countywide Siting Element.

It is noted that the Figure IV-2 was referenced on pages 11 and 15 but that figure was not included in the package as disseminated. The triangle was shown on the Griffith Ranch (representing a solid waste facility) whereas it should be indicated near the flare on the phase one PHL site.

Mrs. Guidotti requests that her proposed thermal electric transformation plant as proposed be included in the new siting element as previously requested in public hearing on June 17, 2010. It is contended that this plant is of greater merit than any other proposed plants, i.e. Solano Garbage Co., Potrero Hills, Tonnesen. Environmental considerations promote the conversion project as a way to efficiently eliminate much of the materials that otherwise simply adds bulk to the land-fill. This problem can be minimized by converting biomass to electrical energy, a very 'green' concept. Mrs. Guidotti would entertain locating a test facility on her lands to scientifically determine the feasibility of such operations.

Objection is hereby made as to permitting of the Tonnesen Pet Cemetery. This project was allowed to proceed in violation of existing requirements based on a faulty LEA Advisory No. 12. That advisory was rescinded in 2004. Thereafter the facility has operated sans permit in what can only be described as an illegal operation. Suisun Marsh must be protected and this operation has the potential to denigrate water quality and to contaminate marsh lands with runoff. My client is concerned that any contemplated changes to the Tonnesen operation could allow an expansion of activities, including incineration, contrary to the original 'permit' and the Marsh Protection Plan. If the operation is transferred to the ten-foot contour line, as shown on Figure VI-1, further damages are likely to the Suisun Marsh and surrounding lands. Leakage from the site is not adequately monitored for temperature or water quality or soil contamination. CEQA

DEC-2-2010 05:26P FROM:

TO: 19169785114

P. 5/12

requirements have not been met. There is no EIR. Furthermore, page 23, Chapter 5 of the Preliminary draft specifies that "new or expanded solid waste disposal sites shall be located further than 10,000 feet from airport runways" Mrs. Guidotti questions the location of the Tonnesen facility as being too close to the Travis AFB runway.

Recent events affect seriously the need for some of the proposed changes. The May 12, 2010, court decision that Measure E *must* be enforced by the county has a major effect on the Potrero Hills Landfill. The siting plan preliminary document assumes approval of the PHL expansion which is very much in doubt. No new roads should be allowed, even calling them 'fire roads' does not abrogate the need to maintain the Marsh in a pristine state.

A study should be undertaken to fully explore the alternatives before locking in a Plan that does not address my client's vested rights or the best interests of the public. Attached hereto is a copy of a portion of the official Solano County map showing the Guidotti property designated as a solid waste facility. Refer to page 44, paragraph 14 of the Suisun Marsh Protection Plan (California Department of Fish and Game, 1975).

Mrs. Guidotti reserves the right to amend or supplement the public record on these matters.

