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Use Permit Application Packet



A Tradition of Stewardship
A Commitment to Service

FILE # Pl-00180-mod

COUNTY OF NAPA
PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES
1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4417

MINOR MODIFICATION APPLICATION FORM

FOR OFFICE USE ONLY

ZONING DISTRICT: AP Date Submitted: 4/28/16
TYPE OF APPLICATION: Minor Modification Date Published: _____
REQUEST: See Project Description Date Complete: _____

TO BE COMPLETED BY APPLICANT

(Please type or print legibly)

PROJECT NAME: Upper Valley Recycling Organics Blending Operations
Assessor's Parcel #: APN 027-450-027 Existing Parcel Size: 44.23 acres
Site Address/Location: 1285 Whitehall Lane, St. Helena, CA 94574
No. Street City State Zip
Property Owner's Name: Bob Pestoni
Mailing Address: PO Box 382, St. Helena, CA 94574
No. Street City State Zip
Telephone #: (707) 963 - 7988 Fax #: (707) 963 - 7641 E-Mail: bob@uvds.com
Applicant's Name: Bob Pestoni/Upper Valley Recycling
Mailing Address: PO Box 382, St. Helena, CA 94574
No. Street City State Zip
Telephone #: (707) 963 - 7988 Fax #: (707) 963 - 7641 E-Mail: bob@uvds.com
Status of Applicant's Interest in Property: _____
Representative Name: Evan Edgar - Edgar & Associates, Inc.
Mailing Address: 1822 21st Street, Sacramento, CA 95811
No. Street City State Zip
Telephone #: (916) 739-1200 Fax #: (707) 739-1216 E-Mail: evan@edgarinc.org

I certify that all the information contained in this application, including but not limited to the information sheet, water supply/waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, is complete and accurate to the best of my knowledge. I hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, including the right of access to the property involved.

Bob Pestoni 7-22-2014
Signature of Property Owner Date

Bob Pestoni 7-22-2014
Signature of Applicant Date

Bob Pestoni
Print Name

Bob Pestoni
Print Name

TO BE COMPLETED BY PLANNING, BUILDING AND ENVIRONMENTAL SERVICES

Application Fee \$ _____ Receipt No. _____ Received by: _____ Date: _____

MINOR MODIFICATION OF USE PERMIT
APPLICATION COMPLETENESS CHECKLIST

1. Application Form
2. Statement of Request
3. To-Scale Plot Plan (including one clear black-line reduction on 8½" by 11" paper)
4. To-Scale Floor Plan (including one clear black-line reduction on 8½" by 11" paper)
5. To-Scale Building Elevations (including one black-line 8½" by 11" reduction for each elevation provided)
6. **SIGNED** Indemnification Agreement, by the property owner of record
7. Title Insurance Co. Certified List of All Property Owners within 300 feet of the Subject Parcel Specifying Name, Address, and Parcel Number
8. Assessor's Pages Used in Compiling Property Owners List
9. Check for \$ _____ Payable to Napa County (*please call for current fees*)
10. Additional Information that may be required by the Director


_____ Narrative Proposal for CalRecycle Grant (646)
_____ EPP Policy Attached

INDEMNIFICATION AGREEMENT

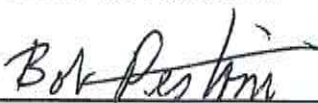
Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.



Applicant



Property Owner (if other than Applicant)

7-22-2014
Date

Project Identification



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services - Hillary Gitelman, Director
1195 Third Street, Napa, CA 94559 - (707) 253-4417 - www.countyofnapa.org

Project name & APN: UPPER VALLEY ORGANICS BLENDING
Project number if known: APN 27-450-027
Contact person: EVAN EDGAR
Contact email & phone number: EVAN@EDGE2INC.ORG
Today's date: AUGUST 7, 2014

Voluntary Best Management Practices Checklist for Development Projects

Napa County General Plan Policy CON-65 (e) and Policy CON-67 (d) requires the consideration of Greenhouse Gas (GHG) emissions in the review of discretionary projects and to promote and encourage "green building" design. The below Best Management Practices (BMPs) reduce GHG emissions through energy and water conservation, waste reduction, efficient transportation, and land conservation. The voluntary checklist included here should be consulted early in the project and be considered for inclusion in new development. It is not intended, and likely not possible for all projects to adhere to all of the BMPs. Rather, these BMPs provide a portfolio of options from which a project could choose, taking into consideration cost, co-benefits, schedule, and project specific requirements. Please check the box for all BMPs that your project proposes to include and include a separate narrative if your project has special circumstances.

Practices with Measurable GHG Reduction Potential

The following measures reduce GHG emissions and if needed can be calculated. They are placed in descending order based on the amount of emission reduction potential.

Already Plan
Doing To Do

ID # BMP Name

BMP-1 Generation of on-site renewable energy

If a project team designs with alternative energy in mind at the conceptual stage it can be integrated into the design. For instance, the roof can be oriented, sized, and engineered to accommodate photovoltaic (PV) panels. If you intend to do this BMP, please indicate the location of the proposed PV panels on the building elevations or the location of the ground mounted PV array on the site plan. Please indicate the total annual energy demand and the total annual kilowatt hours produced or purchased and the potential percentage reduction of electrical consumption. Please contact staff or refer to the handout to calculate how much electrical energy your project may need.

NONE

BMP-2 Preservation of developable open space in a conservation easement

Please indicate the amount and location of developable land (i.e.: under 30% slope and not in creek setbacks or environmentally sensitive areas for vineyards) conserved in a permanent easement to prohibit future development.

N/A

Already Doing Plan To Do

BMP-3 Habitat restoration or new vegetation (e.g. planting of additional trees over 1/2 acre)

Napa County is famous for its land stewardship and preservation. Restoring areas within the creek setback reduces erosion potential while planting areas that are currently hardscape (such as doing a bio-retention swale rather than underground storm drains) reduces storm water and helps the groundwater recharge. Planting trees can also increase the annual uptake of CO2e and add the County's carbon stock.

AT CLOVER FLAT RESOURCE RECOVERY PART

BMP-4 Alternative fuel and electrical vehicles in fleet

The magnitude of GHG reductions achieved through implementation of this measure varies depending on the analysis year, equipment, and fuel type replaced.

Number of total vehicles _____

Typical annual fuel consumption or VMT _____

Number of alternative fuel vehicles _____

Type of fuel/vehicle(s) _____

Potential annual fuel or VMT savings _____

BMP-5 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 2

The California Building Code update effective January 1, 2011 has new mandatory green building measures for all new construction and has been labeled CALGREEN. CALGREEN provides two voluntary higher levels labeled CALGREEN Tier I and CALGREEN Tier II. Each tier adds a further set of green building measures that go above and beyond the mandatory measures of the Code. In both tiers, buildings will use less energy than the current Title 24 California Energy Code. Tier I buildings achieve at least a 15% improvement and Tier 2 buildings are to achieve a 30% improvement. Both tiers require additional non-energy prerequisites, as well as a certain number of elective measures in each green building category (energy efficiency, water efficiency, resource conservation, indoor air quality and community).

