

**MARIN COUNTY HAZARDOUS & SOLID WASTE
MANAGEMENT JOINT POWERS AUTHORITY**

AB 939 Local Task Force Meeting
Friday, March 24, 2023
1600 Los Gamos Drive, Suite 211
San Rafael, CA 94903

Action Minutes

MEMBERS PRESENT

Greg Christie, Bay Cities Refuse
Alice Cochran, City of San Rafael
Renee Goddard, Ross Valley Cities
Jim Iavarone, Mill Valley Refuse Service
Dee Johnson, Novato Sanitary District
Ramin Khany, Redwood Landfill
Vicki Nichols, Marin Conservation League
Adam Ratner, Marine Mammal Center

MEMBERS ABSENT

Patty Garbarino, Marin Sanitary Service
Matt McCarron, City of Novato

STAFF PRESENT

Casey Fritz
Amy Kolnes
Melody Mitchell
Casey Poldino
Andrew Shelton

OTHERS PRESENT

Meilin Tsao, Recology
Dommel (?), LGVSD
Justin Wilcock, Marin Sanitary Service

1. Open Time for Public Comment

Members, staff, and attendees went around the room and introduced themselves. No other public comment was tendered.

2. Approval of the January 15, 2020 JPA LTF Action Minutes

Motion: by Ms. Nichols to approve the January 15, 2020 JPA LTF minutes. Second: by Mr. Khany. Vote: Unanimous. Abstentions: Renee Goddard, Alice Cochran.

3. Introduction of New JPA/Zero Waste Staff to the LTF

Ms. Fritz introduced herself and Amy Kolnes to the group, except for Kim Scheibly, JPA Executive Director, who was unable to attend at the time. Ms. Fritz and Ms. Kolnes both delivered a brief biography of themselves. Full biographies are available in the Agenda packet.

4. Review LTF Procedures, Purpose, and Member Requirements

Ms. Fritz reviewed the LTF procedures, purpose and member requirements to the group.

Ms. Johnson asked that since the LTF has not met in three years, would the Board all still be members, and would they need to be reinstated? Ms. Poldino answered that having the new Executive Director, Ms. Scheibly, on board, she will be reviewing the LTF procedures and how they will move forward with that issue. Ms. Fritz went over the summary of stated purposes of the LTF as currently written. The purpose of this meeting is to meet and go over the 5-year plan. Staff is also asking the LTF to monitor

and review any proposed legislation and to stay up to date on regulation and consider making suggestions to the JPA Board to act and advocate for any upcoming legislation. She went over the membership, and full list of minimum number of seats, requirements of the LTF. She stated that there are some open seats and recruitments will be done soon for these seats. LTF members serve for three years and will need to re-apply after the three years. Members are required to meet regularly and decide on meeting dates for which all members can attend, and they are allowed to call special meetings, as necessary in accordance with the Brown Act. A quorum is required to conduct business. She went over the duties of the Chair and Vice Chair. Member attendance requires at least 50% of attendance, and if unable to attend the most recent 10 meetings, then the member's seat is vacated. Attendance is crucial for consistency and ability to make decisions and recommendations. Full procedures and requirements are included in the agenda packet for reference.

Ms. Johnson had a question regarding Form 700 and that they have not been completed since they last met in 2020. Ms. Poldino answered due to COVID and staff turnover over the past three years, the notification was put on hold and that staff will revisit this issue as soon as possible.

5. LTF Attendance

Ms. Fritz conducted a roll call of members.

6. Decision on Schedule of Future LTF Meeting

Ms. Fritz stated that staff is proposing a late April/early May timeline for the next LTF meeting, since this meeting is focusing on the 5-Year plan update, and a proximate date would be ideal in order to move forward with regular business as an LTF.

Ms. Goddard asked when the next JPA meeting is being held and Ms. Poldino replied April 20.