Sincerely,

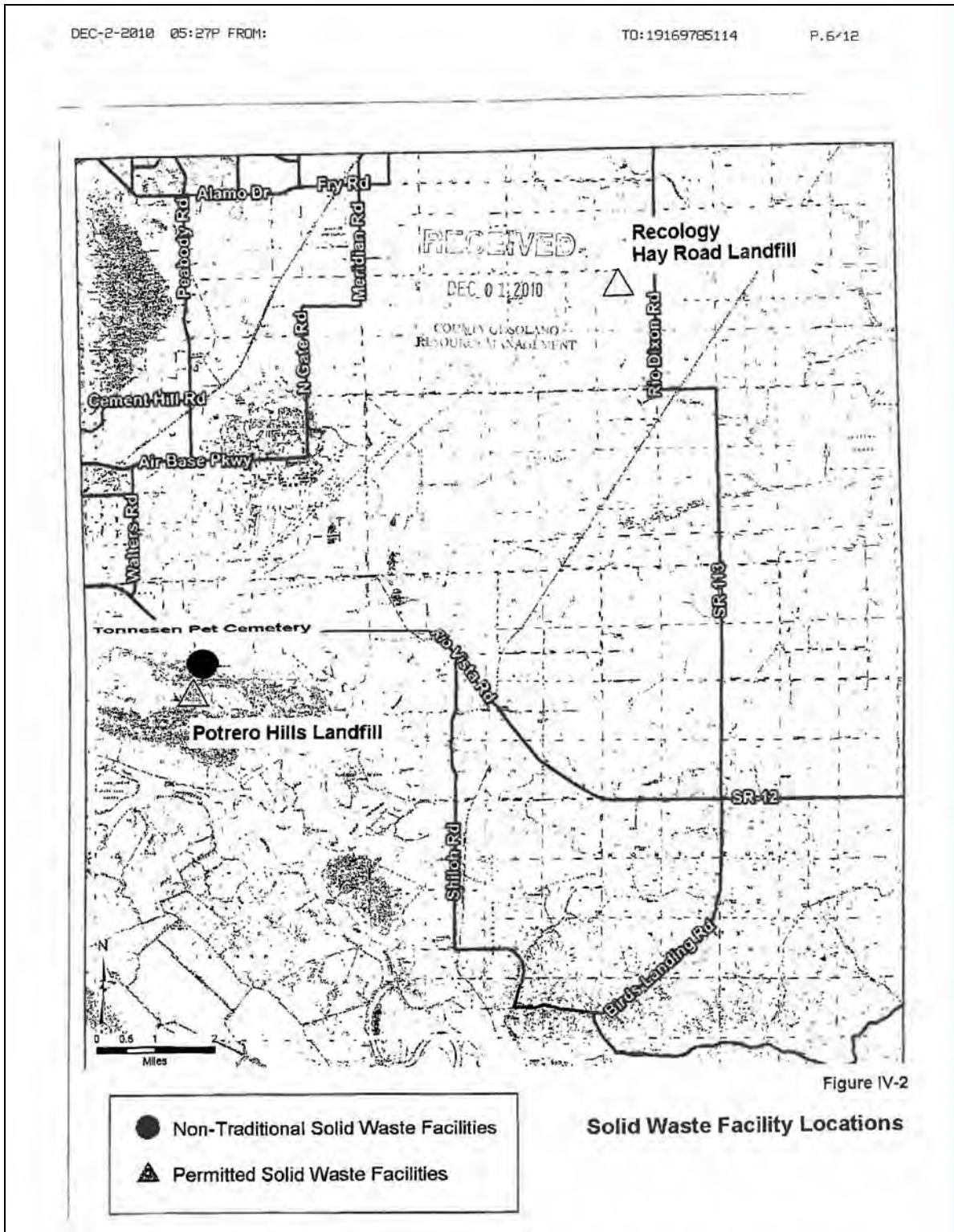


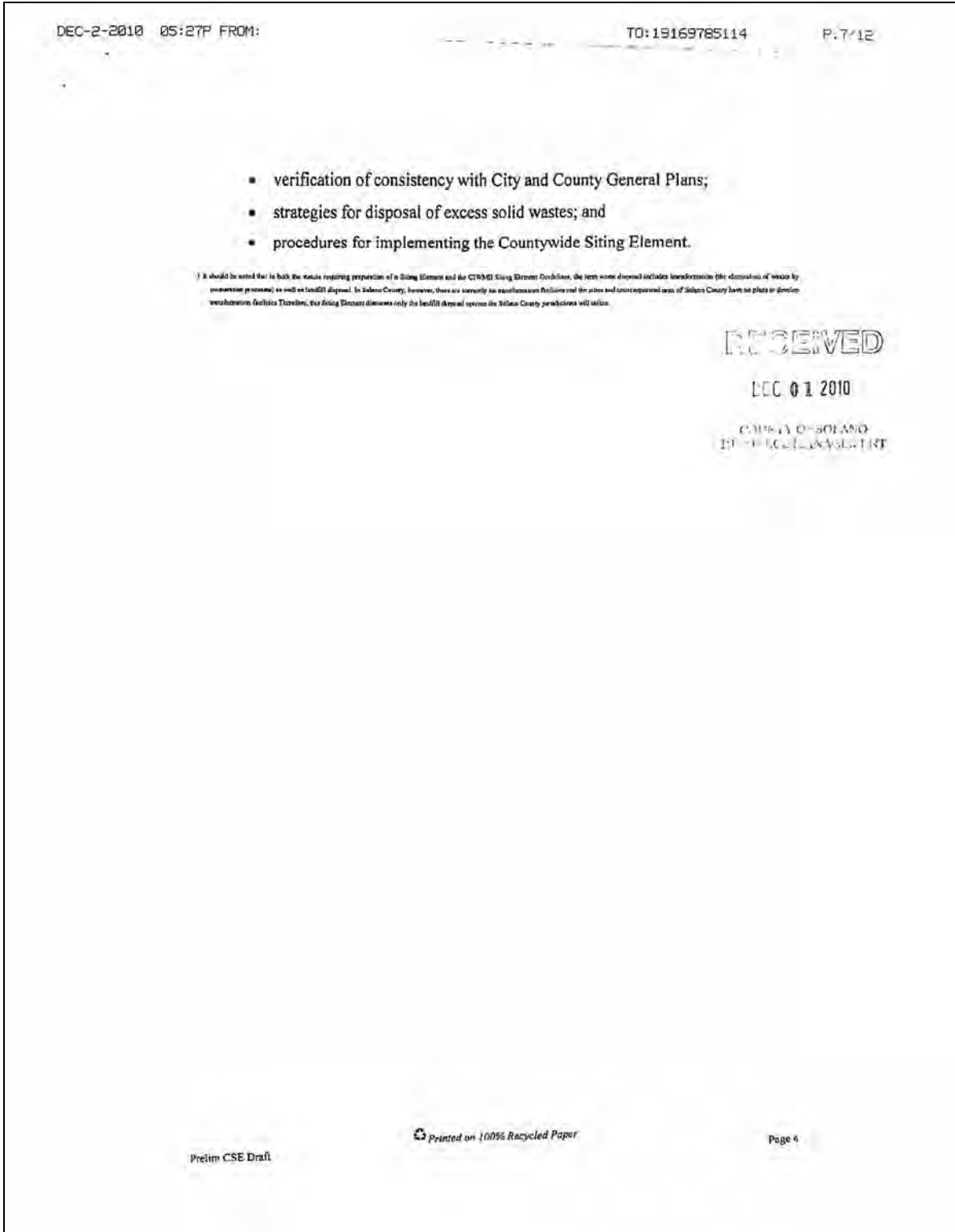
WILLIAM S. REUSTLE