BMP-6 Vehicle Miles Traveled (VMT) reduction plan

Selecting this BMP states that the business operations intend to implement a VMT reduction plan reducing annual VMTs by at least 15%.

Tick box(es) for what your Transportation Demand Management Plan will/does include:

- employee incentives
- employee carpool or vanpool
- priority parking for efficient transportation (hybrid vehicles, carpools, etc.)
- bike riding incentives
- bus transportation for large marketing events

Other:

Collection trucks to Rutherford instead of CLOVER FLAT.

Estimated annual VMT _____

Potential annual VMT saved _____

% Change _____

Already Doing Plan To Do

BMP-7 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 1

See description below under BMP-5.

BMP-8 Solar hot water heating

Solar water heating systems include storage tanks and solar collectors. There are two types of solar water heating systems: active, which have circulating pumps and controls, and passive, which don't. Both of them would still require additional heating to bring them to the temperature necessary for domestic purposes. They are commonly used to heat swimming pools.

BMP-9 Energy conserving lighting

Lighting is approximately 25% of typical electrical consumption. This BMP recommends installing or replacing existing light bulbs with energy-efficient compact fluorescent (CF) bulbs or Light Emitting Diode (LED) for your most-used lights. Although they cost more initially, they save money in the long run by using only 1/4 the energy of an ordinary incandescent bulb and lasting 8-12 times longer. Typical payback from the initial purchase is about 18 months.

BMP-10 Energy Star Roof/Living Roof/Cool Roof

Most roofs are dark-colored. In the heat of the full sun, the surface of a black roof can reach temperatures of 158 to 194 °F. Cool roofs, on the other hand, offer both immediate and long-term benefits including reduced building heat-gain and savings of up to 15% the annual air-conditioning energy use of a single-story building. A cool roof and a green roof are different in that the green roof provides living material to act as a both heat sink and thermal mass on the roof which provides both winter warming and summer cooling. A green (living) roof also reduces storm water runoff.

BMP-11 Bicycle Incentives

Napa County Zoning Ordinance requires 1 bicycle rack per 20 parking spaces (§18.110.040). Incentives that go beyond this requirement can include on-site lockers for employees, showers, and for visitor's items such as directional signs and information on biking in Napa. Be creative!

BMP-12 Bicycle route improvements

Refer to the Napa County Bicycle Plan (NCPTA, December 2011) and note on the site plan the nearest bike routes. Please note proximity, access, and connection to existing and proposed bike lanes (Class I: Completely separated right-of-way; Class II: Striped bike lane; Class III: Signed Bike Routes). Indicate bike accessibility to project and any proposed improvements as part of the project on the site plan or describe below.

Already Plan
Doing To Do

BMP-13 Connection to recycled water

Recycled water has been further treated and disinfected to provide a non-potable (non-drinking water) water supply. Using recycled water for irrigation in place of potable or groundwater helps conserve water resources.

BMP-14 Install Water Efficient fixtures

WaterSense, a partnership program by the U.S. Environmental Protection Agency administers the review of products and services that have earned the WaterSense label. Products have been certified to be at least 20 percent more efficient without sacrificing performance. By checking this box you intend to install water efficient fixtures or fixtures that conserve water by 20%.

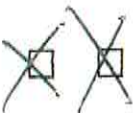
BMP-15 Low-impact development (LID)

LID is an approach to land development (or re-development) that works with nature to manage storm water as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat storm water as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Please indicate on the site or landscape plan how your project is designed in this way.

BMP-16 Water efficient landscape

If your project is a residential development proposing in excess of 5,000 sq. ft. or a commercial development proposing in excess of 2,500 sq. ft. The project will be required to comply with the Water Efficient Landscape Ordinance (WELO).

Please check the box if you will be complying with WELO or if your project is smaller than the minimum requirement and you are still proposing drought tolerant, xeriscape, native plantings, zoned irrigation or other water efficient landscape.



BMP-17 Recycle 75% of all waste

Did you know that the County of Napa will provide recycling collectors for the interior of your business at no additional charge? With single stream recycling it is really easy and convenient to meet this goal. To qualify for this BMP, your business will have to be aggressive, proactive and purchase with this goal in mind.

*Food waste diversion from PILOT to COMMERCIAL
SCALE
FROM 1,950 TBY TO 7,000 TBY*

As approved by the Planning Commission

07/03/2013

Already
Doing

Plan
To Do

BMP-18 Compost 75% food and garden material

The Napa County food composting program is for any business large or small that generates food scraps and compostable, including restaurants, hotels, wineries, assisted living facilities, grocery stores, schools, manufacturers, cafeterias, coffee shops, etc. All food scraps (including meat & dairy) as well as soiled paper and other compostable - see <http://www.naparecycling.com/foodcomposting> for more details.

Increases food waste collections to 7,333 TPY

BMP-19 Implement a sustainable purchasing and shipping programs

Environmentally Preferable Purchasing (EPP) or Sustainable Purchasing refers to the procurement of products and services that have a reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. By selecting this BMP, you agree to have an EPP on file for your employees to abide by.

Copy of EPP Attached

BMP-20 Planting of shade trees within 40 feet of the south side of the building elevation

Well-placed trees can help keep your building cool in summer. If you choose a deciduous tree after the leaves drop in autumn, sunlight will warm your building through south and west-facing windows during the colder months. Well-designed landscaping can reduce cooling costs by 20%. Trees deliver more than energy and cost savings; they are important carbon sinks. Select varieties that require minimal care and water, and can withstand local weather extremes. Fruit or nut trees that produce in your area are great choices, providing you with local food as well as shade. Please use the site or landscape plan to indicate where trees are proposed and which species you are using.

BMP-21 Electrical Vehicle Charging Station(s)

As plug-in hybrid electric vehicles (EV) and battery electric vehicle ownership is expanding, there is a growing need for widely distributed accessible charging stations. Please indicate on the site plan where the station will be.

BMP-22 Public Transit Accessibility

Refer to <http://www.ridethevine.com/vine> and indicate on the site plan the closest bus stop/route. Please indicate if the site is accessed by transit or by a local shuttle. Provide an explanation of any incentives for visitors and employees to use public transit. Incentives can include bus passes, informational hand outs, construction of a bus shelter, transportation from bus stop, etc.

