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Agenda Date: 12/7/2011

Agenda Placement: 9A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: John McDowell for Hillary Gitelman - Director
Conservation, Development & Planning

REPORT BY: RONALD GEE, PLANNER III - 707.253.4417

SUBJECT: Clover Flat Resource Recovery Park - Use Permit Major Modification # P09-00511-MOD

RECOMMENDATION

VISTA CORPORATION - ROBERT PESTONI / CLOVER FLAT RESOURCE RECOVERY PARK - USE PERMIT MAJOR MODIFICATION # P09-00511-MOD

CEQA Status: Mitigated Negative Declaration has been prepared. According to the proposed mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following areas: Agriculture & Forest Resources, Biological Resources. The project is not considered a hazardous waste site enumerated under Government Code Section 65962.5.

Request: Approval for a Use Permit Major Modification to modify existing landfill and recycling operations, add a new biomass power generator, extend the lifetime of the Clover Flat Landfill and convert the facility to a Resource Recovery Park. Proposed operational changes include but are not limited to: 1) Relocation/expansion of the gate operations and recycling area from 1.4 acres to 2.1 acres; 2) Increase the permitted Solid Waste Facility boundary by 1.0 acre (79.0 acre total); 3) Permit grading in the proposed gate operations area of 70,000 cubic yards of cut material to create the proposed 2.1 acre area; 4) Amend the Final Fill Plan (landfill design) to retain an existing concrete operations pad; 5) Extend the landfill closure date from 2021 to 2047; 6) Decrease the permitted landfill capacity from 5.1 million cubic yards to 4.9 million cubic yards; 7) Allow use of new inert alternative daily cover (ADC) material types including glass chards and diatomaceous earth; 8) Relocate the material recovery facility; 9) Expand in-vessel food waste composting and recycling operations; and 10) Add a landfill gas power generator and a separate biomass power generation plant using 40 tons per day of wood waste. Other than expansion of the existing gateway and recycling operations area, no other physical changes to the Clover Flat Landfill are proposed as part of this Use Permit application as there will be minor or no changes to the following operations: tonnage amount or waste types; traffic counts; employees; operating hours; or disposal footprint of the landfill. The project involves modification of operations within an approximately 2.14 acre area at the southeast portion of the existing 78 acre Clover Flat Landfill, located on a 179.97 acre parcel, approximately 0.38 mile (2,000 feet) north of Silverado Trail and 1.0 mile east of Dunaweal Lane, within the AW (Agricultural Watershed) zoning district. (Assessor's Parcel Numbers: 020-120-020 and -021) 4380 Clover Flat Road, Calistoga, CA 94515.

Recommendation: Adopt the Mitigated Negative Declaration and approve the requested use permit as

conditioned.

Staff Contact: Ronald Gee, 707.299.1351, ronald.gee@countyofnapa.org

CONTINUED FROM THE SEPTEMBER 21, 2011 REGULAR MEETING

EXECUTIVE SUMMARY

Proposed Action:

That the Planning Commission:

1. Adopt the project's revised Mitigated Negative Declaration, based on findings 1-5 of Exhibit A; and
2. Approve Use Permit Major Modification # P09-00511-MOD UP based on findings 6-10 of Exhibit A and subject to the recommended Conditions of Approval, Exhibit B.

Discussion:

On September 21, 2011, the Planning Commission held a public hearing for the proposed Clover Flat Landfill (CFL) conversion to a Resource Recovery Park. The applicant, Bob Pestoni, and his representative, Evan Edgar, spoke about the project. Greg Pirie from the Local Enforcement Agency, Steve Lederer, Manager of the Upper Valley Waste Management Agency, and John Stephens of EDEN provided additional background information; all spoke in support of the proposal. The public hearing was continued at Staff's request to allow revision of the Initial Study/Mitigated Negative Declaration to address Responsible Agency comments.

A revised Air Emissions Study and additional project details were included in the revised document to respond to CalRecycles, California Department of Fish & Game and Bay Area Air Quality Management District comments. The recirculated document fully addresses comments from the Responsible Agencies and Planning Staff remains in contact with Responsible Agency staff to ensure timely processing of subsequent permits. The environmental document was recirculated with a new comment period between November 7, 2011 to December 6, 2011. Detailed background information regarding the waste management process, related policies, organization and CFL operations was provided in the September 21, 2011 hearing packet. The revised Initial Study/Mitigated Negative Declaration, updated Questa biologist's statement and facility emissions report are attached.

As such, Staff recommends the Planning Commission complete the public hearing and approve the use permit request as conditioned.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Mitigated Negative Declaration prepared. According to the proposed Mitigated Negative Declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the

following areas: Agriculture & Forest Resources and Biological Resources. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5.

BACKGROUND AND DISCUSSION

Discussion:

See attachments and Sept 21, 2011 staff report for project details.

SUPPORTING DOCUMENTS

- A . Exhibit A - Findings
- B . Exhibit B - Conditions of Approval
- C . Revised Initial Study / Mitigated Negative Declaration
- D . CFL Resource Recovery Park Final Draft Air Emissions Study
- E . Questa Response to California Department of Fish & Game Comments

Napa County Planning Commission: Approve

Reviewed By: John McDowell