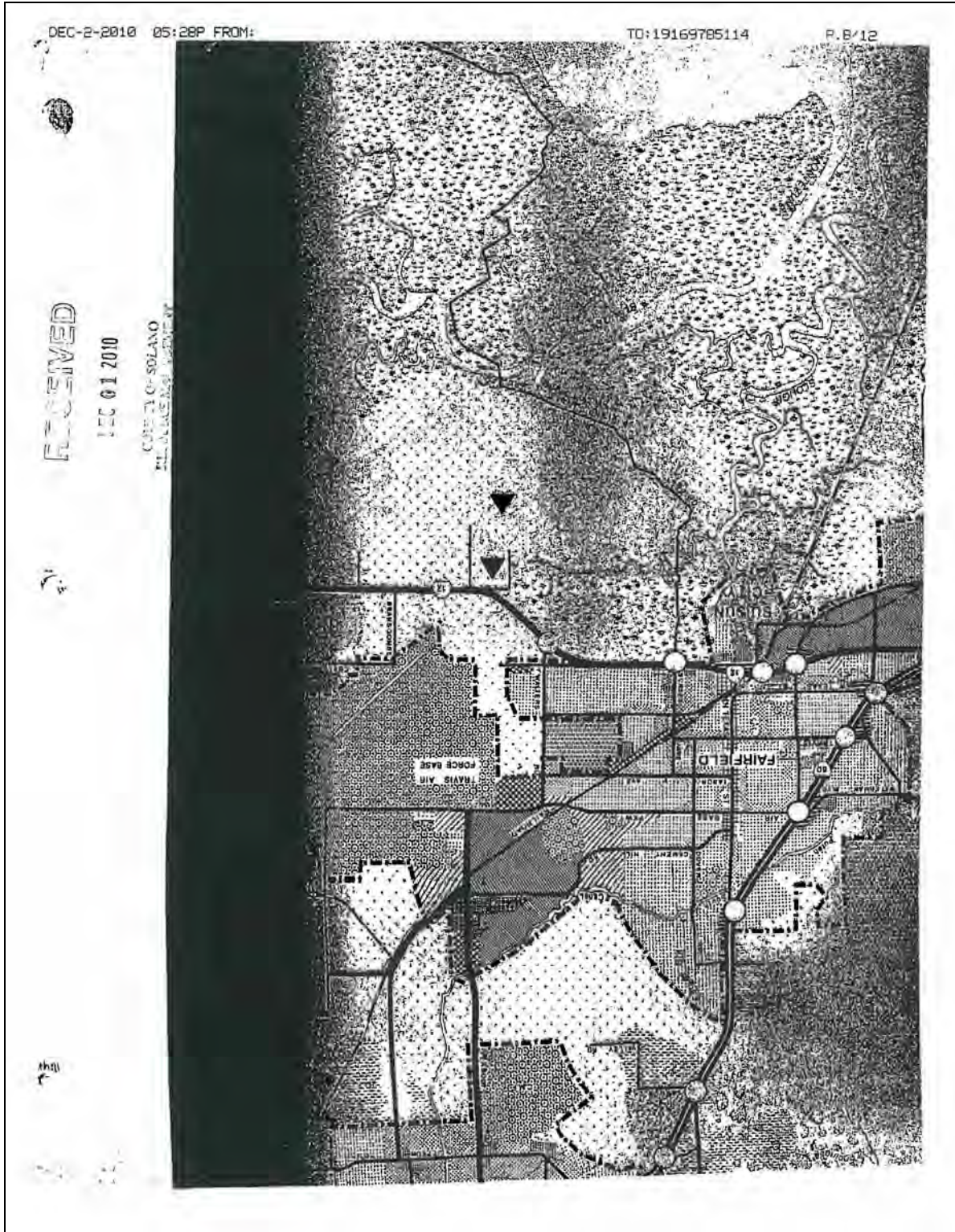
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COUNTY OF SOLANO
RESOURCE MANAGEMENT