Already Plan
Doing To Do

BMP-23

Site Design that is oriented and designed to optimize conditions for natural heating, cooling, and day lighting of interior spaces, and to maximize winter sun exposure; such as a cave.

The amount of energy a cave saves is dependent on the type of soil, the microclimate, and the user's request for temperature control. Inherently a cave or a building burned into the ground saves energy because the ground is a consistent temperature and it reduces the amount of heating and cooling required. On the same concept, a building that is oriented to have southern exposure for winter warmth and shading for summer cooling with an east-west cross breeze will naturally heat, cool, and ventilate the structure without using energy. Please check this box if your design includes a cave or exceptional site design that takes into consideration the natural topography and sitting. Be prepared to explain your approach and estimated energy savings.

BMP-24 Limit the amount of grading and tree removal

Limiting the amount of earth disturbance reduces the amount of CO2 released from the soil and mechanical equipment. This BMP is for a project design that either proposes a project within an already disturbed area proposing development that follows the natural contours of the land, and that doesn't require substantial grading or tree removal.

BMP-25 Will this project be designed and built so that it could qualify for LEED?

BMP-25 (a)

LEED™ Silver (check box BMP-25 and this one)

BMP-25 (b)

LEED™ Gold (check box BMP-25, BMP-25 (a), and this box)

BMP-25 (c)

LEED™ Platinum (check all 4 boxes)

Practices with Un-Measured GHG Reduction Potential

BMP-26 Are you, or do you intend to become a Certified Green Business or certified as a "Napa Green Winery"?

As part of the Bay Area Green Business Program, the Napa County Green Business Program is a free, voluntary program that allows businesses to demonstrate the care for the environment by going above and beyond business as usual and implementing environmentally friendly business practices. For more information check out the Napa County Green Business and Winery Program at www.countyofnapa.org.

BMP-27 Are you, or do you intend to become a Certified "Napa Green Land"?

Napa Green Land, fish friendly farming, is a voluntary, comprehensive, "best practices" program for vineyards. Napa Valley vintners and growers develop farm-specific plans tailored to protect and enhance the ecological quality of the region, or create production facility programs that reduce energy and water use, waste and pollution. By selecting this measure either you are certified or you are in the process of certification.

Already Doing Plan To Do

BMP-28 Use of recycled materials

There are a lot of materials in the market that are made from recycled content. By ticking this box, you are committing to use post-consumer products in your construction and your ongoing operations.

BMP-29 Local food production

There are many intrinsic benefits of locally grown food, for instance reducing the transportation emissions, employing full time farm workers, and improving local access to fresh fruits and vegetables.

Compost Use

BMP-30 Education to staff and visitors on sustainable practices

This BMP can be performed in many ways. One way is to simply put up signs reminding employees to do simple things such as keeping the thermostat at a consistent temperature or turning the lights off after you leave a room. If the project proposes alternative energy or sustainable winegrowing, this BMP could include explaining those business practices to staff and visitors.

BMP-31 Use 70-80% cover crop

Cover crops reduce erosion and the amount of tilling which is required, which releases carbon into the environment.

BMP-32 Retain biomass removed via pruning and thinning by chipping the material and reusing it rather than burning on-site

By selecting this BMP, you agree not to burn the material pruned on site.

BMP-33 Are you participating in any of the above BMPs at a 'Parent' or outside location?

BMP-34 Are you doing anything that deserves acknowledgement that isn't listed above?

Comments and Suggestions on this form?

PROJECT STATEMENT
UPPER VALLEY DISPOSAL SERVICE
March 21, 2017

Owner/Applicant: Upper Valley Disposal Service
Bob Pestoni
PO Box 382
St. Helena, California 94574

Representatives: Evan Edgar
1822 21st Street
Sacramento, California 95811

Rob Anglin
1455 First Street, Suite 217
Napa, California 94559
707/927-4274

Property Location: 1285 Whitehall Lane (APN 027-450-027)

Zoning: PL (Public Lands)

General Plan: AR (Agricultural Resource)

Summary Project Description

This application requests approval to modify the Property’s Use Permit to allow: 1) construction of a 15,000 square foot building to fully enclose an existing composting blending area; 2) construction of a compressed natural gas (CNG) refueling pump to replace existing diesel facility; and 3) increase in amount of food material composting from current 1,950 tons per year to maximum of 4,500 tons per year. UVDS is not proposing any change in the 34,000 tons of compost permitted annually, traffic, operating hours, or operating areas.

Background

Since 1966, Upper Valley Disposal (UVDS) began composting at 1285 Whitehall Lane (the “Property”) since 1966. In 1994, Napa County approved a rezone to the Public Lands (PL) zoning district, Solid Waste Facility Permit (SWFP), and Use Permit. Composting facilities and recycling facilities are permitted in the PL zoning district upon grant of a Use Permit,¹ and the Property’s Use Permit has been modified multiple times to add minor improvements to comply with ever-changing state law. For example, a recycling processing facility was added in 1996. Wood and

¹ Napa County Code (NCC) §18.50.030.

yard waste was added with a modification to the Use Permit in 1998. An 18,000 square foot metal canopy for recyclable storage and a 3,000 square foot truck wash were added in 2007.²

Under the current Use Permit, UVDS may accept 8,500 tons of green waste annually at the Property, and UVDS currently receives green waste material from approximately 6,000 residential accounts in the community. This green waste is composted with grape pomace at the Property to provide compost for Napa Valley vineyards.

Since 2009, UVDS has operated successful research program composting up to 1,950 tons per year of food material. This food material is collected from commercial sources (e.g. restaurants, grocery stores) and is blended with wood chips and finished compost. UVDS has enjoyed great success working with food material generators in the community to ensure proper training to source-separate food material from garbage (i.e. plastic and other inorganic). Collection trucks have been delivering the source-separated commercial food material on a concrete pad adjacent to the composting area. Finished compost is added to food material to introduce microbes to initiate the compost process. A loader mixes the material and loads the blended material into metal vessels the same day. The blended material currently is placed inside containers with ventilation piping and transferred to the Clover Flat Resource Recovery Park (“Clover Flat”) within 48 hours. The material returns from Clover Flat 8 weeks later to be combined with compost stocks onsite. While this program has been successful, transporting material to multiple locations is not efficient or environmentally superior, especially as State mandates require greater diversion of organic material away from landfills.

Past improvements to the Property were made to comply with ever-present changes in State law. More State law changes are coming to implement California’s goals to reduce greenhouse gas emissions and landfill material, and this application seeks improves to allow UVDS to continue its provision of State mandated services to the general public. A summary of the various State laws that apply to the Property and UVDS are attached as an appendix.

