



JOHN ALLARD, ROSEVILLE, CHAIR
BONNIE GORE, PLACER COUNTY
BILL HALLDIN, ROCKLIN
DAN KARLESKINT, LINCOLN
ROBERT WEYGANDT, PLACER COUNTY
KEN GREHM, EXECUTIVE DIRECTOR

MEETING OF THE BOARD OF DIRECTORS

AGENDA

December 9, 2019 8:00 AM

Materials Recovery Facility Administration Building
3013 Fiddymont Road, Roseville, CA 95747

Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection at the Clerk of the Board, 3013 Fiddymont Road, Roseville, CA 95747, during normal business hours and at the meeting location immediately before and during the meeting. The Western Placer Waste Management Authority is committed to ensuring that persons with disabilities are provided the resources to participate fully in its public meetings. If you are hearing impaired, we have listening devices available. If you require additional disability-related modifications or accommodations, including auxiliary aids or services, please contact the Clerk of the Board at (916) 543-3960. If requested, the agenda shall be provided in appropriate alternative formats to persons with disabilities. All requests must be in writing and must be received by the Clerk five business days prior to the scheduled meeting for which you are requesting accommodation. Requests received after such time will be accommodated if time permits.

1. Call Meeting to Order
2. Pledge of Allegiance (Director Halldin)
3. Roll Call
4. Statement of Meeting Procedures (Clerk of the Board)
5. Agenda Approval
6. Public Comment

This is a time when persons may address the Board regarding items not on this Agenda. It is requested that comments be brief, since the Board is not permitted to take any action on items addressed under Public Comment.

7. Announcements & Information
 - a. Reports from Directors ----
 - b. Report from the Executive Director (Ken Grehm) ----

8. Closed Session

Anticipated Litigation:

- a. Initiation of litigation pursuant to subdivision (d)(4) of Government Code §54956.9: one potential case.

9. Action Items

- a. Memorandum of Understanding Between WPWMA and County of Placer (Eric Oddo) Pg. 3

Authorize the Chair, or designee, to sign a Memorandum of Understanding with the County of Placer related to the proposed Sunset Area Plan / Placer Ranch Specific Plan project.

10. Upcoming Agenda Items

Identification of any items the Board would like staff to address at a future meeting.

11. Adjournment

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**MEMORANDUM
WESTERN PLACER WASTE MANAGEMENT AUTHORITY**

TO: **WPWMA BOARD OF DIRECTORS** DATE: **DECEMBER 9, 2019**
FROM: **ERIC ODDO** 
SUBJECT: **MEMORANDUM OF UNDERSTANDING BETWEEN WPWMA AND COUNTY OF PLACER**

RECOMMENDED ACTION:

Authorize the Chair, or designee, to sign a Memorandum of Understanding (MOU) with the County of Placer (County) related to the proposed Sunset Area Plan / Placer Ranch Specific Plan project.

BACKGROUND:

In 2014, the County initiated an update of its 1997 Sunset Industrial Area planning document including renaming the project as the Sunset Area Plan (SAP). In 2016, the County elected to process the Placer Ranch Specific Plan (PRSP) concurrently with the SAP. Among other things, the proposed SAP/PRSP included revising land use designations, siting a proposed California State University extension campus, developing residential housing and reducing the residential landfill buffer distance from one mile to 2,000 feet with the potential for the residential buffer to be further reduced to 1,000 feet.

On December 18, 2018, Placer County released their Draft Environmental Impact Report for the proposed project. After a public review and comment period, during which the WPWMA submitted a comment letter, Placer County released a Final Environmental Impact Report on October 31, 2019. At its November 21, 2019 meeting, the Placer County Planning Commission forwarded an approval recommendation to the Placer County Board of Supervisors. The Placer County Board of Supervisors is scheduled to take up this item at its December 10, 2019 meeting.

Throughout the SAP/PRSP review process, WPWMA staff worked with County staff to ensure that the WPWMA's interests and concerns were appropriately addressed in the SAP/PRSP planning and environmental review documents. One of the more significant concerns expressed by the WPWMA was the County's proposal to reduce the one-mile residential buffer and the resulting potential for increased nuisance odor impacts on the proposed residential development. In August 2019, WPWMA submitted a letter to the County that summarized possible odor mitigation measures and their associated preliminary capital and operating costs that the WPWMA believed could serve to reduce the potential for increased nuisance odor impacts. After considerable discussions, the County and WPWMA developed a proposed MOU that identifies the obligations of both parties relating to the residential buffer and the funding of future odor mitigation efforts by the WPWMA.

The principal components of the proposed MOU include the following:

1. One-time financial contributions from the County to the WPWMA up to \$3,410,000 for a portion of the Tier 1 capital and operating expenses identified in the WPWMA's August 2019 letter, and up to \$250,000 per year (adjusted annually up to 2% for inflation) for ongoing odor mitigation operations and maintenance costs. Payments

to the WPWMA will be made upon issuance of building permits over a forty (40) year period in the SAP/PRSP area and invoicing by the WPWMA for costs incurred related to odor mitigation. Of the \$3,410,000, up to \$2,465,273 will be collected through the PRSP Development Agreement, with the remainder collected from potential future SAP area projects.

2. Recognition of the SAP/PRSP prohibition on residential uses within 2,000 feet of the WPWMA's property boundaries.
3. Notification provisions to WPWMA in the event any portion of the SAP/PRSP is proposed for annexation.
4. Advance County notification of any comments on the WPWMA Waste Action Plan and associated environmental review documents.
5. WPWMA non-objection to the current proposed SAP/PRSP project and related entitlements. WPWMA reserves the right to challenge any future proposal to reduce the residential landfill buffer to less than 2,000 feet.
6. Acknowledgement by the County of the importance of ongoing WPWMA operations to the economic growth and public health and safety of Placer County, WPWMA's participating municipalities, and their residents, and the County's acknowledgement of the WPWMA's rate setting authority.
7. Recordation of a title notice acknowledging proximity to the landfill and landfill odors.

Consideration of the proposed WPWMA/County MOU by your Board is recommended prior to the Placer County Board of Supervisors December 10th meeting where the Board of Supervisors is scheduled to consider certification of the Final EIR and related SAP/PRSP documents, including the proposed MOU.

ENVIRONMENTAL CLEARANCE:

Your Board's approval of the proposed MOU is exempt from review under the California Environmental Quality Act under the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment, as identified in CEQA Guidelines Section 15061(b)(3). On a separate and independent basis, approval of the proposed MOU is exempt from environmental review as a fiscal activity under CEQA Guidelines Section 15273. Furthermore, implementation of additional odor mitigation measures as contemplated in the proposed MOU are exempt from further environmental review as operational activities under CEQA Guidelines Section 15301.

FISCAL IMPACT:

The proposed MOU will provide up to \$3,410,000 in one-time payments from the County to the WPWMA for capital and operating expenses related to odor mitigation as well as up to \$250,000 per year (adjusted annually for inflation) for ongoing odor mitigation operations and maintenance costs. Capital and operating payments will be made over time based on development activity that occurs in the SAP/PRSP area. It is likely that the WPWMA will need to make certain necessary capital investments prior to realizing the full one-time payment from the County and that the payment from the County may not fully cover the actual costs borne by the WPWMA associated with implementing the proposed Tier 1 odor mitigation measures.