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Source: [Legal](#) > /.../ > CA - Deering's California Codes Annotated [1]

TOC: [Deering's California Code Annotated](#) > /.../ > Chapter 4. Powers and Duties of the Commission > § 66646. Construction of new or expanded thermal electric generating plants within Suisun Marsh; Condition

Terms: 66646. Construction of new or expanded thermal electric generating plants within suisun marsh; condition
Cal Gov Code § 66646

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Practitioner's Toolbox [?] []
History

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MAY 30 2010
COUNTY OF SOLANO
RESOURCE MANAGEMENT

*** THIS DOCUMENT REFLECTS ALL URGENCY LEGISLATION ENACTED ***
THROUGH 2007-2008 THIRD EXTRAORDINARY SESSION CH.6 AND
CH.3 OF THE 2008 REGULAR SESSION APPROVED 3/26/08

GOVERNMENT CODE
Title 7.2. San Francisco Bay Conservation and Development Commission
Chapter 4. Powers and Duties of the Commission

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY
Cal Gov Code § 66646 (2007)

✓ **§ 66646. Construction of new or expanded thermal electric generating plants within Suisun – Marsh; Condition**

Notwithstanding any other provision of this title, except subdivisions (b) and (c) of Section 66645, and notwithstanding any provision of Division 19 (commencing with Section 29000) of the Public Resources Code, new or expanded thermal electric generating plants may be constructed within the Suisun Marsh, as defined in Section 29101 of the Public Resources Code, or the area of jurisdiction of the commission, if the proposed site has been determined, pursuant to the provisions of Section 25516.1 of the Public Resources Code, by the State Energy Resources Conservation and Development Commission to have greater relative merit than available alternative sites and related facilities for an applicant's service area which have been determined to be acceptable pursuant to the provisions of Section 25516 of the Public Resources Code.

History:
Added Stats 1977 ch 1155 § 3.5.

Hierarchy Notes:
Tit. 7,2 Note
Tit. 7.2, Ch. 4 Note

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Government

*Public Resource Code
Section
25500 - 25543
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COUNTY OF SOLANO
RESOURCE MANAGEMENT
4 of 6 pages*

<http://www.lexis.com/research/retrieve? m=6fe4b8ad7832aa711hef36f2651643ff&csvc=hl&cfmm=incsl...> 4/8/2008

DEC-2-2010 05:31P FROM:

TO: 19169785114

P. 10/12

To: June Guidotti

Fax: 707-427-2262

From: Englebright, Harry L. <HEnglebright@SolanoCounty.com>
To: Joe LaClair <joel@bcdc.ca.gov>, jessicad@bcdc.ca.gov, Tim Doherty <timd@bcdc.ca.gov> Cc: Untal, Narcisa <NUntal@solanocounty.com>
Date: 11/30/2010 10:09 AM
Subject: RE: Notice on Countywide Siting Element for the Countywide Integrated Waste Management Plan

Joe:

The requirement that Tonneson now must get a solid waste permit is a little more complicated. Without going into all of the details, in the beginning the State directed the County not to process a solid waste permit application, but have now recently informed the County that one is require primarily because of the way the Regional Board classified the facility. The bottom line however, is that there will be no change to the permitted facility and solid waste permit will not result in any change to their use permit or marsh development permit. My understanding is that the solid waste permit requirements will be following what the Regional Board already requires. The facility is being included in the Siting Element since one of the requirements in issuing a solid waste permit is a finding that it is consistent with the Siting Element.

On another topic, where do we stand in proceeding with the amendments to the Marsh Plan and Bay Plan and our agreement for processing the Plan amendments and LPP amendments.

Thanks

Harry

From: Joe LaClair [mailto:joel@bcdc.ca.gov]
Sent: Tuesday, November 30, 2010 5:41 AM
To: Englebright, Harry L.; jessicad@bcdc.ca.gov; Tim Doherty
Subject: Re: Notice on Countywide Siting Element for the Countywide Integrated Waste Management Plan

Harry

Thanks for the reply on the map. The only other question I have is in response to a flood of phone calls from our friend June. She's concerned that somehow the granting of a solid waste permit to Tonneson will somehow expand the scope of what's allowable on that site. I explained that my reading of the situation is that until recently CalRecycle (previously CIWMB) did not have standards for permits for facilities like the pet cemetery, but now they do, and they want Tonneson to get one and the County to reflect the facility in their plan update. First, is my summary correct, and second, would the permit/plan allow for something not contemplated in the LPP or existing Marsh Development permits at Tonneson's cemetery?