Proposed Permit Modification

This application requests approval to modify the Property’s Use Permit to allow: 1) construction of a 15,000 square foot building to fully enclose an existing composting blending area; 2) construction of a compressed natural gas (CNG) refueling pump to replace existing diesel facility; and 3) increase in amount of food material composting from current 1,950 tons per year to 4,500 tons per year. UVDS is not proposing any change in the 34,000 tons of compost permitted annually, traffic, operating hours, or operating areas.

² Use Permit Modification #P07-00464-MODVMIN to stock pile and process yard material.

1) Blending Barn

UVDS is proposing to modify the Use Permit (UP) to construct a 15,000 square foot building in an area already approved for “composting storage/blending area” within the current Use Permit. The concrete tilt-up building will be fully enclosed with closable roll-up doors to minimize odors, noise, and dust potential nuisances. Elevations of the proposed 15,000 square foot building are included with this Project Statement. The proposed building is 28 feet high and will follow the campus colors and texture of the existing UVDS building. The Property’s existing building square footage is approximately 71,000, so the proposed building represents a 21% increase in building square footage. The receiving and blending barn area will be fully enclosed concrete tilt-up structure 150 feet long, 100 feet wide, and 28 feet high, with roll-up doors on 3 sides. The building will be able to support rooftop solar panels. The building will house processing equipment, a grinder, storage bins, and source-separated organic materials. Offices and bathroom facilities are located nearby in the existing Truck Maintenance Building and the Recycling Center.

2) CNG Refueling

This application seeks approval to allow a CNG refueling station. CNG refueling is environmentally superior to the current diesel refueling operation. The current collection fleet is fuel by diesel with on-site fueling facilities. The use of compressed natural gas (CNG) presents the ability to transition a dated diesel fleet to a new quieter CNG fleet with a Cummins-Westport engine that is ultra-low NOx, with a 15% reduction of greenhouse gas emission. The refueling facility will be sized to fuel 15 refuse trucks each using an average of 50 diesel gallon equivalents per day. There will be 15 single hose posts with 33’ hoses and two posts will be installed on k-rail at the existing truck parking area as shown on the enclosed site plan. CNG refueling is similar to electric vehicle recharging in that fueling will occur by silently slow-filling from 4:00 p.m. to 4:00 a.m. The minimum standard cubic feet per minute (SCFM) of 143 SCFM will be brought in from the PG&E main line along Highway 29. Refueling will be limited only to UVDS; no commercial or third-party refueling will be permitted.

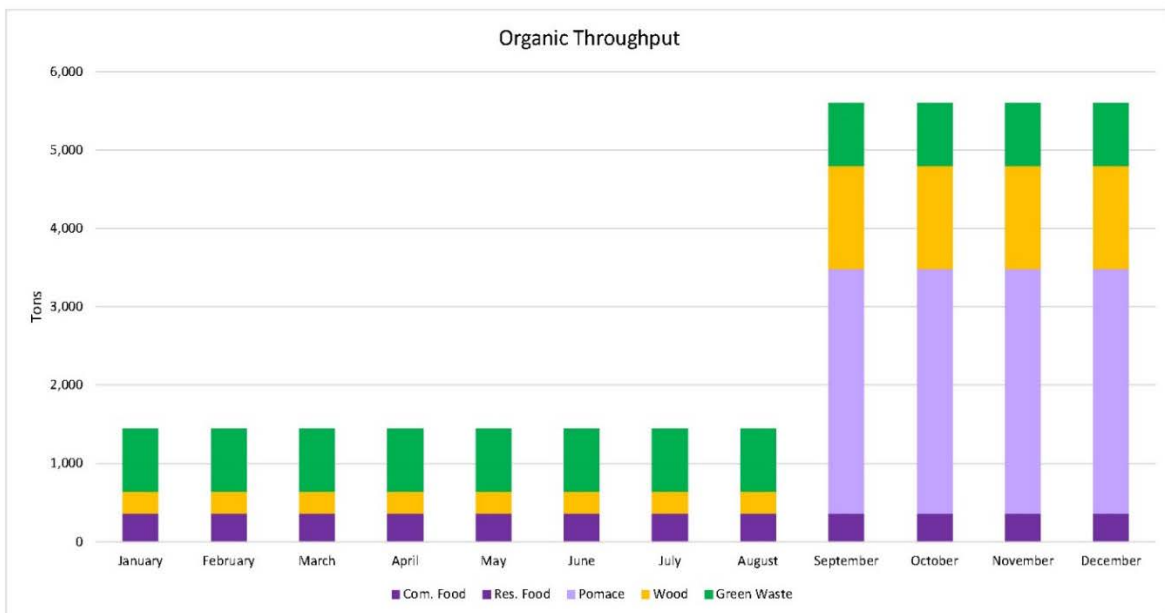
3) Food Material Composting Expansion

The Upper Valley Waste Management Authority (UVWMA) intends to propose adding residential food material to green waste carts starting in 2018. UVDS serves as the contactor for UVWMA, which has received numerous inquiries from customers regarding the availability of residential food material composting. Based on industry experience and numerous case studies, UVDS projects up to 11 pounds of residential food material per household monthly, which equates to approximately 33 tons per month or 400 tons per year. At 400 tons, the residential food material represents approximately 9% of the green waste collected. As the program become more established, UVDS projects up to 10% of co-collected green waste (i.e. approximately 500 tons per year) would be residential food material. Commercial food material is expected to generate up to 4,000 tons per year by 2025. Combined with commercial food material, the total food material would equal 4,500 tons per year.

Commercial food material will be blended with yard waste and wood waste within the proposed blending barn typically on the day of receipt but always within 48 hours of receipt. UVDS would accept co-collected green waste with food material from UVDS’s collection vehicles that will also be processed and placed into composting within 48 hours of receipt.