Ms. Goddard asked staff what their recommendation would be going forward in conjunction with the next JPA meeting. Ms. Poldino recommended that it would be ideal to meet prior to the JPA meetings, and stated the focus of the next few meetings – budget, transition of HHW facilities to Zero Waste Marin, and other large items, such as SB 1383. Staff is looking for feedback from the LTF on their outlook for these future meetings. Staff is looking to put together annual schedules in the future. Planning is contingent on future membership, etc. She expressed that meeting prior this time around may be too soon, that the LTF may need to meet after the next meeting. She suggested that LTF members could meet with the JPA on April 20 and report back to the LTF with notes from that meeting. Ms. Goddard asked if the LTF could meet between the JPA's April and May meetings, and Ms. Poldino suggested that it would be the most beneficial time. Ms. Cochran asked if Wednesday would be the best day of the week, and Ms. Poldino confirmed that that would be the best day according to procedures. Ms. Johnson expressed concern regarding the membership issue, and that until they have a solid membership, they do not have an LTF and Ms. Poldino agreed. She suggested holding off on scheduling a future meeting until some decisions are made and they reconstitute the LTF, unless it is decided at the next meeting. Ms. Poldino stated that staff was hoping to clear it up prior to the next meeting so they can come back with more definitive information. She reiterated that staff is looking for feedback from the LTF so they can have a clearer picture prior to moving forward with scheduling future meetings. Ms. Cochran asked if there were any exceptions to the

reinstatement of Board members process due to everything being put on hold due to the pandemic. Ms. Goddard replied that the Executive Emergency Order is over, and she guessed that they may have reverted to pre-pandemic status. She stated that on a macro level, she would not like to see any future delay in the reconstitution of the LTF and would like staff to investigate seeing what that would take as far as process protocol. Mr. Christie agreed. He also asked that since the JPA will need to approve the appointed new members, nothing could possibly happen prior to the April 20 JPA meeting and Ms. Poldino confirmed that he is correct. Mr. Christie agreed that in order to expedite the process, it would be best to go to the next JPA Board meeting with a new batch proposed LTF members and have the next LTF meeting afterwards. Ms. Poldino stated that though this item was brought forward for discussion with members today, it may be best to wait until Ms. Scheibly is present for her guidance with this item. Ms. Johnson suggested that staff send an email to members with a survey asking what the LTF's preferences would be, and Ms. Poldino will look into the request. Ms. Fritz pointed out that though this would be a delay in a critical process, she stated that staff would need to complete their State reporting requirements prior to moving forward with regular LTF business.

The Board agreed that this item to be deferred until Ms. Scheibly, JPA Executive Director, is present and able to report.

7. Review of 5-Year Update for Integrated Waste Management Plan (IWMP)

Documents and Recording of Comments and Questions from LTF Members

Ms. Fritz shared the review of the 5-Year IWMP, as required by the State. She shared that instructions were sent to each LTF member for reading the original planning documents and 5-year report on the update. She opened up the floor to clarify any questions members may have as they were reviewing the report and recommended that if they have any comments to please send them to staff no later than April 7, so that they can be included in the report.

Ms. Goddard requested a basic overview explanation of the report requirements for those who have not experienced this process before.

Ms. Fritz delivered the overview, explaining that this is a requirement of the State of California for staff to compile and submit this report, mainly focusing on the Integrated Waste Management Act, which had passed in 1989. That act set diversion goals for California at 25% diversion by 1995, and 50% diversion by 2000. Everyone in the State had to make planning documents with goals to make these requirements as mandated by the IWM Act. Members were sent the summary plan, the siting element, the source reduction and recycling element, and the non-disposable facilities element, in which she gave a clear description of each. She stated that staff had drafted these documents, some of which were drafted in 1995, in response to how the County would comply with this law. Staff is required to do a 5-year update to report to CalRecycle to inquire whether the documents are still relevant or not, or do they need to be overhauled.

Ms. Nichols asked about the budget for a reporting database that was mentioned in the IPWM report, and asked if that was reported directly from the JPA Board. Ms. Poldino stated that they do have a database that was acquired about a year and a half ago called Recyclist, where they collect information from all of the haulers and jurisdictions, but that is for the electronic annual SB 1383 reporting requirements which is all new data and does not directly correlate with the 5-year plan.

Ms. Johnson commented that the report seems to be based on AB 939, and the EAR is based on 341, 1586, and 1383. The State is very confused because they don't know which way to go. She speculated that is the EAR that the State is more interested in, and that eventually these 5-year updates will be gone, as in her opinion they need to be because the Source Reduction Recycling Element (SREE) is so out of date. She recommended that they may want to consider updating the SREE, as costly as it may be, in the near future. She stated that though the EAR may not be relevant at this time, it may have an effect in the long run. She asked if the JPA Board members receive a copy of the EAR and Ms. Poldino replied yes. Ms. Fritz clarified the items that Ms. Johnson mentioned, and expanded on the background of the State laws and their requirements and the reasons why the documents are so out of date.