Thanks

Joe

Joe LaClair
Chief Planner
San Francisco Bay Conservation and Development Commission
50 California Street, Suite 2600
San Francisco, California 94111
Ph. 415 352-3656

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COUNTY OF SOLANO
RESOURCE MANAGEMENT

DEC-2-2010 05:31P FROM:

TO: 19169785114

P. 11/12

From: Englebright, Harry L. <HEnglebright@SolanoCounty.com>
To: Joe LaClair <Joel@bcdc.ca.gov>, Jessica Davenport <jessicad@bcdc.ca.gov>, Tim Doherty <timd@bcdc.ca.gov> Cc: Tim Eichenberg <tme@bcdc.ca.gov>, Ming Yeung <mingy@bcdc.ca.gov>
Date: 11/29/2010 02:55 PM
Subject: RE: Notice on Countywide Siting Element for the Countywide Integrated Waste Management Plan

Joe:

Thanks for the comment. We will change map consistent with the exhibits from the Marsh Development Permit for Potrero Hills Landfill to show the approved future footprint of the landfill.

RECEIVED

Harry

DEC 01 2010

From: Joe LaClair [mailto:Joel@bcdc.ca.gov]
Sent: Monday, November 29, 2010 2:49 PM
To: Englebright, Harry L.; Jessica Davenport; Tim Doherty
Cc: Tim Eichenberg; Ming Yeung
Subject: Re: Notice on Countywide Siting Element for the Countywide Integrated Waste Management Plan

COUNTY OF SOLANO
RESOURCE MANAGEMENT

Harry

Thanks for the heads up, but June beat you to it. I am reviewing the map (Figure VI-1) on page 28 of the report incorrectly shows the 260-acre expansion area as part of the planned landfill capacity. With BCDC's issuance of the Marsh Development permit for the landfill, about 100 acres of this area was dedicated permanently for open space, never to be used for landfill purposes. Therefore, the map should be changed to be consistent with the Marsh Development permit to correctly show the future footprint of the landfill.

Please see Exhibits A and D from the permit for the correct Phase two area.

Thanks
Joe

On 11/29/10 12:40 PM, "Harry Englebright" <henglebright@solanocounty.com> wrote:

Joe, Jessica, and Tim:

I just wanted to give you a heads up that the County is preparing an amendment (update) to the Countywide Siting Element. The preliminary Draft of the element includes the Potrero Hills Landfill and the Tonnensen Pet Cemetery located in the secondary area of the Suisun Marsh. The preliminary draft still shows the Potrero Hills Landfill expansion area as a future expansion area. With the approval of the Marsh Development Permit, this will be changed to show the expansion area as part of the current permitted facility in the next draft of the element. There are no new expansion areas proposed. The preliminary draft element can be found under the County Resource Management web site under Planning Services, Garbage and Recycling, CIWMP Planning Documents. A copy of the community meeting notice is attached.

If you have any questions, let me know.

Harry

NOTICE OF CONFIDENTIALITY: This e-mail message, including any attachments, is intended only for the use of

DEC-2-2010 05:31P FROM: Solano County Resource Management
547 Jefferson Street, Suite "C" Fairfield, CA 94533
Tel: 707 427-1662 Fax: 707 425-4488
E-mail: wreustle@sbcglobal.net www.geocities.com/wreustle@sbcglobal.net

TO: 19169785114 P. 12/12
MAR 26 2009
COUNTY OF SOLANO RESOURCE MANAGEMENT
RECEIVED Solano County
JUL 06 2007
RESOURCE MANAGEMENT BUILDING DIVISION
MAY 18 2009
RECEIVED BY

MAR 13 2008
AM 7/8/9/10/11/12/1/2/3/4/5/6 July 6, 2007
PH

County of Solano
Department of Resource Management
675 Texas Street, Suite 550
Fairfield, CA 94533

RE: General Plan Update

Dear Mr. Harry L. Englebright & Citizens Advisory Committee (CAC):

June Guidotti (Bonnici) has used her property for the agricultural grazing of sheep and cows. Her future plans are to continue this practice.

In addition, she proposes to construct a research project the study the production and quality value of feed grains produced from an aerobic and/or pyrolysis system. Feedstock to be considered in the project are sugar beets, green waste, corn, wheat, cannerly waste, brewery waste, and other available by-product or agricultural product sources. It is estimated that the research project would be sited on approximately 20 acres.