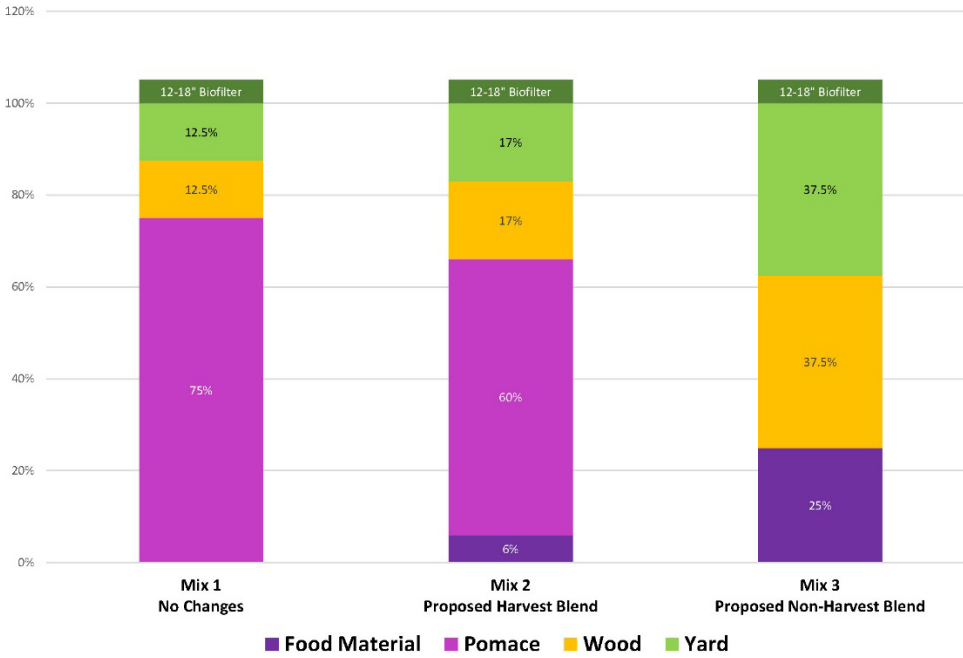
The blending barn operation will receive vehicle traffic and tonnages within the total limits of the current Use Permit and Solid Waste Facility Permit (see Table below); no additional traffic or tonnages are proposed. As depicted in the tables below, the primary role of the Property continues to be composting pomace. The proposed changes would allow a small amount of food material to be included with currently permitted green waste and wood.

The table below graphically compares the tons of proposed residential food material in comparison to pomace and green waste tonnage.



The above table demonstrates that the Property’s operations have a seasonality. Current harvest season is a rolling 4 months from August/ September to late November/December. During this time, the current blend is Mix 1 in the table below and consists of 75% grape pomace and 25% yard waste and wood waste as bulking agents. Under the proposed changes, the compost blend during harvest would reflect Mix 2 with 6% food material, 60% pomace, and 34% yard waste and wood waste as bulking agents for the 4 month period. The remaining 8 month period will be the non-harvest compost blend reflected by Mix 3 consisting of 25% food material, and 75% yard waste and wood waste as bulking agents.

UVDS Compost Blends - Volume Percentages



The Project Constitutes a Minor Modification to the Use Permit

UVDS is **not proposing any increase** in tons, traffic, operating hours, or operating areas or “the overall concept, density, intensity or environmental impact of, or substantially alter or delete any environmental mitigation measure for the project.”³ A minor modification may be approved to approve new structures as long as the aggregate of new building square footage does not exceed 25% of the square footage allowed under the existing Use Permit. Here, the proposed building represents a 21% increase. This application seeks approval for changes in the make-up of the composting material. Minor modifications to change compost materials have been approved multiple times in the past to allow wood, yard waste, and green waste.

³ NCC §18.124.130(B).

The table below depicts the changes (and lack of changes) to the Property's operations.

Proposed Permit Modifications from Current Use Permit

	UVDS Current Use Permit	UVDS Proposed
Traffic	224 vehicles per day	No change
Hours of operations	Daily – 7:00 am to 7:00 pm Harvest – 6:00 am to 10:00 pm One-truck / 24 hours during harvest	No change
CUP Acreage	54.76 acres	No change
SWFP Acreage	20.0 acres	No change
Total Waste Tons	34,000 tons per year (TPY)	No Change
Feedstock Types	Pomace Green Waste: Res. Green Waste Com. Food Material (research)	Pomace Green Waste: Res. Green Waste Com. Food Material Res. Food Material
Food Material Blending Area	Outdoor, uncovered pad	Within proposed 15,000 fully-enclosed building.
Fueling Station	Diesel fleet with diesel on-site fueling	CNG fueling station allowing replacement diesel fleet with CNG fleet
Compost Method	Extended Aerated Static Pile with biofilter and additives such as gypsum and clean soils	No change

California Environmental Quality Act

As a minor modification, the project is categorically exempt from CEQA pursuant to Napa County's Local CEQA Guidelines.⁴ Notwithstanding this exemption, there are many previously imposed mitigation measures and conditions of approval that govern the Property. Some of these past mitigations, conditions, and UVDS operational practices are described below.

Greenhouse Gas Emissions: UVDS first performed an analysis of GHG impacts for calendar year 2006, which provides a baseline emissions inventory on which the 2014 inventory is compared. This report uses the information from these two years, current recycling laws, and projection data to anticipate UVDS's future GHG impacts for the year 2020. UVDS is proposing to add solar to the blending barn where the facility could operate on this renewable energy. These calculations have not been presented in the Climate Action Plan.

Most notably, UVDS's planned transition from a diesel vehicle fleet to CNG. UVDS used 197,340 gallons of diesel fuel in 2014. In terms of CNG, a fleet of this size would require 28,858 MMBtu of compressed natural gas to substitute the entire fleet for a year. This estimate is derived from the energy equivalencies table provided by the California Energy Commission at <http://www.energyalmanac.ca.gov/transportation/gge.html>.

In addition to reducing its operational emissions over the next few years, UVDS is poised to increase the amount of emissions it avoids through its resource recovery endeavors. Specifically, UVDS is preparing to divert thousands of tons of organic material that will be separated from the waste stream with the implementation of AB 1826 – California's Mandatory Commercial Organics Recycling Law.

For each year of analysis, UVDS looks at both operational and avoided emissions. Operational emissions are greenhouse gases that result either directly or indirectly from UVDS's waste collection and processing activities. Avoided emissions are those emissions that are *prevented* through the environmentally beneficial recycling and composting activities UVDS performs. Both operational and avoided emissions are quantified in terms of metric tons of carbon dioxide equivalent (MTCO₂e) using the best available methodologies. UVDS's ultimate goal is to simultaneously increase avoided emissions while decreasing its operational emissions while maintaining the "Net Zero" status and increasing the ratio of avoided emissions to operational emissions as shown below with a 2006 base year, 2014 project year, and 2020 compliance year.

Odor: The proposed building which will minimize odors. The Property's previously imposed Odor Impact Minimization Plan (OIMP) will continue to apply. As required by State law, the OIMP is a "living document" that is reviewed annually and revised as necessary.⁵ Regarding the change in composting material, UVDS has commissioned Peter Moon, as nationally recognized compost expert, to analyze the difference in odor potential resulting from different composting material

⁴ Napa County Local Procedures for Implementing CEQA, Appendix B, #3. Other exemptions may apply as well.

⁵ 14 Cal. Code of Reg. § 17863.4 (d).

blends. That Technical Memorandum that is enclosed and concludes that the proposed changes in composting material will not result in different odors.