Ms. Nichols asked if they are current with the 50% diversion rate goal as of 2000, and Ms. Fritz replied yes. Ms. Goddard asked if they have been reporting every five years and Ms. Poldino replied yes.

Ms. Fritz stated that in addition to the 5-year report, they do an EAR annually.

Mr. Khany asked that if there is a County-wide waste management plan, is this something the State will demand, or is it simply for members' reference and Ms. Poldino replied it is for reference. She stated that CalRecycle is not caught up with itself, and the 5-year plans have basically been replaced by the EAR reports, however, CalRecycle is still mandating them. She stated that the EAR has much more pertinent information than the outdated 5-year plan reports, though it is prescribed that the LTF review the 5-year plan before being submitted as a JPA to CalRecycle. She reiterated the responsibility and due diligence the LTF must perform in regard to the 5-year plan.

Ms. Johnson speculated that CalRecycle will not pay much attention to the 5-year report and focus mainly on the EAR.

Mr. Shelton commented that according to the 2018 report the takeaway was that they were going to move away from percentages to pounds per person. Since this was a result of the 5-year plan, he speculated that these 5-year reports do still have a purpose, and if good input is placed in the plan it will be heard by CalRecycle. He pointed out that this is an example of a great opportunity for the members to speak directly to CalRecycle through staff's 5-year plan.

Ms. Fritz reiterated that though it is not a requirement to submit comments on the 5-year plan, the focus of this item is to ask questions to help guide members prior to submitting their comments.

Ms. Goddard asked what is the metric that warrants, or does not warrant, revisions in the plan. Ms. Fritz answered that other than a completely new facility constructed in County within the last 27 years and major administrative changes, which would warrant revisions, there would not be any change, but the guidance regarding this process was very grey.

Ms. Goddard said she saw the item in the report regarding landfill capacity, but not for compost, and asked if it was included. Ms. Fritz stated that they did not ask about compost and the 5-year plan is more focused on AB 939 instead of SB 1383.

Ms. Nichols mentioned that there was a good comment by staff in the report on page 6 that mentioned that the landfill capacity projection of 22 years is going well, but organics diversion would improve that.

Mr. Khany reported that at Redwood Landfill there is an expansion on the table to add another 8.5 million cubic yards to the existing landfill, which will beyond improve the lifespan of the landfill. They have submitted their application to CalRecycle. The

expansion has two components; one regarding SB 1383 for expanding their composting operation, and expanding and developing an AD, which is for processing the foodwaste material, and expanding their commercial composting. He stated much of the material comes from Sonoma County, as well, because it's on the County border line. The first phase of the project is capacity, so they can secure that prior to moving on to the next phase of the composting facility projects. There are looking to secure another 23 years capacity in the future. The two applications go hand in hand, but they are phased. The original application for capacity was submitted back in 2008, so they are revisiting the project and it still needs to go through the CEQA process. The number of vehicles that will be entering and exiting the landfill will not change during these phases. He stated that when the landfill reaches capacity, it could possibly be changed into a transfer station, and stated the chances of Marin County letting anyone build another landfill are very slim.

Ms. Poldino asked if they are looking to expand the current compost facility as it is, or would it only increase the AD? Mr. Khany replied that with regulations being difficult, they would not want to disturb their existing permit or lose any existing entitlements.

Mr. Ratner asked for clarification of the 23 years added in the expansion of the landfill.

Mr. Khany responded that that is a fluid number. At current calculation, they have about 11 years capacity remaining. But with the additional 8.5 million cubic yards they are going to add, based on the running rate, it will add 23 years to the life of the landfill. Mr. Ratner followed up with what adjustments were built into that equation to accommodate any major changes that would affect the lifespan. Mr. Khany replied that it is based on what they receive and what they dispose of, and sometimes that can change. The 2017 fires are a good example: they went from 750 tons a day to 2000 tons a day.

Ms. Nichols asked how many tons were received during the COVID pandemic. Mr. Khany replied that it did increase, but not significantly.

Ms. Fritz wrapped up the meeting and asked if there were any more questions.

Ms. Goddard had one final question about the 5-year plan regarding any changes to single-streaming but met with staff after the meeting to discuss.

8. Adjournment

Next LTF Meeting TBD

Recommendation

Adopt a Motion approving the subject minutes.

LTF Chair: Please confirm the vote on this item by reading the following items out loud after the vote.

Motion: _____ Second: _____

Ayes: _____

Noes: _____

Abstentions: _____