In 1993, she proposed to site a Waste To Energy (WTE) plant on her property. **See Solano Garbage Company Landfill Environmental Impact Report dated January 1993, Page 3-27 (5) Bonnici Project. A portion of the reserved project will also involve the production of energy from waste by-products. This project is similar to what UC Davis is presently using.

Her property has been in her family for 5 generations. It is safe to say that her property is, and should be, considered "grandfathered" in all aspects regarding agricultural, land use, water, and no limits should be placed on this parcel. Her property is located in the buffer zone as outlined in the Suisun Marsh, as adopted by the State Legislature.

The permits, "Certification of Qualifying Status of a Small Power Production Facility" (18 C.F.R. §381.505(a); and, "Certification of Qualify Status as a Cogeneration Facility" (18 C.F.R. §381.505(a) Ms. Guidotti is seeking may not be necessary because of research.

She requests that her land use be accordingly revised so that there will be no restrictions on her anticipated activities.

Sincerely,
WILLIAM S. REUSTLE
Solano County Board of Supervisors

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SEP 21 2009
COUNTY OF SOLANO RESOURCE MANAGEMENT

RECEIVED
MAY 18 2009
SOLANO COUNTY COUNSEL

RECEIVED
SEP 21 2009
Solano County Board of Supervisors

13

rejecus drilling

By Matthew Daly
and Brendan Farrington
Associated Press

WASHINGTON — Pointing to the BP blowout and risks of a new environmental disaster, the Obama administration reversed itself Wednesday and promised not to pursue offshore drilling in the eastern Gulf of Mexico or anywhere else along the nation's East Coast.

The decision was generally hailed in Florida, which depends on tourists drawn by the state's white beaches, but criticized by the oil industry which said the administration was stifling crucial U.S. energy production and costing recession-battered job-seekers golden opportunities for new work. The administration had backed a major expansion of offshore drilling earlier this year, in part to gain support for comprehensive climate legislation in Congress, one of President Barack Obama's

■ See **Drilling**, Page 14A

awareness
"It hasn't gone away. It's on the rise, especially in women and Latinos," Finney said.

■ See **AIDS**, Page 14A

Vanita Finney staffed an information table where students could get information on HIV/AIDS. The pair were representing the Solano County Collaboration for

each year. Events typically include memorials to honor those who have died from HIV/AIDS along with outreach from community organizations.

Capital sewers hurt Delta

By Mike Taugher
Contra Costa Times

State regulators are about to consider forcing Sacramento to do a better job of cleaning up what it flushes into one of California's most endangered ecosystems and important drinking water sources, the Sacramento-San Joaquin River Delta.

Among the requirements under consideration are high-tech filters, biological systems to remove ammonia and other upgrades.

The Sacramento Regional County Sanitation District, which says the improvements will cost \$2 billion, contends it should not have to spend so much for what it says are questionable benefits. The bigger problem, it says, is the amount of water pumped out of the Delta.

But scientists, environmentalists and big water agencies that have seen their supplies shrivel as the Delta's environmental problems

■ See **Delta**, Page 14A

In Bay, sewage not a big issue

By Mike Taugher
Contra Costa Times

All but one of the major sewage treatment plants in the Sacramento-San Joaquin River Delta uses advanced treatment.

The opposite holds true around the Bay where advanced treatment methods are the exception, mostly because the discharges are less toxic in saltier waters.

In the Bay Area, the only major sewage treatment plants using tertiary treatment are in the South Bay, which

■ See **Bay**, Page 14A

Solano waste meeting draws public ire

By Melissa Murphy
MMurphy@TheReporter.com

An informative meeting about an amendment to the county's waste management plan, at times, was heated between the public and county administration.

The community meeting on Wednesday evening at the Solano County Government Center attracted five members of the public that not only questioned the

Countywide Integrated Management Plan but the government process in reaching the public.

On the agenda, was a proposed amendment that would add the 30-year-old Tomnesen Pet Cemetery to the siting element of the Countywide Integrated Waste Management Plan, which describes the solid waste disposal facilities used by the cities in Solano County and provides

analysis to determine the minimum 15-year disposal capacity required.

Although previously exempted from the requirement of a solid waste facility permit, the Tomnesen Pet Cemetery is now required by state law to obtain one.

The cemetery, according to county staff, accepts the remains and ashes of small pets for burial in common graves, which

■ See **Solano**, Page 14A

as they learn from rules to protect privacy. The agency has limited authority to write those rules itself, so new regulations would likely require congressional action.