Dust Control: Compost is a material that can have small particle sizes and low density. It can be a cause of dust especially during times of dry weather conditions and high wind. To decrease the opportunity for dust emission beyond the property boundary UVDS takes the following measures:

- Paved asphalt surfaces used by loaders to handle feedstocks and compost product are swept or washed to prevent the accumulation and drying of spilled compost material.
- Compost will be kept at moisture content high enough to prevent the creation of dust during material movement.
- Screening of compost will only be conducted on product with sufficient moisture content to prevent dust (greater than 40% moisture content). If the product is drier than 40% moisture content, sprinklers will be used to moisten the material before screening or sprinklers will be used directly on the screening equipment to prevent the release of dust.

Noise: The original 1994 Use Permit requires a six foot berm and/or landscaping around the activity areas to attenuate on-site noise levels. This requirement also was part of the flood impact and visual impact mitigation measures. Landscaping has been installed, and UVDS has augmented any landscape plantings that did not perform as expected.

Additionally, the proposed building will be enclosed to further reduce the potential for noise. The grinding equipment will eventually be replaced by electrical equipment which will emit less noise than diesel engines.

Transitioning from diesel trucks to CNG vehicles will reduce noise. Noise levels from CNG fuel engines are less than noise from diesel engines. Noise from natural gas engines is generally not as loud and is less bothersome than the lower pitch rumble associated with diesel engines. Natural gas engines don't emit the same degree of high-energy sound waves as diesel engines. Consequently, transit buses, school buses, and refuse trucks using CNG fuel engines are likely to be less objectionable than a diesel equivalent. In addition, the lower pitched diesel rumble sound waves will travel further before dissipation than higher pitched noise and thus creates a greater noise footprint in the environment (source: PG&E).

Traffic: Traffic will remain within the current Use Permit limits of 224 vehicles per day during the same operational hours. No self-haul loads or contractors are included in this project. The "organics blending operation" will receive traffic and waste tonnages within the limits of the current Use Permit and Solid Waste Facility Permit with four daily inbound collection trucks.

Water Resources: The blending operation currently is on an outdoor paved surface and will be moved into the proposed fully enclosed building. The proposed building is a structural control for stormwater pollution prevention that will be a part of the Property's Stormwater Pollution Prevention Plan.

Summary of New State Laws, Regulations, and Policies

California has the most ambitious goals to reduce GHG and landfill material. Below is a summary of the legion of State laws, regulations, and policies that apply to UVDS and the Property.

With state policies and regulations in place to reduce greenhouse gases, mandatory commercial food material collection programs were mandated starting in April 2016 per AB 1826 (Chesbro, 2015). Each County or regional agency, such as the Upper Valley Waste Management Agency (UVWMA) must identify 15 years of organic waste processing capacity per AB 876 (McCarty, 2015). SB 1383 (Lara, 2016) is now requiring 50% of all organic material be removed from landfilling by 2020, and 75% removed by 2025. Based on these state mandates in 2020 and 2025 and 2030, UVWMA and the generators are now responsible to diverted organics from the landfill and phase in collection and composting amounting to 4,000 tons per year of commercial food material, 500 tons per year of residential food material mixed with yard waste and wood wastes per year while not expanding grape pomace tonnages. The proposed feedstock blends with food material with yard waste and wood wastes will have comparable mix parameters of the current blends with grape pomace with yard waste and wood wastes. The proposed operations will now have a harvest season and a non-harvest season operations with comparable compost feedstocks blends.

A summary of the new state laws, regulations, and policies are provided below, which have motivated UVDS to propose organic waste collection and composting programs to comply with the new mandates and the change in laws.

Summary of Operation and Avoided Emissions; 2006, 2014 and 2020

CFRRP/UVDS Operational vs. Avoided Emissions			
	2006	2014	2020*
Operational Emissions	1,556	2,338	711
Avoided Emissions	(19,386)	(32,383)	(36,728)
Ratio	-12.5	-13.9	-51.7
Net Zero Analysis	Net Zero	Net Zero	Net Zero

*target emissions with AB 1826 implementation and substitution to CNG.

Between 2006 and 2014, UVDS has expanded its operations substantially, resulting in an increase of both operational and avoided emissions. Despite the increase in its operational emissions UVDS **offset these emissions 13.9 times** with its avoided emissions increasing their “Net Zero” status, which is an improvement from 2006. UVDS may further improve this ratio to 51.7 times as 2020 approaches by substituting its diesel fleet with lower emissions compressed natural gas (CNG) trucks, and diverting more organics materials from landfills.

Net-Zero’ GHG Emissions by Mid-term (2030 to 2035)

The AB 32 Scoping Plan First Update was adopted on May 15, 2014 by the California Air Resource Board and includes the “Net-Zero” concept as copied below. Net-Zero has been defined by the California Air Resource Board as when an organization’s avoided indirect emissions offset their operational emissions. By reporting the progression of operational vs avoided emissions, it is possible to evaluate the achievement of this goal now, already showing compliance. To meet Net-Zero, one’s avoided GHG emissions must be greater or equal to one’s operational GHG emissions.

As the State looks beyond 2020 and towards the 2050 goal of 80% reduction compared to 2006, it is looking towards the waste industry to achieve “Net-Zero” by 2035. Net-Zero has been defined as when an organization’s avoided indirect emissions offset their operational emissions. UVDS’s operation demonstrated this by off-setting its own emissions 13.9 times in 2014, and plans to increase the off-set to 51.7 times in 2020. UVDS operations are Net-Zero now as defined by CARB. By reporting the avoided emissions of an operation, it is possible to evaluate the progress made towards this goal.

Table 2 – Organics Legislation and Timeline

Organic Legislation and Timeline											
	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2030
AB 341 MCR	Starting in 2012, commercial generators with 4 cyd/week of MSW must have mandatory recycling program.				<u>Goal: 75%</u> statewide recycling rate						
AB 1826 MORe	Commercial generators w/ 8 cubic yards organic waste per week	Commercial generators w/ 4 cubic yards of organic waste per week		Commercial generators w/ 4 cubic yards of MSW per week	Commercial generators w/ 2 cubic yards of MSW per week, if 50% of all organics are not diverted by 2020						
AB 1594 ADC			Jurisdictions submit green waste ADC plans		No diversion credit for green waste ADC						
AB 876 CAPACITY		County submits 15 year organics processing capacity each year	Annual report update on capacity and AB 1826			Annual report update on capacity				Identify 15 years of capacity to 2030	
SB 498 AB 901 AB1103 REPORTING	498: Wood Chips to bioenergy are reported.	CalRecycle to adopt AB 901 regulations on diversion reporting system		Food waste, compost and wood commodities are reported							
SB 1383 METHANE MITIGATION		CalRecycle to develop regulations in 2017	CalRecycle to adopt regulations in 2018	Assessment of the compost infrastructure. <u>50%</u> reduction of all organics disposal (from 2014 base year)	Regulations become effective		Statewide penalties for non-compliance	<u>75%</u> reduction of all organics disposal (from 2014 base year)			
AB 1045 INFRA-STRUCTURE	CAL-EPA to promote compost use, assess progress and coordinate regulations	CAL-EPA to post recommended actions	Quarterly state meetings, annual public meeting, and annual CAL-EPA update of recommendations								



AB 341 “Mandatory Commercial Recycling” | Assembly Bill 341 was signed into law in 2011 to increase the amount of material diverted from landfills from the commercial sector. It states that businesses that generate four cubic yards or more of commercial solid waste per week shall arrange for recycling services. The same requirement is also applied to multifamily dwellings of five units or more. These multifamily homes and businesses can either self-haul the materials to an appropriate facility themselves, subscribe to an existing recycling service, or arrange for other pickup of recyclable materials.

