



Agenda Date: 2/12/2018

Agenda Placement: 6C

## Upper Valley Waste Management Agency Board Agenda Letter

---

**TO:** Board of Directors

**FROM:** Steven Lederer - Manager  
Upper Valley Waste Management Agency

**REPORT BY:** Steven Lederer, Director, Public Works - 259-8228

**SUBJECT:** Clover Flat Landfill; Request Board Approval to Accept Fire Debris in Excess of Franchise Limits

---

### **RECOMMENDATION**

#### **CLOVER FLAT LANDFILL; REQUEST BOARD APPROVAL TO ACCEPT FIRE DEBRIS IN EXCESS OF THE FRANCHISE LIMITS**

REQUESTED ACTION: Approval to allow CFL to accept:

- | An additional 40,000 tons of debris from the 2017 Napa and Sonoma Fire Complex at the Clover Flat Landfill in addition to the 120,000 tons previously approved, commencing November 27, 2017 and extending to the time period to March 19, 2018.
- | The Board may choose to shorten or lengthen this amount of time by formal action at future meetings.

### **EXECUTIVE SUMMARY**

See Background.

### **FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	The Agency will receive \$4.75/ton on Fire Debris accepted for recycling or disposal at the landfill. If 120,000 tons are accepted, this would equate to \$570,000. An additional 40,000 tons would generate an additional \$190,000.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Waste disposal from the fires is on the critical path for many property owners to be able to rebuild their homes. CFL is capable of assisting in this effort due

to its location. The Company and the Agency can also use funds generated for valuable future waste management projects.

Is the general fund affected? No

Future fiscal impact: It is expected all funds from this effort will be received in this fiscal year; unspent funds will carry over to future years as fund balance.

Consequences if not approved: CFL will not be able to assist in the cleanup effort.

Additional Information:

### **ENVIRONMENTAL IMPACT**

**Consideration and possible adoption of a Categorical Exemption Class 1:** Since this activity is for a limited period of time, and since the Landfill will continue to operate within its permitted limits, It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 1 ("Existing Facilities") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

### **BACKGROUND AND DISCUSSION**

In October, 2017, three large wild fires, known as the Atlas, Nunns, and Tubbs Fires, destroyed over 700 homes and numerous other structures in Napa County, and many thousands more in Sonoma County. A critical step in the recovery process for those land owners and the County as a whole is removal of the debris from those sites. Clover Flat Landfill (CFL) is in a unique position to assist in that effort as a disposal site, due to its location and available capacity, though in order to do so the acceptance of such materials requires the approval of this Board, as the Franchise agreement limits "out of area" waste to 5% of the highest last 3 years tonnage received (i.e. about 1800 tons per year).

On November 22, 2017, the Company requested of the Agency Manager the ability to commence taking in fire related waste from both Napa and Sonoma Counties. Given the location of the burn areas, essentially all fire related debris is considered "out of area" waste. The Agency Manager, after notifying the Board, and in the interest of supporting recovery efforts, chose not to inhibit the Company's ability to accept this waste, pending convening of the full Board for a more complete discussion and a formal decision. Subsequently, at its December 18th meeting, the Board authorized the Company to accept 120,000 tons of out of area fire debris for the period of November 27, 2017 to February 19, 2018.

From November 27th to January 28th (a 9 week period), the landfill received 75,714 tons of fire-related debris (45% from Napa and 55% from Sonoma); 85% of this waste (Ash and Trash) required landfill disposal, while the remainder (concrete, metal, and green waste) was recycled.

It was originally estimated (by the Corps of Engineers) that their cleanup efforts in Napa would finish by January 15th. They are now estimating early March. Corps efforts in Sonoma may continue for months beyond that.

Based on the amount of waste we are seeing at CFL, the stated clean up rates of the various properties, and

the availabilities of other landfills, the Agency Manager recommends the Board approve the acceptance of an additional 40,000 tons of fire debris waste and extend the allowable acceptance period to March 19, 2018. This would equate to 160,000 tons in total.

Assuming 85% of this waste is landfilled, that will equate to 136,000 tons of disposal. To put this in the context of overall landfill capacity, the landfill has approximately 1.5 million tons of available capacity. At our current (non-disaster) rate of 35,000 tons per year, that leaves the landfill with a "life span" of 43 years, or the year 2060. Acceptance of the additional 136,000 tons would theoretically shorten the life span of the landfill by about 3.5 years, or sometime in 2057. Absent a major increase in development patterns in the County, the annual disposal rate is likely to continue to decrease as it has been doing for several years as additional recycling programs (such as organics diversion) continue to be developed, thus further extending the life of the landfill.

The Agency Manager supports this request for the following reasons:

- | Recovery from the Fire is a critical community goal, and the landfill is in a unique position to assist in this effort;
- | Based on the total debris expected, it is clear that other landfills are also "doing their part;"
- | The Board has the ability to revisit this request at future meetings if it desires to make a change at a later date;
- | This waste will have the coincidental benefit of filling in a portion of the landfill that will allow for the creation of more flat space, which will assist in our medium term goal of increasing organics recycling;
- | While not the primary driver for this decision, the influx of waste will generate significant revenue for the Company, which will be used in part to fund the front gate improvements as well as to construct a new landfill cell. While these projects are already the financial responsibility of the Company, this revenue will accelerate these important projects;
- | While not the primary driver for this decision, the influx of waste will generate significant revenue for the Agency which will be used in part to fund future diversion efforts and other projects at the Board's discretion.

### **Conclusion**

The Agency Manager recommends the Board authorize acceptance an additional 40,000 tons, on top of the 120,000 tons already approved, for a total allowance of 160,000 tons of "out of area" fire related waste for the period November 27, 2017 to March 19, 2018, subject to review by the Board at any future meeting.

### **SUPPORTING DOCUMENTS**

None

Recommendation: Approve

Reviewed By: Steven Lederer