Safeguarding consumer privacy, the agency says, is critical since marketers are increasingly analyzing the Web sites that consumers visit, the links they click, their internet searches, their online and offline purchases, the physical locations of their wireless devices and all sorts of personal information they disclose on social networking sites.

— Associated Press

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Today's Forecast

Change of shows
High 57° | Low 46°

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TO: 19159785114

DEC-2-2010 05:24P FROM:

14A Thursday, December 2, 2010

Solano ...

■ Continued from Page 1A
adds up to about 90 percent ashes and 10 percent carcasses.

For years, the pet cemetery, near Potrero Hills Landfill in Suisun City, was considered a non-traditional facility and did not accept municipal solid waste.

But in 2009, the California Regional Water Quality Control Board updated its Waste Discharge Requirements, and classified the pet cemetery as an animal waste disposal facility or a non-municipal solid waste facility, which requires a solid waste facility permit. It is already required to obtain a permit

from the San Francisco Regional Water Quality Control Board, according to staff.

Principal Planner Harry Englebright, contracted by the county, explained that in order for the cemetery to comply with state law and receive the permit, it must be included in the site element.

Although concerns about groundwater were shared, it was the location depicted on a map of the cemetery and the Potrero Hills Landfill that created a stir.

Solano County resident June Guidotti, who lives near the Potrero Hills Landfill, explained that she thinks the county tried to pull a fast one on the public by moving the location of the pet cemetery as marked on the map.

However, Englebright explained that it was simply a general location map, that nothing was incorrect, but that the graphics could be cleared up.

After Englebright repeated his answer several times, Mike Yanakovich, also a principal planner with the county, stepped in and said it wasn't necessary to repeat the answer again.

But Solano County resident Michael Waruken disagreed.

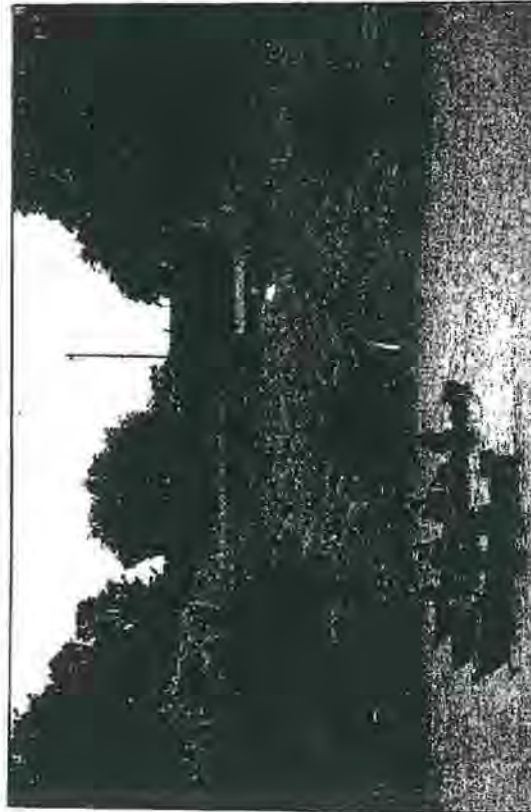
"It sucks doesn't it, having to answer to the public," Waruken interjected, adding that it shouldn't be county staff informing the public about the plan, but rather the Board of Supervisors, who were elected to represent the voters.

Meanwhile, Waruken's father, Eric, explained after the meeting that he

lived north of Hay Road before the Recology Hay Road Landfill was built. "Things get pushed through without answering any questions," he said about the landfill and his concerns about groundwater at the pet cemetery. Michael Waruken agreed.

"When it comes down to it, will anything be done about it," he said. "I get tired of representatives showing us to the side."

During the meeting, Englebright explained that the two landfills in the county, Recology Hay Road and Potrero Hills, have more than enough adequate capacity to accommodate the county's waste stream for 15 years, per state requirement. He added that conservative estimates show the landfills each have more than 30 years' worth of room.



File/The Sacramento Bee via Bay Area News Group
Fishermen cast their lines from boats on the Sacramento-San Joaquin River Delta with the charcas nurno house structure above. Inset: south of the Escondido Bridge at Escondido, Calif.

REPORTER

Cuts ...

■ Continued from Page 1A
leuge, given the politically incendiary nature of many of the proposals. The tax increases it includes are deal-breakers for some Republicans, likewise social program cuts for some Democrats.

The plan calls for sweeping tax changes that would affect millions of Americans, including trimming or doing away with many popular tax breaks such as the home mortgage deduction. It would also make deep cuts in military spending, slash the federal work force, raise the retirement age for full Social Security benefits and make cuts in Medicare. It aims to reduce federal red ink by nearly \$4 trillion within a decade.

sional Democrats and Republicans worked separately to strike a deal with the White House on a more immediate financial issue that expires Dec. 31. And despite talk of finding common ground, neither side seemed willing to yield much as negotiations began with Treasury Secretary Timothy Geithner and Budget Director Jacob Lew.