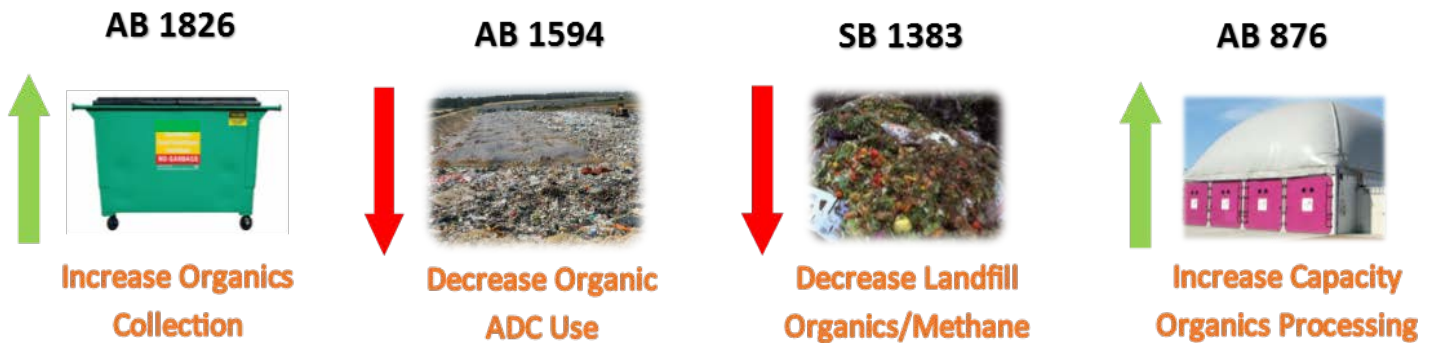
The purpose of AB 341 is to reduce greenhouse gas (GHG) emissions by diverting commercial solid waste to recycling efforts and to expand the opportunity for additional recycling services and recycling manufacturing facilities in California. The AB 341 regulation does not specify how much or what type of materials must be recycled by businesses but the focus has been on dry

recyclables such as cardboard, paper fiber, pallets, rigid plastics, and containers, with food material and compostable paper being the focus of AB 1826. Cardboard and paper fiber recycling offer the highest methane mitigation potential per ton recycled, and can also count towards the efforts of SB 1383 compliance.

Requirements of Local Government: Each jurisdiction shall implement a commercial solid waste recycling program that consists of education, outreach, and monitoring of businesses that is appropriate for that jurisdiction and is designed to divert commercial solid waste from businesses. These jurisdictions shall report the progress achieved in implementing its commercial recycling program, including education, outreach and monitoring, and if applicable, enforcement efforts and exemptions, by providing updates in its electronic annual report.

Enforcement: CalRecycle will review each jurisdiction’s commercial recycling program that consists of education, outreach and monitoring. This will include an evaluation as part of its formal AB 939 review, conducted every two or four years of each jurisdiction’s programs, which includes an annual jurisdiction site visit, review of the Electronic Annual Report, and other information a jurisdiction may deem relevant. If the jurisdiction is found to have **not** made a good-faith effort in implementing its programs, possibly including its mandatory commercial recycling program, CalRecycle can place the jurisdiction on a compliance order as part of the AB 939 review, and if it then fails to adequately meet the conditions of the compliance order, then CalRecycle could consider a penalty hearing.

How Organics Legislation Works Together



AB 1826 “Mandatory Commercial Organics Recycling” | In October of 2014 Governor Brown signed AB 1826 into law requiring businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate per week. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement a commercial Organic Waste Recycling Program to divert organic waste generated by businesses. Jurisdictions must conduct outreach, education to inform businesses how to recycle organic waste in the jurisdiction, and monitoring to identify

those not recycling and inform them of the law and how to recycle organic waste. AB 1826 phases in the mandatory recycling of commercial organics. The implementation schedule outlined is as follows:

- ✓ **January 1, 2016** | On and after this date, local jurisdictions must have an Organic Waste Recycling Program in place. Jurisdictions must identify regulated businesses and conduct outreach and education to inform those businesses how to recycle organic waste in the jurisdiction, and monitor to identify those not recycling and inform them of the law and how to recycle organic waste.
- ✓ **April 1, 2016** | Businesses that generate 8 cubic yards of organic waste per week must arrange for organic waste recycling services.
- ✓ **January 1, 2017** | Businesses that generate 4 cubic yards of organic waste per week must arrange for organic waste recycling services.
- ✓ **August 1, 2017 and ongoing** | Jurisdictions must provide information about their Organic Waste Recycling Program implementation in the annual report submitted to CalRecycle.
- ✓ **Fall 2018** | After receipt of the 2017 annual reports submitted on August 1, 2018, CalRecycle shall conduct its formal review of those jurisdictions that are on a two-year review cycle.
- ✓ **January 1, 2019** | Businesses that generate 4 cubic yards or more of commercial solid waste per week must arrange for organic waste recycling services.
- ✓ **January 1, 2020** | On or after January 1, 2020, if CalRecycle determines that the statewide disposal of organic waste has not been reduced by 50% of the level of disposal in 2014, the organic recycling requirements on businesses will expand to cover businesses that generate 2 cubic yards or more of commercial solid waste per week. Additionally, certain exemptions may no longer be available if the 2020 target is not met.
- ✓ **Fall 2020** | After receipt of the 2019 annual reports submitted on August 1, 2020, CalRecycle shall conduct its formal review of all jurisdictions. CalRecycle will continue to conduct the two- and four-year reviews after this cycle.
- ✓

AB 1826 State Implementation Timeline



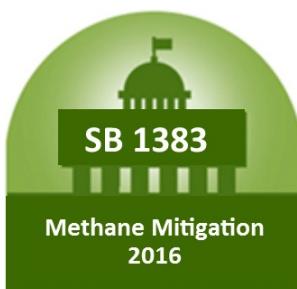
AB 1594 “Green Waste ADC Phase-out of Diversion Credits” | This bill was approved by the Governor on September 28, 2014, and states, commencing January 1, 2020, the use of green material as alternative daily cover (ADC) would not constitute diversion through recycling and would be considered disposal for purposes of the act. The bill, commencing August 1, 2018, would require a local jurisdiction to include information in an annual report on how the local jurisdiction intends to address these diversion requirements and divert green material that is

being used as ADC. The bill would require a jurisdiction that does not meet certain diversion requirements because of not being able to claim diversion for the use of green material as ADC to identify and address, in an annual report, barriers to recycling green material and, if sufficient capacity at facilities that recycle green material is not expected to be operational before a certain date, to include a plan to address those barriers. The bill would impose a state-mandated local program by imposing new duties upon local agencies regarding the diversion of solid waste.



AB 876 “15-Year Organic Processing Capacity” | AB 876 was passed in 2015 and compliments AB 1826. Beginning August 1, 2017, counties and regional agencies are to include in their annual reports to CalRecycle, an estimate of the amount of organic waste that will be generated by UUVWMA over a 15-year period. In addition, it calls for an estimate of the additional organic waste capacity that will be needed to process that amount of waste, and areas identified by the County or regional

agencies as potential locations for new or expanded organic waste recycling facilities capable of safely meeting that additional need. UVDS plans to provide this plan to the County for them to identify countywide organic processing capacity.



SB 1383 “Organics Reduction for Methane Mitigation” | The recently adopted Senate Bill 1383 has identified the reduction of methane generation of organic waste as a prioritized climate change mitigation strategy. As such, SB 1383 mandates reductions in the landfilling of organic waste, and thereby methane emissions. Whereas AB 341 and AB 1826 placed the burden of mandatory collection on the generators with a local government planning effort, SB 1383 explicitly shares the responsibility with local government where CalRecycle may add fines

and penalties much like AB 939, but with delayed enforcement until 2024. SB 1383 requires CalRecycle, in consultation with CARB, to adopt regulations that achieve the specified targets for reducing organic waste in landfills by 2022. SB 1383 would authorize local jurisdictions to charge and collect fees to recover the local jurisdiction’s costs incurred in complying with the regulations.

SB 1383 would require by July 1, 2020, for CalRecycle to analyze the progress that the waste sector, state government, and local governments have made in achieving the specified targets

for reducing organic waste in landfills such as infrastructure development and markets for products. SB 1383 would authorize CalRecycle, depending on the outcome of that analysis, to amend the regulations to include incentives or additional requirements. The regulations shall also include requirements intended to meet the goal that not less than 20% of edible food that is currently disposed of is recovered for human consumption by 2025.

Specifically, this bill adds two goals for organic waste disposal reductions:

- ✓ A 50% reduction in the level of statewide disposal of organic waste from the 2014 level by 2020.
- ✓ A 75% reduction in the level of statewide disposal of organic waste from the 2014 level by 2025.

In 2020, the analysis will include:

- ✓ Status of new organics recycling infrastructure development, including the commitment of state funding and appropriate rate increases for solid waste and recycling services to support infrastructure expansion.
- ✓ Progress made in reducing barriers to the siting of organics recycling facilities and the timing and effectiveness of policies that will facilitate the permitting of organic's recycling infrastructure.
- ✓ Status of markets for the products generated by organics recycling facilities.

The purpose of SB 1383 is to reduce methane by diverting organic waste from landfilling. SB 1383 regulations will be promulgated during 2017 and 2018, where the types of organic waste will be further identified. AB 341 has been focused on dry recyclables such as cardboard, paper fiber, pallets, rigid plastics, and containers, with food waste and compostable paper being the focus of AB 1826. Cardboard and paper fiber recycling offer the highest methane mitigation potential per ton recycled and are part of the current mandatory commercial recycling program. AB 1826 with SB 1383 will focus on food waste, compostable paper, green waste and wood waste.



AB 901 “Reporting Requirements” | AB 901, which was passed in 2015, will require exporters, brokers, and transporters of recyclables or composters to submit periodic information to CalRecycle on the types, quantities, and destinations of materials that are disposed of, sold, or transferred inside or outside of the state, and would authorize the department to provide this information, on an aggregated basis, to jurisdictions, as specified. The regulations will be promulgated during 2017, and will start on January 1, 2018. UUVMA will be required to

track the organics tons being transferred into the marketplace on a quarterly basis and report those tons to CalRecycle.

AB 1103 (Dodd, 2016) will require generators that self-haul more than one cubic yard per week of its own food waste to a location or facility not owned or operated by the entity will need to report those tons to CalRecycle, and this law may dovetail with AB 901 regulations.

SB 498 (Lara, 2014) requires the biomass conversion facility operators to provide an annual report to CalRecycle about the source of each type of material accepted by the facility, which means that wood chips going from a chipping and grinding to bioenergy must be reported starting 2016.



SB 32 “2030 GHG Reduction Goals” | The California Global Warming Solutions Act of 2006, known as AB 32, designates the California Air Resources Board (CARB) as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. CARB is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emissions reductions. California is on track to meet the AB 32 goals in 2020. SB 32 would require CARB to ensure that statewide greenhouse gas emissions are reduced to 40% below the 1990 level by 2030. CARB will be preparing the 2030 Target Scoping Plan in 2017 that will integrate SB 1383 and the AB 32 Scoping Plan adopted in 2014 to meet the SB 32 goals and has included a local implementation section that recognizes the importance of local climate action plans.



CalRecycle has completed updating the Title 14/27 regulations to address a broad list of topics for operations and definitions, mainly related to the expanding diversion of organic materials from landfills. Additionally, limits on land application of green waste to agricultural sites continue to allow up to three applications of twelve inches each annually. The regulations, became effective on January 1, 2016.

CalRecycle uses the following definition for ‘food material’ that will be part of the UVDS solid waste facility permit revision.

(20) "Food Material" means a waste material of plant or animal origin that results from the preparation or processing of food for animal or human consumption and that is separated from the municipal solid waste stream. Food material includes, but is not limited to, food processing establishments as defined in Health and Safety Code section 111955, grocery stores, institutional cafeterias (such as, prisons, schools and hospitals) and residential food scrap collection. Food material does not include any material that is required to be handled only pursuant to the California Food and Agricultural Code and regulations adopted pursuant thereto.



The State Water Resources Control Board (SWRCB) has concluded its efforts to establish statewide regulations for composting facilities. The SWRCB adopt the General Order Waste Discharge Requirements (WDRs) at their August 4, 2015 Board Meeting, The SWRCB officially released final language on August 31, 2015, Compost operators are required to file a Technical Report by August 4, 2016 to provide the plans to comply with the requirements. UVDS file their Technical Report and will be implementing the General Order.