Both Democrats and Republicans seem willing to extend most of the tax cuts. But Democrats want to let cuts for the wealthiest Americans expire, citing damage to the federal deficit from lost revenue as a main argument.

Meanwhile, as the deficit commission — formally the president's National Commission on Fiscal Responsibility and Reform — began moving toward a final

P.2/12

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DEC-2-2010 05:23P FROM:

DEC 23 2010 05:40P FROM:

TO: 19169785055

P. 1/16



California Regional Water Quality Control Board
San Francisco Bay Region



Linda S. Adams
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Arnold Schwarzenegger
Governor

SAC Beckwith FAX Pucall Ranch
cc Corp of Eninger 1-916-978-5055
December 8, 2010
File No. 2129.2045 (KER)
CIWQS Place ID No. 248989 U.S. waters

Potrero Hills Landfill, Inc.
Waste Connections, Inc.
Attn: Mr. Jim Dunbar (JamesDu@WasteConnections.com)
P.O. Box 68
Fairfield, CA 94533

**Subject: Comments on April 2010 Draft Joint Technical Document, Potrero Hills Landfill,
Suisun City, Solano County**

Dear Mr. Dunbar:

This letter provides Water Board staff comments on the April 2010 version of the Draft Joint Technical Document (JTD) for the Potrero Hills Landfill (PHLF). Our comments (attached) are focused on proposed changes to the landfill design and waste disposal operations that could affect the long-term protection of water quality. The appropriate sections of the JTD must be revised to address our comments before Water Board concurrence can be given.

If you have any questions, please contact Keith Roberson at (510) 622-2404 or by email at KRoberson@waterboards.ca.gov.

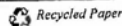
Sincerely,

Digitally signed by
Terry Seward
Date: 2010.12.08
11:43:35 -08'00'

Terry Seward, Acting Chief
Groundwater Protection Division

Attachment: Staff Comments
cc w/attachment: Mailing List

Preserving, enhancing, and restoring the San Francisco Bay Area's waters for over 50 years



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TO:19169785055

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Attachment - A
Comments on Potrero Hills Landfill
April 2010 JTD

Page 2

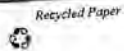
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TO: 19169785055

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Attachment A

Staff Comments on April 2010 Joint Technical Document

DEC-23-2010 05:40P FROM:

TO:19169765055

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Attachment - A Page 1
Comments on Potrero Hills Landfill
April 2010 JTD

**San Francisco Bay Regional Water Board Staff Comments on the April 2010 Draft
Joint Technical Document (JTD) for Potrero Hills Landfill**

Prepared by: Keith Roberson, P.G., PhD
Engineering Geologist

Concur: Terry Seward, P.E.
Acting Chief, Groundwater Protection Division

December 8, 2010

Section 1.0 Introduction

The January 2010 Joint Technical Document (JTD) for the Potrero Hills Landfill (PHLF) proposes several major changes to ongoing landfill operations and construction design of future disposal cells and the final landfill cover. The most significant of these changes were summarized in the Introduction to the JTD. Some of the proposed changes are acceptable and can be accommodated by revising the landfill's existing Waste Discharge Requirements (WDRs). The Water Board does not support some of the other proposed changes, as explained below.

General Comments

Of the proposed significant changes, the following are of concern to the Water Board:

- *Changing the classification of the entire landfill to a Class II solid waste facility.*
 - The older portion of PHLF (cells 1 through 9) was constructed prior to 1993 with single-layer base liners that do not comply with current Class II solid waste facility regulations. This "pre-Subtitle D" portion of the landfill is not completely closed and may not have reached its final waste elevation. Therefore, the disposal of Class II (i.e., designated) wastes must be prohibited over this portion of the landfill. Because the entire landfill cannot receive Class II wastes, the Water Board will not agree to re-classify PHLF as a Class II disposal facility.
 - For other active Class III landfills within Region 2, the Water Board has issued WDRs that specifically allow disposal of Class II wastes in cells that were built to comply with Subtitle D and current Title 27 composite liner requirements for Class II facilities. We will include similar language when we revise the WDRs for PHLF.
- *Deleting the 250 tons/day limitation on sludge acceptance, or clarifying the limitation so that it applies only to wet sludges (exceeding 50% moisture) that are buried as waste in the landfill.*
 - PHLF proposes that the existing sludge limit should be clarified so that it does not apply to dried sludges, or sludges that will be spread for solar drying at the site.

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